

**Australia Indonesia Electoral Support Program 2011-2015**

**Final Design Document**

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EXECUTIVE SUMMARY	V
1. CONTEXTUAL ANALYSIS AND RATIONALE FOR ASSISTANCE	1
1.1 Indonesian democracy and the role of elections	1
1.2 Problem analysis	2
1.2.1 <i>Weaknesses in electoral systems and processes</i>	3
1.2.2 <i>Lack of public engagement in the electoral process</i>	5
1.2.3 <i>Political commitment and donor support</i>	9
1.3 Indonesian policy context and request for assistance	10
1.3.1 <i>Indonesia's legal and policy framework for elections</i>	10
1.3.2 <i>Indonesia's request for assistance</i>	12
1.4 Rationale for Australia's assistance	12
1.4.1 <i>Australia's policy context</i>	12
1.4.2 <i>Australia's national interest</i>	13
1.4.3 <i>Lessons learned from previous Australian assistance</i>	13
1.4.4 <i>Alignment with other Australian assistance</i>	14
1.4.5 <i>Alignment and coordination with other donors</i>	14
2. PROGRAM DESCRIPTION	17
2.1. Program Logic	17
2.1.1. <i>Program Approach</i>	17
2.1.2. <i>Overarching goal and objectives</i>	18
2.1.3. <i>Outcome 1: Improved preparation for elections by electoral management bodies</i>	20
2.1.4. <i>Outcome 2: Electoral laws and policies are developed and amended through transparent, participatory and evidence-based processes</i>	22
2.1.5. <i>Outcome 3: Increased understanding among voters of the elections process in targeted districts</i>	23
2.1.6. <i>Outcome 4: Increased effectiveness of citizen observation and monitoring of electoral processes in targeted districts</i>	24
2.1.7. <i>Ways of operating</i>	25
2.2. Phasing of program	27

2.3.	<b>Key Partners and Stakeholders</b>	28
2.3.1.	<i>State institutions</i>	28
2.3.2.	<i>Non-State Actors in the Sector</i>	30
2.4.	<b>Geographic Focus</b>	32
2.5.	<b>Budget</b>	33
3.	<b>IMPLEMENTATION STRATEGY</b>	35
3.1	<b>Delivery approach and instruments</b>	36
3.1.1.	<i>Delivery Partner</i>	36
3.1.2.	<i>Sub-partners</i>	42
3.1.3.	<i>Australian Electoral Commission</i>	42
3.1.4.	<i>Program Management and Analysis Fund</i>	44
3.1.5.	<i>Indonesian Agencies</i>	44
3.1.6.	<i>AusAID</i>	46
3.2	<b>Reviewing Progress and Commissioning Activities</b>	48
3.3	<b>Governance arrangements</b>	49
3.3.1	<i>Steering Committee for Democracy Support</i>	49
3.3.2	<i>The Technical Committee</i>	51
3.4	<b>Monitoring and evaluation</b>	51
3.4.1	<i>General</i>	51
3.4.2	<i>M&amp;E principles</i>	51
3.4.3	<i>Proposed structure of the framework</i>	52
3.4.4	<i>Development of the M&amp;E Framework</i>	53
3.5	<b>Risks and risk management strategies</b>	53
3.5.1	<i>Timeframes</i>	54
4.	<b>ANNEXES</b>	55
	<b>Annex 1 – Key electoral outcomes specified in the National Medium-term Development Plan 2010-14</b>	55
	<b>Annex 2 – International Donor Support for Election Programs 2010-2014</b>	55
	<b>Annex 3 – Monitoring &amp; Evaluation Plan</b>	56
	<b>Annex 4 – Risk Matrix</b>	69

## GLOSSARY

AEC	Australian Electoral Commission
AIPD	Australia-Indonesia Partnership for Decentralisation
Bappenas (Badan Perencanaan Pembangunan Nasional)	National Development Planning Agency
Bawaslu (Badan Pengawas Pemilu)	Electoral Monitoring Agency
BPS (Biro Pusat Statistik)	National Statistics Agency
CETRO	Centre for Electoral Reform
CGG	Commonwealth Grant Guidelines
CGP	Competitive Grants Program
CPG	Commonwealth Procurement Guidelines
DPR (Dewan Perwakilan Rakyat)	Parliament
DPRD (Dewan Perwakilan Rakyat Daerah)	Sub-national Parliament
DPT	Voters’ list
EMB	Electoral Management Body
IFES	International Foundation for Electoral Systems
KPU (Komisi Pemilihan Umum)	Indonesian Electoral Commission
KTP	Identity card
Departemen Dalam Negeri (Depdagri)	MoHA (Ministry of Home Affairs)
Pilkada (Pemilihan Kepala Daerah)	Sub-national Government Head Election
Pilpres (Pemilihan Presiden)	Presidential Election
TAF	The Asia Foundation
UNDP E-MDP	United Nations Development Program Elections Multi-Donor Program

## EXECUTIVE SUMMARY

The Australia-Indonesia Partnership for Electoral Support ('the program') is a five-year (2011-15) program of up to A\$20m program to improve the quality of elections in Indonesia. Australia has supported the three national elections (1999, 2004 and 2009) during Indonesia's democratic transition.<sup>1</sup> The electoral process is now firmly entrenched as part of Indonesia's political landscape. Australia is a valued partner, providing assistance that is non-partisan and much valued by the Indonesian Government and civil society organisations (CSOs) – as evidenced by repeated calls for continued and enhanced Australian assistance in this area. This assistance has contributed to Indonesia's ability to manage peaceful transitions of power, build public confidence in the elections and democratic process, and ensure that citizens are represented in government policy and decision-making.

Fair elections in Indonesia that deliver clear outcomes are in Australia's national interest. It is important for regional stability and for Australia that our nearest neighbour and the nation with the largest Muslim majority population is a strong and stable democracy. Good democratic systems in Indonesia will also serve Australia's and Indonesia's interests in promoting pluralism and tolerance, vital as Indonesia emerges as a leader in the South East Asian region.

Indonesia's 2009 national elections were fraught with problems. Of most concern were: an inaccurate voters list that disenfranchised millions of voters;<sup>2</sup> errors in vote tabulation; and a high level of invalid votes that could have opened the way for significant disputes if the winning margin had not been so substantial. These weaknesses on election day were underpinned by weak human resource capacity and communication within electoral management bodies, an ambiguous and changing legislative framework and weak commitment to timely decision-making that meant key decisions were left too late to be effective. The concern is that if the next round of national elections in 2014 yield unclear results (either through weak management capacity and / or corruption), this will undermine public confidence in political and legal processes to resolve election disputes, leading to the reversal of democratic gains and at worst, outbreaks of violence. A contributing problem in 2009 was a significant decrease in Indonesian non-partisan civil society groups conducting election monitoring, election day observation, and voter education, mainly due to lack of funding. Such efforts in 1999 and 2004 were widely credited with contributing to better run elections, a more informed electorate, and higher levels of public credibility and legitimacy with regards to the electoral process and post-election dispute resolution.

Under its Medium-Term Development Plan for 2010-15, the Indonesian Government is committed to improved national elections in 2014. Indonesia's parliament has highlighted its commitment to the reform of the elections process by placing revisions to electoral legislation on the priority list for legislation to be considered in 2010-2011.

This program will provide support throughout the electoral cycle, including for the local executive elections between 2011 and 2014. Poorly managed local executive elections are

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<sup>1</sup> Support was provided to the value of A\$15m in 1999, A\$12m in 2004, and A\$6.2m in 2009.

<sup>2</sup> Indonesia's National Commission on Human Rights (KOMNAS HAM) reported that between 25% and 40% of Indonesian citizens lost their rights to vote during the 2009 legislative elections: See *Laporan Tim Penyelidikan – Pemenuhan hak sipil dan politik dalam pemilihan umum legislative 2009* (2009). p.64.

likely to reduce public confidence in the outcomes of national elections. Australia's continued support to the sector in the lead-up to the 2014 national elections will assist in strengthening electoral management, ensuring that public confidence in the elections process is maintained and that elections continue to be seen as the legitimate mechanism for determining political representation. Support for local executive elections prior to 2014 will test new processes and technologies, and generate lessons for consideration at the national level. Such support will prioritise strengthening elections management in areas where serious electoral problems are anticipated and/or which are vulnerable to conflict. Continuing support into the first half of 2015 will ensure that lessons learned following the 2014 national elections are captured to inform ongoing management of elections.

AusAID funding from 2011-2015 will make Australia the largest donor in the elections sector. Nevertheless, this funding represents a very small proportion of Indonesia's total elections management budget (likely less than 2 per cent)<sup>3</sup>. AusAID funding will be an important catalyst for Indonesian electoral reform. Ultimately, however, the success or otherwise of Indonesia's elections in 2014 will be the responsibility of Indonesia's people and institutions.

### **Program Objectives**

This new program of assistance will support the Indonesian Government to improve the quality and integrity of Indonesian electoral systems and processes over the 2009-2014 electoral cycle. A confident statement that Indonesian electoral processes are characterised by integrity and democratic quality will only be possible after several cycles of national elections and subsequent successful transfers of civilian power. Accordingly, Australia's engagement in the sector should be long term, and work with both the institutions of government and civil society.

Goal: The goal of the program is to improve the quality and credibility of Indonesia's elections.

The goal will be achieved through two objectives that reflect the two fundamental components necessary for the success of elections:

1. Improved management of elections by electoral management bodies; and
2. Increased public engagement in the elections process.

The program will provide continued support to the long-standing and highly regarded peer-to-peer relationship between the Australian Electoral Commission (AEC) with the Indonesian National Elections Commission (*Komisi Pemilihan Umum* - KPU).<sup>4</sup> In addition, AusAID will engage in a direct partnership with a delivery partner with strong links to CSOs which will be responsible for delivering closely coordinated work programs under the two objectives. This will enable AusAID to have a close engagement with stakeholders and ensure the quality of program outcomes.

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<sup>3</sup> This proportion is an estimate only, based on approximate budget figures for the 2009 elections.

<sup>4</sup> The AEC has been providing direct support to the KPU since 1999. The Independent Completion Report into Australia's previous phase of electoral assistance in Indonesia stated that AEC is a valued partner of the KPU: Eric Bjornlund, Rustam Ibrahim and Michael Collins, *Review of Australian Assistance to the 2009 Elections in Indonesia* (October 2009), p.8.

The program will contribute directly to the achievement of four inter-linked outcomes under these objectives that will directly address key weaknesses evident in the 2009 elections:

**Outcome 1: Improved management of elections by electoral management bodies**

Under Outcome 1 the AEC will work directly with the KPU to provide training, support for elections procedures manuals and internal communications systems between the national and local level offices. Activities managed by the delivery partner under this outcome are likely to include technical support to improve elections management systems (such as technological improvements for vote counting and information dissemination); and capacity building of staff in elections management bodies.

**Outcome 2: Electoral laws and regulations that are developed and amended through transparent, participatory and evidence-based processes**

Activities under this outcome will include research and analytical inputs, public consultations and technical expertise to ensure informed revisions to electoral legislation.

**Outcome 3: Increased understanding among voters of the elections process in targeted districts**

Activities under this outcome will include national voter education and voter registration awareness.

**Outcome 4: Increased effectiveness of citizen observation and monitoring of electoral processes in targeted districts**

Activities under Outcome 4 will include non-partisan elections observation and monitoring activities; analysis of general election trends; and pre-polling for both local and national elections.

Program activities will also support improved linkages between civil society and electoral management institutions as a means of both strengthening the quality of the electoral process and ensuring the sustainability of the democratic process.

Finally, AusAID, through the delivery partner, will directly manage a small program of analytical work that will provide greater insight into the weaknesses and strengths of Indonesia's electoral system and inform ongoing activities.

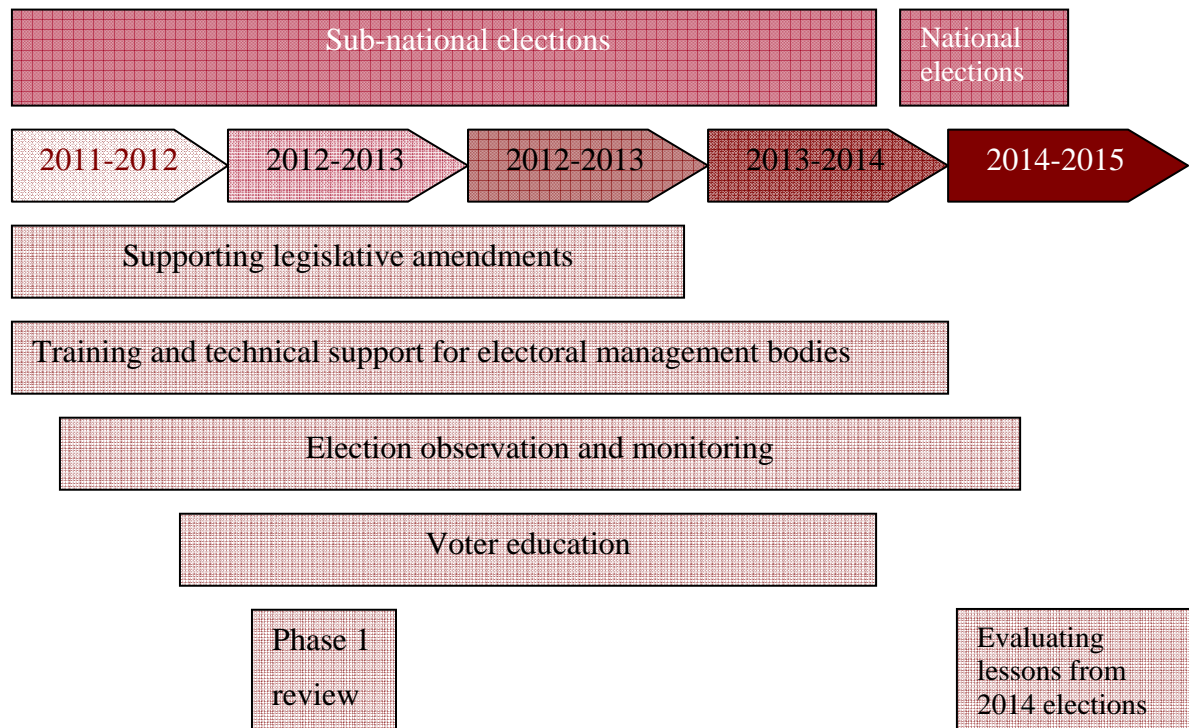
The achievement of the program's objectives will be evidenced by:

- Improved KPU ability to manage the core administrative tasks of an electoral management body despite a change-over in KPU commissioners
- Effective conduct of local executive elections in targeted areas, including implementation of cross-regional lessons
- KPU, and state institutions more broadly, better able to articulate and deliver election reform priorities
- Revisions to the elections legislation and regulations reflecting broad consultation and evidence-based inputs
- Enhanced civil society engagement in the electoral process
- Increased provision of quality voter education
- Indonesian CSOs working cooperatively with the electoral management bodies to improve their effectiveness
- Increased public confidence in the KPU and electoral processes

- Improved access, transparency and inclusiveness (including gender equality) in relation to electoral processes.

In 2010, AusAID is funding a A\$5 million short-term program of assistance to the elections sector comprising activities to strengthen the KPU and electoral management bodies. It is also supporting amendments to the electoral laws and providing targeted support for local elections. Research is also being undertaken to inform policy and decision-making on elections-related issues. These activities will provide important information, as well as trial the proposed partnership model of implementation, for the long-term program.<sup>5</sup>

### Timeline of elections and proposed activities



<sup>5</sup> For more information on the partnership model of implementation see Section 3.3



# 1. CONTEXTUAL ANALYSIS AND RATIONALE FOR ASSISTANCE

## 1.1 Indonesian democracy and the role of elections

Indonesia is twelve years into a democratic transition known as *reformasi* that has radically reshaped political processes and the relationship between citizens and the state. Constitutional reform since 1998 has ushered in the direct election of the President, Vice-President, governors, mayors and regents. Military-reserved posts have been eliminated from Parliament, prohibitions on establishing and joining political parties have been lifted and Indonesia has adopted important checks and balances on political power. New democratic institutions have been established and there is substantial support for democracy and pluralism.<sup>6</sup> Indonesia has vocal and vibrant media and civil society groups that provide technical advice to government agencies and raise awareness among the public to uphold the democratic agenda. Each election event during *reformasi* has resulted in broadly peaceful transitions of power.

The holding of successful elections has been a central component of Indonesia's transition to a democracy. Successful democratic elections provide each citizen with the equal right to vote for their leaders. This right is enshrined in the Universal Declaration of Human Rights<sup>7</sup> and the International Covenant on Civil and Political Rights<sup>8</sup> which is a binding international instrument to which Indonesia is a party.<sup>9</sup> As elections are critical to holding leaders accountable for their decisions, they have significant implications for the quality and nature of governance, for alleviating poverty and for the promotion of sustainable development. In post-conflict areas such as Aceh, they can offer a mechanism to diffuse tension and provide the basis for ongoing peace.<sup>10</sup>

Over a five-year period, six different elections are conducted in Indonesia. Voters are expected to vote in separate elections for members of parliament, and for the head of the executive government and their deputies at each of the district/municipality, provincial and national levels. The next presidential election and parliamentary elections for national, provincial and district parliaments will be held in 2014. In the meantime, sub-national executive government elections (called *pemilihan umum kepala daerah*, or *pilkada*) of 33 provincial governors and over 500 district/municipality heads and their deputies will be held across the country between 2010 and 2013.

Organising these multiple elections is a logistical and administrative challenge. Indonesian national elections are the largest single-day elections in the world. The national elections in 2009 involved

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<sup>6</sup> A survey conducted by IFES in 2010 found that 72 per cent of respondents in Indonesia supported democracy as a form of government. IFES Indonesia Electoral Survey 2010. Nevertheless there has been ongoing concern about the rise of religious intolerance. A survey conducted by the Lingkaran Survei Indonesia in 2010 found that 30.2 per cent of Indonesians said that religious based violence was justified, compared to only 13.9 per cent in 2005. *Indo-Pos*, 13 October 2010.

<sup>7</sup> *Universal Declaration of Human Rights 1948*, article 21(3).

<sup>8</sup> *International Covenant on Civil and Political Rights 1966*, article 25.

<sup>9</sup> Indonesia has incorporated the International Covenant on Civil and Political Rights into domestic law through *Law Number 12 of 2005 concerning the Ratification of the International Covenant on Civil and Political Rights*.

<sup>10</sup> After hostilities between separatist rebels and government forces in Aceh ceased in 2005 following a struggle that lasted a generation, there were fears that district head or legislative elections could spark a wave of unrest. A spike in pre-election violence did occur in early 2009, but worst-fear scenarios did not materialise and the elections have provided a legitimate basis for the factions to move forward together to shape the future of the province. See, eg, International Crisis Group, *Indonesia: Deep Distrust in Aceh as Elections Approach*, Asia Briefing no. 90, 23 March 2009.

approximately 500,000 polling stations, four million polling officials and 170 million registered voters. Following the April 2009 legislative elections,<sup>11</sup> Indonesians went to the polls again in July 2009 to elect their President and Vice-president. The presidential election was won with a convincing majority, and the result was consistent with pre-election opinion polls. The process was generally characterised by minimal disruption and virtually no violence. However, a number of issues relating to electoral management and public engagement were revealed which, but for the large winning margin, may have exposed the electoral process to more intense criticism and the possibility of conflict.<sup>12</sup>

More women were elected in Indonesia's 2009 national elections than ever before. At 18 per cent, there is a higher proportion of women legislators in Indonesia than in the United States. At the local level, however, women's representation ranges from a high of 30 per cent in some districts, to many districts with no women representatives at all.<sup>13</sup>

Following the relatively successful national elections in 1999, 2004 and 2009, and the direct elections for provincial governors and district/municipality heads since 2005, Indonesia's cycle of regular, free and fair elections is expected to continue and Indonesia has been applauded internationally for its swift transition to a strong and vibrant democracy.<sup>14</sup>

While it has made impressive gains, democracy in Indonesia cannot be taken for granted and examples from throughout the Asia-Pacific region show how quickly democratic gains can be lost.<sup>15</sup> More needs to be done to ensure "that democracy in Indonesia is secure, for all time, not just for these few years".<sup>16</sup> Entrenching a robust electoral system will be a vital step towards this. Well-managed, efficiently-conducted elections will build public confidence in electoral democracy.

## 1.2 Problem analysis

International experience with the provision of electoral support in Indonesia and in many other countries has highlighted that for elections to become well embedded in the political fabric there needs to be general consensus that the architecture of the electoral process is legitimate and effectively translates the will of the people into election results. There also needs to be a broadly shared sense of societal support for the electoral process. Ordinary citizens and leaders alike need to feel a sense of obligation to protect the process, rather than undermine it.

National elections held in 2009 and subsequent sub-national elections gave a snap-shot of some of the key weaknesses in both the management of elections by state officials, and the participation of citizens in the process. The key problems facing the entrenchment of quality elections in Indonesia can be divided into two inter-related categories that are further elaborated below:

weaknesses in the management of electoral systems and processes; and

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<sup>11</sup> During these elections, the 560 seats in the House of Representatives (DPR) were contested by more than 11,000 candidates representing 38 political parties. At the same time, all 132 seats of Indonesia's second chamber, the House of Regional Representatives (DPR), were contested, along with 1,998 provincial level and an estimated 15,750 district level seats.

<sup>12</sup> These issues are discussed in detail in the Problem Analysis section below.

<sup>13</sup> For example, Batu, East Java and Gowa, South Sulawesi.

<sup>14</sup> Freedom House in its 2010 report once again lists Indonesia as the only "Free" country in Southeast Asia. See [http://www.freedomhouse.org/uploads/fiw10/FIW\\_2010\\_Map\\_Asia-Pacific.pdf](http://www.freedomhouse.org/uploads/fiw10/FIW_2010_Map_Asia-Pacific.pdf)

<sup>15</sup> See, for example, recent developments in Thailand and Fiji.

<sup>16</sup> See Larry Diamond, *How is Indonesia's Democracy Doing?*, East Asia Forum, <<http://www.eastasiaforum.org/2009/10/26/how-is-indonesias-democracy-doing/>> accessed 21 June 2010.

lack of public engagement in the electoral process.

Underpinning the ability to achieve improvements in these areas is the need for political commitment to address these problems, particularly on the part of the Indonesian Government.

### ***1.2.1 Weaknesses in electoral systems and processes***

Weaknesses most often highlighted in the management of the 2009 elections were related to the voters list, the compilation of results and electoral legislation.<sup>17</sup> These were underpinned and compounded by more systemic weaknesses in financial and human resource capacity in elections management bodies. They were also reinforced by a decrease in the ability of civil society organisations working on electoral reform and election monitoring to support the management processes as they had in the 1999 and 2004 polls, due to funding constraints.<sup>18</sup> It took over four months for all 560 seats of the House of Representatives (DPR) to be declared. Almost all of the 45 requests for Constitutional Court reviews of elections legislation found that the laws in question needed to be changed.

The following are the key constraints to the establishment and management of effective electoral systems over the coming five years to ensure a solid foundation for the elections process.

#### Human resource capacity

The KPU proved to lack essential capacity in areas such as legal drafting, electoral procurement, information technology, logistics, donor coordination, electoral planning, public relations, stakeholder management and the resolution of minor electoral complaints.<sup>19</sup> The process for appointing KPU commissioners has been regarded as problematic and the commissioners themselves were only appointed in late 2007. Within the DPR and relevant ministries, the high turnover in officials resulted in human capacity challenges and the loss of institutional memory related to elections management issues..

#### Financial commitment and disbursement

The budget allocated for the 2009 elections was significantly less than in 2004: approximately IDR 20.1 trillion,<sup>20</sup> compared to IDR 56 trillion in 2004.<sup>21</sup>

Despite the reduction in budget, the KPU underspent its budget for the 2009 elections by 2.9 trillion IDR.<sup>22</sup> This is in part attributable to delays in planning and the consequent late procurement of goods and services to support the election process. This had a direct impact on the voter registration

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<sup>17</sup> These two issues are important because international experience has shown that an inaccurate voter register increases the likelihood of disputes, and has the potential to cause disenfranchisement among voters if they are incorrectly denied the opportunity to vote. Register inaccuracies have also tended to have a disproportionate effect on women and disadvantaged groups. Similarly, ineffective tabulation has often had a direct impact on the legitimacy of elections. The cumulative effect of problems with registration and tabulation is a declining confidence in the electoral process, and the diminished credibility of the electoral institutions.

<sup>18</sup> Edward Aspinall, Indonesia: The Perils of Success, *Fride Project Report*, 2010.

<sup>19</sup> See for example Adam Schmidt, *op cit*.

<sup>20</sup> Badan Pemeriksa Keuangan (BPK), *BPK Audit Anggaran Pemilu Rp20,1 Triliun*, available online at (4 August 2009) <<http://www.bpk.go.id/web/?p=3849>>

<sup>21</sup> Marcus Mietzner, 'Election Politics: Chaos and Consolidation', *Inside Indonesia*, Edition 97 (July 2009), available online at <<http://www.insideindonesia.org/edition-97/chaos-and-consolidation>>. See also KPU press release 'Keterangan Pers Mengenai Rencana Anggaran Pemilihan Umum 2009' (available at [http://www.kpu.go.id/index.php?option=com\\_content&task=view&id=5789&Itemid=68](http://www.kpu.go.id/index.php?option=com_content&task=view&id=5789&Itemid=68))

<sup>22</sup> BPK, *op. cit*.

process, for example, which is updated by local level officers and volunteers. At the local level, parliaments typically did not allocate sufficient budgets to sub-national offices of the KPU (KPU Province and Kabupaten/Kota) to manage local elections, and tasks to support the national elections were carried out late or not at all. At the same time, where the budget was available, as at the central level, many KPU Province and Kabupaten/Kota were unwilling to spend the money for fear of the corruption scandals that dogged the 2004 elections.<sup>23</sup> A number of local elections have been delayed because of financial disbursement issues.<sup>24</sup>

#### Legal and regulatory framework

Parliament passed the legislative framework for the 2009 elections only one year before the elections. This was done following only limited deliberation and left only a short window for the KPU and the Electoral Supervisory Agency (Bawaslu) to draft supporting implementation regulations.

A series of legal challenges to the legislative framework resulted in the Constitutional Court finding key elements of the legislation to be constitutionally invalid. The timing and ramifications of these decisions caused significant uncertainty in the lead-up to the 2009 elections. The very late Constitutional Court ruling that candidates with the most individual votes were entitled to win irrespective of their ranking on the party list also added to the last-minute confusion. Despite upholding democratic principles, these rulings created further problems for the KPU as changes required new regulations to be drafted, polling officials to be trained and so on. Two days before the national legislative election, the Constitutional Court ruled that individuals who were not listed on the permanent voters list (DPT) could still vote using their identity cards (KTP), enabling more voters to vote but also resulting in ongoing management complications, and confusion for voters.<sup>25</sup>

Unclear regulations create ongoing challenges for election implementation. Responsibilities for creating the basis of the voters list are unclear.<sup>26</sup> Under different laws, local executive and national elections bodies currently require different mechanisms for marking ballot papers.<sup>27</sup>

Campaign finance rules are also unclear and often unenforced, which has the potential to entrench money politics and lead to erosion of public confidence in elections.<sup>28</sup>

#### Voter registration and the voters' list

In August 2008, a voter registration audit found that the temporary voters' list was in need of updating and correction. Among other problems, it allegedly contained double entries, omissions, deceased and under-age voters. Lacking financial and human resources, the KPU implemented a passive process for updating the voters list by requiring voters to pro-actively check their names on

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<sup>23</sup> Following the 2004 elections, seven out of eleven elections commissioners were found guilty of corruption in the management of the elections.

<sup>24</sup> See also section 2.3.1, relating to the responsibilities of local government and budgeting.

<sup>25</sup> Constitutional Court ruling no. 102/PUU-VII/2009.

<sup>26</sup> For example, KPU Regulation No.17/2008 on Seat Allocation. The election law states that for the 2009 elections the total number of seats in sub-national legislatures (DPRD) would remain the same. However, where new authorities had been carved out of the old district or had been affected by a natural disaster (so that the population of the original district had substantially changed), KPU calculations resulted in many extra seats.

<sup>27</sup> Namely by punching a hole under Law 32/2004, and ticking a box under Law 10/2008 on legislative elections.

<sup>28</sup> The Carter Centre, *Final Report of the Carter Centre Limited Observation Mission to the April 9, 2009, Legislative Elections in Indonesia* (August 2009), pp.27-33.

the list.<sup>29</sup> Revised electoral districts further complicated accurate voter registry updates and the integrity of the voting process, which resulted in numerous legal challenges from political parties and civil society alike.<sup>30</sup> In 2009, the biggest problems with the voters' lists were found in Papua Province where there were some 127,000 'ghost' voters,<sup>31</sup> and in East Java Province, where inaccuracies were the basis for an attempted electoral dispute. Currently the Indonesian Government is considering revising the voters' list using 2010 census data or waiting until 2012 when a new national identity card is expected to be introduced. At this stage, however, it is uncertain whether either of these two mechanisms will provide adequate basis for the voters' list. The exact process adopted will be subject to agreement between the relevant institutions (Parliament, MOHA, KPU and the National Statistics Agency (BPS)).

#### Vote tabulation

In 2004, the compilation of results was handled by an *ad hoc* IT team appointed by the KPU. In 2009, the KPU introduced quick counting and more electronic means of transmitting vote tabulations from polling stations to regional and national levels for consolidation. However, the system was received only seven days before the election, resulting in poor staff training and lack of time to resolve issues relating to incompatible software. Results trickled in for two weeks – with only 11 per cent of results collected before the system was abandoned.<sup>32</sup> Lack of transparency and openness fuelled public suspicion of the process, and in some areas fostered the belief that votes were being tampered with.

#### Elections logistics

Elections present a complex administrative and logistical task in Indonesia. Weak communication systems across thousands of islands and short lead-in times meant that individual polling stations operated according to different procedures. The delays in disbursing the KPU's budget in 2009 compounded the logistical problems and the ability of the KPU to conduct vital training, planning and education. The number of elections (including local elections) being held, and the sequencing, places a significant burden on the electoral management and administration, political parties and observers at any time.

#### **1.2.2 Lack of public engagement in the electoral process**

An election requires strong understanding and engagement from a country's citizens in order to be an effective process. Public participation was weaker in 2009 both in terms of informed citizen participation in the election, and the provision of civil society technical assistance in the lead-up to the elections.

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<sup>29</sup> For the 2004 elections, updating the voters' list at the village was the responsibility of *Panitia Pendaftaran Pemilih* (Committee for Voter Registration). These committees were removed from Law 22/2007 on the management of elections. Responsibility and funding for the updating of the voters' list at the village level remains unclear.

<sup>30</sup> Electoral districts were included as an attachment to Law 10/2008 on the Legislative Elections. Some electoral districts contained voting areas not contiguous to one another, presenting challenges for ensuring the integrity of the voter registration and vote counting processes.

<sup>31</sup> Christian Motte, *Papuan Ghost Voters Haunt Election Officials*, Jakarta Globe, 28 February 2009.

<sup>32</sup> See, eg, The Carter Centre, *Final Report of the Carter Centre Limited Observation Mission to the April 9, 2009, Legislative Elections in Indonesia* (August 2009), pp.21-23.

### Voter participation and public confidence

On the surface, public engagement in the elections remains strong. In 2009 voter turnout was approximately 70 per cent of registered voters<sup>33</sup> for the legislative elections, and 72 per cent for the presidential election. Legislative elections in 1999 attracted 93 per cent of registered voters and turnout in the 2004 legislative elections was 84 per cent, followed by 78 per cent and 76 per cent for the two rounds of presidential elections. Although participation rates remain high relative to well-established democracies, they do show a continuing downward trend compared with previous national elections in Indonesia.<sup>34</sup> This decline is of concern to the Indonesian Government, which in its Medium Term Development Plan (2010-14) has set a target of increasing voter participation in the 2014 national elections to 75 per cent.<sup>35</sup>

There has also been a decline in public confidence in the management and conduct of elections, although the KPU as an organisation had a 72% approval rating in 2010.<sup>36</sup> A recent survey found 30 per cent of respondents expressed dissatisfaction with how the 2009 local elections were conducted. In addition, more than 12 per cent stated that they did not plan to vote, or were unsure if they would vote in the next local election. This is more than double the number of respondents who answered similarly in national polls conducted ahead of the 1999 and 2004 elections.<sup>37</sup>

Ongoing distrust of the conduct of elections is further evidenced by the number of disputes being taken to the court for resolution. 655 disputed election outcomes were submitted to the courts by losing political parties in 2009, compared to 376 in 2004.<sup>38</sup> As of October 2010, more than 189 of the 214 local executive elections for the year (or more than three-quarters) were taken to the Constitutional Court. This highlights ongoing distrust of election results, but also a high level of public confidence in formal dispute resolution mechanisms. Perceptions of corruption are pervasive with key reasons given for disputes including abuse of authority by incumbents and vote-buying. Such accusations have been difficult to prove. Of the 189 cases submitted to the Constitutional Court, only 18 disputes were upheld, with ten of these closely related to vote-buying and abuse of authority.<sup>39</sup> Other common allegations have included irregularities in the voters' list, double voting and mismanagement in the aggregation of results.<sup>40</sup>

### Representation

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<sup>33</sup> The figure is based on official KPU data. However, such controversy surrounds the quality of the voter registration lists, it is impossible to know how accurate this figure is.

<sup>34</sup> Sourced from the Government of Indonesia, *Medium Term Development Plan*, Volume 2, Chapter Six (based on data from the KPU and MoHA).

<sup>35</sup> Government of Indonesia, *Medium Term Development Plan*, Volume 2, Chapter Six.

<sup>36</sup> IFES Indonesia Electoral Survey 2010.

<sup>37</sup> *Antusiasme untuk Pilkada Tersumbat*, Kompas, 5 April 2010. The numbers used for comparison are taken from the Asia Foundation's 2003 survey of the Indonesian electorate, *Democracy in Indonesia: A Survey of the Indonesian Electorate in 2003*.

<sup>38</sup> The figures are for all legislative elections, including elections for the DPR, DPD and for the local level DPRD. These figures would certainly have been higher if individual candidates could have taken a case to court, however, by law, such disputes can only be filed by political parties. By October 2010, 189 of the total of 245 local executive elections scheduled for 2010 had been taken to the Constitutional Court for resolution.

<sup>39</sup> Constitutional Court website (<http://www.mahkamahkonstitusi.go.id/index.php?page=website.RekapitulasiPHPUD>). See also Very Junaidi, *Pelanggaran Sistematis terstruktur, dan Masif: Suatu sebab Pembatalan Kehendak Rakyat dalam Pemilihan Kepala Daerah Tahun 2010*, forthcoming.

<sup>40</sup> As reported by the Chief Justice of the Constitutional Court (July 2010). See <http://politik.vivanews.com/news/read/162624-mahfud-setuju-sengketa-pilkada-kembali-ke-ma>

At the same time there is a growing scepticism about elected representatives, with nearly 40 per cent of those surveyed expressing disappointment in the performance of their local leaders. Voters' perceptions of the management of local elections in the lead-up to the 2014 national election are likely to both influence their confidence in the outcome of these elections and their willingness to participate in the ongoing process.

Particular problems still face women and marginalised groups in being represented. Although some progress has been made, the 18 per cent of female representatives elected to the DPR following the 2009 legislative elections fell far short of the target of 30 per cent. Women's representation in sub-national parliaments and as leaders of sub-national executive governments is even lower – only 24 (or 2.5 per cent) of the 976 provincial and district/municipality heads and deputies elected between 2005 and 2008 were women.<sup>41</sup> Women are also underrepresented in electoral institutions such as the KPU and Bawaslu especially at the working level.<sup>42</sup>

In the absence of clear and enforced campaign finance rules, democratic representation is becoming difficult for individuals and groups without access to significant financial resources. The past ten years has seen a ten-fold increase in campaign spending in Indonesia, with political parties spending over IDR 1 trillion (US\$100 million) in advertising for the legislative elections of 2009, much of which was borne by the candidates themselves.<sup>43</sup> A candidate at the provincial level now advertises for several months, at a cost of between IDR 1 to 5 billion (US\$100,000 – \$500,000) a month. Voter surveys conducted by candidates range in cost from US\$10,000 at the provincial level to US\$2 million at the national level.<sup>44</sup>

Some groups experience obstacles not only in running for election but also in casting a ballot. In its Medium Term Development Plan (2010-2014), the Indonesian Government has requested tailored assistance to ensure that obstacles to voting are removed for women, the poor, people with disability, first-time voters and the elderly. People with a disability, in particular, face significant disadvantages in the electoral process. Around 3.6 million disabled voters participated in the 2009 elections. Some of the issues they faced included limited poll access facilities and lack of tailored voter education.<sup>45</sup> Such issues are likely to lead to a higher level of disenfranchisement for people with a disability. In 2010, AusAID is funding the International Foundation for Electoral Systems (IFES) to assist the KPU with ballots for sight-impaired voters.

#### Public understanding of the electoral process

Of those who attempted to cast votes in the 2009 legislative elections, a total of 17.5 million people, representing 14 per cent of people who attempted to cast a vote, failed to have their vote counted – up from 8 per cent in 2004.<sup>46</sup> For the presidential election, invalid votes rose from 2 per cent to 5 per cent. The high rate of invalid votes strongly suggests that voters marked the ballot incorrectly

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<sup>41</sup> Hana A. Satriyo 2010. 'Pushing the Boundaries: Women in direct local elections and local government.' In Mietzner, M. and Aspinall, E., *Problems of Democratisation in Indonesia*, ISEAS, Singapore, pp.245-247.

<sup>42</sup> By contrast, important efforts have been made to appoint women at the most senior levels, with 3 of 7 KPU Commissioners being women, and 3 of 5 Bawaslu Commissioners.

<sup>43</sup> AGB Nielsen Media Research, 'Pemilu Mengangkat Popularitas Berita', *AGB Nielsen Media Research* (June 2009).

<sup>44</sup> See, eg, Kompas, *Biaya Politik Makin Mahal*, 14 June 2010.

<sup>45</sup> *KPU Jamin Hak Suara Penyandang Cacat*, Hukum Online, 18 March 2009.

<sup>46</sup> See Adam Schmidt, 'Indonesia's 2009 Elections: Challenges and Precedents', in Edward Aspinall and Marcus Mietzner (eds), *Problems of Democratisation in Indonesia* (2010), pp.113-14.

and do not yet have a strong understanding of the voting process.<sup>47</sup> In part this was likely due to the last minute changes to voting processes and the absence of national voter education initiatives that had greatly enhanced government voter education efforts in previous elections, as well as resulting from a strict interpretation of what constituted a valid ballot at many polling places.

#### Public and candidate understanding of the relationship between voters and elected representatives

Many people do not understand the nature of the political system, how votes will translate into seats or, more fundamentally, the nature of the contract that is established between elected representatives and the people. Political parties and elected representatives themselves either do not understand or are not willing to fully articulate what they will deliver following an election. Public discussions and political debates do occur in some locations, however it is not yet clear whether these have any impact on the accountability of elected representatives. Without a strong understanding of the relationship between voters and their elected representative, challenges will remain in embedding democracy in the social fabric.

#### Civil society engagement

Although the capacity of civil society in the elections sector has remained largely constant over the past decade, observers both outside and within government agree that a key difference impacting on the quality of the 2009 elections was the much lower engagement of CSOs in the process. Many of the organisations most prominent in the lead-up to the 2004 elections<sup>48</sup> were also active prior to the 2009 elections. However, CSOs faced much lower availability of donor funding and difficulties in accessing electoral management bodies to provide support.<sup>49</sup> Consequently, the impact of these organisations was much reduced in terms of technical input, and the provision of voter education, information and elections observation. This also reduced pressure on electoral management bodies to fulfil their elections responsibilities in a timely manner.<sup>50</sup>

In Indonesia, much of the technical expertise relating to elections resides in CSOs rather than electoral management bodies or government. CSO expertise in electoral systems developed even prior to the elections in 1999, and CSOs have been intimately involved in virtually all major electoral reforms since 1998-99. Many international and Indonesian CSOs are trusted by electoral management bodies and are often able to work on sensitive issues, such as providing support to Bawaslu around election case management, advising on election laws and the restructuring of the KPU. The poor quality of technical input evident in the weak elections systems and legislative framework was itself evidence that CSOs did not play as much of a role in this area as they had in the past.

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<sup>47</sup> Anecdotal evidence also suggests that some elections officials may have too rigidly interpreted what constituted a valid ballot: see, eg, Adam Schmidt, 'Indonesia's 2009 Elections: Challenges and Precedents', in Edward Aspinall and Marcus Mietzner (eds), *Problems of Democratisation in Indonesia* (2010), pp.113-14.

<sup>48</sup> These include the majority of the organisations listed in Table 2 (see Part 2 below).

<sup>49</sup> These difficulties were highlighted in discussions with prominent elections CSOs in April 2010.

<sup>50</sup> This is not to say that CSOs were entirely shut out of the process. As discussed above, CSOs successfully engaged to persuade political parties to adopt a 30 per cent quota for women candidates on their party lists, and the People's Voter Education Network brought its field level experience to bear in legislative discussions concerning election campaigns and voter lists.



### **Box 1: The Role of Civil Society in Aceh's Elections**

In Aceh, the December 2006 *pilkada* and the 2009 legislative elections took place more smoothly than some anticipated, despite increased tensions and more violence than elsewhere. KIP – the election management body of Aceh – received high praise for its work in the face of difficult circumstances. Civil society ensured that the public was engaged and informed about the different phases in the election cycle. Their independent seal of approval allowed KIP to be seen as independent, professional and legitimate. Quick counts funded by AusAID and conducted by CSOs prior to the election helped convince Partai Aceh, among others, that the popular vote was not likely to be as high as originally anticipated and paved the way for election results to be approved. Five years of peace in Aceh has brought stability, but the engagement of CSOs in on-going confidence-building and conflict prevention activities such as public engagement in the preparation of voter lists, election observation, and partial quick counts will be needed to ensure that the peace is ongoing.

In terms of voter education and information, in 1999 and 2004 non-partisan Indonesian voter education and election monitoring organisations distributed tens of millions of voter education leaflets, supported the broadcast of thousands of hours of television and radio public service announcements, and provided election day monitors that were present in 30-40 per cent of all polling stations in the country. These efforts played an important role in safeguarding the integrity of voting and vote-counting, and provided greater legitimacy to the process and outcomes. It appears, however, that the involvement of these organisations has waned.<sup>51</sup> In 1999, CSOs jointly deployed over 250,000 election observers. In 2004, JPPR – the most prominent CSO elections network – deployed around 140,000 election observers. By contrast, in 2009 JPPR only deployed approximately 3000 observers for the legislative election and 10,500 observers for the presidential election, in large part due to the reduced availability of donor funding that had supported observation and monitoring in previous elections.

#### **1.2.3 Political commitment and donor support**

The 1999 and 2004 elections proved that Indonesia had the capacity to effectively manage elections, albeit with significant donor support. The problems in 2009, therefore, would seem to suggest that the lower quality of Indonesia's elections were not only related to weak capacity, but perhaps equally to issues of political will. As described above, key legislation was passed too late to allow adequate time for elections preparations, and the legislation that was passed was unclear.<sup>52</sup> The biggest problem of the elections, the fraught voters' list, was already a known problem in 2008, yet the issue was still unresolved a year later.

The low level of urgency to address electoral issues in a timely fashion can be explained by a certain level of complacency following two successful rounds of elections. Despite a large turnover in staff following the 2004 elections in both the DPR and the KPU, there was a general belief among state institutions that they were now ready to manage the elections on their own. State

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<sup>51</sup> Anecdotal evidence from donors suggests approximately a ten-fold reduction in voter education activities in 2009 compared to 2004, with hundreds of thousands of voter education leaflets distributed instead of millions of leaflets, and hundreds of hours of public service announcements broadcast instead of thousands of hours.

<sup>52</sup> A number of key decisions relating to elections were made behind closed doors such as the DPR taking on responsibility for drawing-up district electoral boundaries, and regulations limiting campaign contributions from the public but not from candidates. Riris Khatarina & Agustinus Eko Raharjo, *Pantauan Proses Pembahasan UU Pemilu Legislatif*, Koalisi NGO untuk Penyempurnaan Paket UU Politik, February 2009

institutions displayed a reduced willingness to continue engagement with both international and local organisations that had provided significant support in the lead-up to the 2004 elections.<sup>53</sup>

International donor support declined from US\$90 million for the 1999 elections, to US\$83 million for the 2004 elections and then only US\$20 million<sup>54</sup> for the 2009 elections (representing 1.7 per cent of the Indonesian Government's budget for the 2009 elections). This had major implications for the funding available to CSOs. The reduction in international support was also motivated in part by the belief that after two rounds of successful elections in Indonesia, the process no longer required strong international commitment. In addition the Indonesian Government made it clear that this level of support was no longer needed.<sup>55</sup>

More information on the role and potential of CSOs in election-related assistance is provided in Part 2 (Program Description) below.

### 1.3 Indonesian policy context and request for assistance

#### *1.3.1 Indonesia's legal and policy framework for elections*

Indonesia is currently in the process of revising the legal framework for elections which comprises six laws. The first four laws directly concern the management of the elections:

*Law No.32/ 2004* on regional governance (covering the local elections); and

*Law No.22/ 2007* on electoral management (covering KPU and Bawaslu);

*Law No.2/ 2008* on political parties;

*Law No.10/ 2008* on legislative elections (for DPR, DPD and DPRD);

*Law No.27/ 2009* on the MPR, DPR, and DPD;

*Law No.42/ 2009* on the presidential election;

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<sup>53</sup> For a full discussion of the reasons for the decline in CSO participation in the 2009 elections, refer to Aspinall, op. cit.

<sup>54</sup> Australia's support to the 2004 elections was A\$15m, compared to A\$6.2m for the 2009 elections. In 2009, USAID was the largest bilateral donor in the sector, providing US\$8.8 million. The UNDP Elections Multi-Donor Program also provided US\$8.9 million. Donors contributing to the UNDP program included Australia (as the largest contributor A\$3.6 million), Netherlands, Canada, UK and Spain.

<sup>55</sup> See, eg, Edward Aspinall, 2010, op cit.. See also Marcus Mietzner, *Indonesia's 2009 Elections: Populism, Dynasties and the Consolidation of the Party System*, Lowy Institute (May 2009).

As described above, problems with the 2009 elections highlighted contradictions and gaps in the current legislative framework. A number of Indonesian Government institutions have shown a strong commitment to improving the quality of the elections process. The DPR has prioritised revisions to laws relating to elections in its work agenda for 2010-2011. Revisions will aim to clarify the responsibilities and membership of electoral management bodies and eliminate discrepancies between different pieces of legislation. Revisions to the laws will be considered by Parliament's Commission II, responsible for internal affairs and are expected to be completed by 2012. This timeframe is necessary in order to allow sufficient time to complete preparations for the 2014 elections, such as changes to enacting regulations and their dissemination to relevant officials and the public at large. However, significant delays in the consideration of all legislation by the DPR have increased the likelihood that revisions to the electoral laws will once again be delayed.

The Government's five-year Medium Term Development Plan 2010-2014 specifies as one of its targets 'to increase the quality of democracy', with a particular focus on increasing the capacity and accountability of democratic institutions through:

- strengthening civil society and political parties;
- improving the legal framework and policy in politics;
- supporting the sustainability of CSOs in the democratic process; and
- facilitating the 2014 elections.

Specifically in relation to electoral processes the Indonesian Government has prioritised:<sup>56</sup>

- Revisions and changes to key laws for elections;
- Legislative reform and dissemination of legislative products;
- Enhancing public participation in policy making;
- Increased voter and political education; and
- Improving logistics and communication with the KPU offices.

The Medium Term Development Plan highlights the critical role CSOs play in supporting democratic processes. It notes that 'civil society is not yet on an equal footing with state and the private sector; the state and private sector continue to occupy more powerful positions than civil society'.<sup>57</sup> It identifies a number of key problems facing most Indonesian CSOs, including:<sup>58</sup>

- weak organisational management, including human resource management;
- limited infrastructure and investment in training;
- lack of networking with and learning from other CSOs;
- weak links between civil society leaders and their constituents; and
- limited finances and unsustainable funding arrangements.

In order to remedy this situation, the Medium Term Development Plan has called for greater engagement between state institutions with CSOs and committed the government to the establishment of a Democracy Trust Fund that will provide state funding directly to CSOs working to support democracy from 2015.

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<sup>56</sup> A full list of Indonesian Government priorities in relation to elections is provided at Annex 4.1.

<sup>57</sup> Government of Indonesia, *Medium Term Development Plan*, Volume 2, Chapter Six, p.5.

<sup>58</sup> See generally Government of Indonesia, *Medium Term Development Plan 2010-14*, Volume 2, Chapter 6.

### *1.3.2 Indonesia's request for assistance*

Elections are fundamentally the responsibility of the country holding them and Indonesia has a proven track record of holding elections. Indonesia's own institutions, however, have recognised that there is a significant need to improve electoral democracy. The KPU has specifically requested that Australia continue to provide electoral assistance over at least the next five years. A range of CSOs have also requested that Australia assist efforts to boost public interest in electoral democracy and to strengthen state electoral institutions. Support for a long-term program of Australian assistance addressing the priorities in the Indonesian Government's Medium-Term Development Program has been expressed, endorsed and reiterated on a number of occasions by Indonesia's National Development Planning Agency (Bappenas), during Australia's 2009 and 2010 programs. Bappenas is the Indonesian Government's representative agency under its Development Assistance Treaty with Australia.<sup>59</sup>

The Indonesian Government has stated firmly that while it welcomes donor assistance in most areas, donor assistance is not sought where it provides access to voter registration or vote tabulation data. This is due to sensitivities around providing international donors with access to personal and population data. This program will seek to address weaknesses in voter registration and vote tabulation indirectly through capacity building of the responsible state institutions, and technical assistance for the systems supporting voter registration and vote tabulation, as described in Part II. Australia remains committed to support in these areas should a request for assistance be forthcoming, and has been able to provide indirect support through its current program of assistance (see section 1.4.3).

## 1.4 Rationale for Australia's assistance

### *1.4.1 Australia's policy context*

Assistance to Indonesia's elections is guided by the *Australia Indonesia Partnership Country Strategy 2008-13*. One of the goals of the Strategy is 'to improve the capacity, accountability and responsiveness of legal, democratic and oversight institutions and processes.' Strengthening electoral administration and enhancing public engagement in the electoral processes will contribute directly to this objective.

The Australian Government has agreed to support Indonesia's aid effectiveness policy, the *Jakarta Commitment*, and is bound by the terms of its development assistance treaty with Indonesia. These both stress the importance of close cooperation with the Indonesian Government. Elections-related activities will be directly agreed with the Indonesian Government according to the Elections Coordination Committee chaired by Bappenas.

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<sup>59</sup> *General Agreement on Development Cooperation between the Government of Australia and the Government of the Republic of Indonesia* [1999] ATS 13.

### ***1.4.2 Australia's national interest***

Australia has a strong interest in seeing Indonesia consolidate its democratic transition and remain a stable, secure and democratic neighbour. These interests are promoted through support for elections in a manner which:

- provides citizens the opportunity to voice their political grievances and resolve disputes peacefully within existing political and legal frameworks;
- supports the opportunity for Indonesian citizens to exercise their democratic right to vote;
- supports peaceful transitions of authority;
- provides a mechanism for greater accountability and responsiveness of decision-makers to their constituents, thereby improving the delivery of government services;
- strengthens the non-partisan mass-based organisations (including Islamic organisations) to support the consolidation and success of a pluralist democratic system; and
- encourages other developing countries in the region to see the benefits of a successful transition to, and consolidation of, democracy.

### ***1.4.3 Lessons learned from previous Australian assistance***

In November 2009, an Independent Completion Review was conducted of Australia's electoral assistance to Indonesia in 2009.<sup>60</sup> The Review found that while in general Australia's assistance to Indonesia's elections had responded to the expressed priorities of the Australian Government, the KPU and the Indonesian Government, assistance was neither requested nor provided in areas that demonstrated the greatest weakness on polling day, such as the voters' list and results tabulation. Its recommendations, which have informed this design, were that future assistance should:

- be provided throughout the five-year electoral cycle, not just in the lead-up to election day;
- increase engagement with Indonesian CSOs involved in election-related technical assistance and public outreach;
- support the role of CSOs in the democratic process more generally;
- consider means to improve the visibility of Australian efforts to support democratic elections in Indonesia; and
- require more robust information, monitoring and evaluation systems to track the progress and impact of assistance.

AusAID's short-term program of assistance to the elections sector in 2010 (A\$5 million) comprises activities to strengthen the KPU and electoral management bodies, as well as to inform legislative reform, strengthen women's representation and provide targeted support to local elections. Under the program, Australia is responding to problems with the voters' list following a request from the KPU. Through IFES, the program is funding the training of district and provincial elections management body officials on the use of data cleaning software. The 2010 program also includes funding for Indonesian and international CSOs to conduct analytical work that will inform revisions to electoral legislation and its consideration by the DPR. None of these activities involve direct access to population data or other sensitive national information. Australia recognises that the success of any assistance will continue to be dependent on political commitment to electoral reform and will promote efforts of reformers within state institutions to continue democratic consolidation.

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<sup>60</sup> Eric Bjornlund, Rustam Ibrahim and Michael Collins, *Review of Australian Assistance to the 2009 Elections in Indonesia* (October 2009).

#### ***1.4.4 Alignment with other Australian assistance***

Australia's proposed assistance to Indonesia's electoral sector has close linkages to AusAID's broader democratic governance program. Relevant support includes assistance to the Bali Democracy Forum and its supporting institute – the Institute for Peace and Democracy – which are emerging as important platforms for bringing together elections experience from the Asian region. Assistance to the Centre for Democratic Institutions at the Australian National University supports training and study tours for parliamentarians and political parties on issues such as ethics, financial management and parliamentary processes. Assistance through these mechanisms will be coordinated through AusAID's Democratic Governance Unit in Jakarta.

Related assistance is also being provided at the local level through the Australia Indonesia Partnership for Decentralisation (AIPD), which focuses on strengthening public financial management, in part by strengthening budget processes in local parliaments. As discussed above, budget approval and disbursement at the local level is one of the key blockages to effective local elections management. This program will coordinate closely with AIPD on local budgeting issues and engagement with local CSOs. It will also work closely with AusAID's knowledge sector program to ensure close coordination in working with organisations to strengthen evidence-based research.<sup>61</sup>

A number of AusAID programs, both in Indonesia and across the Asia-Pacific region, are generating important lessons on working with CSOs. As CSO engagement will be a key focus of the program, it will be important to ensure that lessons learned from these wider programs continue to feed into the management of the program.

AusAID is in the process of developing an overarching democratic governance strategy for Indonesia which will elaborate potential ways of integrating proposed elections assistance with support to parliament and broader engagement with CSOs. AusAID's engagement of a Principal Governance Adviser will increase linkages between these programs, and strengthen the program's ability to draw together sectoral outcomes and learning to inform ongoing implementation.

#### ***1.4.5 Alignment and coordination with other donors***

Donor funding amounted to only 1.7 per cent of Indonesia's budget for the 2009 elections.<sup>62</sup> AusAID's electoral support program will make Australia the largest donor engaged in supporting elections in Indonesia over the coming five years. Engagement from other donors is expected to remain small-scale, with the majority only indirectly related to elections in the lead-up to the 2014 elections.

The other major donor in this area is USAID, which over the next three years plans to spend US\$6 million to promote effective governance, including US\$2 million in support of electoral reform.<sup>63</sup> Other assistance relating to elections includes core funding from the Royal Netherlands Embassy and Danida for Partnership for Governance Reform (Kemitraan, a local governance CSO). The Royal Norwegian Embassy is also supporting the Asia Foundation to inform decision-making in overall legislative reform relating to gender issues. A variety of smaller programs are being undertaken by UN agencies such as UNIFEM and UNDP on elections-related issues including

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<sup>61</sup> This might include joint research on women's participation and representation in politics.

<sup>62</sup> Bappenas presentation to Donor Coordination Meeting, 19 November 2009.

<sup>63</sup> USAID is currently considering expanding this program after 2012.

strengthening the role of local parliaments and women's participation. A full table of donor engagement is given in Annex 2.

In order to ensure that Australia's support is aligned with Indonesia's own programs and harmonised with other donor programs, Australia will participate in the Indonesian Government's Steering Committee for Democracy Support. This committee is currently chaired by Bappenas, and supported by UNDP. It includes representatives from the KPU, Bawaslu, Ministry of Finance, Ministry of Foreign Affairs and Ministry of Home Affairs.<sup>64</sup>

In addition to the Steering Committee, Australia will also engage in informal networking with other donors and six-monthly roundtable discussions with implementing partners. The relatively small number of donors in this field and the fact that most of their programs are quite narrowly focused is likely to assist in limiting potential duplication and maximise complementarity. We anticipate actively engaging in CSO-led elections-related coordination and discussion forums.

#### ***1.4.6 Where Australia can make a difference***

Australia will work with a number of state institutions and civil society actors to support Indonesian efforts to entrench good electoral practices at the national, provincial and district levels in the period 2011-2015. This will build on the strong commitment Australia has shown to Indonesia's elections. Australia provided assistance in the immediate lead-up to the 1999, 2004 and 2009 national elections, and a short-term program of assistance supporting elections preparation and local elections in 2010 (\$5m).

As discussed in the problem analysis above, the key constraints to entrenching electoral democracy in Indonesia are weak electoral management and insufficient public engagement in elections systems and processes. Australia is in a strong position to address both of these constraints:

Firstly, the long-standing peer-to-peer partnership between the AEC and KPU places Australia in a unique position to address several of the issues contributing to weak electoral management in Indonesia. The AEC is seen as a leader internationally in elections management and the relationship between the AEC and KPU is strong, as evidenced by repeated requests for continued assistance, including by the Chair of the KPU, and the KPU Secretary-General's recent reiteration of the value the KPU places on cooperation with the AEC.<sup>65</sup>

Secondly, since 2005, Australia has provided approximately \$7 million to support civil society observation, voter education and voter registration audits for local elections (*pemilihan umum kepala daerah* or *pilkada*) nationwide, and has a strong working relationship with these organisations as a key donor in the field.

Finally, Australian assistance to this sector as the largest bilateral donor, should provide leverage and opportunities for high-level policy dialogue between Australian and Indonesian political leaders and senior electoral institution officials on electoral issues and democracy in

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<sup>64</sup> The structure of the committee is currently under review and a revised structure, which may include representatives of CSOs, is being developed to commence in 2011.

<sup>65</sup> The Independent Completion Report into the previous phase of Australian electoral assistance to Indonesia states that "the chair of the KPU requested that AEC assistance be continued past its initial completion date based on its relevance to the needs of the organisation. The KPU secretary general added specifically that the KPU particularly valued its relationship with the AEC, as a peer organisation": Eric Bjornlund, Rustam Ibrahim and Michael Collins, *Review of Australian Assistance to the 2009 Elections in Indonesia* (October 2009), p.8.

general.



## 2. PROGRAM DESCRIPTION

The Australia-Indonesia Partnership for Electoral Support is a \$20 million program that will operate over five financial years (2010/11 to 2014/15), starting in mid-2011 and concluding in June 2015.

Funding and activities for the program will be divided into three phases, which will reflect a gradual evolution in assistance in the lead up to the 2014 elections. The exact phasing of activities will depend to some extent on the timing of revisions to electoral legislation. The first phase will focus on revisions to the legislative framework, support to local executive elections in targeted locations and diagnostic work. An Independent Progress Report (IPR) of how the program is tracking will be done in mid – late 2012 and will focus on two areas. Firstly, the implementation arrangements for the program - including the selection process for the delivery partner, how all program implementers are working together and whether programming between them is complementary and how on-granting to smaller organisations is working. Secondly, the IPR will review the changing environment in Indonesia considering that during this time there will have been changes to the electoral legislation and a change in KPU Commissioners. This second part of the IPR will assist in the decision of whether to scale up the program, particularly in the areas of voter education, elections observation and monitoring in 2013 for the lead-up to and during the 2014 national legislative and presidential elections. In late 2014 – early 2015, AusAID will conduct an Independent Completion Report for the program.

### 2.1. Program Logic

#### 2.1.1. *Program Approach*

The problem analysis described at the beginning of Part I is a ‘snapshot’ of the issues facing the Indonesian elections sector, based on the evidence of the 2009 elections and comparisons with the previous two elections. However, the relative priority of these issues and the ability of the program to address them will change over time and the program will need to respond to these changes. The program’s approach is also predicated on the fact that the elections sector comprises a network of organisations and individuals with different spheres of influence. As a network, they produce results that they could not achieve independently. Change generally takes place through an evolutionary, negotiated process rather than one that is directed by a single stakeholder.<sup>66</sup> The process of change is likely to affect the mandates and power relationships within the sector and the responsibilities and influence of stakeholders are likely to change over time. This has a number of implications for the delivery of the program:

The program will need to work with a variety of stakeholders (parliament, electoral management bodies, CSOs, political parties and individual reformers) with an influence over different inter-related aspects of the electoral reform process.

The program will need to maintain a strong focus on the relationships between these stakeholders and seek opportunities to strengthen their relationships in support of democratic

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<sup>66</sup> This is a simplified definition based in part upon Kevin J Dooley’s “A *Complex Adaptive Systems Model of Organization Change*”, in *Nonlinear Dynamics, Psychology, and Life Sciences* (1997). Lessons are also drawn from analysis of ‘open systems’, such as that presented in EuropeAid’s *Institutional Assessment and Capacity Development* (2005).

reform. This will be reflected in a partnership approach to implementation, based on a spirit of mutual cooperation, information sharing and respect for each others' strengths.

The program will need to maintain the ability to respond flexibly to shifting opportunities for influencing reform. Such flexibility must be based on a clear understanding of the desired end-state of the program, but recognises that such an end-state is likely to be best achieved through incremental engagement as needs and opportunities within the system change.

A flexible approach requires a strong strategic framework that provides guidance on how the incremental process will be managed, strong monitoring of the implementation environment, and robust decision-making processes. A basis for such systems is described in Part 3, and will be further developed in the inception phase of the program.

The program will promote a gender mainstreaming strategy, taking into account lessons learned on barriers to women's participation and will address specific components in the electoral process, such as voter registration, participation of women in electoral administration, capacity building, and information. Given the constraints on the availability of qualified women, a 40% target for women's participation will be used as a soft affirmative action policy in the program's activities, with a more ambitious goal of equal participation in project management and coordination, and recruitment.

### **2.1.2. Overarching goal and objectives**

The goal of the program is to: Improve the quality of Indonesia's national elections (2014) and targeted sub-national elections (2011-2013). This will ultimately support Indonesia's attainment of the Domestic Politics Target in the Indonesian Government's *National Medium-term Development Plan 2010-14*: "enhanced quality of democracy".<sup>67</sup>

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<sup>67</sup> See above Part 1 for a brief description of the Medium-term Development Plan 2010-14, or Annex 4.1 for more detail.

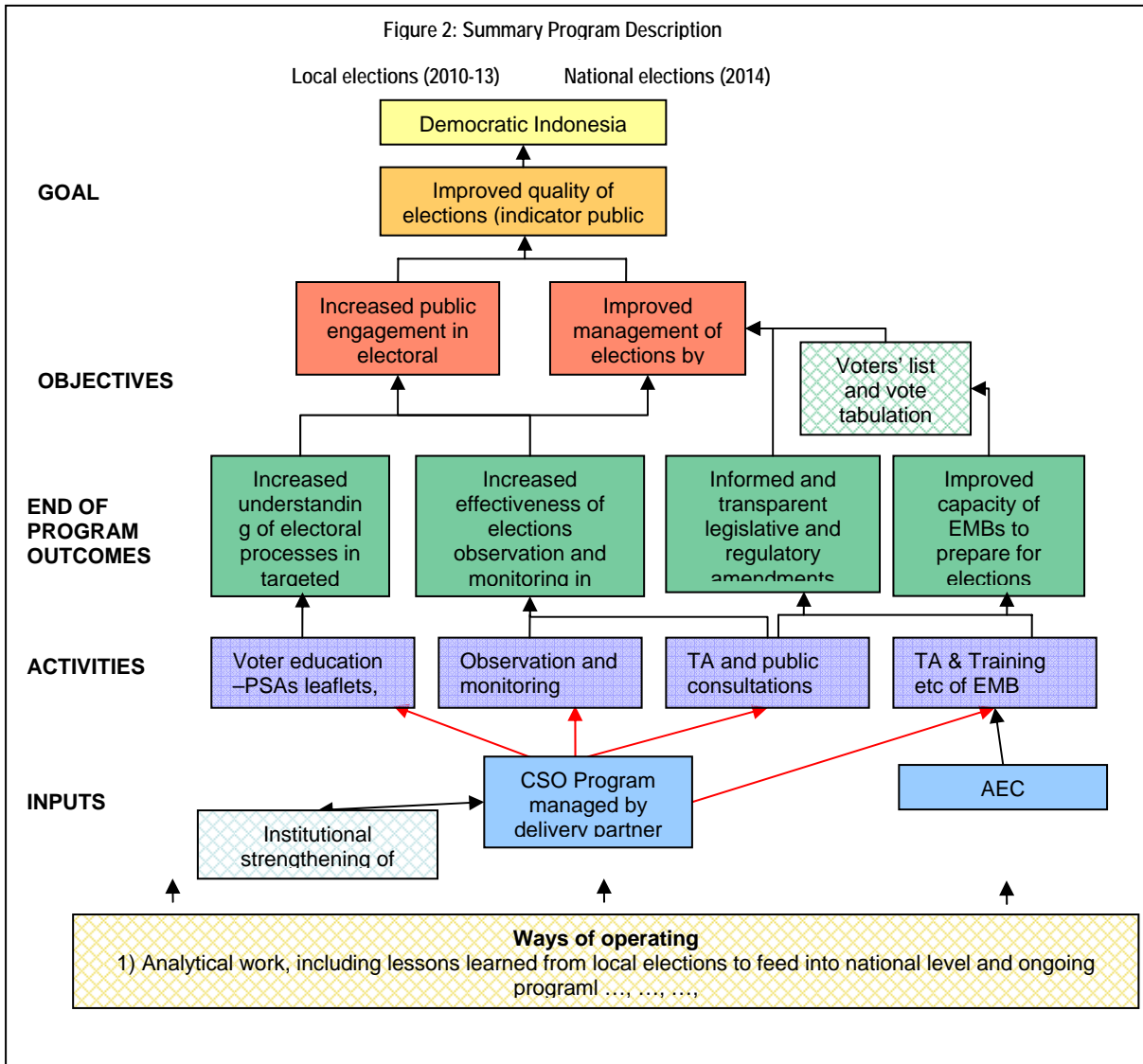


Figure 2 above describes the linkages between program inputs, activities, short-term outcomes and medium-term objectives that are expected to be achieved during the five-year program. The logic model will be the same for both national and local elections, however the timeframes will be different, given that local elections take place between 2010 and 2013, while national elections will take place in 2014. Local elections will be an important testing ground for legislative amendments and the introduction of any new technology or processes although legislative and regulatory amendments are the prerogative of the national level. Local elections will also set the tone for public confidence in the 2014 elections, as they did prior to the 2009 elections.

The cross-hatched boxes indicate areas where the program is expected to address these areas indirectly through strengthening the capacity of CSOs, analytical work to support evidence-based decision-making; ongoing dialogue between state institutions and citizens, and adopting a partnership model of implementation with the delivery partner.<sup>68</sup> Strengthening the capacity of electoral management bodies and supporting CSOs to work with reformers in state institutions will

<sup>68</sup> The partnership model of implementation is described in more detail in Section 3 – Implementation Strategy.

increase overall commitment to democratic processes and will support electoral management bodies themselves to address these issues.

The program is informed by the problem analysis described in Section 1, and recognises that real improvements to Indonesia's elections will only be possible if two objectives are met:

1) Improved management of elections by electoral management bodies

Improved management of elections will be evidenced by the extent to which preparations (including budget approval) and conduct of elections occur in the manner and within the timeframes specified in electoral legislation and regulations. Elections will be conducted in a spirit that seeks to strengthen rather than undermine democracy in Indonesia. As described in the problem analysis and Figure 2 below, in order for this to occur it will require, in particular, increased human capacity of electoral management bodies, appropriate technical systems, a clear division of responsibilities among electoral management bodies and stronger engagement between electoral management bodies and citizens, and CSOs in particular.

2) Increased public engagement in electoral processes.

Increased public engagement in electoral processes is a function not only of more citizens choosing to participate in the activities surrounding the electoral process, but also the willingness and ability of state and semi-state institutions to open their information and decision-making processes to the public. Increased public engagement will be evidenced in particular by increases in voter registration and participation in elections, increased numbers of non-partisan monitors and observers at all stages of election preparations and election-day activities.

Further information regarding the tracking of these objectives can be found in the Annex 3.

In order to achieve the end of program objectives, the program will focus on four main outcomes that are inter-related and contribute to achieving both objectives, as presented diagrammatically in Figure 2.

1. Improved preparation for elections by electoral management bodies;
2. Electoral laws and policies amended through transparent, participatory and evidence-based processes;
3. Increased knowledge among voters of the elections process in targeted districts; and
4. Increased effectiveness of observation and monitoring of electoral processes in targeted districts.

### **2.1.3. Outcome 1: Improved preparation for elections by electoral management bodies**

Work under Outcome 1 will strengthen these organisations' ability to manage their core administrative tasks. USAID, through IFES, is supporting a Strategic Capacity Framework of the KPU that should be completed in early 2011. UNDP and IFES are also supporting training workshops on strategic planning that are likely to provide a useful basis for targeting Australia's assistance to the KPU, in coordination with the USAID program of assistance. In the absence of an overarching strategic plan for the KPU, Australia's assistance will target particular areas of the organisation where there has been strong engagement to date, such as the human resource planning unit. Assistance to electoral management bodies included under the annual workplan will consider Indonesian priorities and where the program is able to contribute to change. Activities of other donors will be taken into account in determining our assistance. The successful development and implementation of a strategic framework for the KPU will be an important milestone in the

development of the KPU as an institution. However, institutional development will continue in the absence of such a framework on the basis of KPU's mandate as stipulated in electoral legislation, and articulated in annual workplans.

Assistance under this outcome will need to be flexible in order to meet the needs of new elections commissioners and adapt to changes in the legislative framework that will take place in the next year or two. These changes are likely to impact on the role and responsibilities of the KPU and Bawaslu and their relationship with provincial and district offices. Civil society organisations will have an important role to play under this objective. Achievements under this outcome may be evidenced by:

- Improved and timely planning and preparations for elections
- Increased public consultations to inform policy and decision-making
- Better understanding of budgetary impediments to national and local elections management and an effective program established to address these issues
- Assistance for sub-national parliaments on the financing and budgeting of local elections;
- Improved internal communication, especially between central and sub-national offices
- Improved external communication
- Increased public outreach, including through partnerships with civil society
- Increased state monitoring of elections
- Increased levels of high quality analytical research that informs decision-making and public debate including the capacity to collect and interpret disaggregated data
- Reduced breaches of regulations by state officials
- Increased understanding of gender issues and mainstreaming gender into strategic planning process
- Improved resolution of minor election disputes

While not working on these issues specifically, activities under this objective are also expected to contribute to:

- Improved systems for vote tabulation
- A more accurate voters' list
- Increased women's participation in electoral management and administration
- Increased commitment on the part of state agencies to improve democratic processes

### ***Indicative activities***

Training for electoral management bodies in legal and regulatory drafting, electoral procurement, information technology, logistics, donor coordination, electoral planning, public relations, electoral complaints resolution and stakeholder management, with a particular emphasis on managing public consultations and broader public engagement in decision-making

Training of trainers in these areas

Organisational system redevelopment and testing (including regulations, administrative and financial), with supporting curricula that are gender-sensitive for these systems

Support for formal and informal engagement of CSOs with DPR, MoHA, KPU and Bawaslu at central and local levels to inform elections decision-making initiated by Indonesian organisations

Provision of national and international experts and technical advice on issues such as legal drafting, models of international elections systems and processes and other issues as they emerge

Regular discussion forums on elections-related topics for state and CSOs (particularly those CSOs from remote or conflict-prone areas)<sup>69</sup>

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<sup>69</sup> Note that forums of this kind are mentioned as a priority in the *National Medium-term Development Plan 2010-14*.

Under Outcome 1, the AEC has already identified a work program based on consultation with the KPU. This work will continue to build on and refine work that has been undertaken successfully by the AEC since 2009. This peer-to-peer relationship supports learning, both on the part of the KPU, and also on the part of the AEC. The AEC will continue to support requests from the KPU where it has the expertise to do so, incorporating lessons from existing successful work. Activities are likely to include:

- Building the capacity of KPU Commissioners and the KPU Secretariat and at the provincial and district levels by assisting all parties in developing and agreeing to a KPU Standards of Procedure for the management of elections that are sensitive to gender and marginalized groups
- Improving consistency in the management of elections through the ongoing development, evaluation and testing of all election manuals at the national, provincial and district election levels
- Increasing the capacity of KPU and KPU Province and Kabupaten/Kota officials through BRIDGE training and Australian work placements for KPU staff
- Strengthening internal and external communications, in particular through assistance for the KPU Information Support System (KISS), and discussion forums with local CSOs and international elections experts on topical issues in order to increase the KPU's ability to present data and information for internal and external audiences
- Provision of technical expertise as issues emerge and where the AEC has a comparative advantage

### ***Possible diagnostic research***

- Options to strengthen the capacity and role of ad hoc state elections monitors at the sub-national level;
- Public expenditure and efficiency tracking for electoral administration
- Tracking of issues arising in the local elections to inform preparations for the 2014 elections
- General trends in election management
- Analysis of challenges to appropriate elections budget allocation and disbursement, and options to address this
- Options for increasing electoral roll accuracy
- Options to ensure election workers and other absent voters can vote
- Options to ensure gender balanced promotion and recruitment of staff and members of electoral management bodies particularly at the local level

### ***2.1.4. Outcome 2: Electoral laws and policies are developed and amended through transparent, participatory and evidence-based processes***

An important but distinct milestone on the way to achieving the improved management of elections will be the improved quality of electoral legislation that addresses the weaknesses evident in the 2009 elections. In particular it is hoped that revisions to the legislation will serve to clarify the responsibilities and composition of electoral management bodies, and address discrepancies between different pieces of legislation. Research suggests that there is a strong correlation between the level of transparency, public participation and evidence-based inputs to legislative processes, and the quality of the legislation produced.<sup>70</sup> Success under this outcome will focus on the quality of the legislative *process* rather than the *content* of the legislation itself. Success under this outcome may be evidenced by:

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<sup>70</sup> See for example "Citizens as Partners", Marc Gramberger, OECD, 2001.

Increased levels of debate within legislative drafting bodies informing revisions to the elections legislation and regulations

A vibrant public consultation process undertaken by MoHA, DPR and KPU

Increased levels of high quality analytical research concerning elections in Indonesia that informs decision-making and public debate

Consideration of lessons learned from local elections informing national-level deliberations.

### ***Indicative activities***

Training and technical assistance (national and international) in legal and regulatory drafting

Support to state institutions (MoHA, KPU and the DPR) to conduct public consultations that include women and marginalized groups to inform legislative revisions

Electoral management body staff skills training on managing public consultations and active public engagement in decision-making

Provision of inputs into academic papers to inform the drafting of laws

Training of policy and decision-makers (particularly KPU and MoHA) as well as CSOs in how to engage in dialogue on elections and democratic governance issues

### ***2.1.5. Outcome 3: Increased understanding among voters of the elections process in targeted districts***

The legitimacy of Indonesia's elections relies on a constituency that understands how to vote and why this is important. Improving citizen knowledge on the mechanics of registering to vote and casting a valid vote, as well as how their vote can support enhanced accountability of state institutions, are key goals of the Indonesian Government. The Indonesian Government has stated that a key indicator of the success against these goals will be at least 75 per cent of eligible voters successfully casting their votes in the next national elections.<sup>71</sup>

Success against this outcome would include increased public awareness of how to participate as a citizen in an electoral democracy. This would be measured by tracking changes in attitudes towards voting among voters in targeted areas pre- and post-interventions, higher voter registration, higher voter turnout and lower levels of invalid votes.

### ***Indicative activities***

Regular discussion forums on elections-related topics for state and CSOs (particularly those CSOs from remote or conflict-prone areas)

Training of policy and decision-makers as well as CSOs on how to engage in mutual dialogue around elections and democratic governance issues. Such a program may include the Democratic Governance BRIDGE program currently being developed by the AEC<sup>72</sup>

Financial and administrative training of local CSOs and other support as prioritised following the mapping exercise for CSOs

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<sup>71</sup> See Volume 2 (Chapter 6) of the *National Medium-term Development Plan 2010-14*.

<sup>72</sup> Democratic Governance BRIDGE (DG Bridge) aims to promote dialogue and understanding among stakeholders on issues related to democracy. In its pilot phase, it has been welcomed by the Indonesian Government for roll-out within the Ministry of Home Affairs. Stakeholders included in DG Bridge training include government representatives and officials at all levels, community organisers and leaders, policy makers and thinkers, civil society organisation leaders, staff of international agencies, business leaders, civic education professionals and emerging young leaders.

Development of voter education messages, including those that are gender sensitive, with due consideration to face-to-face communication, printed and electronic media<sup>73</sup>

Researching and piloting cost-effective and innovative communication methods for CSOs and electoral management bodies to raise awareness of electoral processes and overcoming barriers to vote, including among marginalised groups, particularly disadvantaged women, indigenous peoples, the poor, people with disability, first-time voters and the elderly.<sup>74</sup>

Voter education in disadvantaged areas and areas demonstrating low voter awareness in 2009<sup>75</sup>  
Measuring changes in attitudes towards voting and elections

Development and dissemination of TV / radio public service announcements (PSAs), leaflets and how to vote information

### ***Possible diagnostic research focus***

Options for mass communication of electoral processes

Linkages between representation and better services for citizens

Options to address barriers facing women and marginalised members of society in standing as candidates

Options for enhancing and promoting accessibility for disadvantaged women, the poor, people with disability, first-time voters and the elderly in casting valid votes

Sustainable options for the provision of non-partisan elections monitors

### ***2.1.6. Outcome 4: Increased effectiveness of citizen observation and monitoring of electoral processes in targeted districts***

As described in the problem analysis above, the quality of future Indonesian elections depends to a significant degree on the extent to which the public, particularly through CSOs, is involved in the lead-up to elections and on election days. Effective observation and monitoring on a large-scale can play a vital role in building public confidence in the legitimacy of election outcomes. Elections monitoring and observation are terms that refer to the scrutiny of the specific steps in the preparation and management of elections, in accordance with elections management legislation and regulations. Elections monitors may be from political parties, in which case they will ensure that their preferred candidate is not disadvantaged in the process. Non-partisan observation and monitoring scrutinises the integrity of the elections process itself, and includes *ad hoc*, state-financed observers. In order to be effective, reports of irregularities must also be accepted and acted upon by state officials, and eventually inform decision-making and possible sanctions for breaches of regulations. Improved effectiveness of monitoring and observation activities would be evidenced by:

Increased public confidence in the outcome of election results

Increased understanding of the role and responsibilities of elections observers/monitors by state officials, CSOs and citizens more generally

Improved handling of reports of irregularities

Increased, sustainable numbers of non-partisan elections-day observers deployed

Potentially – reduced number of cases regarding elections outcomes taken to the Constitutional Court

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<sup>73</sup> The development and delivery of education modules will require close consultation with the Indonesian Government.

<sup>74</sup> These are the marginalised voter groups mentioned in the *National Medium-term Development Plan 2010-14*. Some innovative approaches to delivering electoral messages may include: national quizzes, singing competitions or competitions for innovative electoral education materials. It may also include consideration of the establishment of some provincial voter education centres, following a needs assessment.

<sup>75</sup> Such areas include North Sumatra, Maluku, Papua and West Papua.



### ***Indicative activities***

Manuals for CSOs working on elections;

Training of elections monitors and observers concerning their roles and responsibilities, and how to report on legislative or regulatory breaches;

Support for monitoring and observation activities prior to and on elections day itself, including the scrutiny of:

- the appointment of KPU/D members including the representation of women in the electoral management bodies (KPU and Panwas) at the local level;
- budget / spending;
- pre-election preparations;
- election campaigning
- registration of candidates;
- voter registration;
- vote counting
- establishment of *ad hoc* state monitoring bodies (Panwaslu)
- the progress of disputes and complaints mechanisms

Training for KPU and Bawaslu officials (at national and sub-national levels) on the role of citizen observation and monitoring in democratic elections and how to manage engagement with the public.

### ***Possible diagnostic research focus (closely related to proposed research under Outcome 3)***

Sustainable options for the provision of non-partisan elections monitors;

Linkages between democratic representation and better service delivery; and

Public satisfaction surveys and quick polls

### ***2.1.7. Ways of operating***

Section 2.1.1 highlighted the high level of recognition the program places on strong partnerships and networks to the success of the program. It is not currently envisaged that the program will fund specific activities to strengthen such networks, but rather that such an approach will be mainstreamed through the implementation of all activities.

The program is expected to fund a number of activities that will support the achievement of the long-term objectives indirectly. These mechanisms include a small program of analytical work that may cut across a number of the outcome areas and inform the future direction of the program.

Beneficiaries of this research will vary, but may include:

AusAID, in its strategic engagement in the program;

the Indonesian Government and electoral management bodies, to inform policy and practice;

other donors; and

CSOs working in the elections sector.

The program recognises that CSOs will have an important role to play in the achievement of the program's objectives, in the delivery of the program's specific activities, and in supporting efforts to sustain institutional and political commitment to reform. At the same time, the program analysis above highlights important weaknesses of CSOs in terms of finance and administration, engagement with state institutions and networking at the sub-national level, in particular. As described in the Implementation Strategy in Part 3, CSOs will be important implementation partners in targeted sub-national areas and across the country. For this reason the program envisages

strengthening the capacity of those CSOs that will be involved in the delivery of the program.

Based on the analysis provided in Section 2.3.2, support for these CSOs will seek to:

- Strengthen networking and exchange of experiences among CSOs;

- Improve their financial and administrative capacity;

- Improve the democratic culture within CSOs (decision and policy-making processes);

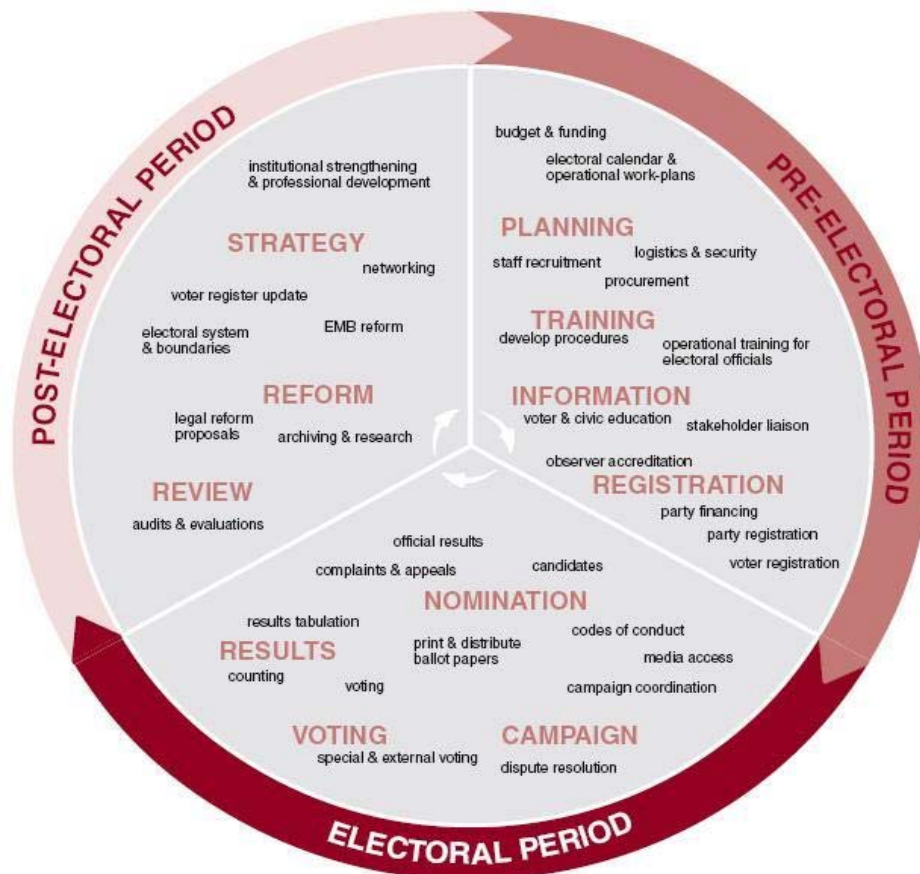
- Support research and analysis that is convincing and defensible; and

- Improve how they engage constructively with state institutions.

## 2.2. Phasing of program

Activities undertaken in this program will cover one full electoral cycle as presented in Figure 3, and will be divided into three phases.

**Figure 3: Activities throughout the elections cycle**



Currently, Indonesia is in the post-electoral period (after the 2009 election) and AusAID is providing assistance through the 2010 short-term electoral support program. The 2010 program is supporting research and analysis to inform amendments to the electoral legislation, strengthening the capacity of the KPU and Bawaslu and providing targeted support to local elections.

### **Phase 1 (2010 – 2012)**

The first phase of the program began with post-election support in 2009 and the 2010 interim elections support program and will continue to 2012. This coincides with the post-electoral period for national elections in Figure 3. The first phase of the program will prioritise activities under Outcomes 1 & 2, namely strengthening the capacity of electoral management bodies and providing support for legislative amendments. It will also support activities under all four outcomes relating to local executive elections in targeted areas.

An Independent Progress Report of phase 1 review of the program will be conducted in early – mid 2012. This review will enable the program to take stock of legislative amendments, the implications of new elections commissioners, and the lessons learned from support to local elections in order to inform the second phase. It will consider the progress on elections milestones towards the

implementation of elections in 2014 and the potential for scaling up in the lead-up to the 2014 elections.

### **Phase 2 (2012-2014)**

The second phase will roughly coincide with the pre-electoral period and the national elections period described in Figure 3 and will continue to provide assistance for targeted sub-national elections.

During this phase the program will increase its focus on voter education, procedural strengthening and professional training. The election itself will see funding for public observation and monitoring, quick polls and voter information campaigns. The mid-term review will inform the scope of these activities, taking into consideration available budget and analytical work conducted in the first phase.

### **Phase 3 (Post election – 2014-2015)**

The third phase will focus on evaluating lessons from the 2014 elections in order to inform preparations for the next round of elections. An Independent Completion Review will be conducted in 2015.

## **2.3. Key Partners and Stakeholders**

### **2.3.1. State institutions**

As outlined above, elections management bodies in Indonesia continue to suffer considerable capacity constraints and lack of clarity concerning their respective roles and responsibilities in a changing environment. While the KPU and local elections commissions (KPU Province and Kabupaten/Kota) have primary responsibility for elections management, the program will need to work with a number of state institutions to meet the program's objectives.

National Elections Commission (*Komisi Pemilu Umum*, or KPU) and Local Elections Commissions (KPU Province and Kabupaten/Kota): The KPU is an independent, constitutionally mandated body that administers all elections in Indonesia. KPU National Commissioners are appointed by the DPR, while sub-national KPU Commissioners are appointed by sub-national parliaments.

Strong criticism was levelled at the KPU for its management of the 2009 national elections. Prior to 2009, decisions by the KPU relating to local elections led to a loss of public confidence in the elections body.<sup>76</sup> The weak capacity of the KPU saw other organisations such as the DPR and MoHA take over some of its functions prior to the 2009 elections. Discussions on the *Electoral Management Bodies Law* are likely to see some changes to the make-up and responsibilities of the KPU. However, its core mandate as the lead national elections management agency is unlikely to change.

KPU Province and Kabupaten/Kota in Indonesia are directly responsible to sub-national parliaments for running sub-national elections. KPU Province and Kabupaten/Kota staff are seconded on a rotational basis from local government, with the head of each KPU Province and Kabupaten/Kota Secretariat appointed by the sub-national government. As a result, the capacity and

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<sup>76</sup> In separate incidents: the KPU failed to follow the law in responding to an election dispute in north Maluku in 2008 by ordering a re-count and replacing a KPU Province member; the voters' list in the East Java gubernatorial election was shown to have serious flaws; and one of the newly appointed commissioners had to clear his name over a bribery allegation before taking office.

independence of KPU Province and Kabupaten/Kota is limited. This position is compounded by communication challenges between the national-level KPU and its vast network of sub-national counterparts.

Australian assistance to the KPU will be provided primarily by the AEC, where a valued peer-to-peer partnership already exists. CSOs have a close and ongoing relationship with many KPU Province and Kabupaten/Kota whose members are often drawn from elections-related CSOs, and will be the key to addressing KPU Province and Kabupaten/Kota issues. The pervasive weaknesses evident in the management of the 2009 elections indicate that building the capacity of the KPU as a credible elections management body will be a long-term endeavour.

Elections Supervisory Body (*Badan Pengawas Pemilu*, or Bawaslu) and Local Elections Supervisory Bodies (*Panitia Pengawas Pemilu*, or Panwaslu): Elections are overseen by Bawaslu, a permanent electoral supervisory body at the national level and *ad hoc* Panwaslu at the provincial and district levels. The Bawaslu and Panwaslu are led by Commissioners and supported by Secretariats. KPU and KPU Province and Kabupaten/Kota, Bawaslu and Panwaslu, the Police, the Supreme Court and Constitutional Court all play varying roles in handling local and national electoral disputes and legal violations. The Supreme Audit Agency (Badan Pemeriksa Keuangan – BPK) conducts an audit that is disseminated to the public.

The Bawaslu has responsibility for investigating administrative violations of electoral management bodies in elections and has earned respect in its handling of such cases. The status of the Bawaslu and Panwaslu is being reconsidered as part of the revisions to Law No. 22/2007 on electoral management, particularly in light of the Constitutional Court decision of 31 March 2010 that Bawaslu should be treated as fully independent from the KPU. Although currently not a main player in the electoral system, legislative changes are likely to strengthen the role of Bawaslu as an elections watchdog. Panwaslu work at the interface between the state and the public, and thus play an important role in building confidence in the elections process.

The focus of Australian assistance to Bawaslu will depend to some extent on revisions to Law No.22/2007 on electoral management. Annual workplanning processes and the review of the program in 2012 will ensure that assistance to Bawaslu continues to be targeted in areas to best achieve the outcomes of the program.

Ministry of Home Affairs (MoHA): MOHA was previously responsible for managing elections in Indonesia. They currently have responsibility for the initial vetting of political parties, CSOs and civic education programs. MOHA is responsible for developing a revised draft of Law No.32/2004 on regional governance, including the implementation of local elections, and is likely to be responsible for revisions to national parliament and presidential elections laws. MOHA is also responsible for issues related to sub-national government.

MoHA has long-standing relationships and coordination arrangements with relevant agencies at the sub-national level. In the past MOHA has assisted the KPU in managing the logistics of the local election through these coordination arrangements. At the national level, the Ministry will be part of a task force with the KPU and Bawaslu that will monitor and evaluate the implementation of local elections.

AusAID will provide assistance to MoHA for revisions to the electoral laws. It will also engage in policy dialogue where necessary to support the role of CSOs in the delivery of elections activities and areas where MoHA has responsibility for ensuring the quality of elections management.

Ministry for National Development Planning (Bappenas): Bappenas is the agency responsible for coordinating international assistance to Indonesia's elections and ensuring that it is aligned with the Indonesian Government's Medium Term Development Plan. Under the Jakarta Commitment, and with support from the UNDP Elections Multi-Donor Program (UNDP E-MDP), Bappenas chairs regular coordination meetings with Indonesian agencies and donors. Bappenas (Directorate of Politics, Communication and Information) is Australia's primary counterpart in democracy and electoral assistance.

Local Government: Local governments are responsible for funding the preparation, implementation and supervision of local elections. The sub-national level KPU Province and Kabupaten/Kota is responsible for administering the provincial and district elections and reports directly to the sub-national parliament (DPRD), rather than the national-level KPU. The latter is only responsible for providing technical guidance. Local government is also responsible for approving the budget for local elections – the election for the governor and vice governor is funded from the provincial budget while the budget for the mayor/vice mayor or head/vice head of district is funded from the district/municipality budget.<sup>77</sup>

Further analytical work will clarify potential assistance to local government to ensure timely decision-making and in particular appropriate budget allocation and disbursement for local elections. These activities will be closely coordinated with the Australia-Indonesia Partnership for Decentralisation (AIPD).

### ***2.3.2. Non-State Actors in the Sector***

The principal non-state actors in the elections sector are CSOs, political parties and the media. Direct strengthening of the latter two groups is not proposed as part of this program as assistance could be perceived as politically partisan, or as interfering in domestic politics.

Civil society organisations (CSOs): In Indonesia, CSOs are a storehouse of elections experience and expertise, and have been highly instrumental in the creation and on-going reform of Indonesia's democratic electoral systems since 1998. Civil society plays an important role in monitoring the administration of all phases of the election cycle, including revisions to legislation, the development of voter registration lists, the registration of candidates, the election campaign, election day observation, and the filing of reports about the elections. Think tanks and analytical civil society groups play an important role in pre-election polling, surveys and voter registration audits. This is particularly important in conflict areas where citizens have less confidence in state institutions.

In addition, many of Indonesian's largest elections organisations are part of nation-wide, mass-based religious and media organisations and networks. This often gives them widespread legitimacy and popularity. Most electoral reform CSOs are nonpartisan and so are able to work effectively with government, political parties and election management bodies. For example, CSOs also have a

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<sup>77</sup> Bawaslu has identified three issues with regards to the inclusion of local elections budget within the local government budget (*Anggaran Pendapatan dan Belanja Daerah/APBD*): (1) The process relies heavily on the political will of the DPRD and the local government. When those two agencies do not work well together there is likely to be a delay in the approval process that eventually will hamper the disbursement of funding. (2) It would benefit the incumbents who could intervene the process for his/her benefit. (3) The disbursement of budget does not match with the election cycle due to the ineffective budgeting and planning process.

proven track record in working with parliamentarians to ensure that appropriate information and analysis is available for the deliberation of laws. This was particularly effective in ensuring increased women’s candidacy in the lead-up to the 2009 elections. With extended networks across Indonesia, many civil society groups are able to assist local governments disseminate information, monitor local elections and share lessons learned across regions.

Despite the undoubted contribution of CSOs in connecting citizens to the state and ensuring high quality elections, many suffer from weaknesses including low administrative and financial management capacity, weak coordination and a narrow support base. There is little tradition in Indonesia of private sector support for the work of NGOs and no tax or other incentives to encourage support.

Table 2 lists the key interests of the major Indonesian CSOs involved in elections.

<b>Table 2 – Member of the CSO Elections Coalition - Formappi</b>		
	<b>CSO</b>	<b>Interests</b>
<b>1</b>	Cetro	Electoral systems
<b>2</b>	CSIS	Political parties and accountability
<b>3</b>	Fitra	Electoral budgeting
<b>4</b>	Formappi	Monitoring parliamentary processes
<b>5</b>	ICW	Political and campaign financing
<b>6</b>	IPC	Legal analysis and awareness-raising
<b>7</b>	KRHN	Law enforcement for election laws
<b>8</b>	JPPR	Nation-wide Election monitoring, voter education and electoral systems
<b>9</b>	KIPP	Election monitoring
<b>10</b>	Lima	Election monitoring
<b>11</b>	Sigma	Election monitoring
<b>12</b>	Tepi	Election monitoring, electoral systems
<b>13</b>	LP3ES	Surveys, audits, quick counts, monitoring
<b>14</b>	Perludem	Electoral systems
<b>15</b>	PSHK	Constitutional and legal analysis
<b>16</b>	TII	Election financing
<b>17</b>	Yappika	Civic engagement and participation

A more comprehensive assessment of CSOs in Indonesia is provided at Annex 5

**Political Parties:** Effectively functioning political parties are fundamental to ensuring the success of elections. Political parties select the candidates that voters are able to elect (particularly in Indonesia where candidates are not allowed to run as independent candidates) and support elected representatives. Political parties provide the human resources and networks to support candidates and elected representatives, and are pivotal in the ability of elected representatives to make decisions and follow through on them. Effective political parties also play a vital role in reviewing amendments to electoral laws and ensuring that existing electoral laws and regulations are implemented on polling day.

Political parties in Indonesia broadly represent major streams in Indonesian society, which gives them a durable and consistent foundation of support. However, they have made little progress in transforming themselves into modern, professional organisations. It is usually not possible to describe a party’s policy platform because, for the most part, the parties do not have them.<sup>78</sup> Political parties are widely regarded as lacking in transparent financial and administrative practices, while high levels of party factionalism and the prevalence of money politics or vote buying

<sup>78</sup> Stephen Sherlock, *Indonesia’s 2009 Elections: The New Electoral System and the Competing Parties*, CDI Paper (March 2009).

undermine the ability of parties to put forward the strongest candidates for election. The overall result of these issues is that the important role that political parties can play in strengthening the elections process is undermined, as is the ability of the electorate to choose among the most qualified candidates.

Australia is currently providing small-scale support to political parties through administrative and ethics training provided by the Centre for Democratic Institutions, which receives core funding from AusAID of \$1.5 million per year.<sup>79</sup> USAID is providing US\$2 million of assistance to political parties from December 2009 – November 2012 under their Representatives Parties Program.

Media: The media can play an important role in democratic elections by ensuring that the process is more transparent, that electoral information reaches people. Indonesia has a free and independent media but the quality of public debate is highly variable.

The Law on Public Information (*Keterbukaan Informasi Publik – KIP*) came into force in April 2010. As a result, a responsible press and individual citizens will be able to play a more active role in monitoring government policies and processes. The media will play an important role in the delivery of the program, such as the dissemination of voter and elections-related information, although it will not be a direct beneficiary.

#### 2.4. Geographic Focus

The majority of assistance under this program will be targeted at the national level where it is likely to have the greatest impact. Issues decided at the national level include the legislation and regulations governing elections and the national budget allocation for elections. The national offices of electoral bodies also act as a centre of support for provincial and district level offices.

Australian assistance will also be provided in targeted areas at the sub-national level to assist in the preparation and management of local executive elections, and to inform preparations for the national elections. Poorly managed local executive elections could substantially reduce public confidence in the outcomes of national elections before they even take place. Consequently, well-run local executive elections will be important to establish a positive atmosphere in which national elections can take place. They will also provide an important testing ground for the introduction of new processes and technology that will inform revisions to national electoral legislation and will be important in their own right to ensure that voters' interests are effectively represented at the sub-national level. Such assistance will

- generate lessons (for example, in relation to the introduction of new processes and/or technologies) to inform policy and decision-making at the national level;
- generate lessons which can be disseminated to other sub-national areas;
- increase public confidence in the lead-up to the national elections; and
- support a process of quality elections in areas where serious electoral problems are anticipated and/or which are vulnerable to conflict.

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<sup>79</sup> A large portion of this money is used for multi-country programs in the Asia Pacific region, which usually include Indonesia.



A local elections mapping exercise conducted either prior to or during the inception phase of the program will identify specific geographic areas and types of support to local elections.<sup>80</sup> Some of the criteria for consideration in the selection of sub-national areas to target are:

- the history of conflict in the area
- recommendations from the Indonesian Government
- demonstrated commitment of local authorities to improving elections management
- the relative weakness of elections processes as demonstrated by the level of informal voting, complaints and administrative violations in the previous round of local executive elections and/or the 2009 national elections
- synergies with existing or proposed AusAID activities, such as work on public financial management strengthening, and with local parliaments and CSOs currently proposed for eastern Indonesia under the Australia-Indonesia Partnership for Decentralisation.

The elections mapping exercise will be accompanied by a mapping exercise of CSOs in sub-national areas to determine where they exist, their relative strengths and weaknesses and potential engagement. This will be conducted in parallel correlated with the elections mapping exercise to consider the value of strengthening CSOs in areas, particularly potential conflict areas, where local elections are yet to take place, or prior to the national elections.

Targeted areas will also be agreed on in conjunction with national and local level elections management bodies as well as Bappenas and MoHA.

## 2.5. Budget

As described above, the Australia-Indonesia Electoral Support Program is a \$20 million program that will operate over five financial years (2010/11 to 2014/15), starting in early 2011 and concluding in June 2015. Funding is expected to peak in the lead-up to the 2014 national elections. This indicative budget is based on scoping work that the AEC completed in May 2010 for its program to 2015, and AusAID experience to date in providing funding support to elections-related activities.

This indicative budget provides minimum figures that would be anticipated to have an impact on the quality of elections under the program's two objectives. It is based on costs associated with activities carried out under AusAID's 2010 assistance package, which are similar to activities that will be carried out during the long-term program. The AEC has also provided a detailed budget for its long-term program of activities based on scoping work that AEC completed in May 2010 and consultations with the KPU regarding its priorities.

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<sup>80</sup> The mapping exercises will be conducted in the first half of 2011. These exercises will be managed by either AusAID or the delivery partner, depending on the timeframe for the mobilisation of the delivery partner.

<b>Description</b>	<b>2010-11</b>	<b>2011-12</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>	<b>Total</b>
Objective 1 – Improved management of elections	1,000,000	2,500,000	2,500,000	2,500,000	1,600,000	<b>10,100,000</b>
Objective 2 – Improved public engagement	200,000	1,430,000	2,600,000	3,270,000	1,000,000	<b>8,500,000</b>
AusAID Program Management and Analysis	250,000	300,000	250,000	250,000	350,000	<b>1,400,000</b>
<b>Total</b>	<b>1,450,000</b>	<b>4,230,000</b>	<b>5,350,000</b>	<b>6,020,000</b>	<b>2,950,000</b>	<b>20,000,000</b>

Following the Independent Progress Report in 2012 there is significant opportunity for expanding the program should funds exist. \$40,000,000 in funding could be absorbed with little impact on AusAID workload. Such funding would be used to expand nation-wide nonpartisan voter education in 2013, training of elections officials and election monitoring and observation. Additional funding in 2014 would allow the program to increase the geographic reach of its activities for the national elections.

### 3. IMPLEMENTATION STRATEGY

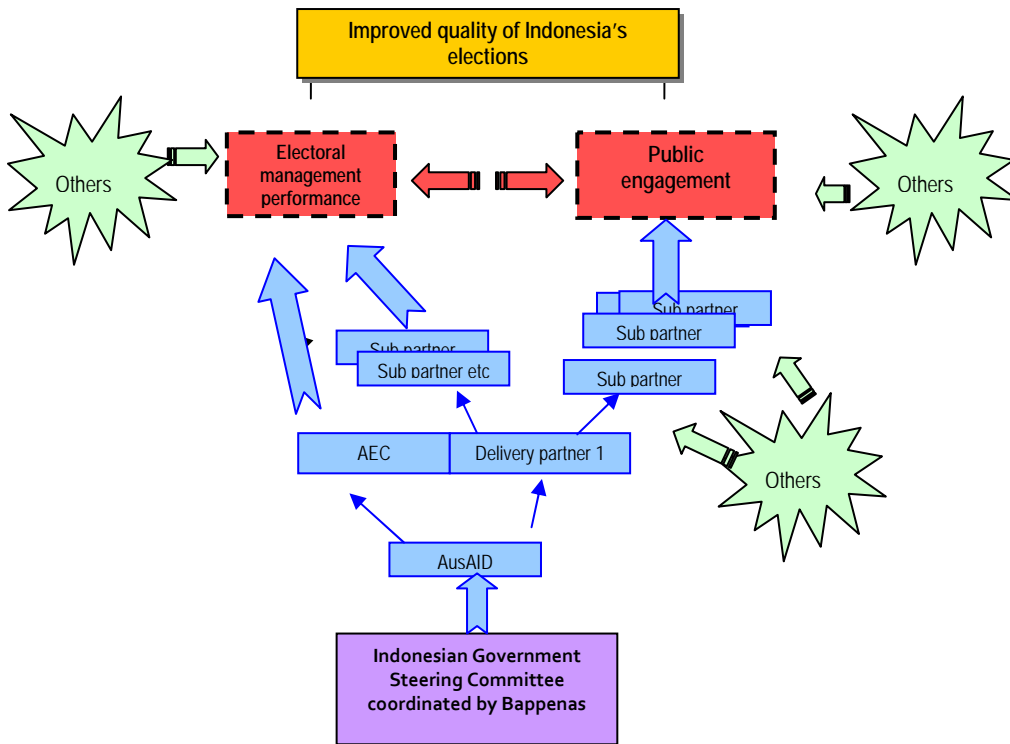
AusAID will implement this program through three mechanisms. These are outlined further below, but in brief are:

- (i) *Agreement with a delivery partner* – This agreement will be for approximately \$12.1 million and will constitute the majority of the program. The delivery partner will administer grants to sub-partners (local organisations working in the sector) across Indonesia, or deliver activities using its own expertise and resources. Activities may address any program outcome;
- (ii) *Record of Understanding with the Australian Electoral Commission (AEC)* – AusAID will provide approximately \$6.5 million to the AEC to work with Indonesian Electoral Management Bodies to improve the management of elections. This will largely address program objective 1 – improved management of elections.
- (iii) *Program Management and Analysis Fund managed jointly by the delivery partner and AusAID* – AusAID, assisted by the delivery partner, will manage a Program Management and Analysis Fund worth approximately \$1.4 million, which will support the lessons-learning component, planned for this program and allows some flexibility in its delivery.

Coordination between implementers is key to the success of the program. The principles for collaboration between AusAID, the delivery partner and the AEC will be outlined in an overarching Partnership Agreement.

Figure 4 below describes the organisation of the program. The blue boxes represent Australian assistance, and the red boxes represent where we expect to see change. The green boxes remind us that Australian assistance is not the only source of funding. The arrows in the figure reflect the flow of funds, and effect. As reflected below, it is expected that the delivery partner and the AEC will work closely together to ensure the overall coherence of the program. An annual workplan will be endorsed by an Indonesian Government Steering Committee, chaired by Bappenas.

Figure 4: Implementation Arrangements for the Australia-Indonesia Partnership for Electoral Support



### 3.1 Delivery approach and instruments

The principle underpinning the delivery of the program is that AusAID, the AEC, the delivery partner and sub-partner organisations will work together in a spirit of mutual cooperation, information sharing and recognition of each others' respective strengths. A measure of the success of this approach will be the strength of all these partners' constructive engagement with each other, and also with relevant state electoral institutions. AusAID will share lessons from previous programs, including the 2010 electoral support program, to support this goal.

During the inception period of the Program, AusAID, the delivery partner and the AEC will sign a Partnership Agreement that will detail the operating principles for the partnership between all program implementers. (Sub-partners may also sign this Agreement depending on the nature of the Agreement that is developed.)

The following sections outline the responsibilities of each of the implementation groups, and, where relevant, how they will be engaged under the Program.

#### 3.1.1. Delivery Partner

AusAID will enter into a four year, \$12.1 million contract with a delivery partner. The delivery partner will be responsible for delivering its own agreed work program (both directly and by engaging sub-partners through on-grants and sub-contracts), and will also coordinate and support work through the AEC and Program Management and Analysis Fund mechanisms.

One of the key elements of the delivery partner's responsibilities will be engaging with civil society. In Indonesia, CSOs are a rich source of technical expertise in the electoral sector and also

have excellent links with people at the local level. They have been integral in raising community awareness about the electoral process and the importance of democracy for decades. In addition, the Indonesian Government has clearly expressed a preference for donors to engage through local CSOs in areas such as electoral legislation and management reform.

Analysis of programs across AusAID's global portfolio also highlights several advantages of working with local CSOs, including:

- Working through CSOs can be beneficial in sensitive areas like elections, in that it allows AusAID to be a step removed and reduce the perception of external interference;
- Working through civil society is invaluable in maximising reach and access to networks, and in providing AusAID with contextual information;
- A partnership approach with civil society does require more input from AusAID upfront, but is likely to provide improved development outcomes through the life of the program; and
- Working through and with civil society to raise both electoral awareness and civics awareness can increase understanding, knowledge and practice of electoral processes, and will improve their integrity.

This provides important context for understanding the role of the delivery partner.

(i) *What will the delivery partner do?*

The delivery partner's responsibilities are outlined below. These responsibilities are elaborated in the Scope of Services at Annex 6.

#### Program Inception

Work with program stakeholders to develop the policies, systems and procedures required to support implementation of the program. This will occur within three months of the delivery partner being engaged and will include developing the Program Implementation Strategy Operations Manual, and an initial work plan.

Host an Inception Workshop to launch the program, clarify responsibilities of all partners, and to inform the development of the above documents.

#### Program Planning

Manage the program planning process, in collaboration with all program stakeholders, taking into consideration AEC activities and ensuring that program activities reflect reform priorities, and that activities collectively represent a feasible, coherent work plan that can achieve the outcomes set out in this document.

Liaise closely and regularly with the Indonesian Government on work plans, electoral sector reform priorities, sub partner selection and on existing donor programs in the sector (to ensure harmonisation).

Facilitate the biannual review and planning process as described in this document.

Produce annual work plans, to be updated on a six-monthly basis as necessary.

#### Program Delivery

Deliver and manage activities approved in successive work plans, using procedures approved in the Operations Manual:

- a. Engage CSOs to implement activities.
- b. Contract organisations (including for-profit organisations where necessary) to provide technical assistance, capacity building and other services if necessary.
- c. Deliver activities using its own resources.

Liaise closely with the AEC and recommend to AusAID ways of enhancing coordination and program coherence between the delivery partner-led and AEC-led components of the program. Provide technical and management support to CSOs as necessary. Provide administrative and logistical support for the Program Management and Analysis Fund. Manage the agreed communications plan (as approved in the Implementation Strategy) to ensure there is appropriate visibility of the program and manage risks and sensitivities that may arise.

#### Program Monitoring and Liaison

Monitor program delivery, as agreed through the Monitoring and Evaluation Framework (with support from the M&E Specialist selected by AusAID with input from the delivery partner).

Respond to requests for information from AusAID.

Conduct ongoing liaison with all other key sector stakeholders in the sector to ensure that the program is founded on a good understanding of the sector, that opportunities for reform are exploited, and that the program has the relationships it requires in order to operate effectively in the sector.

Liaise closely with beneficiaries of the program, including at the sub-national level (DPRD, KPU Kabupaten/Kota, Panwaslu, etc).

#### General Responsibilities

Administer the program (including financial management) in compliance with contractual and corporate policy requirements from AusAID.

Support Australia's participation in the Indonesian Government's Steering Committee as tasked by AusAID.

Provide secretariat functions and organize coordination forums, reviews and meetings as tasked by AusAID.

Ensure remuneration for any advisors and technical assistance personnel for the program is within AusAID's remuneration guidelines for advisors.

Ensure an appropriate gender balance in the recruitment of consultants and team members.

#### (ii) What kind of delivery partner will be selected?

It is AusAID's intention to engage a not-for-profit organisation currently active in the Indonesian electoral sector as the delivery partner. There are several reasons for this.

First, it provides the best method for engaging with local civil society organisations. As discussed above, engaging with civil society is a critical, central element of supporting the reform agenda, and developing effective relationships with local CSOs is therefore also important.

Working with a not-for-profit organisation will allow AusAID to have a delivery partner whose objectives are aligned with the CSOs with whom it will be working – sharing a focus on democratic reform. This shared priority and perspective will provide a very solid starting point for building relationships with CSOs. A not-for-profit will also be able to bring a deep, practical understanding to the challenges faced by CSOs in supporting reform, and bring its own experience to bear in responding to those challenges.

It will also allow for improved sustainability, as a delivery partner that is committed to supporting the consolidation of democracy in Indonesia will be able to take a long term view of relationship building and capacity development. Relationships will not be dependent solely on AusAID funding, nor be linked only to the provision of services in relation to this program.

(The incentive structures that commercial contractors operate within often mitigate against investing in and developing relationships for the longer term as they tend to promote more short term focus to performance.)

Second, a not-for-profit will provide a strong basis for developing a robust reform process more broadly. Direct engagement between the state and civil society is important to achieve long term reform. Space for discussion between state and civil society is still not commonplace in Indonesia and working with a not-for-profit organisation that understands and operates within these dynamics is likely to be more effective than working with a commercial contractor.

Third, engaging a not-for-profit organisation is more consistent with the partnership approach to the program as a whole. An effective partnership requires, among other things, *mutuality*: the alignment of values and purpose. This is more easily achieved with a not-for-profit organisation whose objectives are, as noted above, focused on stakeholder needs and relationships over the long term, than with a commercial organisation whose objectives tend to be more focused on short term contractual requirements. Alignment of organisational objectives amongst all stakeholders is critical in complex programs.

Fourth, engaging a delivery partner already established and active in the electoral sector will allow the program to develop momentum quickly. The delivery partner will need to have already established credibility and relationships within the sector. Without either of these attributes, the delivery partner will not be able to achieve progress in this sensitive sector. Engaging a commercial contractor is likely to require an unacceptably long start up time for the program (to establish relationships and trust amongst key actors in the sector). Allowing adequate time for this to happen would not be feasible as the program phases have been designed around the electoral cycle; there would not be sufficient time available for the necessary relationships to be developed.

Finally, engaging a not-for-profit (with an established track record of effective program management) is likely to offer value for money benefits (in comparison to a commercial services provider). Working through a delivery partner with a strong CSO network to reach others will enable a more cost efficient and valuable add-on service to smaller CSOs.<sup>81</sup> However, this will need to be tested in relation to specific proposals, and is thus not discussed further here.

### Selection Criteria

A list of selection criteria has been derived from the above responsibilities and the overall implementation approach. They will provide the basis for selecting an appropriate delivery partner and are outlined in the table below.

<b>Criterion</b>	<b>Explanation</b>
1. Appropriate existing technical	The delivery partner will be expected to deliver or manage a program of technical assistance in the elections sector in Indonesia. Accordingly, the

<sup>81</sup> AusAID (2010a), *Preliminary findings from Canberra on civil society partnerships*, AusAID unpublished draft working paper, 19-20 April 2010; AusAID (2010b), *Civil Society Network Roundtable: "Partnerships and Civil Society"*, AusAID Office of Development Effectiveness, unpublished report, 9 March 2010; McGovern (2010), *PNG Electoral Support Program Phase 2: Independent Completion Report: First Draft*, AusAID, 23 February 2010; and Kelly, David and Roche (2008), *Guidance on M&E for Civil Society Programs, Prepared for AusAID Program Managers*, AusAID, December 2008.

<b>Criterion</b>	<b>Explanation</b>
<p>expertise in elections management in Indonesia and ability to draw on international expertise in the sector</p>	<p>prospective delivery partner will need to demonstrate their existing technical electoral expertise in the outcomes areas of the program and ability to harness both national and international technical expertise as required across the four program outcome areas.</p>
<p>2. Demonstrated organisational and administrative capacity to deliver a large program of sub-grants, including financial / legal capacity to administer grants and subcontracts, and ability to manage related fiduciary risks.</p>	<p>The delivery partner will need to demonstrate its ability to manage a program of A\$12 million (approximately \$2.5m per year) with reference to experience with programs of similar size, demonstration of the adequacy of its financial management systems, and demonstration of its financial capacity to deliver the required services under the terms and conditions of a commercial contract with AusAID.</p> <p>The prospective delivery partner will need to demonstrate they have the necessary administrative, financial, management, and legal ability to provide sub-grants to non-profit organisations in compliance with the Commonwealth Grant Guidelines. They will also need to demonstrate ability to manage subcontracts for service providers in accordance with Commonwealth Procurement Guidelines.</p> <p>The delivery partner is expected to have an exemplary track record of and demonstrated approach to fiduciary risk management. The delivery partner will need to submit independent certified audit statements for the last three years as part of its proposal.</p>
<p>3. Extensive existing networks in the electoral sector in Indonesia, including with CSOs, and state institutions and demonstrated focus on engagement over the longer term, including through strengthening the capacity of CSOs.</p>	<p>The Program intends to fund a diverse range of sub-partners with different technical skills and experience, and from different regions. The prospective delivery partner will need to demonstrate the strength and depth of their existing networks and relationships with organisations across Indonesia, and their approach to further strengthening these networks.</p> <p>The prospective delivery partner will also need to demonstrate its experience in managing activity delivery and supporting CSOs in relation to basic administration and financial management (for those CSOs that require such support), and demonstrate proactive approaches to performance and risk management.</p> <p>All activities under this program will be agreed in consultation with the Indonesian Government and will aim to strengthen the platform for dialogue between state institutions and CSOs. The delivery partner must be able to demonstrate a track record of working with Indonesian state institutions in a trusted partnership.</p> <p>Partnership is a critical element of achieving success in the program and it is essential that the prospective delivery partner demonstrate a focus on</p>



Criterion	Explanation
	maintaining stakeholder needs and relationships in the elections sector in Indonesia over the long term. <sup>82</sup> This may include, for example, a long-term strategic policy statement indicating engagement in the elections sector, an Indonesia-based office with permanent staff working on elections issues.
4. Experience in managing a large complex governance program, including experience in activity design, delivery, monitoring, and research.	<p>The delivery partner will take a leadership role in designing and delivering the package of work that will achieve the program objectives and goal. Accordingly, they will need to demonstrate their expertise in designing and delivering a long-term development program.</p> <p>The prospective delivery partner must state and demonstrate that they do or can design, implement, and manage research activities in accordance with rigorous ethical standards and research protocols.</p>
5. Ability to manage political risk	<p>The delivery partner must be able to demonstrate its experience working with donors in sensitive sectors, and its ability to manage political risk associated with involvement in such sectors. This should include experience working with the media.</p> <p>The prospective delivery partner must state and demonstrate that they do not have any past, current or planned affiliations of any description that would lead a reasonable person to question the independence and objectivity of their work.</p>

A not-for-profit delivery partner must be registered with the Indonesian Government as a not-for-profit organisation through Ministry of Foreign Affairs (for International organisations) and the Indonesian Ministry of Home Affairs (MoHA) (for national organisations).

(iii) How will the delivery partner be engaged?

The delivery partner will be engaged through a contract. Although not-for-profit organisations are often engaged through grant agreements, the purpose of those agreements is typically to support organisations to conduct their own program of activities. However, this will be a joint program; AusAID will remain closely involved in ongoing programming, as will the Indonesian Government. The program also involves close coordination with the Australian Electoral Commission.

The program modality is, in this case, best delivered through a contract agreement. Regardless of the intention to engage a not-for-profit organisation, a contract provides AusAID with the ability to retain adequate control over program direction, and provides strong tools for performance and risk management. These are important factors, particularly given the political sensitivity associated with the program.

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<sup>82</sup> The funding of multiple CSOs and/or think-tanks that work on elections through the delivery partner could lead to negative competitive behaviour. This is diametrically opposed to the partnership principles and expectations that AusAID has of what engaging in such partnerships will produce. The proposed partnership agreement will provide the principles of how the delivery partner will work together with AusAID to mitigate these risks.

At the same time, a contract mechanism still allows for flexibility in implementation, and will allow the partnership principles to be operationalised effectively.

It is likely that there are only one or two organisations that will meet the selection criteria. Accordingly, it is unlikely that the program will be publicly tendered. The contracting strategy will be the subject of separate analysis.

### **3.1.2. Sub-partners**

The delivery partner will engage sub-partners to implement a substantial part of its component of the program. Sub-partners may include CSOs, think-tanks and for-profit organisations. Sub-partners may be engaged in two ways, namely:

- as long-term partners based on a proposed work program of activities in line with the aims of the program; or
- as short-term implementing partners.

The delivery partner may also engage for-profit organisations to implement particular activities, provided these are engaged in ways consistent with Australian Government policy, the activity proposal as submitted through the CGP and the grant agreement between AusAID and the delivery partner. AusAID and the Indonesian Government have the right to veto decisions to engage sub-partners and have the right to direct the delivery partner to cease engagement of one or more sub-partners.

There are a wide variety of potential sub-partners that may be eligible for sub-grants under this program. It is anticipated that the majority of sub-partner funding will be directed to Indonesian CSOs with particular expertise in the electoral sector. The delivery partner will outline its proposed engagement strategy and selection criteria for sub-partners as part of its expression of interest to manage the program. AusAID and the Indonesian Government reserve the right to veto decisions to engage sub-partners and have the right to direct the delivery partner to cease engagement of one or more sub-partners.

### **3.1.3. Australian Electoral Commission**

#### *(i) Why will AusAID engage the AEC through this program?*

The AEC has been working with the KPU intermittently since 1999 as a peer organisation. It provided short-term support in the immediate run-up to the 1999 and 2004 elections, and established a full-time presence in Jakarta in July 2008. Assistance for previous elections included capacity building, development of polling place manuals, and systems to enable polling results to be provided to the public within a short space of time. AEC's short-term presence prior to previous elections meant that successful achievements were not carried through during the post-election period when a changeover in staff occurred.

An Independent Completion Report on Australia's assistance to the 2009 elections confirmed that AEC's support is welcomed and well received by the KPU. The AEC is a world leader in electoral management and training of electoral officials. At a time when the KPU is wary of opening its doors to external input, the AEC has developed a good relationship with the KPU and has been heavily engaged in strengthening its capacity.

In building the capacity of the KPU, the AEC has several comparative advantages, including:

- the AEC is a large and well-established election management body and can draw on a wide range of internal resources covering most aspects of the election process;

the AEC is a permanent body, and can inject into its dealings with the KPU an understanding of the issues surrounding the sustainability of systems;  
through its key role in the development of the BRIDGE project, the AEC has become a world leader in the development of capacity-building programs for electoral administration;  
the AEC has a strong record in the provision of support to previous election processes in Indonesia, and has developed a unique relationship as a counterpart electoral management body. It has immediate credibility with counterparts at the central and local levels in Indonesia; and  
the institutional relationship between the KPU and the AEC can be sustained long-term, beyond the life of the program. This supports broader objectives of closer institutional and people-to-people relationships between Australia and Indonesia.

(ii) *What will the AEC do?*

As outlined in 2.1.3, the AEC has already identified a work program based on consultation with the KPU that is focussed on capacity building for the KPU. This will build on work that has been successfully undertaken by the AEC since 2009. This peer-to-peer relationship supports learning for both the KPU and the AEC. The work program will be reviewed annually and the AEC will support requests from the KPU where it has the expertise to do so. Activities are likely to include:

- Building the capacity of KPU Commissioners and the KPU Secretariat and at the provincial and district levels by assisting all parties in developing and agreeing to a KPU Standards of Procedure for the management of elections that are sensitive to gender and marginalized groups;
- Improving consistency in the management of elections through the ongoing development, evaluation and testing of all election manuals at the national, provincial and district election levels;
- Increasing the capacity of KPU and KPU Province and Kabupaten/Kota officials through BRIDGE training and Australian work placements for KPU staff;
- Strengthening internal and external communications, in particular through assistance for the KPU Information Support System (KISS), and discussion forums with local CSOs and international elections experts on topical issues in order to increase the KPU's ability to present data and information for internal and external audiences; and
- Provision of technical expertise as issues emerge and where the AEC has a comparative advantage.

All activities will in accordance with the AEC-KPU Memorandum of Understanding and will be endorsed as part of the annual workplan by the Indonesian Government Steering Committee. AusAID and the AEC will agree on expected end-of-program outcomes at the inception of the program and annually thereafter, including the indicators and mechanisms for assessing performance.

Both the AEC and the KPU will regularly liaise with the delivery partner to ensure that activities fit coherently within the overall program workplan, and coordinate work with sub-partners where appropriate.

The AEC is also expected to engage local CSOs in order to deliver aspects of its program in Indonesia, as it has done since 2008 in the development of elections operational manuals and the delivery of large events (public discussions, training exercises etc). To avoid duplication of CSO funding by the delivery partner and the AEC, the AEC must report on proposed CSO funding to both the delivery partner and AusAID before making grants.

(iii) *How will AusAID engage the AEC?*

The AEC will be engaged through an ROU Activity Schedule for 4.5 years for approximately \$7.2 million. AusAID will be responsible for reviewing and endorsing AEC workplans.

The AEC will be responsible for developing their own Monitoring and Evaluation Framework to be incorporated into the overall program Framework, with guidance and support from the Program M&E Specialist selected by AusAID with input from the delivery partner.

#### **3.1.4. Program Management and Analysis Fund**

Up to half the spending under this Fund (approximately \$700,000) will be committed for monitoring and evaluation activities during the life of the program. The remainder of the funds (approximately \$700,000) may be used for:

- Expert input to strengthen the program (potentially in the areas of gender, disability and public communications);
- Small-scale AusAID commissioned analytical work to inform the strategic direction of the program; and
- Small requests for activities that do not fit within the AEC or delivery partner funding, but that contribute directly to the program objectives.

AusAID will directly manage this component with administrative and logistical support from the delivery partner. Substantial research activities conducted under this Fund will be prioritised in the annual workplan.

#### **3.1.5. Indonesian Agencies**

A number of Indonesian state agencies will be involved in the program, including at the sub-national level. While Bappenas will play a coordinating role, other agencies are likely to be involved as program counterparts and will have a key role in approving which CSOs will work as sub-partners and assist in delivering the program.

Counterpart agencies will work with other program stakeholders to:

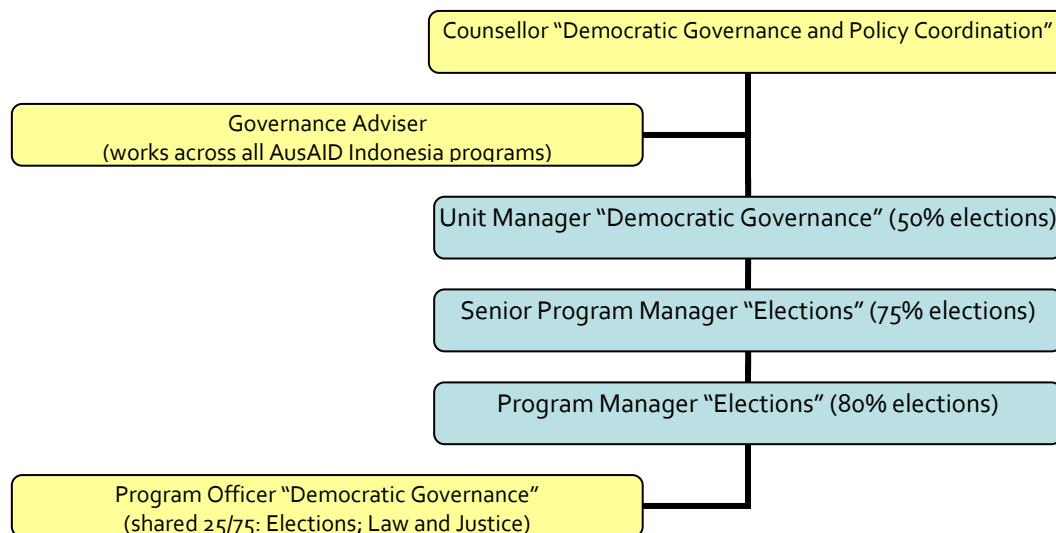
- Participate in planning workshops, and indicate areas for support (including advice on areas where support is already being provided, state budget allocations, site selection, and review of the annual workplan);
- Participate in monitoring and evaluation of activities, and in formulating indicators to monitor progress, and providing advice on how the program can use Indonesian monitoring and evaluation systems;
- Report to the Ministry of Finance on the disbursement of AusAID funding (with the support of AusAID and the delivery partner);
- Fulfil respective government agency roles as specified in the *Standard Operating Procedures on the Coordination Mechanism of Foreign Aid for the Development of Democracy in Indonesia, 2010*;
- For approved activities, ensure that counterpart staff are available for activity implementation, and for general dialogue about progress of the specific activity as well as general issues within the sector;
- Provide any specific materials agreed in relation to individual program activities (eg office space, documents etc);
- Work collaboratively with advisers or other staff provided by the program with a view to maximising the value of the support provided; and

Provide feedback to the delivery partner (and other stakeholders as necessary), regarding effectiveness of support.

### 3.1.6. AusAID

The program will be managed by AusAID's Democratic Governance team in Jakarta with support from Canberra-based staff. They will provide six-monthly progress reports to the Counsellor, Democratic Governance. The structure of the current Democratic Governance Team consists of a

Figure 5: AusAID Resources



unit manager responsible for broader democratic governance related activities, reporting to a counsellor (who has responsibility for several other teams). It also includes a senior program manager, a program manager and a program officer. The proportion of time individual AusAID personnel are expected to provide for the elections program is given in Figure 5. AusAID's Principal Governance Adviser further supports the team, though this is a role that cuts across the whole of AusAID's investment in Indonesia.

AusAID's responsibilities will include:

Managing the relationship with the delivery partner and the Record of Understanding with the AEC, the former to be in accordance with the Commonwealth Grant Guidelines. AusAID will also work closely the delivery partner to develop a partnership agreement to be signed by all program stakeholders;

With the delivery partner – ensuring that the grant is provided and managed in accordance with the *Standard Operating Procedures on the Coordination Mechanism of Foreign Aid for the Development of Democracy in Indonesia, 2010*;

Overall management of the Program Management and Analysis Fund;

Managing risks to the Government of Australia and the bilateral relationship with Indonesia;

Ensuring that the strategic direction of the program aligns with the requirements of the Indonesian Government reform agenda, and remains consistent with Australian Government policy. To achieve this AusAID will:

- o Maintain regular engagement with stakeholders to confirm priority areas for support;
- o Provide input into the program review and planning process, with particular focus on ensuring Australian Government priorities are clearly articulated, and ensuring that lessons learned are properly integrated into planning decisions;
- o Pro-actively manage Indonesian Government engagement in the program and anticipate and manage possible sensitive issues;
- o Present final workplans to the program Steering Committee for endorsement.

Coordinating Australian whole-of-government support to elections;  
Agreeing on the performance expectations for the delivery of the AEC annually with the AEC, including the indicators and mechanisms for measuring that performance;  
Implementing monitoring and evaluation activities allocated to AusAID in the M&E Framework. These will include but not be limited to:

- Monitoring partnership activities;
- Monitoring context and risks;
- Monitoring linkages with other AusAID programs;
- Conducting targeted direct activity monitoring, including field visits;
- Reviewing progress reports and incorporating analysis into decision-making;
- Monitoring compliance of program with emerging corporate policy requirements;
- Managing implementation of the first phase review and Independent Completion Review, and ensuring that recommendations are followed up on.

In order to ensure that AusAID can manage the program effectively, AusAID will need to pay particular attention to the following critical success factors:

Managing relationships and risks: Relationships will be central to the success of the program. Without good relationships, it will not be possible to have a good understanding of the sector, and of where the best opportunities to advance reform lie. AusAID will prioritise developing and maintaining strong productive relationships with program stakeholders and the development of effective relationship management skills within the democratic governance team.

AusAID will need to set a clear example to ensure the effective establishment of the partnership approach. This approach will require intensive effort during the inception phase to ensure that expectations are shared by all stakeholders. A sustained stakeholder engagement effort can at times be resource-intensive. However, based on broader AusAID experience, it is anticipated that this approach will ultimately deliver better program outcomes.

Strategic positioning: The program will need to strike an appropriate balance between engaging in areas of reform that are genuine *priorities* (in terms of their potential impact on electoral improvement) and areas of reform in which *opportunities* exist (in terms of the ability of external programs to have meaningful effect)<sup>83</sup>.

In addition, the domestic political sensitivities associated with Australia's involvement in Indonesian electoral reform and the requirement to manage the scope of the program in a way that allows it to respond effectively and coherently to emerging requirements, opportunities and criticisms will also require AusAID to take a strong *analytical* role in supporting program delivery. In practice AusAID will need to ensure that staff have the appropriate analytical skills, and are able to maintain an appropriate level of engagement in the delivery of the program. Failure to do this effectively is likely to result in the emergence of an ad hoc, disjointed program, and potential criticism from Indonesian stakeholders and parliament.

Timely mobilisation of the program: As has been noted elsewhere, the program is delivered within the context of a fixed electoral cycle. Any material delays in the mobilisation of the program may have serious consequences for the ability of the program to maintain its focus on longer term

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<sup>83</sup> This is important because there is not always alignment between the two; in other words it is not always possible to achieve change in the areas that most urgently require it.

strategic and capacity development issues. Any delays will mean that the risk matrix and overall strategies will need to be urgently reviewed at (or prior to) mobilisation.

AusAID's performance related to these issues will be assessed in the Monitoring and Evaluation Framework.

### 3.2 Reviewing Progress and Commissioning Activities

The program will have a bi-annual review and planning process that will ensure its direction and strategies remain appropriate. The process will be participatory: it is intended to increase cooperation and engage all implementation stakeholders, including the Indonesian Government, at an early stage in the planning and implementation of activities. This approach is also intended to strengthen the linkages between individual activities and the broader strategic context in which they are operating among all stakeholders.

The delivery partner will develop the detail of the planning review and planning process during the inception period of the Program. The effectiveness of the approach will be assessed regularly, including as part of the first-phase review of the program.

It is suggested that the review and planning process should include a twice-yearly workshop for program stakeholders that provides the opportunity to review strategic developments in the sector, review overall progress of the program, and discuss program priorities and new opportunities for engagement. The M&E Specialist will be involved in the review elements of the process.

Every six months, the delivery partner will produce:

- A six-monthly progress report consistent with the requirements of the M&E Framework that incorporates input from the participative review process; and
- A draft work plan that includes a strategic response to the issues discussed, and proposed budget.

In the first review and planning process of each year, the report will provide the annual work plan. For the second process, the report will recommend any adjustments to the work plan for the second half of the year. The work plan will be informed by analysis that provides a clear rationale for forward activities in line with the long-term objectives of the program.

The work plan may include broader areas of possible assistance that go beyond the twelve month period, and incorporate activities undertaken by the AEC.

The draft work plan will be further discussed and agreed with the AEC, AusAID and Bappenas and presented to the program Steering Committee for their endorsement.

Inception workshop: For the first planning process of the program, the delivery partner will organise and host an inception workshop to assist in establishing an implementation strategy that provides a framework for the identification of individual activities. The implementation strategy will be the responsibility of the delivery partner, who will use the workshop as a tool for bringing together all stakeholders to work toward developing a shared view of implementation priorities and strategies.



### 3.3 Governance arrangements

#### *3.3.1 Steering Committee for Democracy Support*

The Steering Committee will endorse the Program Implementation Strategy, Operations Manual and each work plan for the Program. This endorsement will be provided at the recommendation of Technical Committee.

Bappenas will chair the Steering Committee, coordinating Indonesian Government input into the planning of program activities;

In November 2010, the Indonesian Government (through Bappenas) finalised new Standard Operating Procedures for Grants Coordination Mechanism for Democracy Development in Indonesia (SOPs). This details the process, roles and responsibilities for donor funding that is channelled to Indonesia's central and local governments, as well as non-governmental organisations. Australia has been actively involved in providing input to these SOPs, and will ensure that all grants provided comply with these guidelines. The program will be aligned with Indonesian Government systems for aid coordination.

In accordance with the SOPs, the Indonesian Government's National Coordination Team, through the Steering Committee for Democracy Support, will ensure the program is harmonised with other donor programs and Indonesian Government electoral policy. Australia, along with other donors and non-governmental organisations, will participate as a non-permanent member of the National Coordination Team.

The Coordination Team is responsible for convening a meeting with relevant donors and beneficiaries at least once every three months in order to discuss program development, monitoring and evaluation, and to recommend any adjustments to program implementation. The National Coordination Team is also responsible for mediation in the case of any problems between the donor and recipient.<sup>84</sup> The structure of the National Coordination Team is presented in Figure 6. The structure of the Grant Coordination Mechanism is presented in Figure 7.

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<sup>84</sup> Ministry for National Development Planning (2010). Standard Operating Procedures on the Grants Coordination Mechanism for Democracy Development in Indonesia. Chapter 3.

Figure 6: Organizational Structure of the Coordination Team

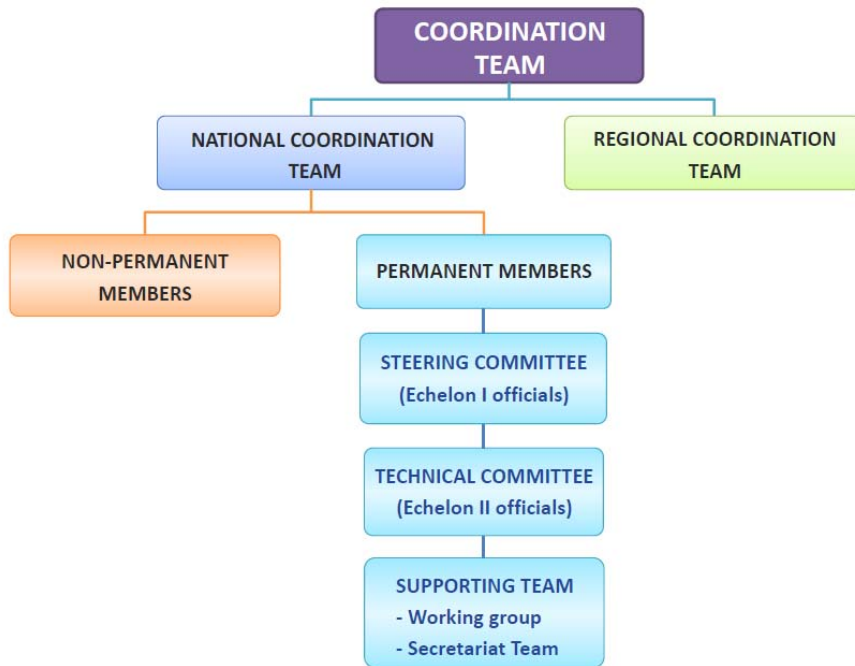
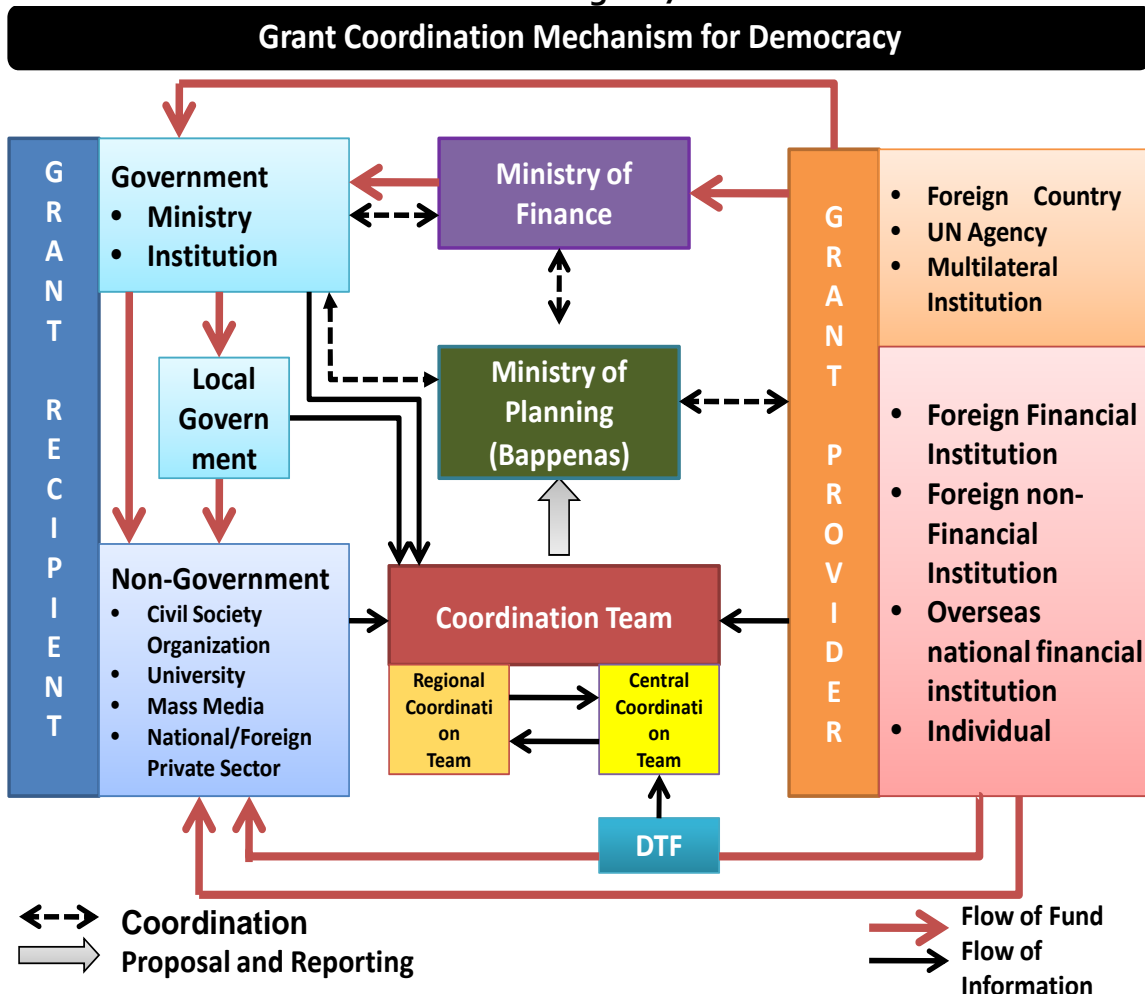


Figure 7



### 3.3.2 *The Technical Committee*

Bappenas and AusAID will jointly comprise the Technical Committee. Bappenas will be the official counterpart to the program. Close partnership between AusAID and Bappenas is expected to strengthen the program's policy impact, whether that is through the bi-annual planning and review process, the Steering Committee or other fora for dialogue.

The Technical Committee will jointly:

- Approve the Program Implementation Strategy and Operations Manual for the Program, and recommend their endorsement to the Steering Committee; and

- Approve successive workplans (including, where relevant, the selection of sub-partners), and recommend their endorsement to the Steering Committee.

To assist in Program coordination, Bappenas will also:

- Provide feedback on program progress reports, including through participation in bi-annual review workshops;

- Provide analytical input into planning processes, including discussion of geographic focus, Indonesian Government priorities, key developments within the elections sector and so on;

- Provide advice to AusAID on related programs, national and donor, to ensure maximum complementarity and minimise the risk of overlap;

- Liaise regularly with AusAID to ensure the program continues to align with expectations;

- Provide advice on Indonesian Government reporting requirements, with a view to ensuring that program planning and reporting procedures are appropriately integrated with Indonesian Government systems.

## 3.4 Monitoring and evaluation

### 3.4.1 *General*

The delivery partner will develop a Monitoring and Evaluation (M&E) Framework within the first three months of the program. It will support both the *accountability* and *learning* objectives of M&E. However, strong emphasis will be given to the *learning* element, as this will be central to the program's ability to position itself effectively within a complex and dynamic elections sector.

The ability for the program to be flexible will, to a large degree, depend on the ability of M&E activities to provide a strong understanding of what progress is being achieved and how, and what obstacles are being encountered. The M&E Framework will need to directly support decision-makers' information needs, and be directly linked into decision-making processes.

Benefits for women and men will be established and documented by implementers (the delivery partner, sub-partners and the AEC) in their reporting. In particular, women are expected to benefit from their involvement in capacity building activities in electoral processes, leadership and management training for KPU staff and members at the national and sub national levels, CSO capacity building and gender awareness training. A 40% target for women's participation will be used as a soft affirmative action measure for the Program's activities with a more ambitious goal of equal participation in project management, coordination and recruitment.

### 3.4.2 *M&E principles*

The M&E Framework is expected to be consistent with the following general principles:

It will work with and through Indonesian systems wherever possible.

The delivery partner will be responsible for ensuring all staff engaged on the program are aware of M&E obligations, and for cultivating a culture in which M&E is built into day-to-day activities.

The Framework will be practical and implementable, providing user-friendly information to decision-makers at the right time. It will focus attention on priority issues.

It will involve the delivery partner having ongoing and frequent dialogue with AusAID on performance analysis and reporting, including assisting with AusAID's internal reporting needs.

Quantitative data will be gender disaggregated, and the collection of qualitative data will make special efforts to differentiate between the views of men and women. The same considerations will apply for the collection and analysis of data in relation to people with a disability to the extent possible.

### ***3.4.3 Proposed structure of the framework***

The proposed structure for the Framework is outlined at Annex 3. It has seven elements:

1. Performance of Program Management. This element will examine key aspects of the way in which the program is to be managed. Not only will it cover the basic aspects of delivery partner performance, financial management, strategic coordination, and ensuring continued appropriateness of MEF itself, but it will have a particular focus on partnership.

2. Output Delivery. This element is intended to provide information about the scope and quality of what the program delivers, principally through sub-partners and the AEC. The delivery partner will support these implementing partners to provide the necessary information for M&E purposes.

3. Cross-cutting issues. The M&E framework will specify an approach to assessing the performance of the program against three cross-cutting issues identified in AusAID's country program strategy: gender, anti-corruption, and performance orientation. (A fourth cross-cutting issue – partnership – is addressed in the Management Performance element above.)

4. Results. "Results" are defined here as the actual achievements against the top three levels of program logic: the goal, two objectives, and four outcomes. Within this element, M&E focuses on counterparts' achievements – it does not examine program deliverables *per se*. Analysis of results gives attention to both performance and capacity as separate and equally important factors. It is expected that, by bringing analysis of all the levels of program logic together, it will be possible not only to provide a snapshot of changes to the quality of elections over the life of the program, but also to draw defensible conclusions about the likely longer term results that can be expected from the program.

Annex 3 provides more detailed guidance on the expected areas of analysis within the results framework.

5. Context. Monitoring the context of a program is essential for ensuring that a program's objectives and strategies remain relevant. The analysis will take specific account of the roles and responsibilities of stakeholders within the sector, and the nature of relationships between those stakeholders. It will also link explicitly to analysing the overall risk profile of the program.

6. Contribution. The M&E framework will need to include a rigorous but targeted approach to assessing the program's contribution to results. In an environment as complex and sensitive as the elections sector, it will not be sufficient to assume that successful delivery of outputs leads automatically to the observed outcomes, or conversely that the achievement of outcomes is solely the result of the program. Thus, this analysis will test the cause and effect relationship in line with

the general principles of contribution analysis. This analysis will also be an important factor in supporting performance improvement under the program.

#### ***3.4.4 Development of the M&E Framework***

The framework will be informed by an evaluability assessment (described in more detail in Annex 3), a process that must be strongly participative. This will be essential in order to:

- ensure it is informed by the context and dynamics of the program from the perspective of a variety of stakeholders;
- ensure that stakeholders understand and are engaged in the process of evidence based learning to inform activities from the outset;
- and to ensure that the M&E Framework is appropriately focused on stakeholders' priorities – that is it useful.

### **3.5 Risks and risk management strategies**

A risk matrix for the program is provided at Annex 5. It identifies specific risks and risk management strategies, however the three main risks with this program are outlined below.

#### **1) Political Risks**

The first major risk relates to the political sensitivity of the program. Electoral reform is a sensitive issue within any political context, and the involvement of an external donor adds to this sensitivity. The program will require a high level of political awareness among all stakeholders, including AusAID, as well as clear and consistent communication about the nature and scope of Australia's assistance. Because of the complex stakeholder environment, and potential sensitivities from the Indonesian Government about CSO involvement, AusAID will work with organisations that share the Indonesian Government's aims to improve the electoral system and civic awareness of electoral processes. AusAID's most effective risk management strategy here will be setting up a grant agreement with a like-minded delivery partner, through the Competitive Grants Program process. Emphasis in the selection process will ensure that any potential delivery partner shares AusAID's vision and aims for this program. This will require a good understanding of the context on AusAID's part and also rigorous due diligence into the delivery partners that apply for the grant. The Indonesian Government, through its Steering Committee (as outlined in Part 3.3), will also be instrumental in selecting and approving the delivery partner, sub-partners and the program work plan. This will ensure that the Indonesian Government's interests in the sector are sufficiently represented. Further risk mitigation will include AusAID requiring any media engagement by the delivery partner or any sub-partner to be prior approved by AusAID and by providing grant money in regular, small tranches.

#### **2) Effectiveness of the program**

The program will not always be able to work in the areas of most urgent need. This is because of the sensitivity of many areas within the electoral sector, the fact that the Government of Indonesia does not invite donor assistance in some areas and also because external programs may find it difficult to produce outcomes.

Currently, there are two significant areas in which external involvement in electoral reform is not directly invited - voter registration and vote tabulation. These are highlighted in the risk matrix. However, it is possible that during the course of the program the areas of alignment between needs

and opportunities will shift. The program must therefore have a rigorous monitoring process in place to ensure that it is appropriately positioned within the sector – finding the right balance between areas of genuine need, and areas that provide feasible opportunities for reform. A key monitoring tool will be progress against legislative requirements and annual work plans, or an overall strategic plan, if such is developed.

### 3) Fiduciary Risk

Finally, fiduciary risk will need to be carefully managed in the program given the large grant to be provided to the selected delivery partner and the on-grants to various sub-partners. This will be managed by setting a clear implementation strategy from the outset. It will also be a program requirement that the delivery partner engage an independent, international standard auditor annually to audit all grants made to the delivery partner and all on-grants made to sub-partners. Providing grants in small six-monthly regular tranches will also reduce any potential fiduciary risk and make it possible to deal with quickly if it should happen. Also, AusAID will reserve the right to require the delivery partner to cease relationships with any sub-partners should there be suspicion of fraud. Overall, incremental engagement is a feature of this program's strategy that will not only ensure effective program implementation, but is also an important risk management strategy. Incremental engagement will enable the program to respond effectively to changes in the political landscape and delays (or opportunities) in key areas of engagement (ie legislative reform). Given both the complexity and sensitivity of the sector, it will be important to ensure that implementation builds on success, is built around rigorous analysis, and does not become too broad or diffuse in scope. The risk responses further support this approach.

#### **3.5.1 Timeframes**

It is important that any risk matrix is updated regularly, however it is *particularly* important in this program because of the fixed nature of the electoral cycle. As the national elections draw closer, it is natural that KPU and other agencies will become increasingly focused on short term operational issues.

The design emphasises that the program must retain a long term focus, and not view the effective conduct of the 2014 elections as the only objective. Thus, KPU's (and other agencies') ability to meet key milestones in the preparation for elections (as defined in relevant legislation) will be critical to their ability (and by extension the ability of the program) to retain an appropriate focus on longer term reform and capacity development issues.

Meeting milestones for the 2014 elections will be an area of focus within the Monitoring and Evaluation Framework. This information will also be important in ensuring an accurate understanding of the risk profile of the program.

Finally, it will be important that the risk matrix is reviewed immediately upon mobilisation of the program. If there is any delay in mobilisation, it will be particularly important to ensure that the phased approach to implementation described in this document remains feasible, and with an appropriate risk profile.

## 4. ANNEXES

### Annex 1 – Key electoral outcomes specified in the National Medium-term Development Plan 2010-14

The *National Medium Term Development Plan 2010-14* specifies a number of outcomes in relation to electoral processes which the Indonesian Government aims to achieve by 2014. The comprehensive list of these is as follows:

- enhanced analysis of and input into verification of political parties, candidates, campaign finance and voter lists;
- timely preparation of regulations for the 2014 elections;
- establishment of clear guidelines for the resolution of electoral disputes;
- effective dissemination of legislative products relating to the elections;
- effective management of information on the needs of voters;
- improved procurement, distribution, mapping and maintenance electoral infrastructure, goods and services;
- enhanced coordination between the KPU and other institutions;
- the production of useful and timely monitoring and evaluation products by the KPU;
- greater number of mechanisms to enhance public participation in policy-making and monitoring government performance;
- the establishment of political communication forums;
- revisions to Law No. 10/ 2008 concerning Legislative Elections, Law No. 42/2008 concerning Presidential Elections, and the provisions of Law No. 32/2004 concerning sub-national elections;
- the drafting of a Law on Regional Head Elections capable of promoting efficient election of sub-national government heads;
- enhanced cooperation between the Ministry of Home Affairs and civil society to promote women’s political participation;
- the timely and accountable production of technical guidelines on election management;
- enhanced technical assistance for sub-national KPU offices in managing regional head, legislative and presidential elections;
- the establishment of a Voter Education Centre;
- the development of voter education modules for women, the poor, people with disability, first-time voters and the elderly;
- enhanced cooperation between the KPU, the media and CSOs, including in relation to voter education;
- increased number of voter education programs for women candidates;
- increased number of political education programs for women members of political parties;
- improving logistics and communication with the KPU provincial / district / city through developing a logistic map and enhance the electoral mechanisms to improve timely coordination;
- updating voter’s data regularly that can be used for the 2014 election and local elections; and
- formulating an effective and efficient method for the registration, flow of communication and coordination between the central, provincial, district and city-level Commissions through the use of information of technology.

### Annex 2 – International Donor Support for Election Programs 2010-2014

Donor	Timeframe	Recipient	Activities
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USAID	3 years (from March 2010)	IFES  (No NDI or IRI election specific programs though may discuss election laws with political parties)	i) Electoral reform with KPU; DPT software issues; laws ii) Political party trainings iii) Political parties, constituent relations
Royal Norwegian Embassy	2012-2012 (likely to be approved)	The Asia Foundation with Puskapol and partners in E. Java, S. Sulawesi and Aceh.	i) Engage in election law reforms concerning gender ii) Mentoring for elected women legislators
Royal Netherlands Embassy / Danida	5 years (through Trust Fund)	Partnership for Governance Reform	i) Funds to analyse all election laws. ii) Hope to expand to work with civil society iii) Gender program works with women candidates/legislators in West Java, Bali, DIY and North Sulawesi. iv) Planned study of women candidates in <i>Pemilu Kada</i>
OSI / TIFA			i) Support for KMPP coalition to discuss approaches to election laws. ii) Focus on voter education for <i>Pemilu Kada</i> in certain areas.
UNIFEM		KPI	Working with women pre- and post-election. Post-election includes legal drafting and gender mainstreaming. Work in Aceh and NTB.
UNDP	E-MDProgram ends 2010; May have gender program; Managing Bridge	KPI	i) Strengthening and increasing women's participation in parliament and executive. ii) Working with women in DPRD
IDEA	Possible but not planned		Law reform or post-electoral assessment
FES			Training for DPRD members, Aceh
FNS			i) Political Forum for mayors/regents ii) civic education
KAF	Winfried Weck 27/4		
IMD			i) democracy schools ii) political parties

## Annex 3 – Monitoring & Evaluation Plan

### 1. Introduction

This document sets out a general approach to monitoring and evaluation for the Elections Program. It outlines some general principles to guide the design of the monitoring and evaluation framework



(MEF), then proposes a conceptual structure. It is not a comprehensive Framework in itself; rather it identifies a number of considerations for M&E as they emerged as important factors during the Program design process.

The full Monitoring and Evaluation Framework will be developed during the inception period.

## 2. General Principles

The first principle for the monitoring and evaluation of the Program will be to work with and through Indonesian systems wherever possible. Consequently, during inception an assessment of M&E processes within EMBs (and any other relevant bodies) will need to be undertaken to determine how they can contribute to Program M&E. This process will also be used to determine what, if any, assistance AusAID might provide to developing M&E practices within counterpart organisations.

Second, the delivery partner will be responsible for ensuring all staff engaged on the Program are aware of M&E obligations, and for cultivating a culture in which M&E is built into day-to-day activities. M&E is to be understood as a tool for continuous improvement, not just reporting. Also, consistent with the principle of partnership, M&E should be understood as a vehicle for sharing lessons among implementing partners.

The third principle is that the MEF is expected to be a practical tool that supports the two operating principles central to the Program: *partnership* and *incremental engagement*. This means that M&E:

- Must facilitate a shared understanding of results (achieved in part through the implementation of Review Workshops, as described in the design narrative).

- Provide clear information to aid planning decisions. It will enable AusAID and the Program Steering Committee to incorporate lessons learned into Program planning, and to maintain an informed strategic focus. It will also support Indonesian Government monitoring of the elections sector, in particular in relation to the relevant sections of the National Medium Term Development Plan.

- Must focus clearly on stakeholders' priorities. It should not attempt to compile vast amounts of data at the expense of conducting insightful analysis of selected key issues. The process of prioritising must be a collaborative one, and focus on supporting decision-makers' needs.

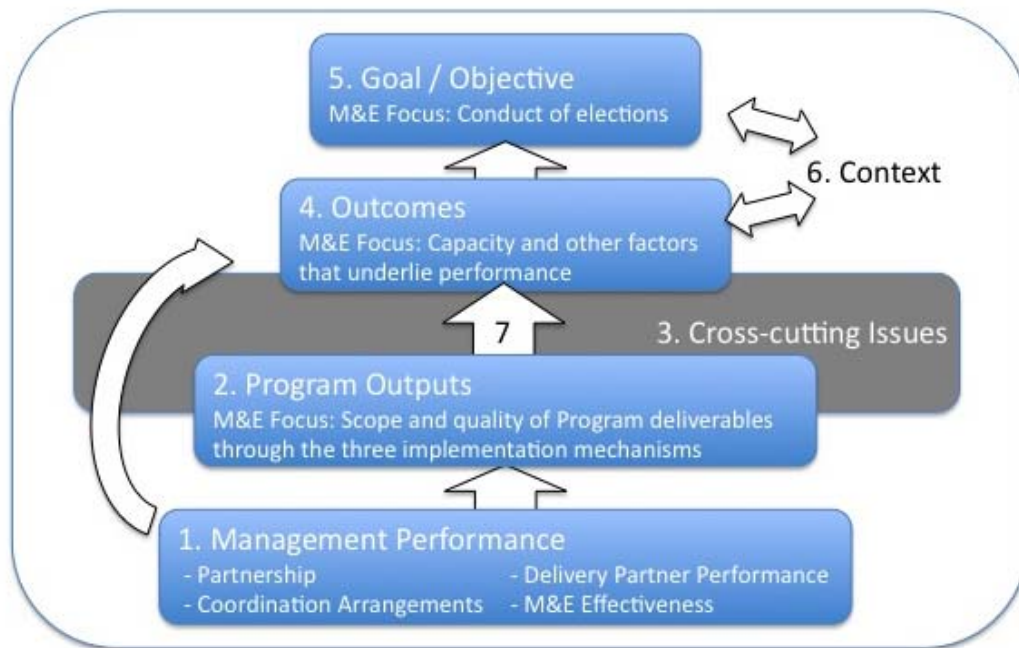
- Must be implemented through a collaborative, participative approach, with clearly agreed roles and responsibilities for all stakeholders.

Fourth, the delivery partner will be expected to undertake ongoing and frequent dialogue with AusAID on performance analysis and reporting, including assisting with AusAID's internal reporting needs.

The fifth principle is that all quantitative data will be gender disaggregated, and the collection of qualitative data will make special efforts to differentiate between the views of men and women. The same considerations will apply for the collection and analysis of data in relation to people with a disability to the extent possible.

## 3. Conceptual Structure for Monitoring and Evaluation Framework

This section proposes a conceptual structure for the Monitoring and Evaluation Framework. The structure is summarised in the diagram below, and discussed in further detail in the following sections.



As shown in the diagram, the proposed structured provides for monitoring and evaluating the way in which the Program is managed (Management Performance), the scope and quality of what it delivers (Program Outputs), and the results that are achieved by Counterparts (Goal / Objective, Outcomes). It also examines the context in which the Program is delivered in order to ensure the continued relevance of Program objectives and strategies, as well as monitoring how implementation addresses cross-cutting issues as defined in AusAID’s Country Program Strategy.

The structure also provides for specific analysis of the Program’s *contribution* to high level results, in order to provide additional rigour to the process, and to maximise opportunities for *learning*.<sup>85</sup> This issue is further discussed in Section 3.6.

In the following sections, the purpose of each element in the M&E Framework is defined, and in most cases some indication of expected content and/or methodology is provided. However, these suggestions provide guidance only, based on information gathered during the design process. The evaluability assessment during the inception of the Program will lead to the development of a complete framework.

### 3.1. Management Performance

The monitoring of management performance addresses four issues, each discussed below.

#### Strategic Coordination Arrangements

Examining these arrangements will help to ensure that the Program is using effective tools to manage the strategic direction of the Program. This is particularly important given the flexible nature of the Program. M&E of this element of the Framework should consider examining:

- The effectiveness of the Program’s governance arrangements in guiding strategic direction (including the proposed Review workshops and the functioning of the Steering Committee);
- The effectiveness of AusAID’s communication strategies;

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<sup>85</sup> Thus, not only does the approach to M&E involve examining the ‘boxes’ in the diagram, it also specifically investigates the ‘arrows’.

The effectiveness of the Steering Committee as a body for both driving and supporting electoral reform;

The extent to which the principle of incremental engagement has been given meaningful effect;  
The level of compliance with documented decision making processes; and  
The level of alignment between Program planning recommendations provided by the delivery partner and actions taken (and the reasons for any variance).

The M&E Specialist will collect feedback on these issues on a six-monthly basis.

### **Delivery Partner Performance**

The delivery partner is expected to deliver program as described in its agreed proposal. Key aspects of performance to be examined should include:

Compliance with the operating principles as defined in the Scope of Services;  
High quality program planning that is based on sound analysis of contextual issues, Program progress, stakeholder needs, and reform priorities and opportunities;

Effective stakeholder engagement in support of Program objectives, consistent with the principle of partnership;

Effective engagement with delivery partners to support activity delivery;

Transparency and accountability of financial management; and

High quality, well informed, internally consistent reporting and analysis that provides a sound basis for decision-making.

AusAID will carry primary responsibility for monitoring delivery partner performance, using a tool to be developed as part of the M&E Framework. AusAID Jakarta will monitor and register grantee performance according to AusAID's corporate requirements, as part of the annual contractor performance assessment process.

### **Partnership**

During the inception period, AusAID, the delivery partner, the AEC (and to the extent possible, sub-partners) will jointly develop a Partnership Charter, and the M&E Framework will need to include an approach to tracking the effective implementation of that Charter. As such, the MEF will need to consider the extent to which stakeholders are fulfilling their obligations under the Charter (including AusAID), and the extent to which there is a shared understanding amongst partners of Program objectives and ways of working.

The MEF should also consider the extent to which:

There is a positive perception among stakeholders that the Partnership is adding value to their individual operations; and

*Synergistic outcomes* have been achieved as a result of partnership. "Synergistic outcomes" are those that represent *more than* the sum of what the partners achieve individually, and thus are likely to be attributable to partnership.<sup>86</sup>

### **M&E Effectiveness**

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<sup>86</sup> This is the reason there is an arrow directly from the Management Arrangements box to Program outcomes in the diagram (page 2). The concept of *synergistic outcomes* in the context of partnership is described in Brinkerhoff, "Assessing and Improving Partnership Relationships and Outcomes: A Proposed Framework", in Evaluation and Program Planning, 2002. Consideration should be given to what other approaches outlined in this article may be applied to the Program.

The M&E Framework itself needs to be reviewed to ensure that it remains relevant and effective. This should include considering:

Stakeholders' perceptions of the usefulness of information provided in progress reports. This should consider the perspectives of:

- Participants in the Review Workshop;
- Program decision-makers (in particular AusAID); and
- Program implementers (i.e., how does the information they are required to collect assist them with *implementation*?).

The extent to which the Framework is proving to be reliable in terms of the availability and quality of the data.

### **3.2. Output Delivery**

This element is intended to provide information about the *scope* and *quality* of what the Program delivers. The delivery partner will, with input from the M&E Specialist, develop procedures to ensure that, for all activities under their management:

Activity designs have clearly articulated outputs that provide the basis for monitoring, and that link to Program outcomes;

Sub-partner reporting requirements are clearly defined, and provide for:

- accurate reporting of the scope and quality of what is delivered;
- analysis of progress toward Program outcomes;
- analysis of how activities address cross-cutting issues; and
- identification of any unintended positive or negative outcomes.

Sub-partners are provided with any support required to report effectively on their outputs.

Wherever feasible and appropriate, activity level M&E should:

Be consistent with any relevant M&E systems in sub-partners or government counterpart organisations, and incorporate those systems to the extent possible; and

Exploit any opportunities to collect data relevant to outcome, objective, or goal level performance measures.

The M&E Specialist will assist the AEC to develop a system for monitoring and reporting on its outputs that will enable a consistent form of reporting and analysis across all Program areas.

The M&E Specialist and the delivery partner should also consider what opportunities may exist for community monitoring of Program implementation.

The delivery partner will be responsible for monitoring the performance of sub-partners.

### **3.3. Cross-cutting Issues**

The M&E framework will specify an approach to assessing the performance of the Program against three cross-cutting issues identified in AusAID's country program strategy: gender, anti-corruption, and performance orientation.<sup>87</sup>

For each cross-cutting issue, the MEF will explain how activities will be monitored to inform decision-makers of possible synergies, and assess progress under each cross-cutting issue over time.

### **3.4. Results: Achievement of Outcomes, Objectives and Goal**

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<sup>87</sup> There is also a fourth cross-cutting issue (partnership and policy dialogue), however this has been dealt with separately under Management Performance (section 3.1).

“Results” are defined here as the actual achievements against the top three levels of Program logic: the goal, two objectives, and four outcomes. Within this element, M&E focuses on counterparts’ achievements – it does not examine Program deliverables.

Discussion under each desired result below highlights either a general approach, or suggests some specific performance measures based on an understanding of what performance factors are already known to be important, and/or knowledge of what information is likely to be available. However, these ideas will need to be tested during the evaluability assessment, and placed in a more robust evaluation methodology driven by clear evaluation or performance questions.<sup>88</sup>

The proposed approach recognises that M&E must address both *performance* and *capacity* as separate and equally important issues. M&E will examine *performance* during the period of the Program by assessing the actual preparation for and conduct of elections. However, these snapshots of performance will, by themselves, be insufficient.

Performance at any given point in time can vary due to a wide range of factors. Considered in isolation from those other factors, such analysis does not provide a clear indication of what levels of performance are likely to be *sustained over the longer term*. To have a better understanding of likely longer term performance, it is necessary to understand *capacity* as a separate issue. The manner in which this is to be achieved is outlined below.

## Goal

The long term goal of the Program is to improve the quality of elections in Indonesia, within the broader context of strengthening democracy. It will be important that M&E of the goal reflects international practice and thinking in relation to the evaluation of democracy and elections. This should include reviewing literature on current thinking from organisations such as IFES and International IDEA (as well as the AEC).

In general terms, progress toward the goal will be analysed by taking a snapshot of national and sub-national elections during the lifetime of the Program. This will be supplemented by analysis of the cumulative effect of achievements at the outcome and objective levels, in order to draw conclusions about likely longer term trends.

It will be useful for analysis to consider general perceptions of the quality of the conduct of elections. In this respect, two likely indicators at the goal level could be:

The acceptance in public discourse that the results of elections accurately reflect the will of the people. This can be measured through a systematic review of press reports, domestic monitoring reports, Indonesian Government reports and other documentation; and

The percentage of citizens who feel the election was conducted in a more efficient and transparent manner than previous elections. A pre-post election survey on public perception on the credibility of the electoral process will be conducted using standard international questions and techniques.

A third possible area of analysis relates to the development of a sense of civic duty amongst electoral officials and candidates. Such a development would be a driver of meaningful, sustainable improvement in elections management, and would be consistent with the focus of the Program.<sup>89</sup>

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<sup>88</sup> It will be particularly important to examine what performance information or analysis will be available from existing sources – eg surveys, technical assessment, academic research or the like. There is a range of information available about the conduct of elections, and it will be essential to make the best possible use of this information.

<sup>89</sup> Such analysis might also be of interest to other AusAID programs, particularly in the governance sector. Opportunities for collaboration with other programs in analysing this issue should be considered.

In practical terms, this might be assessed through measuring changing attitudes and practices amongst elections officials, away from a bureaucratic view of elections, to one based on an appreciation of the social contract and broader civic awareness. This could be analysed through a survey, cross-referenced against other Program indicators and other (Program or non-Program) research.

A fourth, related area of analysis might be the nature of the relationship between the public and candidates. A basic question is the extent to which both groups understand the electoral process (which, to some degree will be analysed under Outcome 3 below). However, a deeper question relates to the extent to which there is a collective understanding within society of the nature of the responsibility that candidates and elected officials have to the public in a democracy. This theme should, as appropriate, be built into analysis at other levels of the results logic.

### **Objective 1 – Improved management of elections by Electoral Management Bodies**

Analysis of progress toward this objective will focus on the preparation for and conduct of elections by KPU, and selected EMBs at the sub-national level. As far as possible, it should draw on both technical assessments of the work undertaken, as well as perceptions of the effectiveness of EMBs.

The following should be considered for inclusion in the M&E Framework:

#### *Analysis of Work Performed*

The extent to which KPU (and possibly KPUDs) have met milestones specified in legislation in relation to preparation for elections;

The number of disputes arising from elections;

The quality of elections legislation amendments accepted by parliament, taking into account issues such as:

- Analysis against internationally accepted criteria. A qualitative assessment would provide a 'technical' view of the extent to which the legislation provides a clear and workable basis for the management of elections;
- The timeliness with which legislative amendments were completed;
- The feasibility of the legislation, both in terms of the technical capacity of relevant organisation and collective political will; and
- The level of consensus amongst key stakeholders about the content of the legislation.

#### *Perceptions of Work Performed*

*Citizens'* perceptions of EMB performance. For the elections in 2014, a pre- and post-election survey could be used to look at pre and post election perceptions of cheating, transparency and so forth, building on existing survey research conducted pre and post the elections in 2009. This could include:

- Percentage of respondents who believe there was cheating that affected election results;
- The perceived openness of state institutions in engaging with stakeholders (in particular the public);
- Level of satisfaction with voting system, with a particular focus on women and marginalised groups.

*Client* perceptions of performance, in which clients are political parties and candidates that compete in elections. Apart from a survey, client satisfaction can be measured through analysing the number and type of candidate disputes and related information.

## **Objective 2 – Increased public engagement in electoral processes**

Analysis of this objective will focus on the actual level of engagement during elections that take place during the Program period. To this end, analysis will assess indicators such as:

- Overall participation in elections;
- Increases in voter registration;
- Number / percentage of invalid votes; and
- Numbers of non-partisan elections-day observers and monitors.
- Number / percentage of observations / complaints by observers that were meaningfully followed up.

Data will be compared to equivalent data from the 2009 elections, with the expectation of improvement. For sub-national elections it would also be useful, if possible, to compare districts that receive Program assistance to those that do not.

It will be important to ensure (for this objective and other areas in which quantitative analysis is used), that quantitative analysis is supplemented by a qualitative assessment that provides context and meaning to the data.

There should also be some analysis of the role of civil society in facilitating quality public engagement in the electoral process.

Outcomes under the objectives (discussed below) contribute to the achievement of *both* objectives in an inter-related fashion.

### ***Outcome 1 – Improved preparation for elections by electoral management bodies***

Analysis of this outcome should be based on an agreed capacity or institutional assessment framework, developed in collaboration with the KPU and targeted EMBs at the sub-national level.

Without wishing to pre-empt the development of such a framework, analysis to date suggests that at least the following two areas will be important to focus on:

- Budget planning and management; and
- Negotiation skills (e.g. in relation to the development of legislation).

The M&E Framework should examine the proposed Strategic Capacity Framework for KPU, currently being developed by KPU with support from IFES to determine whether or not it can be used as a tool for monitoring capacity. (It is expected that this assessment tool will be completed in late 2010.) Whatever framework is developed (or adopted from elsewhere), it will be essential that it can be feasibly applied within Program and counterpart resources.

In the event that a comprehensive institutional assessment approach is not feasible within the available resources, alternative, less costly approaches should be considered. One possibility would be participative or self-assessment based approaches to monitoring capacity development.

### ***Outcome 2 – Electoral laws and policies that are developed and amended through transparent, participatory and evidence-based processes***

Analysis of this outcome will examine the *process* through which the legislation was amended, and the capacity of relevant organisations to manage that process effectively (as opposed to analysis at the objective level, which will examine the *content* of the amendments).

Information that will be relevant to this outcome includes:

The extent to which recommendations or advice from a range of external sources (including but not limited to the Program) was incorporated into legislative amendments. This should be based on a qualitative assessment. (In regard to advice that originated from the Program, sub-partners should adopt a method of tracking their advice as part of their regular M&E activities.)

Perceptions of the transparency and effectiveness of the legislative reform process (largely from civil society, but possibly from government agencies also).

It would also be useful to include some analysis of the types of strategies that have proven most effective in securing desired changes to legislation (eg, different civil society advocacy strategies, evidence-based research, providing information on international practice, etc).

### ***Outcome 3 – Increased understanding of electoral processes in targeted districts***

Analysis at the outcome level will attempt to focus more on public *understanding* (as opposed to analysis at the objective level, which addresses public *behaviour*).

This is likely to be best studied through surveys that examine changes in understanding about voters' rights and attitudes toward elections bodies (and elections more generally). Again, it would be useful to consider what comparisons can be made to the national elections of 2009, and (for sub-national elections) what comparisons can be made between Districts that receive Program assistance, and those that do not.

### ***Outcome 4 – Increased effectiveness of elections observation and monitoring in targeted districts***

Similar to the approach outlined for EMBs above, analysis of this outcome should address *capacity* within CSOs to perform their key functions effectively. It should involve the development of a capacity assessment model that can be used to establish a baseline, and used again at the end of the Program to identify progress.

## **3.5. Context**

Monitoring the operational context of a Program is essential for ensuring that a Program's objectives and strategies remain relevant. The analysis will take specific account of the roles and responsibilities of stakeholders within the sector, and the nature of relationships between those stakeholders.

The analysis will also include specific reference to *risk*: ensuring that there is an up-to-date understanding of the Program's risk profile, and that the overall strategy of the Program represents an appropriate response to that risk profile.

Although all stakeholders will be responsible for regularly monitoring the operating context, it would be useful for the M&E Specialist to facilitate a formal session examining strategic developments, possibly as part of the Review Workshops (see Section 3.2 of narrative).

## **3.6. Program Contribution**

### *Testing Hypotheses*

AusAID support for elections is built on the assumption that certain underlying hypotheses are correct. Major hypotheses include:

Technical expertise on elections resides more within civil society than government and can deliver that expertise to government;

Civil society can inform political processes and drive commitment to reform;

Transparency and better understanding of election systems will reduce the likelihood of invalid voting;

Analytical evidence can increasingly inform budgetary and political choices;

Three years (early 2011 to early 2014) is sufficient time to design and embed reforms that will provide improved electoral processes in 2014;

Civil society monitoring and public engagement improves election processes; and

Well-managed and efficiently conducted elections will build public confidence in electoral democracy.



Adopting an approach that explicitly considers the relationship between a Program's outputs, and results observed in counterparts and the broader context is a key component of a rigorous M&E system.

It is particularly important to explicitly assess contribution when the context in which a Program is operating is as complex as in this case. There are many factors outside the Program that will influence the extent to which desired results are achieved; it is not adequate to assume that successful delivery of outputs leads automatically to the observed outcomes, or conversely that the achievement of outcomes is solely the result of the Program. Thus, this analysis will test the cause and effect relationship in line with the general principles of contribution analysis.

Analysing this issue will involve testing a number of assumptions or hypotheses inherent in the design. Some of the key hypotheses are listed in the information box above.

It will also be important that the methodology used for assessing contribution also enables identification of any unintended positive or negative outcomes.

The MEF will need to propose a rigorous but targeted approach to assessing contribution. It need not be a complete, 'text book' approach to contribution analysis, but should be feasible within the resources available, and focused on agreed areas of priority (for example focusing on areas that are high risk, or offer the best opportunities for learning).

#### **4. Development of M&E Framework**

The M&E Specialist will develop the M&E Framework during the inception period of the Program. The M&E Framework will be informed by this annex, and by an evaluability assessment to be conducted at the beginning of the process.

The Evaluability Assessment (EA) should be conducted with full stakeholder participation. An EA includes, at a minimum:

- a) Consultation with stakeholders to confirm a shared interpretation of the expected long-term and end of initiative outcomes;
- b) A review of the program logic and description of the extent to which it is evaluable including clarity of expression of end-of-initiative outcomes in the documentation;
- c) An examination of proposed/potential data sources (including partner systems) to ensure that data is of sufficient quality; is collected and analysed as expected; and will be available within the required reporting cycles. This should include particular consideration of:
  - i. The IFES Strategic Capacity Assessment Framework for KPU;
  - ii. Relevant sections of the National Medium Term Development Plan;
  - iii. Any reports published (or expected to be published) by national or international elections-monitoring organisations regarding the conduct of local or national elections; and
  - iv. Any research conducted regarding citizens' attitudes toward and participation in local or national elections (including a survey being conducted on these topics by IFES in 2010, with AusAID support).
- d) An assessment of the capacity of the delivery partner, AEC and sub-partners to participate in the design of and implement M&E activities;
- e) A review of the budget/resources available for M&E activities;

- f) Identification of reporting requirements for key stakeholders. This includes progress reporting, Quality at Implementation Reporting, and Annual Program Performance Reporting. There should be a clear recognition of how the M&E plan is expected to provide evidence for reporting against the Country Program Performance Assessment Framework;
- g) Identify key evaluation questions of interest to stakeholders (this will drive the development of M&E methodology);
  - i. This should include analysis of ‘internationally accepted criteria’ for elections legislation and practice. Such criteria are referred to on several occasions in the design narrative, but their relevance will need to be tested during the development of the M&E Framework.
- h) A review of cross-cutting issues that will need to be included in the MEF; and
- i) Clear identification of issues and/or constraints that will affect the design of the M&E Framework (plan).

In addition to the above, the MEF will be expected to meet the following general quality requirements:

- a) All indicators will be supported by a **sound methodology**, and means of verification should be fully designed. Means of verification are not reports, but actual methods required to collect the primary data. Secondary data sources are also to be used where appropriate. All tools required to collect data must be designed and included in the annexes of the MEF (for practical reasons a small number of tools may not be able to be developed during the development of the initial MEF). The development of sound methodology usually requires specialist expertise.
- b) Where **special evaluation studies** are to be conducted, the full design should be described in the MEF with a description of the methods for data collection and analysis elaborated and tools developed.
- c) The **achievement and quality of outputs or deliverables** must be addressed. A number of output indicators are required to be reported on routinely. This could include the development of a “Fact Sheet” where key project outputs are reported against in a concise form that allows efficient monitoring and reporting of the project by AusAID staff (this is in addition to routine reporting requirements).
- d) Identification of how the findings of the monitoring and evaluation activities will be **disseminated and utilised**. This does not refer to a reporting frequency table, but rather to what mechanisms are in place to ensure that findings are disseminated to all relevant stakeholders and that findings are likely to be responded to or utilised.
- e) A full **implementation schedule** should be included that shows when all key M&E activities will be carried out. Identification of M&E responsibilities (that are matched to individuals’ capacities and resources) should be included in this plan – including AusAID’s. The table below presents initial expectations for roles and responsibilities of key stakeholders.
- f) Recommendations regarding activities to be included in the Program Management and Analysis Fund, to be managed by AusAID with assistance from the delivery partner. It is expected that up to A\$100,000 will be available per year for such activities. Subject to the strategies developed in the M&E Framework, and subject also to analysis arising from point (c) in the previous list, the following activities are to be considered for inclusion in the Fund:

- i. Organisational capacity assessments (in particular for sub-national EMBs);
  - ii. Research (including systematic reviews) of the conduct of the 2014 national elections;
  - iii. Surveys or other analysis of citizens' attitudes toward and participation in local or national elections (including the aforementioned IFES survey); and
  - iv. Any study into civic awareness amongst elections officials and other stakeholders (including candidates).
- g) There should be a **complete costing (budget)** of the MEF for both personnel requirements and the costs of conducting monitoring and evaluation activities.

### Ongoing Program M&E Responsibilities

Stakeholder	Responsibilities*
Delivery Partner program management staff	<p>Monitor Program activities, with focus on assessing scope and quality of output delivery;</p> <p>Regular formal and informal liaison and communication with AusAID;</p> <p>Review reporting by sub-partners;</p> <p>Support day-to-day M&amp;E activities by sub-partners;</p> <p>Monitor context and risk;</p> <p>Produce six-monthly progress reports;</p> <p>Manage analytical activities under Analysis Fund as required.</p>
M&E Specialist	<p>Review output delivery information provided by sub-partners, and collated by Delivery Partner;</p> <p>Conduct analysis of progress toward and contribution to results;</p> <p>Share findings amongst key stakeholders to support performance improvement;</p> <p>Facilitate review elements of the biannual review and planning process;</p> <p>Provide ad hoc support to Delivery Partner, AusAID, AEC and sub-partners with implementation of their respective M&amp;E activities;</p> <p>Provide support to design / implementation of M&amp;E activities funded through Analysis Fund.</p>
Sub-partners and AEC	<p>Provide activity / output-level analysis and reporting, including analysis of output contribution to Program outcomes;</p> <p>Assist with other data collection as necessary.</p>
AusAID	<p>Monitor Partnership activities;</p> <p>Monitor context and risks;</p> <p>Monitor linkages with other AusAID programs;</p> <p>Conduct targeted direct activity monitoring, including field visits;</p>

Stakeholder	Responsibilities*
	<p>Review Progress Reports and incorporate analysis into decision-making;</p> <p>Monitor compliance of Program with emerging corporate policy requirements;</p> <p>Manage implementation of Independent Progress Report and Independent Completion Report.</p>

\* Note this list is indicative only and will be further elaborated during Program inception.

### **Independent Progress Report and Independent Completion Report**

AusAID intends to conduct an independent progress report and an independent completion reviews. These will be funded through the Analysis Fund but managed directly by AusAID. The M&E Framework does not need to detail methodologies for these reviews.

### **Final Comment Regarding Role of M&E Specialist**

It is recommended, consistent with the general principles of partnership underpinning the program, that:

The M&E Specialist be engaged directly by AusAID but be selected with input from the delivery partner; and

The M&E Specialist's role focus more on *learning* than *accountability*. Accountability considerations can be addressed through day-to-day program monitoring by the Delivery Partner and AusAID, supplemented by the independent Mid Term and Completion Reports. The Specialist should work closely with all implementing partners to enhance Program effectiveness and to share lessons learned.

Subject to the recommendations of the evaluability assessment, the M&E Specialist will provide in the region of eight to ten weeks' input per year following the completion of the M&E Framework.

## Annex 4 – Risk Matrix

L – Likelihood

C – Consequence

R – Risk

Scale: 1(Low) – 5 (High)

Risk Event	Impact	L	C	R	Risk Management	Responsibility
<b>Political Context</b>						
Indonesian Government political and bureaucratic commitment to electoral reform weakens.	Incentives and resources for reform at operational level decline, undermining overall effectiveness.  Program momentum is lost, with critical mass required to sustain reform not achieved.	3	4	5	Focus on mutually agreed areas of priority with clear reform champions.  Indonesian Government is fully engaged in programming.  Maintain Program engagement with CSOs.	AusAID, Bappenas, EMBs, Parliament, CSOs
Parliament does not pass effective / clear elections legislation in adequate time for 2014 elections.	Unclear electoral processes, lack of clarity about EMB leadership, and responsibilities of stakeholders.  High incidence of disputes, undermining credibility of and confidence in the system.	4	3	5	Support EMBs (and other stakeholders) to manage development and negotiation of legislation effectively.	AusAID, CSOs, Parliament
Program is viewed as interfering with domestic politics.	Negative political or media comment damage bilateral relationship.  Program deliverables may be delayed or reduced in scope.	3	3	5	Promote the Program's role as supporting Indonesia's reform agenda. Ensure pro-active approach to anticipate criticism.  Ensure that all funding and program decisions are agreed between Indonesian Government & Australian Government. Indonesian Government to participate in selection of delivery partner and approval of sub-partners.	All stakeholders  Steering Committee

Risk Event	Impact	L	C	R	Risk Management	Responsibility
Political difficulties emerge in bilateral relationship, heightening sensitivity around Australia's involvement in electoral reform.	Scope and pace of Program delivery is reduced.	3	3	4	Focus on mutually agreed areas of priority with clear reform champions. Indonesian Government is fully engaged in programming. Maintain Program engagement with CSOs.	AusAID, Bappenas, EMBs, CSOs
<b>Elections Operations</b>						
The Voters' Register continues to be inaccurate and outdated.	Undermines confidence in the electoral process and of the perceived benefits of electoral reform (and assistance to reform).  Undermines ability of elections to reflect the public will, including by undermining access of disadvantaged sections of the community.  Voters are disenfranchised.	5	4	5	Continue to review and update Register.  Consider any proposals to update the voter's registry, including decentralization of the process so that local KPUDs can correct the registries in their local areas.  Monitor progress with updating register.  Ensure spirit of cooperation in all negotiations between stakeholders	KPU, KPUDs, MOHA, BPNN, CSOs  KPUDs and CSOs  AEC, CSOs All stakeholders
Tabulation of official election results regularly takes longer than expected by political parties and the public and / or is perceived as being inaccurate.	Undermines confidence and credibility of the electoral system and institutions.	3	4	5	Advise where support might be required including in ensuring that there are sufficient financial, IT and human resources to process election results quickly.  Monitor progress with tabulation.  Ensure spirit of cooperation in all negotiations between stakeholders	KPU, KPUD's  AEC, CSOs All stakeholders
Counterparts are placed under pressure to deliver quick responses to problems from 2009 elections that distract attention from longer term, strategic issues.	Counterparts unable to focus on and engage constructively with the Program and longer term capacity development / reform issues.	3	3	4	Configure Program with appropriate flexibility to enable work plans to be adjusted to take account of electoral calendar, counterpart priorities and areas of opportunity.  Ensure effective sequencing of activities, with early focus on capacity development.	AusAID, Delivery Partner  AusAID, Delivery Partner
Australia's reputation is called into	Australian and/or Indonesian	3	3	4	Provide consistent, clear messages to Indonesian and	All stakeholders,

Risk Event	Impact	L	C	R	Risk Management	Responsibility
question in the event that electoral events are evaluated as not free and fair.	stakeholders criticise the effectiveness of Australia's assistance to elections.				Australian audiences about scope of Australian support and ability to affect change. Areas of operational concern are identified and communicated early.	especially AusAID
<b>Program Implementation</b>						
Poor coordination amongst stakeholders (including donors, Indonesian Government, CSOs, AEC, and other international organisations).	Assistance overlap leads to wasted resources and confusion for Indonesian Government. Implementation of ad hoc activities that do not contribute to broader electoral strengthening.	2	3	1	Continued dialogue with Indonesian Government and donors through the Steering Committee. Early development and drafting of a partnership agreement that sets out expectations of program collaboration and complementarity amongst all implementers.	AusAID, Steering Committee, Bappenas
CSOs assisted by program perceived as biased or partisan.	Diminished credibility of Program, with reduced impact on sensitive issues. Clarity and effectiveness of CSOs' advocacy is compromised.	2	3	1	Ensure CSOs selected have demonstrated history of non-partisanship and constructive participation in electoral and political processes. Continue to ensure Indonesian Government involved in all grant funding and review decisions. All CSOs in Program sign non-partisan code of conduct developed in previous elections. Ensure strong methodologies applied to all analytical work.	AusAID, CSOs, Delivery Partner
Nonalignment of interests and priorities amongst Program stakeholders.	Delays and impediments to the effective implementation of Program activities. Work program does not respond coherently to stakeholder needs.	3	3	3	Jointly prioritise areas of Program focus. AusAID coordinates Australia's inputs in Electoral Assistance. Becomes member of Bappenas donor coordination committee.	All stakeholders AusAID, Delivery Partner
Technical advice from different sources is inconsistent.	Delays and impediments to the effective implementation of Program activities. Counterpart organisations unable to respond meaningfully to advice received.	3	3	3	Develop TOR that clearly define stakeholder needs and approaches to effective engagement with stakeholders. Implement robust performance management approaches for provision of advice.	Delivery Partner, CSOs Delivery Partner

Risk Event	Impact	L	C	R	Risk Management	Responsibility
Sub-partner CSO fiduciary accountability is low leading to perceived or actual mis-use of funds	Activities are not conducted as anticipated Australia loses credibility because of inappropriate handling of development funding	3	3	3	Delivery partner conducts fiduciary assessment of CSO sub-partners prior to providing funding Delivery partner provides capacity building of CSOs in receipt of funding to strengthen financial and administrative capacity Delivery partner notifies AusAID immediately of suspected mis-use of funds for follow-up AusAID reserves the right to require the delivery partner to cease engagement with any sub-partner	Delivery Partner, CSOs  Delivery Partner, AusAID
KPU does not develop an overarching strategic workplan	Ad-hoc activities reduce the overall impact of the program.	4	2	3	AusAID and delivery partners will encourage the KPU to develop an overarching strategic framework.	AusAID, Delivery Partner, KPU
Provision of upfront grant increases risk of misuse of funds	Increased financial risk to AusAID of actual or perceived misuse of funds and fraud	2	4	3	AusAID will provide payments in six-monthly tranches upon acquittal of previous funds. The delivery partner will have a proven track record of sound financial management.	Delivery partner, AusAID

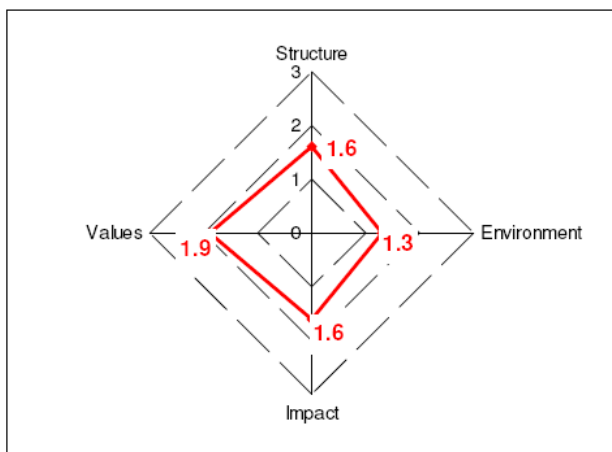


## Annex 5 – Background Paper: Analysis of Civil Society’s Role in Indonesian Electoral Processes

Prepared for the design, with input led by Sue Nelson, Independent Consultant.

### Background

1. Civil society in Indonesia has grown considerably since the reinstatement of democracy. There are thousands of civil society organizations (CSOs) registered and working in development, private sector, democracy, health and other sectors. However, as found by the 2006 *Civic Civil Society Index Report*, “the road towards a strong civil society is still long”.<sup>90</sup> The Civicus Study, done in part by the CSO YAPPIKA (in coordination with ACCESS and with AusAID funding), whose findings are represented here on their civil society diamond chart, found that Indonesians participate in organized civil society, but that civil society’s resources are limited. There is an unfavourable external environment, the state is still perceived as an adversary by many, there is a lack of public trust in NGOs, and civil society is not transparent or corruption-free. However it also found that CSOs have “played an active and successful role in promoting democracy and human rights and empowering citizens.”<sup>91</sup>



*Society Index Report*, “the road towards a strong civil society is still long”.<sup>90</sup> The Civicus Study, done in part by the CSO YAPPIKA (in coordination with ACCESS and with AusAID funding), whose findings are represented here on their civil society diamond chart, found that Indonesians participate in organized civil society, but that civil society’s resources are limited. There is an unfavourable external environment, the state is still perceived as an adversary by many, there is a lack of public trust in NGOs, and civil society is not transparent or corruption-free. However it also found that CSOs have “played

*an active and successful role in promoting democracy and human rights and empowering citizens.”*<sup>91</sup>

2. The relative strengths of CSOs and that of other institutions are shown in the Civicus mapping of societal forces and relative power of civil society organizations. These show that Parliament, the President, political parties and faith based organizations are the most influential societal forces, with women’s organizations, labour unions and mass-based organizations in the second tier, and NGOs, student organizations and international agencies in the third tier. However, when only civil society organizations are mapped, NGO advocacy and women’s groups are found in to be the most influential along with labour unions and environmental organizations.

3. The Civicus study makes a number of recommendations to strengthen civil society, among them the need for CSOs to diversify funding and improve their accountability and transparency, both of which are seen as critical to their sustainability. Other recommendations include to: build capacity and professionalism of NGOs/CSOs; build learning networks around CSOs; build public trust in CSOs; increase their watchdog role and empower local CSOs to undertake this role; and to intensify campaigns to promote gender mainstreaming and equity within CSOs. To donors, the study recommends strengthening the quality of CSO accounting systems and financial reporting through training and audits.

4. YAPPIKA also carried out another civic mapping at the district level to cover ACCESS’ targeted eight districts in four provinces in the Eastern Indonesia.<sup>92</sup> It noted similar findings-- civil

<sup>90</sup> Much of the data and charts cited in the background section is from the *Civic Civil Society Index Report for the Republic of Indonesia, 2006*. On the Civicus diamond, 3 is the strongest score with the centre being the weakest area.

<sup>91</sup> Ibid p 7.

society in these areas was weak in terms of environment, structure, values and impact. Consolidating CSOs around mutually agreed agendas still required time and preparation, and that CSOs considered themselves as implementers and not as coordinators of networks. However, if CSOs conducted joint action planning, they could bring about changes in behaviour. CSOs tended to speak for communities, especially the poor and women but they lacked skill and experience and needed structured learning on policy advocacy. Local CSOs noted there were models for collective CSO action, among them Indonesian Corruption Watch (ICW), YAPPIKA and PATTIRO.

### **Civil society and the electoral process**

5. There has been a vibrant civil society effort for national elections created around Indonesian Government and international donor-funded projects. Most of these efforts focused on (short-term) election observation and voter education programs. In between national elections, civil society activity has been limited-- due in great part to the limited amount of donor funding available. CSOs working in the electoral sector are almost completely dependent on project funding and many of the early CSOs and networks involved with elections, and especially election observation, went dormant or moved on to other areas after elections funding ended, such as the Indonesian Forum's Rector and JAMPPI (Indonesian Persons Network of Election Observation).

6. The main CSO network active in **election observation** since 1998-99 has been JPPR, (People's Voter Education Network), thanks to continued support by The Asia Foundation (TAF) and AusAID funding of approximately AUD 6 million. The JPPR is a network of 45 CSOs, including the mass-based organizations of *Muhammadiyah* and *Nahdatul Ulama* (NU). JPPR observed most of the 2005-2008 *pilkada* elections by fielding volunteers deployed by its members and coordinated by its national secretariat, as well as the national elections. JPPR is perceived as nonpartisan and is used as a resource by the media on the quality of elections. But its evaluation found that its secretariat needed professionalisation and that the potential use of its extensive networks remained to be tapped.

7. Many CSOs and networks were involved in **voter education**. A list of the 40 CSOs funded by UNDP for the 2004 elections can be found at the end of this Annex. Many of these and others are still active in civic education activities, funded by the UNDP civic education program and other donor programs. YAPPIKA, which undertook the Civicus study, is one of the few organizations that provides capacity building to CSOs. It has managed umbrella grant funding and advocacy programs since 1991, including grants from CIDA, UNDP and USAID, working with more than 300 partners throughout Indonesia. It has managed national advocacy networks, including those for participatory policies, public services (MP3) and the Aceh Networks for Democracy (JDA). It manages young volunteers both on the ground and on line, including for election observers.

8. Few CSOs are involved in **election framework watch and advocacy** and even fewer have specific electoral expertise. USAID's Democratic Reform Support Project (DRSP) has been the primary funder for these activities in the post-2004 period. Among the CSOs active at the national level is *CETRO* (Center for Electoral Reform) that has in-depth electoral expertise and work with its own network of regional CSOs-- currently on voter registration issues. Others include: *PSHK* (Indonesian Center for Law and Policy Studies), a progressive legal reform institute that lobbies for improved electoral legislation among other activities; *Indonesian Corruption Watch* (ICW) and *Transparency International Indonesia* (TII) that focus on campaign and party finance reform; *Fitra*

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<sup>92</sup> ACCESS's report on civic mapping, 2006.

(focusing on transparent budgeting processes) and *Perludem* (made up of former *Panwaslu* members working on electoral reform).

9. Several networks and working groups have emerged on specific topics, such as *ICW*, *TII* and *Fitra* to create an “Integrity Pact (using the TI model) with the KPU to promote transparency in procurement. Another was on electoral boundary delimitation led by the think tank *CSIS*. A network against “rotten politicians” created for the 2004 elections has been re-activated and includes *JPPR*, *ICW*, *PSHK* and the *Indonesian Parliamentary Center*. This network will collect and publish the track record of MPs running in the 2009 elections and will urge voters to check their records and vote out the “rotten politicians” (who will not be identified).

10. **Think tanks and analytical CSOs** involved in election work include *LP3ES* that has a long track record of statistical work in the field including implemented donor-funded quick counts, surveys and voter registration audits and *CSIS* that is leading a working group for political party reform supported by USAID through the International Republican Institute.

11. As noted in the Civicus study, **women’s organizations** are active and can be influential. Among these are:

*KOWANI*, a federation of 76 nationally based organizations and a member of the Asean Confederation Women’s Organization, the International Council of Women and which is accredited Special Status to UN ECOSOC;

the *Indonesian Women’s Coalition for Justice and Democracy* (KIP), a diverse group of women’s CSOs that lobbies for improved female rights and representation;

the *Indonesian Women Parliamentarian Caucus* (KPPI), a multi-party association of female political leaders with 27 provincial offices KPPI has been active in training women candidates and are dedicated to increasing the participation of women in parties.

*Pusat Pemberdayaan Perempuan Dalam Politik* (PD Politik/ Indonesian Center For Women In Politics (ICWIP), active in training on ‘Women in Politics’ in North Sumatra, East Nusa Tenggara, East Java, South Sulawesi, Maluku, West Java, and Jakarta at the grass root level;

*Muslimat NU*, the women wing of *Nahdatul Ulama* (NU), a progressive Islamic based women organization that works at the grass root level and is a JPPR member.

*Aisyah Muhammadiyah*, a women’s wing within *Muhammadiyah* with thousands members, that does community empowerment and promotes gender equality (another JPPR member);

*Parliament Watch Yogyakarta* (PARWI Yogya) that has trained local governments in budget drafting with a gender perspective;

*LBH APIK*, a legal watch group working on legal services, capacity building, community empowerment and policy reform, in collaboration with the Law Faculty of the University of Indonesia and the Police Academy;

*Koalisi Perempuan Indonesia untuk Keadilan dan Demokrasi* (KPI) was established in 1998 and focuses on women rights in various sectors, including politics and human rights. Its network covers more than 25 provinces across Indonesia.

*Yayasan Jurnal Perempuan* (YJP), established in 1996, which played a key role in providing material for women’s studies to promote gender equality and has a weekly *Radio Jurnal Perempuan* (RJP) program on 180 radio stations throughout Indonesia on women issues in various aspects, including in politics.

12. **Partnership for Governance Reform** is active in electoral process. This UNDP project operated a Trust Fund managed by a Governing Board- - a partnership made up of the Indonesian

Government, donors and private sector. Since 2003 management moved to its founding civil society members and became independent in 2009. Partnership has developed a *Support Program to Electoral Advancement and Reform* (SPEAR) an ambitious and comprehensive US\$30 million program of support to the electoral process. It has an MOU for cooperation signed with the KPU and some funding for activities provided by the Danish and by AusAID's interim funding. However, as most of its program parallels the UNDP Elections MDP, most of these activities can be expected to be carried out through the UNDP Elections MDP.

### **Support for Civil Society**

13. Sustainability of CSO engagement in the electoral processes needs healthy and strong organisations. An element of this is that stakeholders trust each other. Trust between the CSOs and the electoral machinery and the broader electoral system needs to be developed and fostered through partnership and continuous dialogues. Developing trust needs CSOs to show that good governance has been implemented and institutionalized within their organisations. Ability to show good governance helps CSOs and communities to push the EMBs and policy makers to apply similar principles.

14. With the increasingly important role of CSOs in electoral processes, program assistance will include assisting local CSOs to be increasingly responsive to community demands and issues; to be sensitive to and skilled in gender and inclusive electoral-related activities; to develop a commitment and ability to institutionalize learning and respond to the changing environment within their own organizations; to demonstrate transparent, accountable, equitable and participative management and governance practices; and to be able to develop and mobilize alternative sources of funding (including social enterprise) for their continued participation in the democratization process within Indonesia.