

Indonesia

Open Government Partnership

National Action Plan

2023-2024

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I. Introduction

Indonesia is one of the eight founding nations of a global platform which advocates for open governance, the Open Government Partnership (OGP). Indonesia's contribution as a founder is inseparable from the Government of Indonesia (GoI)'s commitment to a transparent, participative, accountable, inclusive, and innovative governance. This is done as an effort to embody the 1945 Constitution's provision to social justice for all Indonesian people, and as part of an implementation of Law Number 14 Year 2008 regarding Public Information Disclosure.

As a member of the OGP, Indonesia regularly drafts the Open Government Indonesia National Action Plan (OGI NAP) to accommodate open government commitments in Indonesia. Until now, Indonesia has successfully published six OGI NAPs starting from 2011 and the OGI NAP's have been updated every once in two years. From the six OGI NAPs documents that have been published, Indonesia successfully drafted 159 Commitments comprising of various strategic issues, such as Open Contracting, Data Governance, Civic Space, Access to Justice, Citizen Empowerment and Inclusivity, and Social Accountability. In 2022, the GoI began drafting the 7th OGI NAP for 2023-2024.

The 7th OGI NAP 2023-2024 was prepared through co-creation between the GoI and civil society, and synched with Indonesia's National Medium Term Development Plan (RPJMN). The 7th OGI NAP 2023-2024 is in line with the 7th development agenda of the RPJMN, which is Political, Legal, Defense, and Security Stability and Public Service Transformation. The 7th OGI NAP is hoped to be able to support the medium-term development agenda through the strategic issues it raises to achieve stability and better public services transformation. In supporting this, the 7th OGI NAP 2023-2024 comprises of six strategic issues which will be carried out, namely: (1) Anti-corruption and Budget Transparency, (2) Civic Space and Democracy, (3) Inclusive Public Services, (4) Access to Justice, (5) Gender, Disability, and Social Inclusion, (6) Energy, Environment, and Natural Resources.

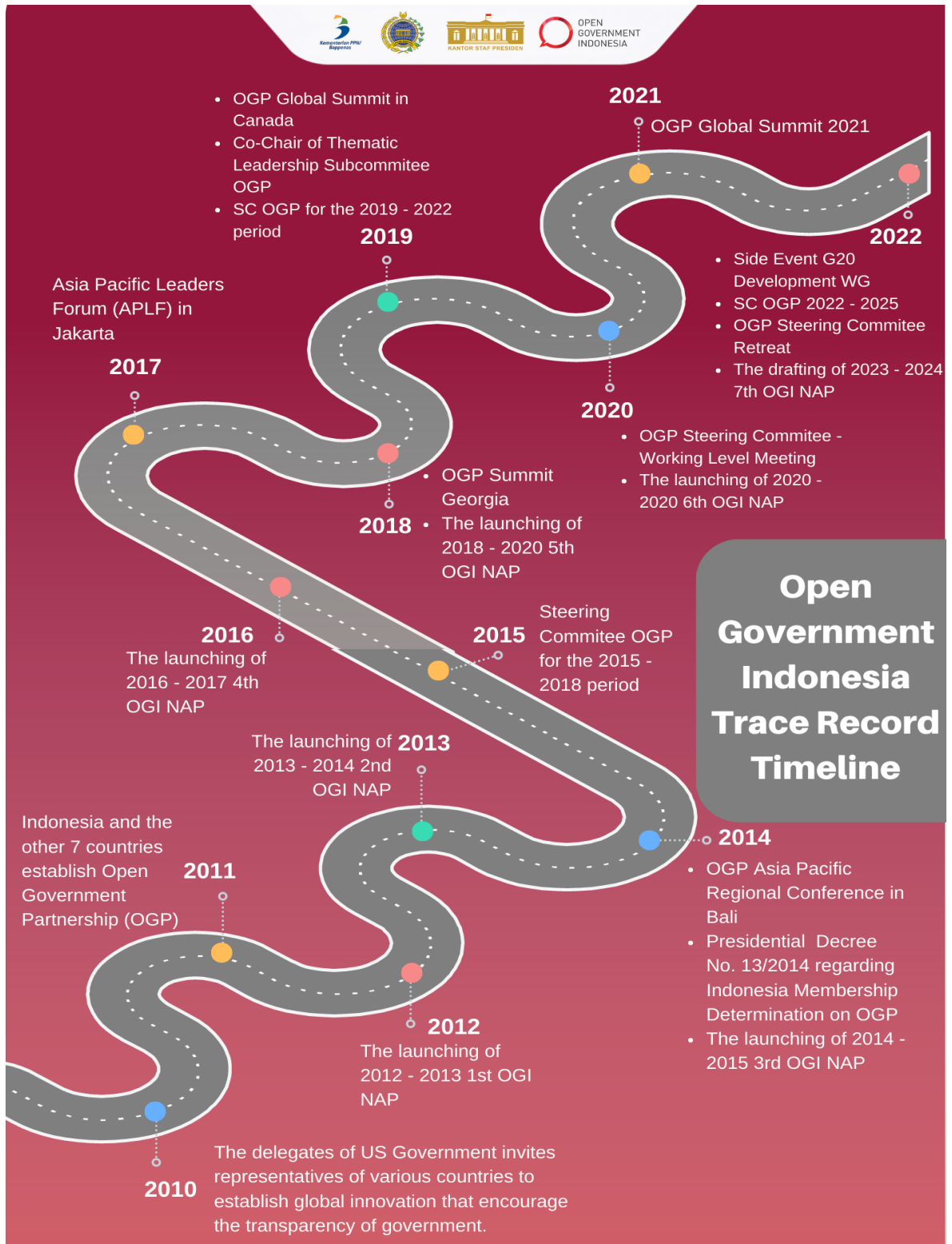
II. Open Government Endeavors in Indonesia

A. The Journey of Open Governance in Indonesia

An effort by the Gol to bring forth a more open governance began through Law Number 14 Year 2008 regarding Public Information Disclosure. The commitment to provide more open and accessible information is a first step by the Gol to open participation for civil society. The commitment of Gol to accelerating open governance then continue and in the year 2011, the Gol along with the Government of the US, South Africa, the UK, Brazil, the Philippines, Mexico and Norway, established Open Government Partnership (OGP) as a multilateral initiative which allows various stakeholders committed to open governance to collaborate and create an inclusive, responsive, and accountable governance.

Since 2011, Indonesia's membership in the OGP has resulted in various achievements and accomplishments. In 2015, through the *Aksi Pencerah Nusantara*, Indonesia ranked second in the 2015 OGP Awards. The achievements and accomplishments continue where in 2016, Perkumpulan untuk Pemilu dan Demokrasi (Perludem) and the National Election Commission (KPU) ranked second in the 2016 OGP Awards. In the year 2017, through its leadership, Indonesia's demonstrated to organize the Asia-Pacific Leaders Forum on OGP in Jakarta. Furthermore, Indonesia being chosen as one of OGP's Steering Committee members is also an embodiment of the Gol's accomplishments and commitment to advocate for open governance. In the 2021 OGP Awards, Indonesia's achievements were not only reflected at the national level, but also at the local level, through the local governments involved in OGP Local. At the national level, the National Public Procurement Agency (LKPP) and Indonesia Corruption Watch (ICW) won second place for their commitment on open public procurement of goods and services in the OGP Impact Awards. At the local level, the West Sumbawa Regency won first place in the OGP Spotlight Awards through its commitment on establishing a complaint handling forum for public services. Most recently in 2022, as the host of the G20, the Gol also held a Side Event during the 3rd Development Working Group meeting to discuss ways to mainstream open government values in governance and sustainable development.

Image 1. Open Government Indonesia Timeline



Source: OGI National Secretariat, 2022.

B. Evaluations from 6th OGI NAP 2020-2022 Implementation

In 2020-2022, Indonesia drafted and implemented the 6th OGI NAP for 2020-2022, comprised of 18 commitments. In that action plan, there were 61 stakeholders comprising of 29 Civil Society Organizations and 32 Ministries/Bodies/Local Governments. The process of drafting the NAP underwent a series of comprehensive co-creation processes and encourages the wide involvement of non-government stake actors. The 6th OGI NAP 2020-2022 was implemented from January 2021 to December 2022. The implementation of the 6th OGI NAP 2020-2022 has underwent a series of challenges and opportunities, which recap can be viewed as follows:

1. Supporting Factors

a. Communication Approaches

The OGI National Secretariat conducted interactive communication with all 6th OGI NAP 2020-2022 stakeholders to ensure the achievement of the actions as stipulated in the planning process. This opened opportunities for Ministries/Bodies and CSOs to communicate about the challenges they faced, so that the completion process could be done through co-creation among the OGI National Secretariat and other stakeholders involved in the 6th OGI NAP 2020-2022.

b. Objective Monitoring and Evaluation Mechanisms

The OGI National Secretariat objectively completed its monitoring and evaluation, which could be measured by scoring through verification processes and processing joint inputs from stakeholders to obtain objective scores. Implementing the OGI NAP without monitoring and evaluating progress would make it difficult for stakeholders to measure how far and how advanced the implementation of their activities are. The authority to conduct monitoring and evaluation in the 6th OGI NAP for 2020-2022 is held by the OGI National Secretariat to measure and observe the implementation developments from the action plan.

2. Hindering Factors

a. Changes in Stakeholders Points of Contacts

Uncertainty surrounding the Points of Contacts from various stakeholders was a challenge in implementing the 6th OGI NAP 2020-2022. This caused restrictions in conducting co-creation among Ministries/Bodies and CSOs. This also resulted in co-creation issues noted in the achievement reports each semester from the 6th OGI NAP 2020-2022.

b. Resourcing Issues

Having to conduct the OGI NAP for two years could serve as a challenge for Ministries/Bodies and CSOs to prepare sufficient funding to implement the OGI NAP. This became more challenging due to the COVID-19 pandemic, which caused a significant portion of funding to be refocused. This led to some action plans in the 6th OGI NAP 2020-2022 to be incompleting.

c. Changes in Policy Direction

Changes in priority policy directions among Ministries/Bodies and CSOs led to some actions that were drafted in the 6th OGI NAP 2020-2022 to be incompleting. This led to some targets having to be adjusted, to become in line with the stakeholders' newest policy directions.

3. Achievements in 6th OGI NAP 2020-2022 Implementation

The implementation of the 6th OGI NAP 2020-2022 has some best practices which proves that co-creation practices can help in the government's development and performance. Some positive achievements in implementing the 6th OGI NAP 2020-2022 are as follows:

a. The Availability of an Integrated Election Data Portal (Open Data KPU)

The 6th OGI NAP 2020-2022 has resulted in the creation of an integrated portal for election data through www.opendata.kpu.go.id. The provision of this portal is a breakthrough for KPU and also an effort to push open data transparency in relation to public elections. However, there is a challenge in developing the portal that will be carried over to the 7th OGI NAP 2023-2024, namely the provision of election data in line with open data and One Data Indonesia's (*Satu Data Indonesia*) standards.

b. The Availability of an Implementing Regulation for the Provision of Adequate Accommodation for Persons with Disabilities in Judicial Proceedings

Positive achievements throughout the 6th OGI NAP 2020-2022 were also shown through co-creation results in drafting an implementing regulation to provide decent accommodation for disabled persons in judicial proceedings. Through this commitment, law enforcement agencies, such as the Attorney General's Office, Supreme Court, Indonesian Police, and Directorate General for Corrections in the Ministry of Law and Human Rights, collaborated with civil society and disabled groups to draft an implementing regulation in providing adequate accommodation to disabled groups during judicial proceedings. The involvement of civil society and disabled groups helps ensure that the regulation drafted is based on the needs of citizens, and the co-creation done could be a foundation of a positive collaborative relationship which can be carried over throughout the periods of the next OGI NAPs. A challenge in carrying out this commitment is the process of issuing the implementing regulation that has been drafted. Implementing regulations that have not been issued in the period of the 6th OGI NAP 2020-2022 will be done in the period of the 7th OGI NAP 2023-2024, such as the Attorney General Office's Guideline in Handling Cases with an Accessible Manner for Disabled Persons in Judicial Proceedings.

III. Co-creation Process in Drafting the 7th Open Government Indonesia National Action Plan Year 2023-2024 (7th OGI NAP 2023-2024)

A. Co-Creation Journey in 7th OGI NAP 2023-2024

In drafting the 7th OGI NAP for 2023-2024, the Gol was committed to expanding the range of participation and activities in preparing the commitments. The strategy implemented in receiving recommendations for priority issues is also one of the innovations in the co-creation process for the 7th OGI NAP 2023-2024. The co-creation, collaboration, and public consultation processes that were implemented to draft the 7th OGI NAP 2023-2024 are as follows:

1. Open Government Indonesia Goes to Campus: Gathering Public Input for Open Government Strategic Issues

In an effort to realize a wider-scale open governance and encourage public understanding of the importance of open governance at national and local levels, the OGI National Secretariat conducted a public dissemination and gathered inputs from youth groups through the *Open Government Indonesia Goes to Campus* (OGI GTC) program at Medan, North Sumatra, on the 29th of March 2022.

Image 2.
Open Government Indonesia Goes to Campus Medan

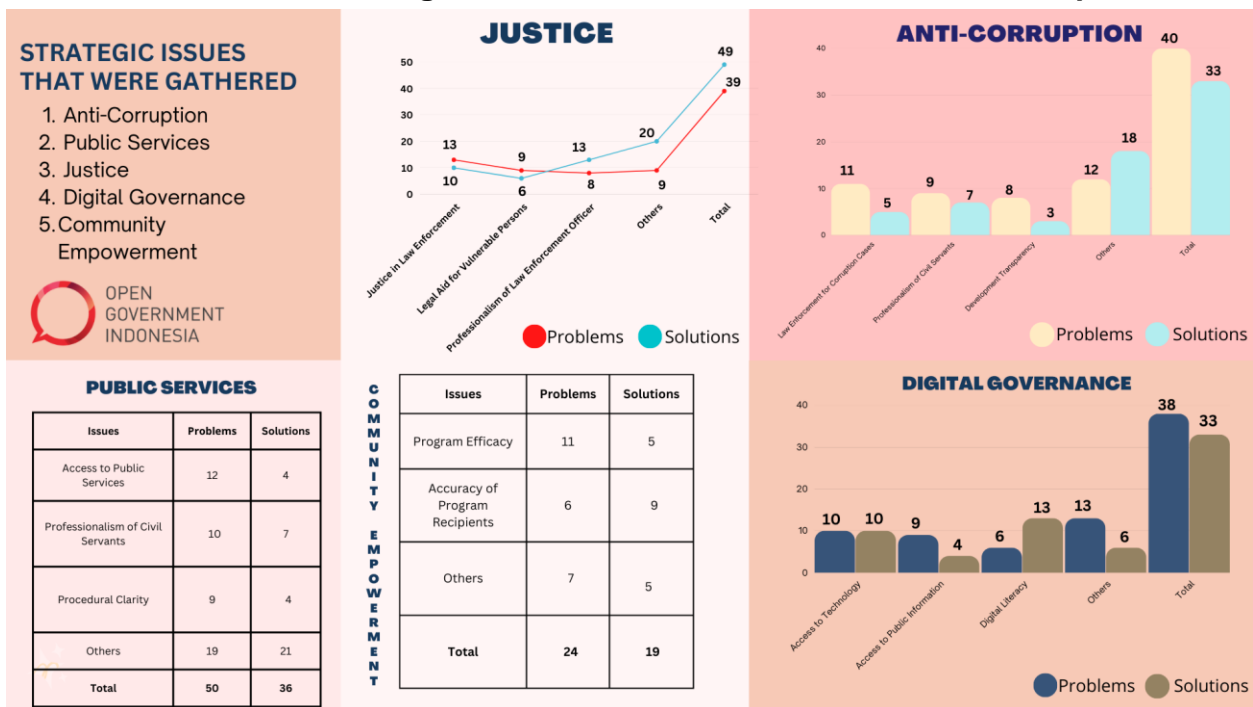


Source: OGI National Secretariat, 2022.

The OGI National Secretariat invited and involved various civil society and government elements to obtain inputs and open government strategic issues that could be raised in the 7th OGI NAP 2023-2024. The OGI National Secretariat encouraged participants to share problems and solutions relating to open governance as part of a consideration to defining strategic issues for the 7th OGI NAP 2023-2024. Participants proposed

suggestions and solutions which were divided to five main topics, namely (i) Public Services; (ii) Anti-corruption; (iii) Justice; (iv) Community Empowerment; and (v) Digital Governance. Through those activities, the OGI National Secretariat obtained a list of 191 problems with 170 proposed solutions which could be raised in the 7th OGI NAP 2023-2024.

Image 3.
Results of Strategic Issues Gathered from OGI Goes to Campus



Source: OGI National Secretariat, 2022.

2. Stakeholder Survey to Gather Inputs for 7th OGI NAP 2023-2024

The important role that current active open government practitioners play became part of the OGI National Secretariat's consideration to ask for their views through the 7th OGI 2023-2024 Input-Gathering Survey. The OGI National Secretariat disseminated a survey form and received responses from 52 respondents, consisting of 25 Government representatives and 27 CSO representatives.

This survey was conducted to obtain inputs on the strategic issues that were previously suggested by the public. The results of the survey can be found in the following image:

Image 4.

Results of Survey on Gathering Strategic Issues for 7th OGI NAP 2023-2024



Source: OGI National Secretariat, 2022

3. Multistakeholder Forum (MSF): Discussion on Potential Strategic Issues

To disseminate the results of the mapping of strategic issues based on previous activities, the OGI National Secretariat convened all its stakeholders in a multistakeholder forum. In this event, participants exchanged their ideas and thoughts in several sessions as an effort to formulate the strategic issues and priorities for the 7th OGI NAP 2023-2024.

The Multistakeholder Forum not only invites open government stakeholders affiliated with the Open Government Partnership, but also other bodies or institutions such as the National Secretariat for Corruption Prevention (Stranas-PK) and the National Secretariat for Sustainable Development Goals (Seknas SDGs), to align the actions in OGI’s scope with other National Action Plans.

This alignment is needed to map out the support that can be done through the OGI National Secretariat and push for a joint commitment to advocate for an open governance in Indonesia so that this can be done not only through OGI, but other platforms as well.



B. Co-creation Process in 7th OGI NAP 2023-2024

The OGI National Secretariat facilitated co-creation processes in drafting the 7th OGI NAP 2023-2024, with the following steps:

1. **Commitment Proposal Submissions for OGI NAP:** CSOs as well as Ministries/Bodies were invited to submit a proposal in the format already shared by the OGI National Secretariat through the website www.ogi.bappenas.go.id and a circular letter from the OGI National Secretariat.
2. **Proposal Review:** the OGI National Secretariat identifies the relevant stakeholders and prepares to set up meetings between the proposer and the potential stakeholders.
3. **Aligning Commitment Proposal with Government Work Plan:** meetings between the proposers with the relevant Directorates in Bappenas were conducted to align the commitment proposals with the Programs/Activities in Ministries/Bodies to ensure there is an alignment with the Government Work Plan.
4. **In-depth Commitment Discussions between Ministries/Bodies and CSOs:** Meetings were held to sharpen the achievements of the milestones/outputs and targets which will be done by the relevant CSOs and Ministries/Bodies.
5. **Finalization of 7th OGI NAP 2023-2024:** Finalizing the document of Open Government Indonesia's 7th National Action Plan for 2023-2024.

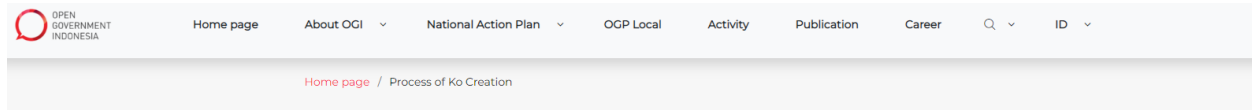
Image 5.
Co-creation Timeline for 7th OGI NAP 2023-2024



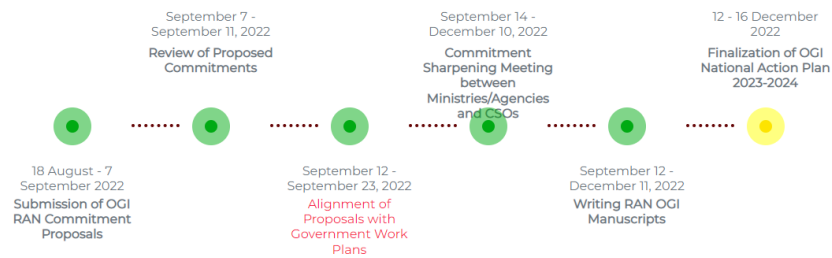
Source: OGI National Secretariat, 2022.

Throughout the co-creation process of the 7th OGI NAP 2023-2024, the OGI National Secretariat received 27 Proposals from Ministries/Bodies and CSOs. Each step in the drafting process is publicized on a timely basis through the website: www.ogi.bappenas.go.id. The public were also given the opportunity to provide comments to the draft proposal commitments.

Image 6. Page for Developments in Drafting the 7th OGI NAP 2023-2024 in OGI's Official Website



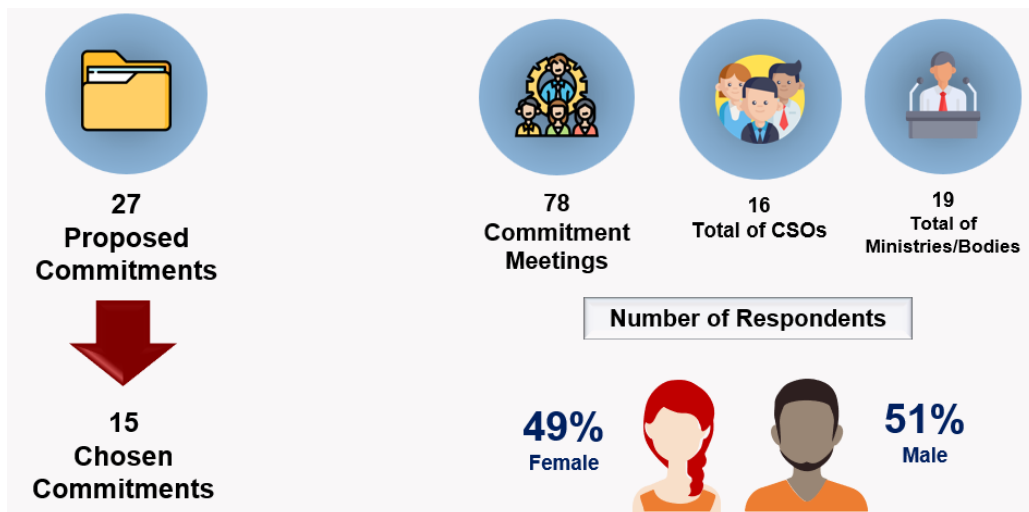
The preparation of the Seventh Indonesian Open Government National Action Plan (RAN OGI VII) for the 2023-2024 period will be carried out co-creatively between the Government and the Community. The co-creation process will be carried out starting from the determination of the activity agenda up to the implementation of RAN OGI VII. The public can provide input and suggestions regarding the preparation schedule as specified in the following infographic:



Source: OGI National Secretariat, 2022.

The OGI National Secretariat has facilitated 78 in-depth meetings to sharpen the draft commitments with 49% female representation and 51% male representation. Based on the results of the commitment scrutinizing meetings that were done through the co-creation process, 15 Commitments were chosen to be raised in the 7th OGI NAP 2023-2024, which will be carried out by 16 CSOs and 19 Ministries/Bodies.

Image 7. Co-creation Process for 7th OGI NAP 2023-2024 in Numbers



Source: OGI National Secretariat, 2022.

C. List of Commitments in 7th OGI NAP 2023-2024

The co-creation process underwent for the drafting of the 7th OGI NAP 2023-2024 resulted in 15 Commitments, which are as follows:

No.	Commitment Titles
Anti-corruption and Budget Transparency	
1.	Encouraging Transparency and Participation in Government Procurement of Goods/Services
2.	Optimizing the Implementation of Beneficial Ownership Data Disclosure
Civic Space and Democracy	
3.	Legal Protection on Environmental Cases
4.	Overseeing the Formulation of Implementing Regulations for Law No. 27 of 2022 concerning Personal Data Protection (UU PDP)
5.	Creating a Mechanism to Handle Election Disinformation
6.	Openness of Election Data
Inclusive Public Services	
7.	Provision of Digital Accessibility Guidelines for Inclusive Public Communication and Information Services for Persons with Disabilities
8.	Social Accountability for Village Budget Openness
9.	Social Accountability for Public Services and Village Governance
Access to Justice	
10.	Drafting of the Truth and Reconciliation Commission Draft Law (RUU KKR) to Fulfil the Right to Truth
11.	Accessibility and Accountability of Judicial Proceedings in Indonesia
12.	Increasing the Provision of Quality and Accessible Legal Aid in Indonesia

13.	Strengthening Legal Aid Provision for Vulnerable Persons in Indonesia
Gender, Disability, and Social Inclusion (GEDSI)	
14.	Strengthening Recovery Mechanisms Under Law No. 12 of 2022 concerning Sexual Violence Crimes (UU TPKS)
Energy, Environment, and Natural Resources	
15.	Development of a One Data System for Natural Resources and the Environment that Guarantees Openness of Data and Licensing and Spatial Information

1. Encouraging Transparency and Participation in Government Procurement of Goods/Services

Name of the Commitment	Encouraging Transparency and Participation in Government Procurement of Goods/Services		
Brief Description of the Commitment	This commitment encourages transparency in government procurement of goods/services (PBJ) including in emergency procurement, increases the participation of Micro, Small and Medium Enterprises in government procurement of goods/services, and expands community involvement in monitoring the government procurement of goods/services.		
Stakeholders	Government	Civil Society	Other Actors
	1. National Public Procurement Agency (LKPP) 2. Central Information Commission (KIP)	1. Indonesia Corruption Watch (ICW) 2. Transparency International Indonesia (TII)	
Period Covered	2023 – 2024		

Problem Definition

1. What problems does the commitment aim to address?

Every year the Central and Regional Governments allocate an abundant amount of Government Goods/Services Procurement (PBJ) budget, where in 2021 LKPP recorded PBJ spending reaching Rp1,214T or around 52.1% of the total Budget State Revenue and Expenditure (APBN). Covid-19 pandemic also give the conditions for the existence of special procurement in form of Emergency PBJ. Such a large budget allocation coupled with the existence of special procurement mechanism in form of Emergency PBJ could increase the potential corruption in Government PBJ.

The phenomenon of corruption in the Government's PBJ nationally is the second most corruption case handled by the Corruption Eradication Commission (KPK). It was recorded from the year 2004 until July 2021 there are 240 corruption cases in the context of Government's PBJ (KPK, 2022). Therefore, one way that can be done to prevent and reduce the potential for corruption in the context of PBJ is to open crucial procurement information so this will open up opportunities for the public to participate in supervising the PBJ process. On the other hand, this can form the better understanding of business actors to know the needs of the government and see the potential for involvement in PBJ so as to increase competition and healthier business competition in PBJ.

2. What are the causes of the problem?

The existing problems are caused by several things, namely, first, the lack of transparency of government procurement information, especially information that is important and can be used to confirm whether the allocated budget is appropriate or not. Although Indonesia has used electronic procurement, there is still a lot of procurement information that has not been published. Second, there are still Ministries/Institutions/Local Governments (K/L/PD) that consider procurement information to be excluded information or not public information. Third, low public participation to participate in monitoring the government procurement process. This is because the procurement process is complex, making it difficult for public to monitor. Therefore, if it's needed to increase the role of community supervision in the context of the Government's PBJ, so it is also necessary to increase capacity for the public before conducting procurement monitoring.

Commitment Description

1. What has been done so far to solve the problem?

In 2021, Central Information Commission Regulation No. 1 of 2021 concerning Public Information Service Standards (Perkislip 1/2021) was issued which contains an article regulating the detailed explanation of PBJ information that must be opened by Public Bodies. In addition, the PBJ Openness Indicator has also been included as one of the indicators in the Public Information Disclosure Index (IKIP). In the electronic procurement system, LKPP has also published the Emergency PBJ dashboard in the Electronic Procurement Service (LPSE) channel.

2. What solution are you proposing?

This commitment will encourage Public Bodies related to Government PBJs to publish in more detail related to K/L/PD transactions including emergency procurement information, expand community participation in monitoring Government PBJs, improve the efficiency of complaint handling mechanism channels for Government PBJs, expand MSME involvement in Government PBJs, ensure the implementation of Perkislip 1/2021 in Government PBJs, and strengthen the community in involvement and supervision PBJ Government.

3. What results do you want to achieve by implementing this commitment?

Opening procurement information will provide space for the public to participate in monitoring and providing input to the government on the procurement process carried out. So far, one of the obstacles in the supervision of the Government's PBJ is the lack of detailed information that can be accessed through the procurement system, while requests for information sometimes take a long time. In addition, the opening of procurement information will also make it easier for business actors to be involved in the procurement market, which will also make it easier for business actors to get involved in the government procurement market which leads to a more competitive and efficient procurement process, as well as producing quality goods/services. Furthermore, governments, civil society organizations, academics, and journalists can also use the data for further analysis of the effectiveness and potential of fraud in the Government's PBJ.

Commitment Analysis	
1. How will the commitment promote transparency?	The publication of Government PBJ information will increase public access to information that can be used to conduct studies, monitor, and participate in government procurement. This commitment is in line with the value of transparency described in Law No. 14 of 2008 concerning Public Information Disclosure, Perkislip 1/2021, and Presidential Regulation No. 16 of 2018 concerning Government Procurement of Goods and Services.
2. How will the commitment help foster accountability?	Publishing procurement information is a form of government accountability for the use of budgets that have been allocated and spent. With this information, the public can see, analyze, and know how the implementation of planning and absorption of the budget that has been allocated.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	This commitment will encourage wider participation for the public to participate in procurement, monitor procurement carried out, and use the data to encourage policy improvements in government procurement.

Commitment Planning			
Milestones	Expected Output	Expected Completion Date	Stakeholders
Publication of Ministry/Institution/Local Government transactions in the e-catalog	Availability of publication of the components of K/L/PD transaction information in the e-catalog	December 2024	Lead: LKPP
			<u>Supporting Stakeholders</u>
			Government CSOs Others
			1. ICW 2. TII
Publication of detailed emergency procurement information	Published in detail of emergency procurement information	December 2024	Lead: LKPP
			<u>Supporting Stakeholders</u>
			Government CSOs Others
			1. ICW 2. TII

Encouraging the effectiveness of the e-complaint channel in handling community complaints	Availability of an effective e-complaint channel in handling community complaints	December 2024	Lead: LKPP		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				1. ICW 2. TII	
Development of an integrated and open Provider Performance Information System (SIKAP) database	Implementation of the development of an integrated and open SIKAP database	December 2024	Lead: LKPP		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				1. ICW 2. TII	
Publication of information or documents on Government Procurement of Goods/Services regulated in Perkislip 1/2021 at SPSE in accordance with LKPP's authorities	The availability of publication of information or Government PBJ documents regulated in Perkislip 1/2021 at SPSE in accordance with LKPP's authorities	December 2024	Lead: LKPP		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				1. ICW 2. TII	
Community strengthening in the involvement and supervision of Government Procurement of Goods/Services	Implementation of community strengthening in the involvement and supervision of Government PBJs	December 2024	Lead: 1. ICW 2. TII		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				LKPP	
Implementation of Government Procurement Information according to Perkislip 1/2021	Implementation of Government PBJ information according to Perkislip 1/2021	December 2024	Lead: KIP		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				1. ICW 2. TII	

2. Optimizing the Implementation of Beneficial Ownership Data Disclosure

Name of the Commitment	Optimizing the Implementation of Beneficial Ownership Data Disclosure		
Brief Description of the Commitment	This commitment seeks to provide up-to-date beneficial ownership data through verification and utilization of beneficial ownership data		
Stakeholders	Government	Civil Society	Other Actors
	<ol style="list-style-type: none"> 1. Ministry of Law and Human Rights 2. Presidential Staff Office 3. Financial Transaction Reports and Analysis Center 4. Ministry of Investment 5. Stranas-PK 6. Ministry of Energy and Mineral Resources 7. Ministry of Environment and Forestry 8. Ministry of Agriculture 9. Ministry of Agrarian Affairs and Spatial Planning 10. Ministry of Finance 	<ol style="list-style-type: none"> 1. Publish What You Pay 2. Transparency International Indonesia 3. Indonesia Corruption Watch 	
Period Covered	2023 – 2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>Indonesia has carried out beneficial Ownership Data Disclosure with the presence of Presidential Regulation Number 13 of 2018 concerning Beneficial Ownership. Through this regulation, the government seeks to reduce or suppress the value of corruption, money laundering, and criminal acts of terrorism funding, by opening a list of information on the beneficial owner of a Ministry/Institution.</p> <p>Efforts to open Beneficial Ownership data in Indonesia face challenges with accountability and accuracy of data reported as beneficiaries. This makes the objective of implementing beneficial ownership to eradicate corruption, money laundering, and criminal acts of terrorism funding not maximized. Through this commitment, data governance and accountability of beneficial ownership data will try to be resolved utilizing a mechanism for verifying and utilizing beneficial ownership data.</p>

2. What are the causes of the problem?

- The ministries/agencies responsible for beneficial ownership actions do not yet have a BO database and regulations that require BO declarations during the licensing process.
- The obligation to declare BO has not been screened in the licensing process.
- Administrative constraints (MoU or PKS between Ministries/Institutions) as well as technical constraints (related to the data exchange process) that are still being faced by Ministries/Institutions
- Low corporate compliance due to the absence of sanctions for not reporting beneficial ownership
- The data verification mechanism declared by the corporation has not yet worked which has an impact on data quality
- The minimal involvement of civil society in the process of encouraging the emergence of beneficial ownership data

Commitment Description

1. What has been done so far to solve the problem?

The Ministry of Law and Human Rights (Kemenkumham) has opened beneficial ownership data which the public can access through the public portal www.bo.ahu.go.id which presents beneficial ownership data that has been received by the Ministries/Technical Institutions to the Ministry of Law and Human Rights.

Civil Society has also taken a role by completing studies related to beneficial ownership and conducting outreach regarding the importance of finding beneficial ownership data and the accuracy of this data which functions to tackle problems of corruption, money laundering, and financing for terrorism.

2. What solution are you proposing?

Strive to strengthen and utilize beneficial ownership data through a more accountable verification process and utilize beneficial ownership data by relevant Ministries/Institutions to address issues of corruption, money laundering, and financing of terrorism crimes

3. What results do we want to achieve by implementing this commitment?

Availability of Clean and Clear beneficial ownership data that has been verified by applicable regulations and utilization of beneficial ownership data by the relevant Ministries/Institutions.

Commitment Analysis

1. How will the commitment promote transparency?

Through the transparency of beneficial ownership data, individuals are identified as the ultimate beneficiary and have a poor track record or are considered to be at high risk of committing a crime, particularly corruption, money laundering, or

	terrorism, so steps to mitigate the risk of corporate abuse can be implemented.
2. How will the commitment help foster accountability?	This commitment will produce clean and clear beneficial ownership data that civil society and law enforcement officials can utilize to monitor corporate abuse for corruption, money laundering, and terrorism financing.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	Through tracking beneficial ownership, the public can assess the accountability of a public official committed as a public servant.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Availability of an accountable, verified and standardized Beneficial Ownership Data	Availability of accountable Beneficial Ownership data	2024	Lead:		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			<ol style="list-style-type: none"> 1. Ministry of Law and Human Rights 2. Presidential Staff Office 3. Financial Transaction Reports and Analysis Center 4. Ministry of Investment 5. Stranas-PK 6. Ministry of Energy and Mineral Resources 7. Ministry of Environment and Forestry 8. Ministry of Agriculture 9. Ministry of Agrarian Affairs and Spatial Planning 10. Ministry of Finance 	<ol style="list-style-type: none"> 1. Publish What You Pay 2. Transparency International Indonesia 3. Indonesia Corruption Watch 	

3. Legal Protection on Environmental Cases

Name of the Commitment	Legal Protection on Environmental Cases		
Brief Description of the Commitment	This commitment encourages the creation of a study of legal certainty for environmental defenders, especially for environmental defenders who take non-legal methods that have not been the subject of law in Article 66 of Law No. 32 of 2009 concerning Environmental Protection and Management (UU PPLH), it is necessary to regulate the direction of the policy as an optimization of legal protection arrangements in environmental cases		
Stakeholders	Government	Civil Society	Other Actors
	1. National Commission on Human Rights (Komnas HAM) 2. Indonesian National Police (Kepolisian RI)	Auriga Nusantara	
Period Covered	2023 – 2024		

Problem Definition

1. What problem does the commitment aim to address?

Environmental Defenders are individuals or groups of individuals who voluntarily or professionally work to protect the environment, land, and other natural resources from damage of mining, plantation expansion, reclamation, and forest concessions (Auriga, 2021). As a form of protection, promotion, enforcement, and fulfillment of human rights, it is also necessary to protect environmental defenders. Under current conditions, Article 66 of the UU PPLH states that these environmental defenders can't be criminally prosecuted or sued civilly if they pursue legal means. On the contrary, the protection of those who do not pursue legal means has not been accommodated. Therefore, efforts are needed to review and formulate recommendations on the certainty of legal protection for environmental defenders that target the police as the main gateway for environmental cases. Environmental cases are indeed an essential problem and from 2014 to July 2022 there were 102 cases of threats to environmental [defenders \(environmental defenders, 2022\)](#).

2. What are the causes of the problem?

There are problems in the environmental law regime in the protection of environmental defenders where the cause of repressive actions against environmental defenders still occurs due to the weak legal instruments that exist, especially in regulations related to protection to environmental defenders. The PPLH Law is not enough to be an instrument to ensure the security and safety of environmental defenders. This is because the *existing* provisions of the article have weaknesses that in the explanation of the article only focus on efforts to protect victims and/or whistleblowers who take legal means due to pollution and/or destruction of the environment and are intended as an effort to prevent retaliatory actions from the reported party in the form of punishment and/or civil lawsuits. This legal method is not officially interpreted by the UU PPLH but the direction of its reach can be interpreted as an attempt at litigation that includes both civil and criminal. Such a regulatory framework provides implications that environmental defenders who pursue non-legal means/efforts, such as extra-legal efforts, policy criticism, demonstrations, and other forms are not the subject of the environmental defender protection law in Article 66 of the UU PPLH.

Commitment Description

1. What has been done so far to solve the problem?

Until now, there is no regulation that regulates the operationalization and direction of the reach of Article 66 of the UU PPLH in the criminal and civil procedure system, but the Supreme Court through Supreme Court Decision No. 36 / KMA / SK / II / 2013 concerning the Implementation of Guidelines for Handling Environmental Cases provides a position for judges to examine and adjudicate environmental cases progressively, substantive, and humanist. In addition, in 2022, attorney general's guidelines No. 8 of 2022 concerning handling criminal cases in the field of environmental protection and management were issued.

2. What solution are you proposing?

Preparation of a review of recommendations for the certainty of legal protection for environmental defenders together with the Komnas-HAM and the Indonesian Police. The designation of the recommendation study is aimed at the Police as a form of increasing legal protection for everyone who makes efforts (both legal and non-legal) in maintaining and maintaining a clean and healthy living environment, considering that the Indonesian Police is the gateway to the entry of its main cases in criminal cases.

3. What results do we want to achieve by implementing this commitment?

Through efforts to prepare a review of recommendations regarding the certainty of legal protection for environmental defenders, the final result of which is handed over to the Indonesian Police, it is hoped that this will become one of the foundations in the preparation of instruments in the legal protection of environmental defenders in particular and the handling of environmental cases in general.

Commitment Analysis	
1. How will the commitment promote transparency?	This commitment will also encourage transparency of interested parties, including the government, in providing and managing all information related to plantation, forestry, mining and other exploitation activities to affected communities, so as to minimize rejection and conflict.
2. How will the commitment help foster accountability?	This commitment encourages both policy makers and law enforcement to prioritize the value of accountability in the implementation of legal protection for the environment
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	The Certainty of Legal Protection for Environmental Defenders aims to ensure community involvement without the need for fear to maintain a healthy and good living environment that provides justice between generations.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Drafting of Study Recommendations regarding Certainty of Legal Protection for Environmental Defenders	The preparation of a review of recommendations to the Indonesian National Police regarding the certainty of legal protection for environmental defenders	December 2024	Lead: Auriga Nusantara		
			Supporting Stakeholders		
			Government	CSOs	Others
			1. National Commissions on Human Rights (Komnas HAM) 2. Indonesian National Police (Kepolisian RI)		

4. Overseeing the Formulation of Implementing Regulations for Law No. 27 of 2022 concerning Personal Data Protection (UU PDP)

Name of the Commitment	Overseeing the Formulation of Implementing Regulations for Law No. 27 of 2022 concerning Personal Data Protection (UU PDP)		
Brief Description of the Commitment	This commitment aims to encourage the preparation of regulations for the implementation of the UU PDP that are clear, effective, propositional, and in accordance with the real challenges and needs of PDP regulation through recommendations based on participatory studies.		
Stakeholders	Government	Civil Society	Other Actors
	Ministry of Communication and Informatics	TIFA Foundation	
Period Covered	2023 – 2024		

Problem Definition

1. What problems does the commitment aim to address?

The increasing use of digital personal data in various sectors in order to optimize the provision of products and services for users presents a risk to the breach of data subject privacy. Such privacy breaches can harm data subjects financially, psychologically, or reputationally. The barrage of personal data leakage cases in both the public and private sectors that have occurred over the past few years reinforces the urgency of establishing a comprehensive personal data protection legal product to provide legal certainty for data subjects.

After being delayed in discussion for several years, the House of Representatives finally passed the Personal Data Protection Bill (PDP) into law. The UU PDP replaces the guarantee of personal data protection previously contained in 48 sectoral laws and regulations, covering the fields of telecommunications and informatics, population administration, health services, finance, taxation, banking, trade, industry, law enforcement, security, and education. In substance, the UU PDP has provided clarity on the formulation of regulations on several matters, but the birth of the UU PDP is not necessarily a solution to all problems of personal data protection in Indonesia. Some of the things that can still be discussed further include the provision of: (1) the balance of data protection needs and the need for public information disclosure, (2) the establishment of responsibilities and witnesses for controlling and processing personal data in the private sector and public bodies, (3) setting proportional responsibilities for controllers and processors of private sector personal data with various capacities, (4) independent pdp position and institutional structure arrangements.

Therefore, in the transition period of the implementation of the UU PDP for the next 2 years where various implementing regulations will be formulated is a crucial period to support the regulation and implementation of the UU PDP that is clear, effective, propositional, and impartial. The details and depth of the various technical regulations formulated will largely determine the effectiveness of this legislation in providing legal certainty and comprehensive legal protection in the processing of personal data in Indonesia. In addition, the preparation of these implementing regulations requires the involvement of all stakeholders, in order to ensure clear regulation, answer the needs of technical arrangements, in accordance with the actual conditions of the parties charged with responsibility, and effectively protect data subjects.

2. What are the causes of the problem?

The legislation process of the UU PDP in the early days tended to be open to civil society participation, but the process that took place afterwards until the ratification of the UU PDP tended to be closed and lacked the participation of interested parties, especially civil society and the private sector whose rights and obligations related to the protection of personal data were regulated in the UU PDP. In Indonesia, such legislative process has resulted in legal products that are not appropriate and the technical level is difficult to implement by the parties that have been given responsibility.

Commitment Description

1. What has been done so far to solve the problem?

In the process of drafting the UU PDP since 2016, there has been participation from civil society through the Advocacy Coalition for the Protection of Personal Data (KA-PDP). Civil society collaboration through its involvement with the government in the process of drafting the UU PDP is carried out, among others, through submitting an alternative Problem Inventory List (DIM), providing consultation for bill drafters on key issues, and conducting public campaigns. In the end, several recommendations of the KA-PDP were adopted in the legislative process, this shows that the involvement of civil society in the process of drafting the UU PDP is a meaningful involvement that must be continued.

2. What solution are you proposing?

As a form of support for the preparation of the operationalization of the UU PDP, the implementing regulations that will be formed need to be prepared in detail, in depth, based on an understanding of good practices and real conditions in the field, as well as considering the need to synchronize various regulations related to the protection of personal data that have been sectoral. To support this process, this commitment will conduct research that serves as the basis for providing recommendations for the making of implementing regulations for the UU PDP and facilitating multi-stakeholder discussions between representatives of the government, the private sector, and civil society regarding the implementing regulations of the UU PDP.

3. What results do you want to achieve by implementing this commitment?

This commitment will encourage the preparation of regulations for the implementation of the UU PDP that are clear, effective, professional, and in accordance with the real challenges and needs of PDP regulation to support the digital transformation process and the development of a safe, reliable, inclusive, and sustainable digital ecosystem. It will also promote consistent and sustainable coordination and collaboration between the government and other stakeholders, including civil society and the private sector, in the PDP arrangements in Indonesia.

Commitment Analysis	
1. How will this commitment promote transparency?	The drafting of regulations for the implementation of the UU PDP will transparently open public participation to produce proportionate regulation and provide legal certainty for all stakeholders, including personal data subjects who are most at risk of being harmed in the event of a PDP violation.
2. How will the commitment help foster accountability?	This commitment will be transparency and public participation in the preparation of regulations for the implementation of the UU PDP which in turn can increase the accountability of the implementation process and encourage synergy and collaboration of various stakeholders. The results of the review of policy recommendations, as well as minutes and results of meetings between the government and civil society will be published in channels that are accessible to the public as a form of accountability.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	In order to compile a comprehensive study and proportional recommendations, in the implementation of the process of preparing studies and recommendations for the preparation of implementing regulations for the UU PDP, this commitment will involve representatives from various civil society groups as respondents/informants.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Drafting the Draft Government Regulation on PDP Institutions regarding the coordination mechanism between PDP Institutions and K/L	Availability of Draft Government Regulations on PDP Institutions regarding the coordination mechanism between PDP institutions and K/L	December 2024	Lead: Ministry of Communication and Informatics		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				TIFA Foundation	
Drafting recommendations for regulations derived from the Personal Data Protection Act regarding joint data controllers	Availability of recommendations for derivative draft regulations on joint data controllers	December 2024	Lead: TIFA Foundation		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			Ministry of Communication and Informatics		
Drafting the Draft Government Regulation on PDP Institutions that regulates the role of PDP Institutions in assessing the fulfillment of the requirements for transferring personal data	Availability of recommendations for derivative draft government regulations on PDP institutions which regulates the role of PDP institutions in assessing the fulfillment of the requirements for transferring personal data abroad.	December 2024	Lead: Ministry of Communication and Informatics		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				TIFA Foundation	

abroad					
Implementati on of a multi- stakeholder discussion forum in discussing the development of the process of drafting implementing regulations for the UU PDP	The implementation of 3 (three) multi- stakeholder discussion forums in discussing the development of the process of drafting implementing regulations for the UU PDP	December 2024	Lead: TIFA Foundation		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Other
			Ministry of Communication and Informatics		

5. Creating a Mechanism to Handle Election Disinformation

Name of the Commitment	Creating a Mechanism to Handle Election Disinformation		
Brief Description of the Commitment	Implement a General Election monitoring and supervision system to create Elections that are Free of Expression and Without Disinformation, thus increasing accountability for Election implementation.		
Stakeholders	Government	Civil Society	Other Actors
	General Election Supervisory Agency (Bawaslu)	Legislative Monitoring Commission (KOPEL)	
Period Covered	2023 – 2024		

Problem Definition

1. What problem does the commitment aim to address?

In the 2019 election, there was a sharp polarization between contestation supporters, which continues to this day. This polarization is indirectly caused by the widespread disinformation or hoaxes, which polarizes society between one supporter and another. Through this commitment, it is hoped that the issue of disinformation will come to the attention of the Election Supervisory Body (Bawaslu) by preparing some technical regulations and a participatory monitoring system to deal with disinformation issues in elections. Thus, there will be accountable elections that will receive high public support.

2. What are the causes of the problem?

The Masyarakat Anti Fitnah Indonesia (Mafindo) explained that between 2018 and the 2019 elections, there were 997 pieces of news in the hoax category. Of these news stories, 448 (49.9%) fall into the political class. Other data from the Masyarakat Telematik Indonesia (Mastel) in 2019 found that the Indonesian people receive hoax news daily, reaching 34.60%. Masyarakat Telematik Indonesia obtained hoax news through social media platforms such as Facebook, Instagram, Twitter, and Youtube, which came 87.50%, with 93.20% news related to social politics. This illustrates that disinformation or hoaxes are one of the things that need to be addressed in the holding of elections because the impact it has is enormous.

Commitment Description

1. What has been done so far to solve the problem?

General Election Supervisory Agency (Bawaslu) has collaborated with the Ministry of Communication and Informatics (Kominfo) to prepare a disinformation monitoring system related to elections.

The General Election Commission together with Bawaslu also has a legal basis for the implementation of elections as stipulated in Law Number 7 of 2017 for holding General

Elections and Law Number 10 of 2016 concerning simultaneous Regional Head Elections.
<p>2. What solution are you proposing?</p> <p>Bawaslu needs to formulate regulations and establish a participatory monitoring system or mechanism (involving civil society) to suppress acts of disinformation by election participants and the general public.</p>
<p>3. What results do we want to achieve by implementing this commitment?</p> <p>Formulating of Regulations or Oversight Mechanisms for the Implementation of General Elections to prevent disinformation or hoaxes from occurring.</p>

Commitment Analysis	
1. How will the commitment promote transparency?	N/A
2. How will the commitment help foster accountability?	Through this trust, public confidence in the implementation of elections will be higher due to acts of fraud and the impact of polarization caused by information that can be suppressed or legally enforced.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	By implementing a participatory oversight mechanism, the public can also carry out monitoring and supervision related to the implementation of the election to increase public confidence in the implementation of the election.

Commitment Planning						
Milestones	Expected Outputs	Expected Completion Date	Stakeholders			
Formulation of regulations or mechanisms for monitoring the implementation of elections related to disinformation	A Mechanism for Monitoring of Election Implementation related to Disinformation	December 2024	Lead: General Election Supervisory Agency (Bawaslu)			
			<u>Supporting Stakeholders</u>			
			<table border="1"> <tr> <td>Government</td> <td>CSOs</td> <td>Others</td> </tr> <tr> <td></td> <td>KOPEL</td> <td></td> </tr> </table>	Government	CSOs	Others
Government	CSOs	Others				
	KOPEL					

6. Openness of Election Data

Name of the Commitment	Openness of Election Data		
Brief Description of the Commitment	This commitment seeks to present superior data or information related to elections that are available in open data formats (open data) so that the public can utilize these data to deliver fair elections.		
Stakeholders	Government	Civil Society	Other Actors
	General Election Commission	Perkumpulan untuk Pemilu dan Demokrasi (Perludem)	Technology Community
Period Covered	2023-2024		

Problem Definition

1. What problem does the commitment aim to address?

The development of open data initiatives in the world has entered its third wave. The third wave, which is currently developing, is adopting a more goal-oriented approach. Open data does not merely open up access to data but instead focuses on reusing that data for more impact—primarily through intersectoral collaboration.

Unfortunately, the data collected by the KPU through various information systems have not fully complied with open data principles. Indonesian electoral data does not comply with the three key characteristics of data disclosure according to the Open Knowledge Foundation, namely:

1. Availability and Access. Election data should be available and easily downloadable on the internet. Data must also be available in an easily modifiable form.
2. Reuse and Redistribution. Election data must be provided with conditions that allow users to reuse and redistribute the data, including merging with other data sets. Data must be machine-readable.
3. Universal Participation. Everyone must be able to use, reuse and redistribute—no objection to specific people or groups and limit use for certain purposes—for example, only for educational purposes.

2. What are the causes of the problem?

The results of a study by The Indonesian Institute with Perludem found several notes of improvement that needed to be implemented in creating general election data governance, namely:

Leadership and Political Commitment. This is one of the main factors in realizing election data governance. Based on the track record of the Open Government Indonesia's National Action Plan for realizing open election data, the lack of commitment to carrying out the action and making calls for action makes the election data so far not optimal.

Legal Policy and Development. Handling related details of public information excluded in elections is a challenge in displaying election data. The unclear details of public information that can be disclosed and excluded cause obstacles that are difficult to realize regarding election data management.

Institutional Structure, Responsibilities, and Capabilities in Government. The General Election Commission currently has a Data and Information Center that manages data and information at the KPU. However, the unit's role has not been carried out optimally, which can be seen from the ability of the apparatus and the oversight of responsibilities for managing data and information that has not been maximized.

Data Availability, Management Policies, and Procedures. The General Election Commission has disclosed several pieces of information related to general elections. This is interpreted as the fulfilment of public information stipulated in the Law on Public Information Disclosure. However, these access rights do not fully comply with the principle of open data.

Disputes and Citizen Capabilities. The KPU has, on several occasions, opened opportunities for the public to participate in encouraging public participation in the use of election data. However, the continuity of this collaboration could not be carried out sustainably due to changes in the commitment and policy direction of the election organizers.

Budget Support. Budgeting related to the provision of technological infrastructure in managing general election data has not been a concern. Participatory involvement is needed to convince the leadership that the availability of technology for election data is a matter of concern.

Demands for Open Data. Increasing public attention to election oversight has directly raised the impetus for the availability of open election data. However, election organizers have not considered data needs in planning their collection, maintenance, and publication

Commitment Description	
1. What has been done so far to solve the problem?	The General Election Commission (KPU) has provided an Open Data portal accessed through www.opendata.kpu.go.id . Through this portal, the public can access several data and information related to the elections that have been held. KPU and Perludem also collaborated in the preparation and implementation of the National Action Plan in period V, "Data Integration to Increase Transparency in the Implementation of Elections and Pilkada," and National Action Plan VI, "Strengthening the Ecosystem of Election Data Openness to Increase Accountability for Election Administration."
2. What solution are you proposing?	Perludem encourages the disclosure of election data and information that are considered essential to be used in the 2024 election, consisting of Electoral District Map, Political Party Profiles, Election Contestant Profiles (Presidential Candidates, Legislative Member Candidates, Regional Head Candidates), Campaign Fund Reports Election Participants, and Election Results.
3. What results do we want to achieve by implementing this commitment?	Availability of election data in open data format—consisting of information on electoral district maps, profiles of political parties, profiles of election participants, reports of election contestants' campaign funds, and election results—as a form of transparency and accountability of election administration that can foster public participation more meaningful activities such as being active in seeking information about election participants, consideration in making choices, and taking part in overseeing the vote count process.

Commitment Analysis	
1. How will the commitment promote transparency?	This commitment can encourage transparency of election data that can be accessed by all people and is available in an open data format that the public can use for various needs for supervising the implementation of elections.
2. How will the commitment help foster accountability?	The transparency of election data following the principles of open data will foster accountability for the election process and results, including: <ul style="list-style-type: none"> - Accountability processes and election participation verification results that can be accepted or challenged by election participants in the discussion of election disputes. - Accountability for election results that can be accepted or challenged by election participants in negotiating election results. - Accountability for election results can also make voters a database for accepting or contesting election results.
3. How will the commitment improve citizen participation?	The transparency of election data by the principles of open data will increase the participation of

<p>in defining, implementing, and monitoring solutions?</p>	<p>universal citizens in elections and democracy in the form of:</p> <ul style="list-style-type: none"> - Everyone can use, reuse and redistribute—there is no objection to specific people or groups, and also limits use for certain purposes—for example, only for educational purposes. - Everyone can use data in the voter list and election participant data to ensure guarantees for the right to vote and obtain public information for consideration in participating in exercising their right to vote. - Everyone can use election data to participate in election monitoring. The disclosure of election data here can also be followed up in reporting on election participation and legislation.
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Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
<p>Availability of election data in open data format</p>	<p>Availability of data: Electoral map, Political party profile, Profiles of election participants (presidential candidates, legislative member candidates, DPD member candidates, regional head candidates), Election participant campaign fund report, Election results</p>	<p>December 2024</p>	<p>Lead: General Commission Election</p>		
			<p><u>Supporting Stakeholders</u></p>		
			<p>Government</p>	<p>CSOs Perludem</p>	<p>Others</p>

7. Provision of Digital Accessibility Guidelines for Inclusive Public Communication and Information Services for Persons with Disabilities

Name of the Commitment	Provision of Digital Accessibility Guidelines for Inclusive Public Communication and Information Services for Persons with Disabilities		
Brief Description of the Commitment	Preparation of Guidelines related to Digital Accessibility for groups with disabilities to achieve proper information transparency and access for all levels of society.		
Stakeholders	Government	Civil Society	Other Actors
	Ministry of Communication and Informatics	Suarise	
Period Covered	2023 - 2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>The population of people with disabilities in Indonesia is currently 26 million people (BPS, 2021). Persons with disabilities are a vulnerable group due to a lack of access to adequate information. Each type of difficulty has accommodation in the form of assistive technology used in daily accessing digital information. However, this assistive technology can only work optimally if the digital information is made in compliance with digital accessibility principles and standards.</p> <p>Currently, the government has designed an Electronic-Based Government System (SPBE), which began in 2018. In its journey, efforts to implement digital transformation have not yet included elements of digital accessibility as an essential part of the digitalization process of an inclusive government. This impacts disabled groups who have difficulty accessing critical government services through digital platforms developed by the government because they do not meet accessibility standards. These obstacles affect equal opportunities to improve the quality of human resources and competitiveness, especially in obtaining access to information in the education sector, employment, transportation, banking, and other essential matters.</p>
<p>2. What are the causes of the problem?</p> <p>The low participation of persons with disabilities stems from environmental conditions that still regard disturbances as minority users of digital products/services. Disabilities are not considered the intended target user group when building digital web/applications.</p> <p>Then there is interest in persons with disabilities, for example, non-disabled persons who rarely interact with persons with disabilities. This causes them to have a limited understanding of how persons with disabilities interact with digital public services.</p>

This stems from a lack of knowledge regarding digital accessibility in the education system and professional standard procedures. In addition, the government and private sectors perceive the development of digital platforms, including accessible digital documents, as requiring new tools and resources. In reality, improving accessibility does not necessarily require additional tools and resources at a high cost.

Another challenge faced is the limited number of experts in Indonesia who understand digital accessibility topics, both including developers, designers, disruption experts, and policymakers. Not all experts have trouble being aware of digital accessibility guides as they are highly technical in content and are aimed at developers and designers of websites and applications. Even so, more general guidelines can be applied in everyday life, such as for creating digital documents and social media content.

Common misconceptions around digital accessibility include providing different websites/apps/digital documents for each problem, provision of information to persons with disabilities should be segregated from the non-disabled population; as well as the need for additional resources such as special tools that require substantial funds to develop the information. When in fact, it is not necessary to send web/applications/digital documents or different information between problems and non-problems. Meanwhile, resource requirements can be adjusted according to organizational capabilities.

In addition to the lack of understanding, it was also found that the implementation of digital accessibility was not appropriate. For example, a website has an accessibility overlay, a tool placed on website pages as a form of accommodation. This feature is quite helpful for low vision and dyslexia, but it still needs readjustment in conditions with screen readers. Blind and low vision generally access information independently using screen readers pre-installed on their respective digital devices (smartphones and desktops) so the implementation of accessibility overlays can cause audio overlap, which interferes with user's understanding of the information being accessed on the site. Even though the website does not meet accessibility standards, both WCAG 2.0 and WCAG 2.1. Furthermore, compared to the United States, Europe, and Australia, Indonesia does not yet have government regulations regarding digital accessibility. Currently, Indonesia already has a regulation on distraction (UU No.8/2016) ratified by the UN CRPD but it does not mention digital accessibility for inclusion issues. The law only says the accessibility of physical infrastructure but has not yet reached non-physical or digital infrastructure that deserves access to disturbances.

This misunderstanding and limitation of competence occur due to the absence of technical guidelines for implementing national accessibility levels. The lack of this guide provides a gap in perception interpretation for each K/L or other implementing agencies.

Proposals regarding guidelines and standardization of accessible digital content were also made by participants consisting of agencies and participants when Suarise was involved in the Dialogue of Stakeholders XIII last June. This guide serves as a technical reference in its implementation from the central and regional levels in distributing information that can be disseminated, studied, and reviewed for each re-implementation of accessibility needed.

Commitment Description

1. What has been done so far to solve the problem?

The government has made efforts to create a voice-over feature owned by all fields in the Supreme Court. However, the voice-over impacts the accessibility features owned by each software overlap, so these features cannot function optimally.

The commitment through the Ministry of Communication and Informatics (Kominfo) to bridging digital government tensions for Indonesia's future is proven by the formation of the Indonesian Telecommunications Accessibility Agency (Bakti Kominfo). Bakti Kominfo focuses on increasing information and communication literacy (ICT) for internet disruption and provision in the 3T (outermost, frontier, lagging) areas. Adequate digital accessibility for persons with disabilities has excellent potential to be developed because it has a direct impact not only on the technology sector but also on the economy and education and the development of inclusive smart cities.

Suarise actively advocates for accessibility to various professionals in the technology and application development field through the A11yID (Accessibility of Indonesia) community initiative. Suarise regularly holds discussions and sharing sessions regarding the urgency of digital accessibility every month for students, professionals, UI/UX designers, developers, and anyone interested in accessibility issues for distractions. Until now, community members via the a11yID telegram have reached 485 members with 22 sharing sessions and presenting technology expert speakers at national and international levels, such as eBay and ASOS.

2. What solution are you proposing?

Provision of Digital Accessibility Guidelines for groups with disabilities in every public service sector so that all levels of Indonesian society can access them.

3. What results do we want to achieve by implementing this commitment?

Preparing Guidelines for Digital Accessibility in Indonesia can be used as the primary guide for all elements of the government in making Digital Accessibility appropriate for all groups of people, especially persons with disabilities, to create access to information for all groups of people.

Commitment Analysis

1. How will the commitment promote transparency?	The preparation of Digital Accessibility for Disabilities can encourage presenting public information that is easy and friendly for people with disabilities to access. This is because all Public Bodies are expected to be able to adjust the development of their digital accessibility so that they can be accessed independently by all troubled groups.
2. How will the commitment help foster accountability?	Preparing Guidelines for Digital Accessibility for Disabilities can increase the participation of groups with disabilities proactively and independently in learning information obtained in digital format. Thus, the difficulty group can also evaluate the

	<p>achievements of programs and development carried out by the government</p>
<p>3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?</p>	<p>Digital accessibility helps all people, including people with disabilities and the elderly, to know about various public policy programs. In the end, this can encourage community participation in multiple fields, including political participation, the digital economy, public transportation, and an inclusive workforce.</p> <p>In political participation, digital accessibility can fulfill and protect people's voting rights, including people with disabilities. The participation rate of persons with disabilities in 2019 in exercising their right to vote has increased, but the challenges they face are limited information. Persons with disabilities experience limitations in accessing election information, as well as information about candidates for legislative and executive members.</p> <p>In the digital economy, digital accessibility can help people with disabilities to optimize the use of relevant digital devices and maximize their abilities in economic inclusion. Digital accessibility allows persons with disabilities to access e-commerce, digital banking services, digital wallets, digital stock, and money management to soft loans for business development needs.</p> <p>In addition, accessibility opens up opportunities for increasing online economic transactions. The use of e-commerce that problems can access will help them find detailed information about a product, for example, information on color, size, weight, shape, price, and other information. The more complete the information obtained on a product, the more it can increase the economic turnover of society.</p> <p>In public transportation, digital accessibility makes it easier for people with disabilities to find information about routes, schedules, and fares, including information in case of unforeseen circumstances such as delays/changes/delays in schedules and accident info. Digital accessibility also opens up information opportunities regarding integrated transportation modes more broadly.</p> <p>Digital accessibility can create a workforce including. A study by the International Labor</p>

	<p>Organization (ILO) states that the exclusion of persons with disabilities from the workforce can lead to a reduction in GDP of 3 to 7 percent.</p> <p>Through digital accessibility, opportunities for employees, including developing competencies, submitting job applications, working remotely, as well as new professions in the digital field, will open wider.</p> <p>At present, competency and professional development for people with disabilities tend to be monotonous and special sessions are made for them. With digital accessibility, every person with disabilities can study the scientific fields and expertise they are interested in independently without waiting for a special session.</p>
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Commitment Planning			
Milestones	Expected Outputs	Expected Completion Date	Stakeholders
Provision of Digital Accessibility Guidelines for Disabled Groups	Developed Guidelines for Digital Accessibility for Disability Groups	December 2024	Lead: Ministry of Communication and Informatics
			<u>Supporting Stakeholders</u>
			Government CSOs Others
			Suarise

8. Social Accountability of Village Budget Openness

Name of the Commitment	Social Accountability of Village Budget Openness		
Brief Description of the Commitment	This commitment encourages the realization of the Village Integrity System (SINTESA) in 15 villages in Kupang, Aceh and Jember Regencies. This commitment will strengthen in terms of transparency, participation, and accountability at the village level.		
Stakeholders	Government	Civil Society	Other Actors
	Ministry of Home Affairs (Kemendagri)	Transparency International Indonesia (TII)	
Period Covered	2023 – 2024		

Problem Identification	
<p>1. What problems does the commitment aim to address?</p> <p>More than IDR 400 trillion of the State Budget (APBN) was disbursed to village funds from 2015 – 2021. Since Law Number 6 of 2014 (Law 6/2014) on Villages was enacted, village funds have been able to improve the status of villages which has implications for community welfare. Law 6/2014 makes the village be the front porch of Indonesia's development. Village Funds disbursed from the State Budget become a tangible form of village recognition. Villages can independently compile and implement development plans independently based on the principle of deliberation. However, the greater the budget allocation, of course, the greater the risk of corruption.</p> <p>The increase in the village fund budget allocation, unfortunately, is not balanced with the principles of transparency and accountability in its management. So, there are not a few village heads who are entangled in corruption cases. Indonesia Corruption Watch (ICW) found that cases of corruption enforcement by law enforcement officials (APH) in 2021 occurred the most in the village fund budget sector, namely 154 cases with potential state losses of IDR 233 billion. This practice often occurs considering the weak supervisory agencies at the village level, low community participation in monitoring the Village Budget (APBDes), and inadequate transparency and accountability of village financial management.</p>	
<p>2. What are the causes of the problem?</p> <p>The increasing number in corruption cases in the village sector is due to the lack of transparency and accountability in financial management at the village level. In other aspects, the low participation of residents in accessing information and the lack of participation of residents in monitoring programs in the village also contributed to the rampant corruption cases, especially involving village officials.</p> <p>The low participation of residents occurred due to the low public information presented by the village government. The availability of village financial information media in the form of posters and billboards is considered insufficient to provide a complete village financial information. The information needed by the community is village finances which are presented in detail and easily accessible to residents both online and offline.</p>	

Currently, many innovations have been created to suppress corruptive practices in village financial management, but corruptive practices still occur. In the aspect of financial management, corruption risks occur during the preparation of village budgeting, pricing of goods/services and village financial reporting, where the process has not been carried out openly.

Commitment Description

1. What has been done so far to solve the problem?

The Central Information Commission has issued Information Commission Regulation No. 1 of 2018 concerning Village Information Service Standards, but the implementation shows that not many villages implement these standards. In addition, the Ministry of Villages, Development of Disadvantaged Regions and Transmigration has also published rules on the publication of village finances through posters and billboards, but this information is still considered not informative enough and more detailed information is needed. There is already an application to record village financial management, but in practice this information has not been accessible to the public, In fact, the risk of corruption in village financial management is usually found in the process of recording the original village income and implementing the mark-up of village expenditures.

2. What solution are you proposing?

To answer the problems that occur, there will be strengthening in the aspects of governance in planning, implementing, and reporting and accountability of rural budgets (APBDes), strengthening aspects of supervision in village financial management, strengthening the quality of public services by ensuring complaint management and strengthening information and documentation at the village level, and strengthening village community institutions in the implementation of village development.

3. What results do you want to achieve by implementing this commitment?

This commitment will make the village government more open in providing information in accordance with the Law on Public Information Disclosure, the village government will also be more active in involving residents in the implementation of village financial management and open a supervisory room in development management at the village level, and the existence of a village financial management portal that is easily accessible to residents.

Commitment Analysis	
1. How will the commitment promote transparency?	This commitment will promote the government to realizing the Integrity System at the village level by assisting the village apparatus to publish their village financial budget information and to encourage the village government to publish more detailed of village spending work plans. The way to achieve it by taking advantage from the existing system by emphasizing the aspect of information disclosure at the village level.
2. How will the commitment help foster accountability?	This commitment will have an impact on strengthening accountability due to the collaboration between villagers and village officials which is carried out collaboratively in the policy making process.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	Citizen participation can occur with the publication of village financial management so that the community could supervise and participating there.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Published APBDes and APBDes accountability through village online website	The publication of APBDes and APBDes accountability through the village website	December 2024	Lead: Transparency International Indonesia (TII)		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			Ministry of Home Affairs (Kemendagri)		
Strengthening the residents in village financial supervision	The implementation of strengthening residents in village financial supervision	December 2024	Lead: Transparency International Indonesia (TII)		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			Ministry of Home Affairs (Kemendagri)		

9. Social Accountability on Public Services and Village Governance

Name of the Commitment	Social Accountability on Public Services and Village Governance		
Brief Description of the Commitment	This commitment will encourage the strengthening of social accountability in village development programs in improving public services at the village level and village governance in the context of village deliberations.		
Stakeholders	Government	Civil Society	Other Actors
	Ministry of Villages, Development of Disadvantaged Region, and Transmigration (Kemendes PDTT)	1. Wahana Visi Indonesia (WVI) 2. TIFA Foundation	
Period Covered	2023 – 2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>Social accountability is a form of community involvement in pursuing an accountable government in the provision of public services and the fulfillment of community rights. In the context of development programs at the village level that target improving the provision of public services, thus the community as beneficiaries should be directly involved in assessing the usefulness of the program. However, the evaluation of government programs, both in a way of physical development and community empowerment, is still rarely held comprehensively with meaningful involvement from the community. The government at various levels is still focused on working on evaluations that are administrative and technocratic in nature and rarely place the public as decision makers but only as a source of data.</p> <p>The success of the social accountability process in public services is not only measured by the level of community involvement or participation, but also measured through the commitment of the government and service providers in implementing policies and services, including through participatory channels that should be provided. One of the participatory mechanisms is village deliberation as the highest forum in the village, however the village deliberation process is allegedly still dominated by elites so that community involvement is still minimal and its tone is only a form of formality. Therefore, the participatory and democratic forums in villages such as village deliberations and hamlet deliberations can be strengthened by the principles of social accountability.</p>

2. What are the causes of the problem?

The bureaucratic process is still stuck on procedural and technocratic aspects and the community is still considered unable to make decisions so that sometimes third parties such as consultants are considered more competent to determine the direction of a program or development. Meanwhile, in the village deliberation process, the dominance of elites and certain groups are still occurs and there is no mechanism or approach that meets the principles of social accountability specifically used in the village deliberation process. In addition, there are still limited capacity of the community and stakeholders in integrating and implementing the principles of social accountability.

Commitment Description**1. What has been done so far to solve the problem?**

The PDTT Village Ministry has issued social accountability guidelines in villages with various social accountability models or approaches could be applied in villages. Wahana Visi Indonesia has developed a social accountability approach and implemented it in assisted areas, but this process is still running separately from the existing village mechanism. In 2020 – 2022, the Tifa Foundation has also conducted socialization and trials of the Program Review as a form of community-based development evaluation method at the village level. From the trial of the Program Review, several findings were obtained that can be used as notes in an effort to increase transparency and accountability of village governments.

2. What solution are you proposing?

Integrating the social accountability principle or approach in the democratic and participatory forum in village, mainly for the planning, budgeting, implementing, until supervising and evaluation of the development program in village. These things will be done by implementing social accountability in the several pilot projects area.

3. What results do we want to achieve by implementing this commitment?

The implementation of this commitment is expected to improve the efficiency and effectiveness of village government program management and improve the quality of public services at the village level. Community participation is expected to occur meaningfully in the development process at the village level, where in the end this commitment also seeks to increase the contribution of village deliberations to be more significant in improving public services including basic services and development governance in the village.

Commitment Analysis	
1. How will the commitment promote transparency?	The implementation of social accountability in public services and governance village could strengthen the relation and collaboration between the village resident and village apparatus. Good relations between the community and stakeholders increase the space for openness between the two.
2. How will the commitment help foster accountability?	This commitment promotes meaningful involvement in the village deliberation process and evaluation of development programs at the village level through a social accountability approach. Improving better governance, especially in the village deliberation process, will result in better public services including basic services. The program evaluation carried out through the Program Review prioritizes transparency from the government side and participation from the community side so that the accountability of development program in the village will also be visible and the sustainability could be considered in the future.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	This commitment will develop a method for the community to supervise the government's follow-up on the results of the implementation of the Review Program. Furthermore, the integration of social accountability models or approaches in village deliberations will provide space for community involvement, especially vulnerable communities so that input will be collected in the planning and budget process and even involvement in its implementation and monitoring.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Implementation of social accountability in the village deliberation process	The implementation of social accountability for village deliberations through pilot projects	December 2024	Lead: Wahana Visi Indonesia (WVI)		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			Ministry of Villages, Disadvantaged Regions, and Transmigration (Kemendes PDD)		

Implementation of the Review Program method to create social accountability in the government development process at the village level	The implementation of the Program Review method in government development at the village level through pilot projects	December 2024	Lead: TIFA Foundation		
			Supporting Stakeholders		
			Government	CSOs	Others
			Ministry of Villages, Disadvantaged Regions, and Transmigration (Kemendes PDDT)		

10. Drafting of the Truth and Reconciliation Commission Draft Law (RUU KKR) to Fulfil the Right to Truth

Name of the Commitment	Drafting of the Truth and Reconciliation Commission Draft Law (RUU KKR) to Fulfil the Right to Truth		
Brief Description of the Commitment	Drafting of the Truth and Reconciliation Commission Draft Law (RUU KKR) with public inputs and participation. Making progress with the RUU KKR is important as a legal basis for revealing the truth about past gross human rights violations, especially at a national scale.		
Stakeholders	Government	Civil Society	Other Actors
	Ministry of Law and Human Rights/ <i>Kementerian Hukum dan Hak Asasi Manusia (Kemenkumham)</i>	1. Yayasan TIFA 2. KontraS Aceh 3. Yayasan Indonesia untuk Kemanusiaan 4. CSOs for Human Rights Violation Victims (<i>OMS pendamping korban</i>)	1. Coordinating Ministry for Political, Legal, and Security Affairs/ <i>Kementerian Koordinator bidang Politik, Hukum, dan Keamanan (Kemenkopolhukam)</i> 2. Ministry of National Development Planning/Bappenas / <i>Kementerian PPN/Bappenas</i>
Period Covered	2023-2024		

Problem Definition

1. What problem does the commitment aim to address?

Human rights violations impact victims in many ways. Economically, for example, many women who are mothers, wives or children of victims experience trauma and live in poverty. Other victims are elderly persons with health problems in addition to their economic and social problems. Despite this, a negative stigma still surrounds the public's perceptions regarding them. Furthermore, in addition to having the right to material and physical wellbeing, victims of human rights violations should also have the right to truth, and to receive acknowledgment from the state regarding the events which occurred to them.

At the national level as well as at the local level in Papua, there is no truth-seeking mechanism yet. After the cancellation of Law Number 27 Year 2004 regarding the Truth and Reconciliation Commission in 2006 by the Constitutional Court, the executive and legislative government have attempted to draft another law, which still hasn't been made a national priority up to date. Efforts should be made in establishing truth and reconciliation commission ("TRC") that is supported by a strong legal basis, as its presence is important in providing victims with the truth, formal acknowledgment and

apologies from the state, as well as efforts relating to peace, law enforcement, rehabilitation, and other matters that victims of gross human rights violations have the right to receive. Based on the concept of transitional justice, truth-seeking mechanisms are an integral part of justice, reparation and institutional reform efforts. Because it is important to have an adequate legal basis to establish a TRC, it is essential for the public to be meaningfully involved in its drafting process. Reflecting on Indonesia's experience with the previous Law that the Constitutional Court annulled, the contents of RUU KKR this time must reflect the victims' perspective and prioritize their wellbeing, and the drafting process must be participatory, open, transparent and accountable.

The existence of a regulation for TRC at the national level can also strengthen the establishment of a TRC in Papua and West Papua. Furthermore, having a strong TRC regulation at the national level can also strengthen the TRC implementation in Aceh, especially for matters where there are still policy gaps at the regional level. For example, in Aceh, there is no Government Regulation that clearly regulates the process of implementing the recommendations for reparations provided by the Aceh TRC to the Government.

2. What are the causes of the problem?

In Aceh, one of the problems in providing recovery for victims of human rights violations is the absence of a Government Regulation to clearly regulate the process of implementing the Aceh TRC's recommendations. This legal absence affects the lack of budgeting from the government, the persistence of bureaucratic access to justice which do not prioritize the victims' needs, as well as other technical and non-technical problems such as the identification of victims, needs analysis, and recommendations provided to the Aceh Government. These things hinder the provision of reparations from being delivered properly.

Furthermore, the judicial process for resolving cases of human rights violations in Indonesia has been slow and considerably does not provide the justice which victims deserve. For example, the Human Rights Court for the Tanjung Priok and East Timor Cases acquitted the main perpetrators, and the perpetrators who were convicted at the court during the first instance were acquitted at the appeal or cassation level. This can increase the victim's distrust towards the state, especially after the previous TRC Law was repealed. For this reason, the formation of a TRC supported by a strong legal basis can be a means for victims to obtain their rights, especially the right to truth and to receive state acknowledgment of the victims' rights.

Commitment Description

1. What has been done so far to solve the problem?

At the national level, the Tifa Foundation together with Yayasan Indonesia untuk Kemanusiaan have developed research and recommendations regarding resolving past gross human rights violations and fulfilling victims' rights, involving civil society, victims' communities, and experts in the process namely through dialogues and discussions. The results will be advocated to the state and shared for public education.

Additionally, at the local level in Aceh, Tifa Foundation has supported the efforts of KontraS Aceh in formulating standard procedures regarding recommendations for reparations, even though they are only internally binding for the Aceh TRC. KontraS Aceh and Tifa Foundation's efforts contributed to the Aceh TRC's findings in 2020, which was acknowledged by the Governor of Aceh through the Decree of the Governor of Aceh Number 330/1209/2020 regarding the Determination of Recipients of Urgent Reparations to Restore the Rights of Human Rights Violations Victims, establishing that 245 identified victims will receive reparations. However, these recommendations are yet to be well implemented due to the absence of regulations to conduct the reparation and to bind the related institutions in providing such reparation.

2. What solution are you proposing?

1. *A policy paper on TRC from civil society to provide recommendations which can help the development of policies regarding efforts to resolve past gross human rights violations*

This policy paper will be prepared with the active involvement of victims and experts and from the results of discussions gathered at the national and regional levels (Aceh, Papua). It is hoped that this policy paper can serve as input for the contents of the RUU KKR and its supporting documents (such as the Academic Paper or "*Naskah Akademik*") prepared by the government, especially by providing victims' perspectives and views from experts. Additionally, this policy paper also serves to educate the public regarding gross human rights violations that have occurred in the past.

2. RUU KKR Academic Paper from the Government

The presence of a TRC law can become a basis for disclosing the truth about past gross human rights violations and fulfilling the right to truth for victims. The TRC's work can also serve as an educational material for the public and state apparatus so that similar incidents will not reoccur in the future. The drafting of RUU KKR has gone through a series of discussions and will be included in the Regulatory Framework of the Government Work Plan (RKP) for 2023, but it does not have the supporting Academic Paper required for drafting and passing a Law. Therefore, this proposal encourages the preparation of the Academic Paper on the RUU KKR so that the process of drafting RUU KKR can proceed to a further stage. The drafting of the Academic Paper should be done with meaningful public involvement, especially from victims' communities and civil society who are actively engaged in this issue.

3. What results do we want to achieve by implementing this commitment?

1. A policy paper on TRC from civil society as one of the basic ideas for the birth of a policy to resolve past gross human rights violations.

2. Drafting process of the Academic Paper for RUU KKR involving public participation.

Commitment Analysis	
1. How will the commitment promote transparency?	This commitment is relevant to the values of transparency because it encourages the establishment of truth-seeking mechanisms, which can be the basis for fulfilling victims' rights to truth and reparation. It can also help the public to learn the truth about Indonesia's past and encourage institutional reform.
2. How will the commitment help foster accountability?	This commitment helps foster the government's accountability in providing human rights to its citizens, including human rights violation victims, and in making sure such violations do not reoccur in the future. This commitment also encourages the government to acknowledge that the past gross human rights violations occurred.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	Citizen participation is encouraged through the active involvement of the community in providing input for the drafting of the RUU KKR. The CSOs that propose this proposal will gather input from the victim community, experts and other civil society to ensure that there is wider participation and perspective in the drafting process. In addition, Tifa Foundation, KontraS Aceh and Yayasan Indonesia untuk Kemanusiaan will conduct education and campaigns to reach the public, especially youth, to find out information about past incidents of violence and gross human rights violations.

Commitment Planning				
Milestones	Expected Outputs	Expected Completion Date	Stakeholders	
Policy paper on TRC from civil society as one of the basic ideas for the birth of a regulation to resolve past gross human rights violations.	Policy Paper regarding TRC to support drafting of RUU KKR and relevant documents	December 2023	Lead: Yayasan TIFA, KontraS Aceh, Yayasan Indonesia untuk Kemanusiaan	
			Supporting Stakeholders	
			Government Kementerian PPN/Bappenas	CSOs CSOs for Human Rights Violation Victims
Drafting of RUU KKR Academic Paper as part of the drafting process of a	Academic Paper (<i>Naskah Akademik</i>) for RUU KKR	December 2024	Lead: Badan Pembinaan Hukum Nasional (BPHN)	
			Supporting Stakeholders	
			Government	CSOs

regulation to resolve past gross human rights violation.	drafted with citizen participation		Kemenkopolhukam Kementerian PPN/Bappenas	Yayasan TIFA, KontraS Aceh, Yayasan Indonesia untuk Kemanusiaan
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11. Accessibility and Accountability of Judicial Proceedings in Indonesia

Name of the Commitment	Accessibility and Accountability of Judicial Proceedings in Indonesia		
Brief Description of the Commitment	As a response to the various reforms and adaptations made to the judicial process, it is necessary to look at the implementation and evaluate the extent to which the existing processes are in accordance with the needs and conditions of justice seekers and are accountable, including for vulnerable groups.		
Stakeholders	Government	Civil Society	Other Actors
	<ol style="list-style-type: none"> 1. Supreme Court/ <i>Mahkamah Agung</i> (MA) 2. Attorney General's office (Kejaksaan Agung) 3. Indonesian Police (Kepolisian RI) 	<ol style="list-style-type: none"> 1. Indonesia Judicial Research Society (IJRS) 2. Perkumpulan Bantuan Hukum Indonesia (PBHI) 3. Asosiasi LBH APIK Indonesia (LBH APIK) 	
Period Covered	2023-2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>To ensure that the judicial process takes place in a fair and inclusive manner for victims, law enforcement officials have issued various regulations such as Supreme Court Regulation (“PERMA”) 3/2017 regarding Guidelines for Women Facing Judicial Procedures, PERMA 5/2019 regarding the Guidelines for Trying Marriage Dispensation Cases, Guidelines for the Prosecutor's Office 1/2021 regarding Access to Justice for Women and Children in Criminal Cases, up to Perkap 3/2008 regarding the Establishment of Special Service Rooms and Procedures for Examining Witnesses and/or Victims of Crime. However, the implementation of these existing policies has not been comprehensively assessed to see the extent they can support the provision of access to justice in the judicial process, especially for vulnerable groups such as women and disabled persons.</p> <p>The community and law enforcement officers have also encountered various obstacles during the judicial process—especially when Covid-19 entered Indonesia. To overcome obstacles to the judicial process during Covid-19, the government, law enforcement officials and legal aid providers as well as other support service providers adapted by establishing online channels that can be accessed and used by people who need and are dealing with the law. However, these online channels have not been comprehensively assessed to see the extent this adaptation can support the provision</p>

of access to justice in the judicial process, especially for vulnerable groups such as women and disabled persons.

2. What are the causes of the problem?

When dealing with the law, justice seekers can encounter various obstacles. The results from the Access to Justice Index in Indonesia for 2019 also show that 10.8% of people do not know how to access legal dispute resolution mechanisms. Various other obstacles take the form of practices of violence, discrimination, re-victimization or bribery in the legal process by officials, and the inaccessibility of the legal process, leading to citizens not receiving justice from the legal proceedings. Furthermore, the Access to Justice Index in Indonesia for 2019 also shows that 18% of people were still asked for bribes outside of legal proceedings, 3% of people were subject to physical violence, and 18% experienced verbal/psychological threats during legal proceedings from officials in formal mechanisms. Even for vulnerable groups, access to justice through the legal process is increasingly hampered, such as persons with disabilities not receiving proper accommodation to access the legal process, women receiving minimal assistance during the legal process, up to the tendency of law enforcer officials to ignore the conditions and needs of children in legal proceedings. Barriers are encountered not only in the legal process but also in accessing legal institutions to obtain the justice needed by justice seekers. Therefore, it is necessary to review the implementation of the existing judicial process and ensure guarantees of protection in the judicial process, including for vulnerable persons.

Commitment Description

1. What has been done so far to solve the problem?

During the period of the 2020-2022 OGI National Action Plan (RAN OGI), IJRS conducted research relating to the Assessment of Adequate Accommodation Needs for Persons with Disabilities during Legal Proceedings with the Attorney General's Office (Kejaksaan Agung). This assessment can be used as a reference for carrying out the commitment proposed in this period, namely in drafting a technical regulation regarding adequate accommodation for persons with disabilities. In 2022, IJRS has also conducted initial research related to fulfilling the rights of women victims of violence in legal proceedings by carrying out an indexation of court decisions. This research can be used as a reference for monitoring and evaluating policies relating to the implementation of the judicial process.

2. What solution are you proposing?

To minimize the obstacles faced by justice seekers and vulnerable groups who are facing legal procedures, it is necessary to ensure that existing policies relating to the provision of fair trials are well-implemented. To assess the progress that has been made, research needs to be done in order to monitor and evaluate the aforementioned policy implementation. Through this commitment, the research results obtained can be used as a reference, so that improvements and strengthening of policy implementations to ensure fair trials for justice seekers and vulnerable groups can be more evidence-based. By doing this, recommendations and steps for reform can be more targeted and based

on the people's needs. The presence of studies and legal certainty for accessibility and accountability of judicial proceedings can increase the access to the justice people need at every stage of a judicial proceeding.

3. What results do we want to achieve by implementing this commitment?

A technical regulation regarding the provision of adequate accommodation for disabled persons can be a starting point in encouraging evidence-based policies. Additionally, it is hoped that the monitoring and evaluation carried out through this commitment can result in findings regarding women faced with judicial proceedings, the implementation of adaptations & digitalization efforts in the judicial process for vulnerable groups, as well as the accountability and transparency of law enforcer officials in the judicial process. These can become a reference for improving policies regarding judicial proceedings in Indonesia.

Commitment Analysis	
1. How will the commitment promote transparency?	N/A
2. How will the commitment help foster accountability?	Guaranteeing the fulfillment of the rights of justice seekers and vulnerable groups opens the opportunity for the establishment of a mechanism for monitoring and evaluating the performance of institutions. Through the establishment of monitoring instruments for the implementation of a number of regulations that accommodate the rights of justice seekers and vulnerable groups, the judiciary can be held accountable as an institution.
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	The review and reform of legal aid policies for vulnerable groups involving civil society in the process is an implementation of participatory and inclusive principles. A legal process that is accessible and capable of fulfilling the legal rights of all members of society seeking justice, including vulnerable groups, is an effort to achieve the principles of participation and inclusion.

Commitment Planning

Milestones	Expected Outputs	Expected Completion Date	Stakeholders	
Technical regulation regarding the provision of proper accommodation for disabled persons facing judicial proceedings	1. Technical regulation regarding the provision of proper accommodation for disabled persons facing judicial proceedings with inputs from civil society 2. Report from training of law enforcement officials at the Attorney General's Office as mandated by the technical regulation	June 2023	Lead: Kejaksaan Agung	
			<u>Supporting Stakeholders</u>	
		Government	CSOs	Others
			IJRS	
Monitoring and evaluation of law enforcers handling women facing judicial proceedings in judiciary institutions	1. Tools for monitoring and evaluation of law enforcers handling women facing judicial proceedings in judiciary institutions 2. Report regarding results of monitoring and evaluation of law enforcers handling women facing judicial proceedings in judiciary institutions	December 2023	Lead: 1. Kejaksaan Agung 2. Mahkamah Agung	
			<u>Supporting Stakeholders</u>	
		Government	CSOs	Others (e.g., Parliament, Private Sector etc)
			IJRS PBHI LBH APIK	
Evaluation of the	1. Research		Lead: 1. IJRS	

implementation of digitizing judicial proceedings for vulnerable persons	results on the implementation of digitizing judicial proceedings for vulnerable persons by law enforcement officials	June 2023	2. PBHI		
			3. LBH APIK		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
	2. Report regarding follow up results by law enforcement officials based on research results recommendations	December 2024	Kejaksaan Agung		
			MA		
			Kepolisian RI		

12. Increasing the Provision of Quality and Accessible Legal Aid in Indonesia

Name of the Commitment	Increasing the Provision of Quality and Accessible Legal Aid in Indonesia		
Brief Description of the Commitment	The establishment of a guideline for preparing operational standards (Stopela) in providing legal aid services to ensure the provision of quality legal aid, and mapping the legal needs of citizens to ensure that legal aid information and services are based on the people's needs.		
Stakeholders	Government	Civil Society	Other Actors
	<ol style="list-style-type: none"> <i>Badan Pembinaan Hukum Nasional (BPHN), Ministry of Law and Human Rights/Kementerian Hukum dan HAM</i> Supreme Court/<i>Mahkamah Agung (MA)</i> 	<ol style="list-style-type: none"> Indonesia Judicial Research Society (IJRS) Perkumpulan Bantuan Hukum Indonesia (PBHI) Asosiasi LBH APIK Indonesia (LBH APIK) 	-
Period Covered	2023-2024		

Problem Definition

1. What problem does the commitment aim to address?

In 2021, BPHN through the Ministry of Law and Human Rights issued the Regulation of the Minister of Law and Human Rights (Permenkumham) Number 4 Year 2021 regarding Legal Aid Service Standards (Starla Bankum). The existence of this standard is a considerably excellent achievement and contributed to the achievement of the Open Government Indonesia National Action Plan (RAN OGI) for the 2018-2020 period—in which civil society organizations consisting of PBHI, YLBHI, IJRS and others collaborated with BPHN for the preparation of this standard. The existence of this guideline can encourage Legal Aid Organizations (OBH) to provide quality legal aid services. Unfortunately, this guideline is still not equipped with a derivative guideline which regulates the service standards that legal aid providers must apply on a technical level. Permenkumham Number 4 Year 2021 stipulates that OBHs can draft their own operational standards (Stopela), but the Ministerial Regulation does not provide any guidelines to do this.

In addition to that, as part of ensuring the provision of quality legal aid, it is also necessary to ensure that the community can access this legal aid. Another effort that has been conducted is to provide an information portal regarding legal aid (which has been initiated since 2016) and which BPHN has tried to done in synergy with MA in 2021 through the 6th OGI NAP. However, this information portal has not been optimized by citizens because the information it provides is not yet based on their needs nor has it been aimed at the right target. Thus, to increase the provision of quality and accessible

legal aid, the operational standards of OBHs and the present information portal regarding legal aid must be improved.

2. What are the causes of the problem?

The importance of supporting the provision of quality and accessible legal aid is based on the results of the 2019 Access to Justice Index research in Indonesia, which shows that 64% of people who have legal problems tend not to seek legal aid—on the grounds that they are worried the process is complicated (Wicaksana dkk., 2020). Other findings in this Index also show that 53% of people do not know what free legal aid is. The results of this needs survey in 2 (two) provinces, namely Lampung and South Sulawesi, showed that 89.5% of respondents in Lampung Province and 92.3% of respondents in South Sulawesi Province were not aware of any Legal Aid Organizations (OBH). This indicates 2 (two) things, namely the lack of knowledge about legal aid and the existence of a negative view of legal aid from the community. Additionally, in the practice of providing legal aid, various obstacles are still encountered, such as the public not fully knowing what legal aid is, the lack of sensitivity from legal aid providers, service delivery standards that are still not uniform across different OBHs, and so on. These various obstacles tend to have implications towards people's reluctance to seek legal aid when experiencing legal problems. Therefore, strengthening Legal Aid Service Standards and legal aid information portals are important efforts.

Commitment Description

1. What has been done so far to solve the problem?

During the 2020-2022 RAN OGI period, the Civil Society Coalition succeeded with BPHN in compiling and issuing Permenkumham 4/2021 concerning Legal Aid Service Standards. In the process of doing so, a Standard Guideline for Legal Aid Services was also formed to explain the technicalities of providing legal aid services. Additionally, in the same period, the Regulation of the Minister of Law and Human Rights Number 3 Year 2021 regarding Paralegals was issued, followed by trainings or capacity building activities for paralegals in Indonesia's regions. At the end of 2019, a Legal Needs Survey study was also carried out in 2 (two) provinces in Lampung and South Sulawesi, which were used as references to encourage the provision of regional regulations in those provinces to further regulate the matter.

2. What solution are you proposing?

The presence of a more technical guideline can facilitate the implementation of the existing Legal Aid Service Standards. When OBHs are equipped with proper operational standards, legal aid recipients can obtain legal aid that is more targeted, based on their needs, and accountable. Quality legal aid can encourage a more positive view of society towards legal aid so that people's access to legal aid can be maximized and optimized. Through this commitment, the proposing Civil Society Coalition aims to collaboratively create a Guideline for OBHs to create their own operational standards, as mandated by Permenkumham Number 4 Year 2021.

Furthermore, considering how there are still many people who do not know about legal aid itself, the present legal aid information portal can be further optimized to better suit

the needs of justice seekers. By doing so, it can encourage people to understand how to obtain legal aid, as well as its benefits.

3. What results do we want to achieve by implementing this commitment?

Through the implementation of this commitment, it is hoped that more technical guidelines for Legal Aid Service Standards can be created so that legal aid providers can provide legal aid according to the standards and quality that are required. Additionally, from the implementation of this commitment it is hoped that an assessment of the community's needs regarding legal aid information can be obtained so that an information portal can be developed that suits the community's needs. By doing so, the people's prevalence in seeking legal aid can be maximized.

Commitment Analysis

1. How will the commitment promote transparency?	With the existence of a more comprehensive and targeted legal aid information portal, the public can easily obtain information regarding the legal aid they need. Thus, this commitment can contribute to the principle of transparency of information regarding legal aid.
2. How will the commitment help foster accountability?	N/A
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	The establishment of a Guideline for legal aid providers in creating an operational standard with elements of public participation is an implementation of the principles of participation and inclusion. This can be considered the first steps in ensuring legal equality and the fulfillment of justice for all Indonesian people while ensuring the public has a role in supporting this solution.

Commitment Planning

Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
Public participation in the establishment of an Assistance Guideline for Legal Aid Providers to Draft an Operational Standard (<i>Stopela</i>) for the Provision of Legal Aid Services	1. Draft of Assistance Guideline for Legal Aid Providers to Draft an Operational Standard (<i>Stopela</i>) for the Provision of	June 2024	Lead: BPHN		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
			IJRS		
			PBHI		
			LBH APIK		
			Legal Aid Providers		

	<p>Legal Aid Services</p> <p>2. Report from Socialization of Assistance Guideline for Legal Aid Providers to Draft an Operational Standard (<i>Stopela</i>) for the Provision of Legal Aid Services</p>	<p>December 2024</p>		<p><i>Organisasi Bantuan Hukum (OBH)</i></p>													
<p>Mapping citizens' legal needs to improve the legal aid information portal</p>	<p>1. Research results from the mapping of citizens' legal needs in relation to improving the legal aid information portal</p> <p>2. Reports of discussions between stakeholders and follow up based on research findings from the mapping of citizens' legal needs in relation to improving the legal aid information portal</p>	<p>December 2023</p> <p>December 2024</p>	<table border="1"> <tr> <td colspan="3" data-bbox="980 737 1450 863"> <p>Lead: IJRS PBHI LBH APIK</p> </td> </tr> <tr> <td colspan="3" data-bbox="980 863 1450 898"> <p><u>Supporting Stakeholders</u></p> </td> </tr> <tr> <td data-bbox="980 898 1146 926"> <p>Government</p> </td> <td data-bbox="1146 898 1320 926"> <p>CSOs</p> </td> <td data-bbox="1320 898 1450 926"> <p>Others</p> </td> </tr> <tr> <td data-bbox="980 926 1146 1669"> <p>BPHN</p> <p>MA</p> </td> <td data-bbox="1146 926 1320 1669"></td> <td data-bbox="1320 926 1450 1669"></td> </tr> </table>			<p>Lead: IJRS PBHI LBH APIK</p>			<p><u>Supporting Stakeholders</u></p>			<p>Government</p>	<p>CSOs</p>	<p>Others</p>	<p>BPHN</p> <p>MA</p>		
<p>Lead: IJRS PBHI LBH APIK</p>																	
<p><u>Supporting Stakeholders</u></p>																	
<p>Government</p>	<p>CSOs</p>	<p>Others</p>															
<p>BPHN</p> <p>MA</p>																	

13. Strengthening Legal Aid Provision for Vulnerable Persons in Indonesia

Name of the Commitment	Strengthening Legal Aid Provision for Vulnerable Persons in Indonesia		
Brief Description of the Commitment	This commitment supports public participation in mapping the legal needs of vulnerable persons, providing recommendations for the revision of the Legal Aid Law, and capacity building for legal aid providers in providing legal aid services for vulnerable persons.		
Commitment Lead	<ol style="list-style-type: none"> 1. Indonesia Judicial Research Society (IJRS) 2. Perkumpulan Bantuan Hukum Indonesia (PBHI) 3. Asosiasi LBH APIK Indonesia 		
Supporting Stakeholders	Government	Civil Society	Other Actors (Parliament, Private Sector, etc)
	<i>Badan Pembinaan Hukum Nasional (BPHN), Ministry of Law and Human Rights/Kemenkumham</i>	<ol style="list-style-type: none"> 1. Indonesia Judicial Research Society (IJRS) 2. Perkumpulan Bantuan Hukum Indonesia (PBHI) 3. Asosiasi LBH APIK Indonesia 	
Period Covered	2023-2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>The provision of legal aid in Indonesia is regulated under Law Number 16 Year 2011 regarding Legal Aid (“Legal Aid Law”). However, this Law limits the scope of those eligible to receive free legal aid to the poor, while vulnerable persons are also in need of special legal aid. Additionally, the Regulation of the Minister of Law and Human Rights Number 4 Year 2021 regarding Legal Aid Service Standards stipulates that legal aid providers are required to conduct an assessment of the legal aid recipient’s vulnerability and legal needs in relation to the legal problem they are facing. However, the vulnerable persons that fall under this category are not clearly defined, both in the Law and the Ministerial Regulation. The absence of a clear definition has an implication towards the lack of disaggregated legal data regarding vulnerable persons. The disaggregation of the legal data tends to be limited to gender and age—which only describes the conditions of certain vulnerable groups such as women and children (Sidbankum). Meanwhile, when referring to various regulations regarding vulnerable groups, vulnerable groups may include persons with disabilities, sexual minorities, the elderly, indigenous persons, and so on. The absence of data on legal needs concerning this</p>

vulnerable group means that existing policies and regulations do not comprehensively regulate the fulfilment of needs and the handling of special conditions which vulnerable groups have, especially when dealing with the law. Therefore, it is necessary to strengthen the provision of legal aid for vulnerable persons.

2. What are the causes of the problem?

The potential for minority and vulnerable groups to experience risks such as discrimination, stigmatization, violence or criminalization tends to be greater when compared to non-vulnerable persons ([PSHK, 2021](#)). Moreover, when faced with legal problems, vulnerable persons such as women, the disabled, and other persons often experience discrimination and unfair treatment from law enforcement officers, are often blamed, receive questions or statements which corner and harass them and result in fear and trauma, which makes it difficult to obtain evidence in several cases such as sexual violence, causing the legal process to become convoluted and ineffective ([Ashila, dkk., 2019](#), p.3). The existence of these conditions shows that it is important for vulnerable persons to obtain legal aid in accordance to their needs. Furthermore, based on the indexation of court decisions conducted by IJRS, it was found that only 8.7% of female victims of sexual violence (falling under the 'vulnerable group' category) were accompanied by legal counsel when they were in court ([Budiarti, dkk., 2022](#)). With these various obstacles and problems that vulnerable persons experience, there is still no study that looks specifically into which vulnerable persons can obtain free legal protection, what the legal and other needs of these vulnerable persons are, and so on. The lack of research regarding this matter correlates to the absence of uniformity and specificity in regulations concerning vulnerable persons.

Commitment Description

1. What has been done so far to solve the problem?

In the previous OGI NAP (2020-2022), the Civil Society Coalition involved in this proposal collaborated with BPHN, which led to the successful drafting and passing of the Regulation of the Minister of Law and Human Rights Number 4 Year 2021 regarding Legal Aid Service Standards. This Regulation stipulates that legal aid providers must conduct an assessment of the vulnerability and legal needs of the Legal Aid Recipients in relation to the problems they face. This implicitly points to the fact that there are vulnerable legal aid recipients who need to be paid special attention to. In 2019, a number of civil society organizations (CSOs) convened a Legal Aid Conference between CSOs and the Government, which resulted in a number of recommendations that can be followed up regarding vulnerable persons. Furthermore, capacity building for legal aid providers have also been regularly conducted.

2. What solution are you proposing?

The existence of a scope regarding vulnerable persons in the Legal Aid Law can support the work of legal aid providers in ensuring that vulnerable persons can obtain adequate access to justice. Additionally, including vulnerable persons within Legal Aid Service Standards can also ensure that quality legal aid is provided based on the conditions and needs of the vulnerable persons. These provisions can become a reference for legal aid

providers in increasing their capacity to assist vulnerable persons. Thus, information regarding the legal needs for vulnerable persons is needed to ensure the scope of vulnerable persons eligible for legal aid is in accordance to the needs and conditions of said vulnerable persons.

3. What results do we want to achieve by implementing this commitment?

By assessing the legal needs of vulnerable persons, this commitment aims to obtain comprehensive information based on the needs of vulnerable persons. This assessment is hoped to serve as a reference in ensuring the inclusion of vulnerable persons in the revision of the Legal Aid Law and in drafting an operational standard for legal aid provision. Through this, capacity building can also be conducted for legal aid providers in assisting vulnerable persons, as regulated within the Law and Legal Aid Service Standards.

Commitment Analysis	
1. How will the commitment promote transparency?	N/A
2. How will the commitment help foster accountability?	N/A
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	The review and reform of legal aid policies for vulnerable groups with the involvement of civil society is an implementation of participatory and inclusive principles. Furthermore, ensuring that all vulnerable groups are guaranteed the right to legal aid is a form of effort to achieve the principles of participation, representation, and inclusion in the provision of legal aid in Indonesia.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
The involvement of civil society in mapping the legal needs of vulnerable persons to provide input for the revised Legal Aid Law (<i>RUU Bantuan Hukum</i>)	1. Research results from mapping the legal needs of vulnerable persons and inputs for the revision process of the Legal Aid Law	December 2024	Lead: 1. IJRS 2. PBHI 3. LBH APIK		
			Supporting Stakeholders		
			Government	CSOs	Others
Capacity building for legal aid	1. Training curriculum for	June 2024	Lead: BPHN		

providers in providing legal aid services for vulnerable persons	legal aid providers in providing legal aid for vulnerable persons 2. Results from socialization of training curriculum for legal aid providers	December 2024	Supporting Stakeholders		
			Government	CSOs	Others
				IJRS PBHI LBH APIK Legal Aid Provider/ Pemberi Bantuan Hukum (PBH)	

14. Strengthening Recovery Mechanisms Under Law Number 12 Year 2022 concerning Sexual Violence Crimes (UU TPKS)

Name of the Commitment	Strengthening Recovery Mechanisms Under Law Number 12 Year 2022 concerning Sexual Violence Crimes (UU TPKS)		
Brief Description of the Commitment	Public participation in drafting and socializing implementation regulations regarding UPTD PPA and VTF mandated by UU TPKS to ensure the drafting of regulations based on research and the needs of citizens, as well as a wider mainstreaming or socialization of such mechanisms through civil society.		
Stakeholders	Government	Civil Society	Other Actors
	<ol style="list-style-type: none"> The Ministry of Women Empowerment and Child Protection / <i>Kementerian Pemberdayaan Perempuan dan Anak (KPPPA)</i> The Witness and Victim Protection Agency / <i>Lembaga Perlindungan Saksi dan Korban (LPSK)</i> The Ministry of Law and Human Rights / <i>Kementerian Hukum dan HAM (Kemenkumham)</i> 	<ol style="list-style-type: none"> International NGO Forum on Indonesian Development (INFID) Indonesia Judicial Research Society (IJRS) 	Ministry of Development Planning/ <i>Kementerian PPN/Bappenas</i>
Period Covered	2023-2024		

Problem Definition

1. What problem does the commitment aim to address?

This commitment aims to strengthen the recovery mechanisms regulated under the Law on Sexual Violence Crimes (“UU TPKS”) to increase victims’ access to reporting and recovery mechanisms. In Indonesia, high gender-based violence rates is still a prevailing issue. According to the Online Information System for the Protection of Women and Children (SIMFONI PPA), as of July 2022, 25.210 cases of violence were recorded and 21.753 of the victims were women. Furthermore, based on data for the last five years from the Annual Records (CATAHU) of the National Commission on Violence Against Women, the most common forms of violence women experience are psychological

violence (36%), sexual violence (33%), followed by physical violence (18%) and economic violence (13%) ([Komnas Perempuan, 2022](#)).

Out of the many cases of sexual violence that occur in the community, most victims of sexual violence (KKS) do not report their cases. According to research conducted by INFID and IJRS in 2020, one of the main reasons victims don't report the violence they experience is because they don't know where to report ([IJRS, 2021](#)). Furthermore, even if they know where to report, many victims still have trouble accessing reporting and/or other services, whether due to the far distance of offline centers, the lack of responsiveness from online complaint services, or the community's tendencies to support the use of informal approaches to 'resolve' these cases (Desyana et al., 2022, p.62).

Aside from the problem of restricted access to services, the handling of sexual violence cases also tends not to prioritize the victims' recovery. This is influenced by the existence of negative stigma and discrimination from law enforcement officials, and their tendency to focus on imposing punishment for the perpetrators rather than the victims' wellbeing. This is reflected from the findings of a research IJRS conducted, which found that only 0.1% of decisions accommodate recovery in the form of restitution for victims ([Budiarti dkk., 2022, p.120](#)).

This commitment aims to contribute in solving the lack of access to quality recovery and judicial proceedings for sexual violence victims, as mandated by the Law on Sexual Violence Crimes ("UU TPKS"). Specifically, this proposal encourages public participation in the process of drafting and mainstreaming the implementing regulations on Victim Trust Funds or *Dana Bantuan Korban* ("DBK") and the Regional Technical Implementation Unit for the Protection of Women and Children or *Unit Pelaksana Teknis Daerah Perlindungan Perempuan dan Anak* ("UPTD PPA"), as mandated by UU TPKS.

2. What are the causes of the problem?

The root cause of sexual violence is the prevailing patriarchal culture. This culture influences society's perception of women by positioning men's interests higher and placing women in a weak and 'powerless' position. The existence of this perception causes discrimination against victims, especially women, when they experience sexual violence. Conversely, sexual violence perpetrated by men is often justified as something that normally occurs due to the positioning of men's interests and roles as more 'superior'.

As for problems of reporting, the causes range from low public understanding of sexual violence and reproductive health, victims not knowing where to report, up to negative perceptions from society and social pressure which lead to victims becoming reluctant to report their cases. Even when victims are aware of sexual violence and the right to report their cases, they might experience difficulties accessing services. In several regions in Indonesia, the distance of the service providers and the regional topographies can become obstacles for victims to gain the timely access to services that they need (Desyana dkk., 2022, p.62). Additionally, several regions still do not have a UPTD PPA, which actually provides a variety of important services for victims under one roof.

As for problems surrounding the handling of sexual violence cases, public perceptions that sexual violence cases do not need to go through judicial proceedings or that such cases are not serious because of assumed 'consent' are still prevalent. Furthermore, there is still a tendency for law enforcement officials not to empathize with victims and to overlook the impacts of sexual violence and the recovery needed by victims, placing more weight instead on punishing perpetrators ([Budiarti dkk., 2022, p.57](#)).

Commitment Description

1. What has been done so far to solve the problem?

In 2022, Law Number 12 Year 2022 regarding Sexual Violence Crimes (UU TPKS) was passed by the Indonesian government, and is considered a breakthrough in supporting the prevention of, protection, handling, and recovery of sexual violence crimes by providing a legal guideline. The passing of this law cannot be separated from the continuous efforts from civil society, who have closely followed the drafting, discussion, and passing of the law for years up to 2022. After the issuing of the law, civil society are still actively following the implementation of this regulation.

Based on this law, the Indonesian government is mandated to draft 10 implementing regulations in the form of Government Regulations and Presidential Regulations. Out of the 10 implementing regulations, the government is required to draft and pass a Government Regulation regarding DBK and a Presidential Regulation regarding UPTD PPA by 2024.

2. What solution are you proposing?

This proposal encourages the drafting of the implementing regulations on UPTD PPA and DBK as mandated by UU TPKS, with meaningful participation from civil society. The participation of civil society and the wider public is important in ensuring that what is regulated in the implementing regulation is in accordance with the needs of the community and is supported by strong evidence and data. Furthermore, the participation of civil society in outreach activities is also important, because mainstreaming and outreach can be carried out in a wider scale, and become more in-depth and meaningful when civil society networks are utilized.

To date, INFID and IJRS (as the proposing institutions) have actively contributed in providing inputs to government and partaking in discussions, even prior to the ratification of the UU TPKS. The two proposing organizations have conducted various research relating to the issue, and are currently working on a Policy Paper regarding the operationalization and implementation of the UU TPKS, which can support the drafting of the aforementioned regulations through data-based evidence and recommendations.

Through the OGI platform, the proposed collaboration between government and civil society can be monitored and evaluated, which helps ensure meaningful collaboration through co-creation and accountability from both sides in following up with their commitments and responsibilities.

3. What results do we want to achieve by implementing this commitment?

1. An implementing regulation on UPTD PPA backed by research and public inputs to provide standards and references on establishing and implementing UPTD PPA access mechanisms. Proper standardization, mainstreaming, and good practices can increase the availability of access to important services for victims, such as complaint services, handling of cases, temporary shelter, mediation, and victim assistance. Furthermore, the UPTD PPA also has a victim outreach role, which is important since many victims are still unaware about sexual violence and the available recovery mechanisms.

2. An implementing regulation on DBK as mandated by the UU TPKS backed by research and public inputs can ensure the provision of alternative remedies for victims which are targeted and based on the victims' needs. The existence of quality recovery mechanisms for victims of sexual violence can encourage punitive processing of sexual violence against perpetrators while still paying attention to the conditions and needs of victims so they can recover from the violence they experienced. Additionally, the existence of well-targeted recovery mechanisms can encourage victims to report the violence they experience through judicial processes rather than resorting to 'informal' approaches.

Commitment Analysis	
1. How will the commitment promote transparency?	N/A
2. How will the commitment help foster accountability?	N/A
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	This commitment supports the active participation of civil society in the process of drafting implementing regulations regarding DBK and UPTD PPA as mandated by UU TPKS, as well as its socialization. Through civic participation in this process, the public is also involved in defining, implementing, and monitoring the implementation of part of the recovery mechanisms regulated by UU TPKS for victims of sexual violence.

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
The drafting and issuing of an implementing regulation regarding UPTD PPA as	1. Research from civil society regarding UPTD PPA to support the drafting of	June 2023	Lead: KPPPA		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others
				INFID	

<p>mandated by UU TPKS with the participation of civil society</p>	<p>the implementing regulation regarding UPTD PPA</p> <p>2. Implementing regulation regarding UPTD PPA</p>	<p>December 2023</p>															
<p>Improvement of UPTD PPA system and increasing scope of beneficiaries through mainstreaming and socialization</p>	<p>1. Improvement of UPTD PPA system in accordance to implementing regulation and public inputs</p> <p>2. Report from evaluation of UPTD PPA system improvement efforts</p> <p>3. Report from socialization of new system and mechanisms regarding UPTD PPA to Local Governments and civil society network at regional and local levels</p>	<p>June 2024</p> <p>December 2024</p> <p>December 2024</p>	<table border="1"> <tr> <td colspan="3">Lead: KPPPA</td> </tr> <tr> <td colspan="3">Supporting Stakeholders</td> </tr> <tr> <td>Government</td> <td>CSOs</td> <td>Others</td> </tr> <tr> <td></td> <td>INFID</td> <td></td> </tr> </table>			Lead: KPPPA			Supporting Stakeholders			Government	CSOs	Others		INFID	
Lead: KPPPA																	
Supporting Stakeholders																	
Government	CSOs	Others															
	INFID																
<p>The drafting and issuing of an implementing regulation regarding DBK as mandated by UU TPKS, supported by research from civil society to obtain</p>	<p>1. Research from civil society regarding DBK to support drafting of implementing regulation</p>	<p>June 2023</p> <p>December 2024</p>	<table border="1"> <tr> <td colspan="3">Lead: 1. LPSK 2. Kemenkumham</td> </tr> <tr> <td colspan="3">Supporting Stakeholders</td> </tr> <tr> <td>Government</td> <td>CSOs</td> <td>Others</td> </tr> <tr> <td>Kementerian PPN/Bappenas</td> <td>IJRS INFID</td> <td></td> </tr> </table>			Lead: 1. LPSK 2. Kemenkumham			Supporting Stakeholders			Government	CSOs	Others	Kementerian PPN/Bappenas	IJRS INFID	
Lead: 1. LPSK 2. Kemenkumham																	
Supporting Stakeholders																	
Government	CSOs	Others															
Kementerian PPN/Bappenas	IJRS INFID																

<p>data-driven recommendations</p>	<p>2. Government Regulation regarding DBK</p> <p>3. Monitoring and evaluation reports from socialization of implementing regulation regarding DBK</p>	<p>December 2024</p>			
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15. Development of a One Data System for Natural Resources and the Environment that Guarantees Openness of Data and Licensing and Spatial Information

Name of the Commitment	Development of a One Data System for Natural Resources and the Environment that Guarantees Openness of Data and Licensing and Spatial Information		
Brief Description of the Commitment	Development of governance and transparency of one thematic data on natural resources, environment and spatial planning which includes integration, checking, grouping, and management of data access for the public		
Stakeholders	Government	Civil Society	Other Actors
	<ol style="list-style-type: none"> 1. Ministry of Energy and Natural Resources 2. Ministry of Environment and Forestry 3. Ministry of Agrarian Affairs and Spatial Planning / National Land Agency 	<ol style="list-style-type: none"> 1. Publish What You Pay (PWYP) Indonesia 2. Indonesian Center for Environmental Law (ICEL) 3. Yayasan AURIGA 4. MediaLink 	
Period Covered	2023-2024		

Problem Definition
<p>1. What problem does the commitment aim to address?</p> <p>The problem to be solved through this commitment is the problem of accessing data on natural resources, environment and spatial planning. One of these obstacles is caused by data governance that has not been optimal, even though it has been three years since Presidential Decree No. 39 of 2019 concerning One Indonesian Data applies. The problems with data governance include (1) not all data is available and standardized; (2) the available data is still in the form of basic data; (3) limited access to information on natural resources, particularly related to extractive and forestry industries; and (4) the limited access of the information user community to be involved in the Data Forum and the One Data process (Suryani, 2022).</p> <p>Fulfilment of the right to natural resources-environmental information is a crucial point, because, with adequate information, the community can participate meaningfully and obtain justice in the management of the natural resources-environment. On the other hand, limited public access to natural resources, environment and spatial planning data means limited public access to information about activities and programs intended for them, which actually has the potential to endanger the health, future, and life of the community at large.</p>

Problems of governance of natural resources, environment and spatial planning data can also affect sustainable development. Since the One Map policy was enacted in 2016, based on the Indicative Map of Overlapping Spatial Use to date, there are 77,365,141 ha or around 40.6% of Indonesia's land area that overlap, which creates legal uncertainty for business actors and the public. . Reduced control over natural resources-environmental management due to limited oversight and community involvement has the potential to open opportunities for corrupt behavior. In the end, apart from having a financial impact, corruption in the natural resources sector also has an impact on the destruction of the environment and living space (Kartodihardjo, 2020).

2. What are the causes of the problem?

This problem occurs partly because the data system has not been integrated between the center and the regions. Currently, most of the data is under the authority of the Central Government, and it is still difficult to review the overall data flow. In addition, natural resources data is thematic data, which has not been made a priority in implementing One Data. Because it has not been listed as a data priority, there has not been an optimal regional and central-level integration process. This problem has also been influenced by the renewal of environmental policies and bases after the passage of the Job Creation Law, which has had an impact on the authority to administer natural resources and the environment.

Commitment Description

1. What has been done so far to solve the problem?

Commitments related to strengthening natural resources, environment and spatial planning data management have been doing in 2018-2020 on OGI NAP V. In OGI NAP VI 2020-2022, Indonesia already has commitments about One Data to strengthening the data governance in Indonesia. With improvements to data governance that have begun in OGI NAP VI 2020-2022, civil society proposes to push for better data governance, specifically in the natural resources, environment, and spatial planning sectors.

2. What solution are you proposing?

This commitment encourages the development of One Data and enables data on natural resources, environment, and spatial planning as one of the priorities to be presented. One Thematic Data on natural resources, environment, and spatial planning integrates solutions to data management problems in each agency that previously operated separately, namely environmental and forestry data, extractive industry data, and spatial planning data. In addition, this commitment encourages communication and coordination between Central Agencies and Regional Agencies through the Data Forum.

3. What results do we want to achieve by implementing this commitment?

Outputs to be achieved with the implementation of this commitment are:

1. Availability of priority data in the forestry and environmental sectors

2. There is a mapping of the challenges of integrating data on natural resources, environment and spatial planning
3. Availability of data on natural resources, environment and spatial planning on the One Data Indonesia portal

Commitment Analysis	
1. How will the commitment promote transparency?	This commitment encourages transparency by increasing access to natural resources, environment, and spatial planning data according to one data and open data standards.
2. How will the commitment help foster accountability?	<p>Transparency and collaboration on the governance of natural resources, environment, and spatial planning driven by this commitment will promote transparency and accountability of data on natural resources environment. The availability of data related to the management of natural resources and the environment, especially data of permit documents, contracts, and spatial plans, will also make it easier for the community to monitor the role of stakeholders in fulfilling their respective obligations.</p> <p>Accountability of data on the natural resources, environment, and spatial planning sectors will help the government obtain a better agreement on the management of natural resources, the environment, and spatial planning, encouraging improvements in government management, increasing public trust in the government, encouraging economic growth and development, and increasing public participation in its direction. Not only that, contract transparency can reduce corrupt practices.</p>
3. How will the commitment improve citizen participation in defining, implementing, and monitoring solutions?	This commitment will increase community participation through involvement in the One Data Forum and providing input regarding priority data.

Commitment Planning			
Milestones	Expected Outputs	Expected Completion Date	Stakeholders
Compilation of participatory natural	Availability of priority data in	December 2024	

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
resources, environment and spatial planning sector priority data	the natural resources, environment and spatial planning sector		Lead: Ministry of environment and forestry; Ministry of Energy and Mineral Resources; Ministry of Agrarian Affairs and Spatial Planning / National Land Agency		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others (e.g., Parliament, Private Sector etc)
				ICEL Auriga Nusantara Media Link PWYP	
Internal mapping regarding One Data Sector natural resources, environment and spatial planning governance issues	Compilation of challenges in the management of one natural resource, environment and spatial planning sector data	December 2024	Lead: Ministry of environment and forestry; Ministry of Energy and Mineral Resources; Ministry of Agrarian Affairs and Spatial Planning / National Land Agency		
			<u>Supporting Stakeholders</u>		
			Government	CSOs	Others (e.g., Parliament, Private Sector etc)
				ICEL Auriga Nusantara	

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
				Media Link PWYP	
Organizing a One Data forum in the natural resource, environment and spatial planning sector for the preparation of priority data and data standards, as well as publication in data portals	Held a single data forum in the natural resource, environment and spatial planning sector for compiling priority data and data standards, as well as publication on portals	December 2024	Lead: Ministry of environment and forestry Ministry of Energy and Mineral Resources Ministry of Agrarian Affairs and Spatial Planning / National Land Agency		
			Supporting Stakeholders		
			Government	CSOs	Others (e.g., Parliament, Private Sector etc)
				ICEL Auriga Nusantara Media Link PWYP	
Production of natural resource, environment and spatial planning data on the One Data Indonesia portal	Availability of natural resource, environment and spatial planning data on the One Data Indonesia portal	December 2024	Lead: Ministry of environment and forestry Ministry of Energy and Mineral Resources Ministry of Agrarian Affairs and Spatial Planning / National Land Agency		
			Supporting Stakeholders		
			Government	CSOs	Others (e.g., Parliament, Private Sector etc)
				ICEL	

Commitment Planning					
Milestones	Expected Outputs	Expected Completion Date	Stakeholders		
				Auriga Nusantara Media Link PWYP	