

Sida Support to the Raoul Wallenberg Institute Indonesia Programme 2004–2006

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**Department for Democracy
and Social Development**

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Sida Evaluation 06/33

**Department for Democracy
and Social Development**

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Abbreviations Used

CIDA	Canadian International Development Agency
DGC	Directorate General for Correction
DGHR	Directorate General of Human Rights Protection
HIVOS	Humanistisch Instituut voor Ontwikkelings Samenwerking
ICCPR	International Covenant on Civil and Political Rights
ICESC	International Covenant on Social, Economic and Cultural Rights
ICRC	International Committee of the Red Cross
MOLAHHR	Ministry of Law and Human Rights
NGO	Non Governmental Organisation
NHRAP	National Human Rights Action Plan
NORAD	Norwegian Agency for Development Cooperation
RWI	Raoul Wallenberg Institute of Human Rights and Humanitarian Law
Sida	Swedish International Development Cooperation Agency
ToR	Terms of Reference
TOT	Training of Trainers

Executive Summary

In September 2003, Sida decided to support RWI's Asia Programme with SEK 48.7 million for the period September 2003 to December 2006. Of this amount, SEK 19.8 million was earmarked for an Indonesia Programme. This evaluation of the Indonesia Programme was commissioned by Sida and carried out, in April/May 2006, by SPM Consultants. The objective of the evaluation was to provide information on performance and lessons learnt and serve as a basis for future decisions.

RWI's Indonesia Programme is implemented in cooperation with the Ministry of Law and Human Rights, the National Commission on Violence against Women (Komnas Perempuan) and two university-based research centres on human rights (PusHAMs). A true NGO partner is missing. The Programme is basically an education-oriented programme aiming at strengthening the capacities of various duty bearers while the empowerment of claim holders has not been given the same priority.

The RWI has implemented the Indonesia Programme in a professional and competent manner and counterpart organisations were found to have a very positive view of the cooperation. The Programme is considered as timely and relevant, both in view of Indonesian and Sida perspectives. It consists of many components and has enabled a high level of activity and an impressive level of implementation. In 2005, the RWI opened an office in Jakarta. While this has led to more effective communication with partners and efficiency in the implementation of programme activities, the office could have played a more of strategic and technical role. The Programme has benefited from the technical expertise of many national and international experts and generally the quality of the technical assistance provided has been very high.

Reporting relating to the Programme has been in the form of activity reports and annual reports from RWI and some of its partners. These reports provide a good description of activities implemented but include little analysis of the qualitative effects or of goals achievement. One reason is probably the absence of indicators, benchmarks or strategies to measure impact and that very limited base line studies were carried out at the Programme formulation stage. Therefore, the lessons learnt usually refer more to organizational matters rather than to the effectiveness and impact of various modalities.

Some delays have been encountered and were often due to limited capacities of the partner organisations. Appraisals of and identification of the capacity building needs of the partner could have been more thorough at the programme formulation stage.

The RWI Indonesian Programme is centred around the National Human Rights Action Plan, the RAN HAM, and many activities have been oriented towards spreading knowledge and awareness about the action plan. It can be questioned if this was the optimum way to promote human rights in Indonesia and especially since international and Indonesian experiences indicate that the usefulness of such action plans have been limited. Another way could have been to identify major human rights problems and issues and ways and suitable partners to address these issues. Instead, several activities have been related to supporting and establishing the action plan's infrastructure, such as national and provincial RAN HAM committees. The turnover of members has been high and the financial resources to actually do something have been limited. The impact and results of this support is still to be demonstrated.

In relation to the various RAN HAM-oriented training courses for national and provincial government officials, it seems, however, very likely that awareness and knowledge about the action plan and about human rights issues have been increased. However, it is difficult to assess to what extent this has led to behavioural or institutional changes or the promotion of human rights standards.

It seems likely that the Correctional Services component will lead to enhancing the understanding of and commitment to the principles and practices of human rights in prisons by the staff and that a sustainable capacity to provide human rights training will be developed. It is, at the same time, unfortunate that no specific targets or benchmarks were established to facilitate monitoring and evaluation.

The collaboration with the two PusHAMs has been smooth and enabled the PusHAMs to carry out relevant training. There could, however, have been more synergies with other components, for instance research activities in PusHAMs could have been initiated to reinforce other activities.

A considerable part of the Programme budget has been used for international experts. From a cost-effectiveness angle, the evaluation team contests the rather indiscriminate use of international experts and especially for executing basic human rights training, for which adequate national expertise seems available and sometimes more appropriate. Furthermore, the value of international experts has sometimes been compromised by inadequate translation. Finally more focus could have been put on developing sustainable Indonesian capacities, for instance through training of trainers.

Former participants also expressed a wish for more concrete training programmes, focusing on the Indonesian environment and providing examples and guidance on how participants can apply human rights principles in their work. There is, likewise, a need for increased donor collaboration and exchange of information in order to avoid duplication and enable exchange of information about best practices.

Gender has been mainstreamed in the Programme and there are also specific and valuable gender components. The cooperation with the Komnas Perempuan has focused on providing basic human rights education with a gender perspective and a special course on gender-based crimes against humanity.

The anti pornography bill was being presented right at the time of the evaluation and it was uncertain if the various partner organisations could mobilise the necessary strength and competence to stand up to this challenge. In the view of many observers this is a situation when fundamental rights are being threatened and there is a large uncertainty as to whether or not ratified conventions would be honoured. In such a situation it is important that human rights scholars and activists have opportunities to speak up and to carry out research, to substantiate various positions. To what extent the RAN HAM will be an instrument to promote human rights issues and the RAN HAM committees will be able to defend basic values such as religious freedom and a secular state remains to be seen.

Conclusions

- The Raoul Wallenberg Institute is implementing a relevant and timely Programme, with many interesting components in Indonesia. Through its presence in Indonesia, RWI has developed substantial knowledge of the human rights context and is in a good position to contribute to the promotion of human rights in the country. It is a highly respected institution and has developed good relations with its partners.
- The RWI Indonesia Programme has contributed to increased knowledge and awareness of human rights issues and instruments amongst those who have participated in its training courses. It has been instrumental in establishing an infrastructure for the implementation of the RAN HAM.
- There doesn't seem to be any explicit strategy or defined principles for how RWI will promote human rights in Indonesia and there could have been more of a programme approach and more attention to the development of synergies between different components. At the same time, there are many positive examples of how the Indonesia Programme has provided networking opportunities and perhaps contributed to increased understanding and interaction between Government agencies and the civil society.

- Generally the various components were designed by the partner organisations and there is high level of national ownership and perceived relevance.
- Project objectives and results have to a large extent been attained and it can be expected that the results achieved will, in the long term, contribute to the achievement of higher-level objectives.
- Results and impact (short and long term) in relation to the support to the Ran HAM infrastructure and in respect to the activities carried out by the Komnas Perempuan remain uncertain.
- There is no optimum use of the Jakarta office, whose staff seem tied down by administrative duties. The use of international experts has not been optimal due to inadequate interpretation.
- Human rights issues/problems have a tendency to evolve and are not always possible to foresee and there is a need for flexibility to be able to respond to urgent demands.

Recommendations

Recommendations to Sida and RWI

- The RWI Indonesian Programme should be extended into a new phase.
- There should be more coordination with other donors and with donor-financed projects and programmes in order to coordinate support to institutions with many donors, such as the MOLAHR.
- As part of the programme preparation for a next phase, a comprehensive situation analysis should be carried out, encompassing the identification of problem and priority areas and consultations with various stakeholder groups.
- The Programme needs to be endowed with a certain level of flexibility to be able to respond to unforeseen situations and demands from partners.
- RWI should be entrusted with the task to develop indicators and benchmarks for human rights interventions in order to enable the validation of results and impact and to assess the development of the human rights situation in a specific country. The use of these indicators and benchmarks could be piloted during a future Indonesian programme.

Recommendations to RWI

- There should be more of a programme approach (as opposed to individual projects) and better use of the Indonesian office staff in terms of their knowledge and tasks they are able to perform.
- There should be a more balanced programme portfolio, not only supporting official and academic institutions, but also civil society organisations and particularly vulnerable groups.
- International experts should be used more selectively to fill gaps in technical competence and to provide information about international experiences and best practices.
- There should be more of a needs-based approach. The Indonesian context should be highlighted in training programmes and Indonesian case studies developed.
- There is a need to go beyond the strengthening of human rights related institutions to empower duty bearers and right holders to directly address critical human rights-related problems.
- There should be more result-orientation (as opposed to activities). The overriding objective need to be kept in mind – to improve the human rights situation and a future programme should focus on needs and rights.

- The translation/interpretation issue has to be addressed and the training of human rights translators and interpreters should be looked into.
- An Advisory Team should be established, in Jakarta, to provide strategic guidance to the Programme
- The Programme should be endowed with a certain level of flexibility allowing it to address critical human rights issues as and when they arise.
- A cost-sharing policy should be developed and sustainability strategies for all components.

1. Introduction and Background

The Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI) is an independent academic institution dedicated to the promotion of human rights through research, training and education activities around the world. Since its establishment in 1984, at the Faculty of Law at Lund University, Sweden, it has organised both undergraduate and postgraduate programmes in the field of human rights, facilitated and conducted human rights related research projects, established an extensive human rights library and been involved in the publication of several books and journals.

Since the early 1990s, with funding primarily from the Swedish International Development Cooperation Agency (Sida), RWI has carried out human rights capacity building programmes targeting government agencies, academic institutions and non-governmental organizations in developing countries and in countries in transition. While training for key individuals is usually the main component of these programmes, RWI also offers advice on organizational and management issues and provides support in the establishment and development of human rights documentation centres.

Sida has, since 1998, provided support to the Indonesia Programme of RWI. The Programme has been cooperating with various Indonesian partners; government ministries, national commissions, academic research centres and NGOs. Indonesian students have also attended master programmes in Lund, as well as RWI's annual international human rights training programmes.

The Indonesia Programme forms part of RWI's Asia Programme. The current Agreement with Sida covers the period from September 2003 to the end of 2006 and entails a total budget of SEK 48.7 million. The budget for the Indonesian Programme amounts to SEK 19.8 million.

Within Sida, the Department for Democracy and Social Development (DESO), in Stockholm, manages the Programme in close collaboration with the Asia Department and the Swedish Embassy in Jakarta. RWI, which has its headquarters in Lund, opened an office in Jakarta in 2005 and the management of the Programme has since then been entrusted to this office, with back-up support from Lund.

The aims of the Swedish cooperation with Indonesia are to:

- 1) support the development of democratic governance and respect for human rights; and
- 2) contribute to environmental protection and sustainable use of natural resources.

The RWI Indonesia Programme falls into the first category and comprises three main components;

- Support for the implementation of the National Human Rights Plan of Action through the Ministry of Law and Human Rights
- Support to the National Commission on Violence against Women
- Cooperation with two universities and their research centres on human rights.

In order to assess the performance of the Indonesia Programme, the lessons learnt and the directions for future support, Sida commissioned an evaluation that was undertaken by SPM Consultants in April–May 2006. Members of the evaluation team were Ms. Margareta de Goÿs (Team leader), Mr. Asmara Nababan and Mr. Henrik Alffram.

The objective of the evaluation was to examine the results of the RWI activities carried out from June 2003. According to the Terms of Reference (ToR), the evaluation should determine whether; established objectives had been accomplished, the support was relevant and had a strategic impact and the results were sustainable. Furthermore, the evaluation should analyse whether the Programme had been

methodologically well managed and efficient regarding achievements and the use of resources. It was expected that the evaluation would contribute to strategic choices, both for Sida and RWI, in the design of a future programme in Indonesia. The full ToR of the evaluation is provided as Annex A.

In respect to the objective of the evaluation, we would like to acknowledge the inherent difficulty of evaluating support for democracy and human rights. There are few established and recognised indicators for measuring concrete results and most human rights programmes and interventions are small-scale relative to the complexity of the problems to be addressed. Also, a programme does not work in isolation but rather complements other efforts and its own specific impact can be difficult to assess or measure.

Nevertheless, it is often possible to make a judgement on whether or not a programme contributes or can be expected to contribute to higher-level objectives and to verify concrete results at immediate objective and results/output levels. Furthermore, the attainment of lower level objectives should ensure the attainment of higher level ones, if the project has been conceived in a logical and realistic manner.

It should also be kept in mind that human rights programmes are often related to processes and attitude changes, changes that take time and where there are sometimes difficult to verify immediate results. There might sometimes be a need to complement an end of a project evaluation with a final impact evaluation, after a few years.

In carrying out its tasks, the evaluation team consulted with a large number of stakeholders including representatives of Sida and RWI (in Sweden as well as in Indonesia), representatives of partner organisations, participants of various training programmes, national and international experts used by RWI, civil society representatives engaged in democratic governance issues in Indonesia and representatives of other donor agencies. A complete list of people consulted is given in Annex B.

The interviews were semi-structured, undertaken with the use of interview guidelines prepared in advance. They proceeded through open-ended questions posed to relevant individuals or through group discussions with former participants of training sessions.

The evaluation team members consulted various written documents, such as project and programme documents, Sida Decision Memoranda, Sida strategies, progress reports, reports on the human rights situation in Indonesia, documentation used in training sessions and documents produced or translated by the project.

The evaluation team would like to take this opportunity to extend its thanks to all those who took their time to discuss the Programme with it.

2. RWI's Indonesia Programme

2.1 An Overview of the Main Components and Partners of the Programme

RWI's mandate is to promote education and research on human rights and humanitarian law. The Indonesia Programme places a large emphasis on educational activities. With a budget of SEK 19.8 million, it is, by far, the largest individual component of RWI's Asia Programme. The Programme has various sub-components and four major partners, the Indonesian Ministry of Law and Human rights, the National Commission on Violence against Women (Komnas Perempuan) and two university-based human rights research centres (PusHAMS). Training courses and educational programmes have been the most prominent activity.

According to Sida's Decision to support RWI's Asia Programme, SEK 2.2 out of SEK 48.7 million could be used for ad-hoc interventions. This budget allocation might be used, up to a maximum of SEK 200 000, without prior approval by Sida. For larger amounts, Sida's written approval is required. This kind of flexibility seems particularly appropriate for this kind of programme and its environment where unforeseen and considerable changes to the human rights and political situation can be expected.

Both in terms of funding (approximately SEK 12.2 million) and in terms of the number of components and activities, the cooperation with *the Ministry of Law and Human Rights* is the most extensive and encompasses 7 different components. The support mainly focuses on the implementation of the National Human Rights Plan of Action (RAN HAM). Planned activities include training of government officials and especially members of the National RAN HAM Committee and Provincial RAN HAM committees, the development of a national curriculum for master courses in human rights, library support and the translation and publication of human rights literature.

Together with the *Centre for Human rights Studies at the University of Surabaya*, training courses for government officials and law enforcement officials (including judges and prosecutors) were foreseen. In cooperation with a similar *Human Rights Centre at the University of Padjadjaran* in Bandung, one training course for postgraduate students was to be organized. Around SEK 1.7 million was originally budgeted for the cooperation with these two PusHAMs.

The *Indonesian National Commission on Violence against Women* is an independent state institution established by a Presidential Decree and financed by funds from the Indonesian Government and from donors. It was established as the result of pressure from civil society groups following reports of the widespread rape of women during the riots of 1998. Komnas Perempuan facilitates the building of systems for the rehabilitation of survivors of violence (for instance, crisis centres), legal and policy reforms to combat gender-based crime and the enhancement of public understanding of women's human rights and networking in advocacy efforts to eliminate all forms of violence against women.

Close to SEK 5.4 million was allocated for the cooperation with Komnas Perempuan. The cooperation with Komnas Perempuan has focused on developing basic human rights education with a gender perspective and a special course on gender-based crimes against humanity.

2.2 The Human Rights Training and Capacity Building Project implemented in cooperation with the Ministry of Law and Human Rights

The Directorate General for Human Rights (DGHR), or Ditjen HAM, within the Ministry of Law and Human Rights, has a mandate to identify and implement policies and technical standardization on human rights protection and serves as the secretariat for the committee responsible for implementing the National Human Rights Plan of Action. Ditjen HAM is also in charge of the implementing the Ministry's cooperation agreement with the RWI, which can be divided into the seven components presented below;

A. Implementation of the RAN HAM

Indonesia's second RAN HAM was adopted by Presidential Decree in 2004 and covers the period 2004–2009. To facilitate the plan's implementation, the same Decree also establishes a National RAN HAM Committee made up of 43 members from various government institutions. It furthermore stipulates that provincial RAN HAM committees shall be established to facilitate its implementation. As of today, such committees have been set up in 31 of Indonesia's 33 provinces.

RWI's support for the implementation of the RAN HAM is divided into two different parts. The first part has as its project objective to "*provide the National Committee for the Implementation of the RAN HAM with increased competence in international human rights standards as well as knowledge on how to develop strategies to*

effectively implement the national human rights plan of action". In order to reach this objective, the original idea was to provide one week training in Indonesia and two weeks in Sweden for 19 members of the National Committee, representatives of four selected provinces and to two translators. The one-week training course was held in Indonesia during 2004, with 29 participants from various ministries and government authorities. The course that was to be carried out in Sweden was cancelled as Sida decided not to fund this particular component.

The second part of RWI's support has the objective to *"contribute to increased effectiveness in the implementation of the RAN HAM in some selected provinces."* The Programme Document does not stipulate any specific activities, but states that a working group involving representatives from the DGHR and provincial steering committees will be set up to determine activities. During 2004, a one-week training course targeting the heads of the provincial offices of the Ministry of Law and Human Rights (Kanwils), who are tasked with establishing provincial RAN HAM committees, was held. Two two-day follow-up meetings for the same group were also organized. Following the tsunami in December 2004, it was decided that the project should focus on the provinces neighbouring Aceh. Since then, three training courses targeting members of these provincial RAN HAM committees have been conducted. A follow up training course is scheduled for the second half of 2006.

B. Strengthening of PusHAMs

It is estimated that more than 30 universities have established research centres on human rights (PusHAMs) and that around ten of these PusHAMs are carrying out regular activities, including training courses, research projects and publication of human rights materials.

With the objective to *"strengthen the ability and competence of the PusHAMs in various parts of Indonesia in their role to carry out research and training in human rights"*, RWI and DGHR proposed a three week-long training course for 25 staff members from these institutions. Further, ten of the 25 participants would be invited to attend a combined research and study visit to Sweden. In 2004, a two-week training course was organized for participants from different PusHAMs, as well as a one-week follow up training for the same participants. In early 2005, eleven of the trainees attended the course in Sweden.

C. Strengthening of Kanwils

At the provincial level, the duties of the DGHR are undertaken by the provincial offices (Kanwils) of the Ministry of Law and Human Rights. These Kanwils also serve as focal points for the implementation of the RAN HAM.

With the stated project objective to *"contribute to increased competence and effectiveness at Kanwils for a better and more effective implementation of human rights at the provincial level"*, RWI proposed in its Project Document to organize three week-long training courses for Kanwil staff. Each course would have 25 participants and a total of 75 Kanwil staff members would thus be trained on international human rights law and on how the Kanwils can play an important role in the protection and promotion of human rights. The plan was also to organize a follow-up seminar to each training course. Each of these seminars was to last for three days. This component was, however, changed at the request of the DGHR to encompass two training courses for 30 participants respectively. Two training courses, for senior Kanwil officials, have subsequently been organized and a three-day joint follow up course is scheduled for the second half of 2006.

D. Human rights training for correctional services

Of RWI's cooperation projects with DGHR, the largest in financial terms is the Human Rights training for the Correctional Services, which has been divided into three phases: preparation and formulation (2004), training (2005) and capacity strengthening (2006). In addition to RWI and Ditjen Ham, the Directorate General of Correction is assuming responsibility for the project's implementation.

In 2004 (during the first phase), a project for 2005 and 2006 was developed with the broad objective of *“strengthening the capacities of the correctional service in terms of implementing human rights standards for prisoners”*. Using a so-called “modelling” approach¹, this objective is – according to a project document approved by Sida in February 2005 – to be achieved through training key senior officials and future trainers. Included in the project are also an international study tour and literature support. Furthermore, the project includes the development of a human rights training manual and the compilation, translation and distribution of a compendium of international and regional instruments relating to corrections.

As of April 2006, a manual which articulates guiding principles and clearly defined roles and expectations for the modelling centres has been prepared, an existing human rights training manual and course materials have been translated into Bahasa Indonesian, a one-week training course as well as a two-week training programme have been organised for senior correction officials and a one-week training of trainers has been held. During the remaining part of 2006 a second training of trainers and a two week-long study tour to Sweden are scheduled. The project has focused on five separate detention facilities.

E. Human rights library development

The objective of the Human rights library development project, as stated in RWI’s original Programme Document, is *“to contribute to increased human rights knowledge through the provision of library support to five PusHAMs and the Ditjen HAM Office.”* At the request of the DGHR, stressing the importance of the provinces in the implementation of the RAN HAM, it was later on decided that the focus of the project would shift and that human rights libraries would instead be established at five different Kanwils as well as with the DGHR. Each of these libraries will receive over 100 books in English, covering such subjects as public international law, the United Nations and international organisations, international human rights law, humanitarian law, women’s rights and children’s rights. Further, each library will be offered the choice of a number of other books that they deem relevant and receive a copy of the ten books translated into Bahasa Indonesian under the translation project. There have been some delays in the project and the books had yet to arrive at the time of the evaluation team’s visit to Indonesia. It is has, however, been reported that the books are on their way and that they will be distributed to the libraries later in the year.

F. Human rights curriculum development at master level

As DGHR aims to strengthen academic education in the field of human rights, RWI proposed in its Programme Document to *“contribute to the establishment of a national curriculum on master education in human rights”*. While discussions were still at an early stage when the Programme Document was prepared, RWI expected at the time that it could make an important contribution by providing academic expertise. Partly due to difficulties in the coordination between DGHR and the Ministry of National Education, little progress has been made as of today.

G. Translation of human rights literature

To improve the access to academic texts, RWI proposed in its Programme Document to *“increase human rights competence through the translation of books into Bahasa Indonesian”* and to distribute these books to universities and various state institutions. Since the start of the project, ten books written by well-established scholars and covering a wide range of subjects, have been selected for translation. The project has, however, suffered from some delays due to copyright issues. While three books have been translated as of today, no books have yet been printed and distributed to the intended beneficiaries. RWI expects, however, that all ten books will be translated, printed and distributed before the end of the year.

¹ The idea behind the “modelling” approach is that skills and resources provided to selected institutions can subsequently be transferred to other facilities.

2.3 Cooperation with the PusHAMs of University of Surabaya and the University of Padjadjaran

RWI has under its Indonesia Programme entered into cooperation with two PusHAMs, the Centre for Human Rights Studies at the University of Surabaya and the Indonesian Community for Human Rights at the University of Padjadjaran in Bandung.

The Centre for Human Rights Studies at the University of Surabaya

In 2003, RWI received from the PusHAM at the University of Surabaya a proposal regarding human rights training for law enforcement and government officials, in all 180 persons from various districts in the East Java province. In its Programme Document, RWI concluded that a number of issues should be clarified before embarking on the actual training. A final project proposal was approved in 2004. As of today, two training courses and two follow-up meetings have been organized for a total of approximately 50 law enforcement officers. Two training courses and one follow-up meeting have also been held for roughly the same number of government officers. The only remaining activity is a follow-up seminar for government officers, that has been scheduled for June 2006. In addition to what was originally agreed upon, remaining funds for 2004 were used to publish a book entitled *Suara HAM* (voice of human rights).

Indonesian Community for Human Rights at the University of Padjadjaran

In order to “contribute to increased knowledge of human rights standards at the graduate and undergraduate level of human rights studies at the University of Padjadjaran” RWI proposed in the Project Document to place a teacher at the University for two weeks. He or she would undertake two hours of teaching per day. During that period, the teacher would also assist the students with their work and research.

In March 2004 a two-week Advanced Short Course in Human Rights was conducted, with a Professor provided by RWI being responsible for most of the teaching. Approximately 30 postgraduate students and ten lecturers at the university’s law faculty attended the training. A well-attended public lecture was also held in connection with the course.

2.4 The Cooperation with Komnas Perempuan

According to the Agreement between the RWI and Komnas Perempuan the objectives of the cooperation were; *1) the mainstreaming of gender in human rights education centres and 2) building understanding of gender based crimes against humanity.*

The aim of the first sub-component was to build sustainable capacities with four education centres to implement a training programme entitled *Basic Human Rights Training with a Gender Perspective*. Four institutions were selected, the Indonesian National Commission on Human Rights, the Human Rights Center at the University of Syiah Kuala in Banda Aceh, the Human Rights Center at the University in Surabaya and the Women’s Study Center and the PusHAM of the Hasanudding

University in Makassar. A national Training of Trainers (TOT) programme was to be developed and implemented. Furthermore capacities of a core group were to be strengthened and training modules developed.

The second sub-component was the development of a *Special Course on Gender-Based Crimes against Humanity*. Training was to be provided to strategic individuals working within the judicial system or human rights-oriented NGOs.

3. The Programme Environment

3.1 The Indonesian Human Rights Context

The political transition from an authoritarian regime towards democracy, starting with the political reform in 1998, has opened up a wider space and created a more conducive environment to promote and protect human rights in Indonesia. Demands for the protection of and respect for human rights have become stronger and past human rights violations have been partially addressed. The Government has committed itself to safeguarding civil and political rights, as well as economic, social and cultural rights, for all and without discrimination.

The adoption of various human rights instruments has been a rapid and part of a wider process that peaked with the second amendment of the Constitution, acknowledging the principles of human rights, in the year 2000. Previously, in the late 90s, the Law on Human Rights and the Law on Human Rights Courts had been passed and instruments such as the International Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention on the Elimination of All Forms of Racial Discrimination had been ratified. Finally, in 2005, Indonesia became a state party to the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Social, Economic and Cultural Rights (ICESCR).

In addition, several institutions and mechanisms with a mandate to promote human rights have been established, such as the National Commission on Human Rights (Komnas HAM), the National Commission on Violence Against Women, the Commission of the Ombudsman, The Commission of Child Protection and the Human Rights Tribunal. Finally, the Commission of Truth and Reconciliation is in the last stages of establishment.

Since the 1970s, many human rights-oriented NGOs have appeared on the scene, at first in Jakarta and the rest of Java but since the 90s also in cities elsewhere. Many of these NGO's are actively involved in advocacy and education. Another development is that in the past five years, many universities, public as well as private, have been adopting a more prominent role in the field of human rights and established centres for human rights studies, the so called PusHAMs.

Some civil and political rights have been considerably enhanced, such as freedom of expression, assembly and association, while relatively little progress has been made with regard to social, economic and cultural rights. Impunity continuous to be a serious concern.

In order to promote the actual realisation of human rights and address weaknesses in political commitment, capacity and knowledge of human rights norms and standards, the Government launched the second Human Rights Action Plan – the RAN HAM – in 2004. This Plan followed from Indonesia's first RAN HAM, 1999–2003, which left much to be asked for in terms of implementation. To facilitate the implementation of the second plan of action in a coordinated manner, a National Committee, as well as provincial and district/city level committees, have been established.

Progress in relation to the implementation of the present RAN HAM is, however, found to be slow and, it is felt, partly due to the lack of clarity in the implementing strategy and, it has to be mentioned, the presence of elements within the Government and among the general population that see human rights as a foreign concept, incompatible with Indonesia.

A decentralisation policy and a resulting regional autonomy have given broad authority to municipality and district levels and the protection and promotion of human rights at the community level has therefore become highly dependent on the commitment of the regional governments and parliaments.

Several regions have initiated policies for the promotion of economic, social and cultural rights but at the same time there are regions that have passed regulations and districts that have adopted Sharia laws that can be regarded as discriminatory and that are in contravention of international human rights norms and in particular the rights of women. At the national level, we have seen the presentation of an anti-pornography bill, which to many is more destined to restrict women than pornography and is a cause for alarm.

Some observers are of the view that the lack of progress is an indication of weak government commitment to the promotion and protection of human rights. Others are less concerned and hold the view that changes take time and that it has to be taken into consideration that for decades human rights have been violated or neglected. They argue that more time and effort are needed before there can be any major change. The fact that Indonesia has recently ratified key international human rights treaties can be seen as evidence of some commitment to promote human rights. In any case, these ratifications contribute to increasing the Government's accountability.

3.2 Active Donors and their Activities

The largest donors to Indonesia are Japan, USA, Germany and Australia and also the European Commission funds a substantial programme in Indonesia. Many donors support human rights oriented programmes, both in terms of developing human rights knowledge and developing institutional capacities to promote human rights. In the governance sector, *UNDP's* Partnership for Legal Reforms, supported by Sweden among others, is prominent. Furthermore, the Indonesian Government has human rights dialogues with *Canada, Japan and Norway* and has indicated its interest in such a dialogue with Sweden.

The DGHR has cooperation with some 20 bilateral donors and several UN agencies but claims that Sweden is their largest funder. To their other donors belong France, Egypt, South Africa, Norway, Canada, Australia, IOM, UNICEF and the World Bank.

The Canadian International Development Agency (CIDA) has human rights related programmes in Aceh and Sulawesi. Canada, Norway and Australia are supporting the Komnas Ham. Australia, through the Legal Development Facility, is providing support to Komnas Ham, DGHR, the NGO ELSAM and to Komnas Perempuan.

Norway is implementing a human rights programme through the Norwegian Centre for Human Rights. Indonesian partners are DGHR, Komnas Ham, PusHAMs, the Attorney General's Office and an Islamic university. Another component is the provision of human rights literature. In addition, the Norwegian Agency for Development Cooperation (NORAD) is providing support to the NGO DEMOS and is planning a support to the Komnas Perempuan.

Since the programmes of the RWT's and the Norwegian Centre for Human Rights are somewhat similar there has been a "silent agreement" to avoid working with the same PusHAMs. There is also co-ordination in relation to the supply of human rights publications. Generally, however, there was found to be little donor-coordination in the human rights area, this applies to the level of embassies as well as to projects and programmes.

To the many non-governmental donors based in Indonesia belong Ford Foundation, the Dutch HIVOS and Novib and the International Committee of the Red Cross (ICRC).

It is obvious that many donors are doing very similar activities and with, more or less, the same partners, as the institutional landscape is small.

4. Relevance of the Programme

4.1 Relevance in Relation to Indonesian Policies, Priorities and Needs

Indonesia is in the middle of a process of institutional and political change and has over the past decade been moving towards a more democratic political system, incorporating elements of good governance and respect for the rule of law. To render support to this process is highly relevant and worthwhile and could contribute importantly to the development of a more fair and just society. As the mechanisms established to promote human rights are often new and in need of strengthened capacities, the general knowledge of human rights is low and the awareness of human rights issues rudimentary, the decision to put the emphasis of the RWI Programme on the strengthening of capacities and on educational activities seems logical. In fact the RWI Programme provides support to areas where there were, and still exist, inadequate Indonesian capacities and where there was a need for outside support. They were also areas where RWI had recognised capacities and competences.

The establishment of and resource allocations to national human rights institutions and as well as the ratification of international human rights instruments indicate that there is government commitment to promote and protect human rights. However, it can hardly be disputed that the weak institutional capacity of many of the established institutions and mechanisms and the general poor knowledge of human rights is likely to hamper these efforts and that programmes such as the RWI's are needed in order to remedy the situation.

Establishing and strengthening the RAN HAM implementing institutions and mechanisms is a major component of the RWI's Indonesia Programme. The weak capacity and resources of the mechanisms in place to implement the action plan are, however, disturbing and it is uncertain whether donor support will be enough to tackle the existing constraints. It should also be remembered that the Government did not succeed in implementing the 1998 to 2003 National Human Rights Action Plan.

After two years of implementation, the national and local committees are not yet functioning in a satisfactory manner and little real progress on the promotion and protection of human rights have been achieved, thus there is some doubt as to the wisdom of investing such a large part of the programme into supporting the RAN HAM mechanism. At the same time it can be argued that the support to the RAN HAM was in response to a request from the Indonesian Government, thus was their choice and priority and the RAN HAM their product.

The support to Correctional Services is also deemed as relevant because it targets a particularly vulnerable group in society and the fact that international minimum standards are not upheld. The sector also merits attention in the fact of an unprecedented growth of the prison population that has caused increasing difficulties in ensuring security and necessary control whilst at the same time meeting human rights requirements. Furthermore, the evaluators appreciated the fact that women and children, who probably compose the most vulnerable parts of a prison population, have been specifically targeted.

The translation (of human rights literature) component is also perceived as relevant by the evaluation team since there are few human rights publications available in Bahasa Indonesian and it is important to have access to international human rights literature in order to develop a deeper understanding of the international human rights instruments and learn from the experiences of other countries. In the view of the evaluation team, it is equally important that there is nationally produced human rights literature and the Programme could maybe have done more to support indigenous research and publication.

Other components of the Programme, mainly implemented through Komnas Perempuan and the two PusHAMs, can be categorised as strengthening the capacity and knowledge of various categories of human rights promoters and seem valid.

The evaluation team would also endorse the Basic Human Rights Course with a Gender Perspective, of the Komnas Perempuan, in view of the many gender inequalities still prevailing in Indonesia.

To promote gender equality continues to be a sensitive area. At the time of the evaluation mission, a new draft law had been placed before Parliament, which could seriously curtail women's rights, if adopted. The evaluation team was told that the law could be passed as early as by the middle of the year. Komnas Perempuan and several NGOs have expressed the view that the draft law is not only a threat to women's rights but also an indirect threat to the very future of Indonesia as a pluralistic, democratic and secular state.

The Special Course on Gender Based Crimes against Humanity, of the Komnas Perempuan, is relevant in light of Indonesia's recent history and the fact that the issue has not been adequately dealt with through any formal mechanisms.

At the same time as programme components are considered as relevant from an Indonesian perspective, it seems possible to enhance their relevance. When the evaluation team made enquiries about the relevance of the content of various training courses with former participants, many expressed the need for a greater focus on the consequences, of the ratification of international conventions and covenants, to their work and to have more directions on how to integrate human rights aspects in their daily work. In fact, many trainees conveyed that the training had not been enough focused on problems directly related to their work environment and that there was a need for more Indonesian case studies and more information on the Indonesian legal context.

Generally, the programme components were identified and developed by the partner organisations and this brings and inherent relevance, from the recipient perspective. The proposals submitted to RWI were usually accepted without any major modifications.

4.2 Relevance in Relation to Sida Strategies and Priorities

Considering that Indonesia is one of the poorest countries in the region and the many dimensions of its poverty and the importance of empowering the poor and vulnerable segments of society, in order for these to know about and claim their rights and the duty bearers to meet their obligations, the Programme must be regarded as highly relevant. Sida, furthermore, regards the promotion of human rights and democracy, as one way of combating poverty and this comes out clearly in the *Rights of the Poor*. In fact, democracy and human rights is one of Sida's priority areas.

The Indonesia Programme is well in line with Sida's human rights' strategies and policies as well as with Sida's Asia strategies and their emphasis on democratic governance and respect for human rights. A review of Sida's programme in Indonesia reveals that democracy and human rights is the largest area of support and cater for about half of the funds allocated. As the main purpose of the RWI Programme was to support the reform process and capacity building of relevant human rights institutions, which would maintain the democratisation process and promote human rights in Indonesia, there is an uncontested relevance of the Programme in relation to Sweden's Country Strategy for Indonesia.

5. Programme Coherence

The Programme seems to have started as a series of scattered, individual projects that had been proposed by the partner organisations and without any coherent programme strategy, as concerns partners or components. The second RAN HAM was in the process of being adopted when the RWI programme was formulated and this is probably a major reason for the prominence it got. No substantial situation or problem analysis seemed to have been made, by RWI, at the programme formulation stage.

Partnerships were instead often a result of past acquaintanceships; a staff member of the partner organisation had trained at one of the RWI international training courses in Lund and this way established a contact and started a dialogue with the RWI.

There are also two exceptions to the statement above regarding the absence of programme coherence, the Literature support and the Translation of books components can rather be seen as reinforcing the other components and to have been developed as programme support components.

Furthermore, once implementation of the Programme started and the RWI got actively involved, it has gradually moved towards becoming a holistic Programme and there has been interaction, networking and collaboration between the partner institutions and various synergy effects created. The Core Team of Komnas Perempuan has, for instance, become an instrument for collaboration between the Komnas Perempuan, the Komnas HAM and the PusHAMs. The mission also found that staff of Komnas Perempuan and the PusHAMs had often been resource persons at training events organised by DGHR and that DGHR had participated in the training events of the others. On the other hand there seem to be missed opportunities in terms of using the PusHAMs to do research or develop case studies, in areas of concern to the Programme.

Another finding is that DGHR's training for the provincial RAN HAM committees and the training of government officers by the PusHAM in Surabaya have similar objectives and reinforces each other but that maybe more could have been done to coordinate the two activities.

6. Programme Performance

In this chapter, the various Programme components will be reviewed in relation to aspects of effectiveness, efficiency and impact.

6.1 Effectiveness

Here we will discuss the attainment of objectives and results and start the discussion with the *MOLAHR components*. According to the Agreement between the MOLAHR and the RWI, the project objectives summed up as;

- a) to contribute to increased effectiveness in the implementation of the RAN HAM
- b) to strengthen the ability and competence of the PusHAMs in their role to carry out research and training in human rights
- c) to contribute to increased competence and effectiveness at Provincial Office, Department of Law and Human Rights (Kanwils) for a better and more effective implementation of human rights at the provincial level
- d) to increase respect for human rights standards in the Indonesian Correctional Services
- e) to contribute to increased human rights knowledge through the provision of human rights library support
- f) to contribute to the establishment of a national curriculum of master-level education in human rights
- g) to increase human rights competence through the translation of books into Bahasa Indonesia

Generally the objectives could have been more result oriented. Often goals are stated in terms of “to raise awareness and give understanding” but you don’t train people or do projects to increase knowledge, that goes without saying, you need this new knowledge to actually do something or promote change, thus the objectives should be formulated in terms of the situation or changes you strive for. As an example, a relevant or well-formulated result is not that the National Committee for the implementation of the RAN HAM will have received human rights training.

As mentioned earlier, activities of the Programme have so far mainly focused on the implementation of the RAN HAM and on allowing the National RAN HAM Committee and provincial RAN HAM committees to play active and constructive roles in the implementation of the RAN HAM. Training courses and follow-up workshops have been organised for members of the national and the provincial RAN HAM Committees. The Programme has also supported some selected provincial RAN HAM committees and trained the members of these committees in order to enhance their capacities and understanding of human rights aspects and issues.

However, a significant minority of those trained in the DGHR-organised courses focusing on members of the provincial RAN HAM committees have not been such members, and have thus not belonged to the intended target group. While all participants were required to develop an action plan for their respective province and seem to have acquired increased awareness and knowledge of human rights and the RAN HAM, it is difficult to say what will be the result in terms of more effective implementation of the RAN HAM. We also find little attention given to these issues in the reporting from RWI or DGHR and that there is a possibility that this RAN HAM will have the same fate as the previous one, thus not really being implemented.

Furthermore, the objective of the provincial RAN HAM committees is to establish a district committee and the action plan at the provincial level should lead to an action plan at the district level. There is, however, a risk that people in the end might feel responsible for an action plan rather than for promoting or enhancing human rights, which is the underlying objective. As one of our respondents put it, “the Programme has focused more on establishing a human rights infrastructure than on improving the human rights situation”.

In any event, it is too soon to assess if RAN HAM objectives have been met. There are few tangible results but a general impression that the attitudes of trained officials have changed to the better.

Two of the objectives cited above are related to strengthened institutional competence (PusHAMs and provincial offices) but it is likewise difficult to assess whether or not this objective was actually achieved because there were no baseline study done at the beginning of the projects and no indicators established.

The component with the objective to strengthen the PusHAMs has resulted in a two-week training programme, implemented by the MOLAHR and RWI and with the participation of staff members from 25 different PusHAMs. It was however not possible for the evaluation mission to assess whether or not capacities have actually been strengthened. Nevertheless, the impression of the evaluation team is that the training courses were appreciated by many of the participants and that the project has largely reached the objective of 25 well-trained staff representatives from 25 different PusHAMs. According to the RWI, the courses have also contributed to networking between the different PusHAMs.

Due to the mentioned delays in the delivery of books under the Library development project, it was not possible for the evaluation team to verify the results. The team did however visit two existing human rights libraries connected to PusHAMs. According to the information obtained, the book collections at these PusHAMs are reasonably frequently consulted and it is possible that the type of fairly specialized human rights literature that is provided through the project would still have been more relevant for an academic institution than for a Kanwil library. It should also be noted that Ditjen HAM’s justification

for the project's change of focus from the PusHAMs to the Kanwils was the latter's central role in the implementation of the RAN HAM.

As there are reasons to have reservations about the RAN HAM itself and the functioning of its implementing committees it is possible that the objective to contribute to increased human rights knowledge would have been better served if the original plan would have been followed. It is also unclear to what extent Kanwil staff will be in need of the kind of highly specialised human rights literature provided and if their knowledge of the English language is such that the books can be meaningfully consulted. Even though RWI's Programme Document stresses the need for access to the libraries, the Ditjen HAM document justifying the changed project focus makes no reference to the public's access to a library.

Under the translation project, only three books have been translated so far. As none of the books have yet been printed and distributed, the evaluation could not assess to what extent the project's objectives will be met.

The Curriculum Development at Master Level component has not been implemented and seems to have been dropped. This component has probably suffered from a weakly formulated project objective; "to contribute to the establishment of a national curriculum on master education in human rights". It is also doubtful that the most suitable partner was chosen. Probably a university centre would have been more accurate than the DGHR.

Regarding the collaboration with the *General Directorate for Correctional Services (DGC)*, the indicators provided are unfortunately not really measurable or quantified and it will be difficult, when the project is finished, to assess whether or not objectives have been achieved. Furthermore, it is too early to assess whether or not "awareness of human rights have been raised", "better prison conditions" exist or "new policies have been established". It is however a positive sign that the directors of the five participating prisons have all decided to establish a small human rights centre at their respective prison.

The development of a manual for human rights training for the correctional services was foreseen in the Agreement but the Programme rather reverted to translating an existing manual. As regards the objective to enhance understanding and provide DGC with capacities to provide human rights training to all staff of the DGC, we do believe that the training cycle of higher officials and trainers will substantially contribute to its achievement.

The *PusHAM in Surabaya* has been providing training to law enforcement and government officials and generally seems to have performed very well. In their reporting, however, it does not really provide information on whether or not the specific objective; "to give human rights perspective in annual programmes of participants institution", has been fulfilled. This is of course very difficult to assess and it could be argued that the objective is not really possible to measure.

In fact, participants' activity reports, presented at follow-up seminars, do rarely mention changes actually effectuated and it is difficult to understand what has actually been done or what the plans are for the future. There are nevertheless reports indicating positive developments, such as healthier meals and a better eating room from a prison official.

The objectives of the cooperation with the *Komnas Perempuan* were the mainstreaming of gender in human rights education centres and building understanding of gender based crimes against humanity. The first objective was addressed by developing a *Basic Human Rights Training with a Gender Perspective*. 23 educators, representing government institutions, the academic world and NGOs and coming from 8 regions in Indonesia, were trained in TOT workshops during 2004. Subsequent to the TOT, the trained educators implemented practice education and advocacy activities. The monitoring of the educators revealed that they have developed the necessary capacities to carry out their intended functions. The educators from NGO-world have proven to be the most active and to have the strongest

capacities. On the other hand, it is difficult and maybe too early, to assess the results or impact of the education activities. The Mid-Term Report provides little guidance “education curricula and basis for institutionalisation in the four partner institutions established” and results and impact are only vaguely described.

Some concrete results have nevertheless been realised, as follows;

- The establishment of a new foundation, SERUNI, providing services to victims in Semarang
- A monthly discussion forum has been initiated in North Sumatra
- An information centre on violence and discrimination against women has been organised in Ternate
- The owner of a private radio station in North Maluku has decided to start a new program on women’s human rights

As concerns the second component, curricula has been developed for training on *gender based crimes against humanity* but training activities have not yet started.

Comments of a more general nature

On the whole, project objectives have to a reasonable extent been attained and expected results and outputs produced. In fact, the level of activity is impressive and activities have more or less been implemented as planned and intended target groups have been reached. In a programme with as many different components as this one, it is of course difficult to avoid that changes occur due to unforeseen circumstances, missing information or un-realistic assumptions at the time of its conception and this has also been the case.

If the main purpose of the Programme, as it has sometimes been indicated from Sida and the Swedish Embassy, is capacity building than maybe the Programme has not fully obtained its objectives, as this has not really been reflected in the activities implemented. It also seemed to the evaluation mission that people who were closely involved in the implementation of the various components sometimes had only vague ideas of what the objective of the programme or of the individual components were. All this has maybe resulted in a focus on activities and a loss of strategic vision. Furthermore, a general absence of baseline studies and indicators makes it difficult to assess the attainment of project objectives.

Nevertheless, subsequent to their participation in the many training programmes organised by the Programme, participants seem to have become more aware of their obligations as duty bearers and of the rights of right holders. Below follows results and statement reported by participants of various training events, when asked in what way the RWI training has led to changes. These statements indicate progress, at various levels;

- village doctors have been trained on human rights
- Community radio has broadcasted programmes about human rights
- Correctional Dept. has introduced better food and put cover on plates
- Midwives have been trained in reproductive rights
- The police has introduced a complaints office for women and children
- We have been able to produce a human rights action plan
- Now I have knowledge that will prevent me from using violence on inmates
- I now consider human rights aspects when writing judgements

- Migrant workers have been briefed on their rights
- I do not use violence in family any longer.
- I use less violence in my job

Participants also report on constraints they are facing, such as;

- There is a lack of a budget to actually do something
- It is hard to influence supervisors. Also the supervisors need training
- Rotation is a problem, trained people don't stay long in their job

6.2 Efficiency

Here we will discuss efficiency in implementation and in the use of resources, the quality of inputs, including technical assistance, aspects of cost effectiveness as well as management issues.

The management of the Programme is a rather cumbersome process due to four or rather five implementation partners; DGHR, DGC, two PusHAMs and the Komnas Perempuan. Furthermore, this is a Programme entrusted with a relatively big budget, composed of many components, supposed to implement a relatively large number of activities and in a relatively short period of time.

The first year, the Programme was managed from Sweden but due to the size of the Programme and the large number of activities it was soon felt that the Programme would benefit from a permanent presence in Indonesia and RWI opened, in 2005, an office in Jakarta and endowed it with one Swedish and one national staff member.

The advantages of having a permanent RWI office in Jakarta are determined to be many; continuous personal contacts and discussions both with national partners and the Swedish Embassy, opportunities to closely follow the development of the human rights and political situation, a possibility to be up to date with ongoing debates and to have more time available for monitoring and supervision on the ground. The office has also facilitated co-ordination with other donors and enabled regular meetings and continuous contacts with other donor-financed projects and programmes. Finally, the possibilities for dialogues with partner organisations have increased and this has opened up opportunities for a more strategic or advisory role of the resident programme manager. So far however, the RWI manager in Indonesia seems to have been mostly involved with administrative tasks and the advisory or more technical role of the RWI coordinator has been limited.

As mentioned above, the cooperation with the DGHR has encompassed a large number of activities to be carried out within a relatively short period of time. As a general rule, the local costs were to be covered by the DGHR. This has not been without problems and the disbursement of funds have not always been planned in an accurate way and this has caused delays in implementation. It is the impression of the evaluation team that DGHR's administrative and financial capacities have been somewhat over-stretched.

There is also some doubts as to whether or not the DGHR was the right institution to take the lead in the development of a university curriculum in human rights. It might have made more sense to support an academic institution in the development of such a curriculum. If deemed appropriate by other universities, the curriculum could then have been copied partially or in full.

Despite the difficulties mentioned above, the majority of the activities, including the envisaged training courses have been carried out and more or less as planned and both parties have made a sincere effort to live up to their obligations and both RWI and DGHR should be commended for this.

Another evaluation finding was that the effectiveness and efficiency of many training courses have been reduced by sub-standard interpretation. According to one key informant, who had attended a number of training events, the majority of the interpreters used had been below standard and a large part of the information was not being correctly transmitted. It seems as if sometimes the selection of interpreters has been a cost issue and that this has led to sub-optimal choices. In particular, the limited human rights knowledge and the lack of familiarity with human rights terminology, of contracted interpreters, have been a problem. This has been rectified in the TOT for Correctional Services, where interpretation has been paid for by the RWI, and an interpreter from “within the system” has been used. The fact remains, however, that there seems to be a lack of qualified interpreters familiar with the human rights terminology.

Another problem has been that international experts have not always been seen as neutral but as bearers of “western” messages and that their message has not really been heard. There are also instances when participants felt that international experts could have been better versed with the Indonesian human rights context as well as with the Indonesian cultural, social and political context. Another issue evoked, by former participants, was that many handouts of international experts were distributed in English and of limited use to the participants.

Some participants have also had reservations about the quality of the contributions of some of the foreign experts. It should in this regard be mentioned that RWI does not, in its course evaluations, ask the trainees to assess each individual lecturer and it is therefore difficult for the evaluators to make any statement as to how many experts, foreign or national, would have been positively rated.

There are also indications that sometimes participants have not had the optimal profile; being of high age and often close to retirement. Another area of concern is that trained members of provincial RAN HAM committees have been “rotated” to other provinces of the country and to other services. Another problem, highlighted above, is that the training has not been effective because there is no budget allocation in the provinces to actually do something in relation to the action plan developed.

As regards quality of inputs, we have already commented on weak human rights knowledge of interpreters used, which has been detrimental to some training programmes. The evaluation mission also reviewed the three books that have been translated through the Programme and found that two of these books needed further editing in order to make the content clearly understandable.

Weaknesses in RWI’s internal management and especially in procedures for planning, monitoring and reporting have been pointed out by previous evaluations. These are areas which still need improvement and the evaluation team is of the opinion that many reports and programme documents lack analytical depth and that there could, generally, be more focus on results based management. Presently, the reports are mainly focusing on implemented activities.

To a large extent the efficiency in implementing various activities depends on capacities of the partner organisations. It is obvious that a partner, such as the DGHR is co-operating with many donors and that, at times, its absorptive capacity has been a bit stretched, which has caused delays in implementation. There seems to have been a case for a sub-component aiming at capacity building at the level of the DGHR, especially in view of the amount of funding channelled through this institution and in view of its important mandate.

Weak institutional capacities and, sometimes, limited outreach is a problem that not only DGHR has had to deal with but also other partner organisations. The *Komnas Perempuan* has, for the Basic Human Rights with a Gender Perspective course, resorted to forging cooperation with four institutions, all having a mandate in human rights education. The formation of core teams consisting of key persons from the partner institutions and of national experts for the Special Course on Gender Based Crimes against Humanity has also brought valid competence to *Komnas Perempuan*. This approach increased

its implementation capacity and enabled efficient communication and close involvement of partners. In fact, to a large extent the Basic Human Rights Course has been implemented by the partner institutions; the Komnas HAM and three PusHAMs.

6.3 Cost Effectiveness

The RWI Indonesia Programme has been endowed with quite significant financial resources and cost does not appear to have been a major issue. Considering the number of activities, the number of participants in various training courses and the budgeted amounts for each component, the Indonesia Programme stands out as expensive. For instance, if both RWI's and DGHR's contributions are taken into account, the cost per participant amounted to SEK 17 000 for the one week training course targeting members of the National RAN HAM Committee. Also to train 180 Government and law enforcement officials, from East Java in Surabaya with a budget of SEK 1,5 million must be considered as costly and in fact only 100 people have actually been trained.

Furthermore, reviewing the funds allocated for the Library development project and the number of books that were to be distributed, the cost per book appears high. It is, however, possible that one reason for what, at a first glance, appears to be a low level of cost effectiveness is simply the result of poor budgets and that the funds actual spent will be considerably lower. For the Translation project SEK 1 million was budgeted but, it appears, without any clear idea on how many books should be translated and what the costs actually were.

It should be noted that Komnas Perempuan has also been entrusted with substantial amounts of funding; SEK 5,4 million and particularly in view of the foreseen outputs; four centres of excellence, 48 people trained in basic human rights using a gender perspective and 20 people gaining a comprehensive understanding of gender-based crimes against humanity in Indonesia, two human rights training modules, two public dialogues and information activities in 16 regions and five working papers on engendering human rights in Indonesia.

It seems likely that measures could be taken to improve cost effectiveness. One such area is the use of international experts. The Programme has made an extensive use of international experts and as a rule 1 to 3 international experts have been participating in the various training events. Keeping in mind the human rights expertise available within many PusHAMs and with Indonesian NGOs, the use of international experts to, as an example, cover introductory human rights topics is questionable.

The use of international experts is, however, often well motivated as they bring needed comparative perspectives, provide international stature to the training and cover areas for which local expertise is not available, such as in relation to the course on gender based crimes against humanity.

At the programme formulation stage, Sida asserted that international experts should be used to contribute to the development of internal competence and capacity building. The evaluation mission has, however, rather the impression that the international experts have mainly been used as lecturers and "just" covered parts of the training courses. The exceptions are the TOTs organised by Komnas Perempuan and Correctional Services, where the development of trainers and educators is a principal objective.

The evaluation mission took, furthermore, note of the fact that it is RWI's policy that Programme Managers do not lecture in courses falling under their programme. This might be a proper and relevant policy for training courses implemented in Sweden but seems to be a waste of resources for the Indonesia Programme, especially as somebody from RWI has to be present throughout the training course. It thus seems reasonable to introduce a policy under which the RWI ensures that the Jakarta manager continue to have the skills required to fulfill general human rights training needs.

6.4 Value Added of the RWI

The evaluation mission made an attempt to assess the value added of the RWI managing the Indonesia Programme versus transferring funds directly to Indonesian partners. In short, the RWI can be said to add value in the following ways;

- Sida's administrative burden is reduced by having an intermediary organisation;
- RWI brings knowledge and experience of human rights and of implementing human rights education projects and programmes;
- RWI has access to a large pool of human rights experts, in Sweden as well as internationally;
- RWI brings in outside (external to Indonesia) views, enlarge the horizon and offer an outsider's perspective on Indonesian human rights issues;
- Training programmes are perceived as "high quality" when experts, with international stature, participate
- RWI contributes to spreading information about Indonesia and its human rights context and to connect human rights practitioners in Indonesia with the rest of the world.

6.5 Impact

In this section we will discuss the impact of the programme in relation to the promotion and protection of human rights in Indonesia.

RWI's cooperation with the DGHR has, as mentioned above, a strong focus on the implementation of the RAN HAM. Apart from the special project on its implementation, the training of Kanwil officials and the library support project also have a direct RAN HAM linkage, as do the training for government officers carried out by the PusHAM in Surabaya. Even though RWI considers that its support has served as a catalyst for the establishment of provincial RAN HAM committees, the impact of the Programme in terms of the promotion and protection of human rights must so far be regarded as limited and probably too early to assess.

What is then the potential impact of the Programme? By targeting decision makers, for instance in the training of RAN HAM members at the national and provincial levels, it is likely that the leverage of the training will be high and that the knowledge acquired will be disseminated at national and provincial levels. Also, the fact that the majority of the trainees have produced action plans on how they will promote human rights or the RAN HAM should contribute to long-term results and impact and seems like a valid strategic choice. On the other hand many of the trained people were not belonging to the group targeted and the rotation of government officials limits the usefulness of the training.

Other reasons for concern is the fact that the national and provincial RAN HAM committees have not yet shown any significant activity or promoted significant changes and the absence of a detailed strategy on how to make the RAN HAM operational. It should also be noted that experiences from other countries of the usefulness of national plans of action on human rights, as tools to promote and protect human rights are, at best, mixed. In a 2003 review of the technical cooperation programme of the United Nations Office of the High Commissioner for Human Rights was stated that:

"The sustainability of an NHRAP [National Human Rights Action Plan] and thus the very question of its viability, is at present not assessed prior to the commencement of an OHCHR initiative. OHCHR (together with the country) should consider, first and foremost, whether the development of an NHRAP is the best way to advance human rights in that country. It may well

be that the substantial funds involved in the process of developing and implementing an NHRAP might be more effectively used to promote and protect human rights by other means, in light of the institutional, political and economic realities of a given country at a given time. Before giving the project the green light and committing NHRAP technical assistance, the political will of the government and its ability (financially and institutionally) to implement the NHRAP must be determined.”²

Even though the RWI was not directly involved in the development of the Indonesian RAN HAM, what is stipulated above also applies to RWI's Indonesia Programme in the sense that the potential and likely impact of the RAN HAM was not assessed prior to the start of the Programme.

The focus on creating a “human rights infrastructure” rather than on more directly promoting human rights to achieve impact is debatable. At the same time it can be argued that there sometimes needs to be an appropriate infrastructure before one can effectively promote human rights. Possibly, with the infrastructure created, e.g. through the RAN HAM Committees, opportunities to successfully promote human rights have increased.

While the evaluation team has concerns regarding the potential impact of the RAN HAM and of its implementing institutions as a way of protecting and promoting human rights, the efforts made to strengthen the PusHAMs seem to have been a successful strategy. Some of these institutions seem to be functioning well, have competent and committed staff and are already actively carrying out human rights training courses for participants from various sectors in society. In addition, these activities are often carried out without funding from international donors.

However, the impact of the DGHR project targeting the PusHAMs has to some extent been undermined by the fact that some of the participating PusHAMs had very weak capacities. Considering the sensitivity of human rights issues it appears as if some universities have even discouraged their PusHAMs from carrying out activities, for which they were supposedly created. Nevertheless, according to DGHR several of the participants have subsequent to the training attended postgraduate programmes in human rights while others have continued to work for their respective PusHAMs. Others have used the skills, knowledge and materials obtained in their regular university programmes.

Due to delays in the delivery of books under the Library development component, there was no possibility for the evaluation team to assess its impact and the same goes for the Translation component, anyhow these components should more be regarded as supporting the other components.

Furthermore, the support of Sida/RWI has enabled the Komnas Perempuan to deliver two training programmes; *Basic Human Rights Training with a Gender Perspective and Special Course on Gender Based Crimes Against Humanity*. It is difficult to assess the impact of this support as regards strengthened institutional capacities of Komnas Perempuan or a more general impact in terms of the promotion of gender-related human rights.

6.6 Synergy of Programme Components

Reflecting on its past experiences of working in Indonesia, RWI made the following introductory remark in its Programme Document:

“Cooperating with a number of different institutions and organisations has been beneficial to the activities – we are for example able to observe increased understanding and interaction between governmental and non-governmental institutions. We have also actively tried to diversify our

² Cees Flinterman and Marcel Zwamborn, From Development of Human Rights to Managing Human Rights Development: Global Review of OHCHR Technical Cooperation Programme, September 2003

involvement to create conditions for fruitful networking opportunities. This current, comprehensive programme proposal can be regarded as a result of our efforts to be involved with a number of different sectors in the Indonesian society, all involved with human rights matters.”³

There are many examples of how the Indonesia Programme has provided networking opportunities and perhaps contributed to increased understanding and interaction between Government agencies and the civil society. PusHAM and NGO staff have, for instance, been involved as lecturers in training courses for Government officials and Komnas Perempuan has organised joint courses for staff from the “three worlds”; the Government, universities and NGOs. It is likely that the synergy effects have been reinforced thanks to the posting of the RWI co-ordinator in Jakarta and that this person has promoted additional opportunities for networking.

However, in the view of the evaluation team, the Programme could have done even more to promote a dialogue between different sectors in society and a number of training courses could have targeted more than one specific institution or profession. With the exception of the training courses carried out through the Komnas Perempuan, NGOs working in the field of human rights have normally not been invited to attend any of the activities carried out under the Programme and no support has been directly directed to the NGO community.

It seems obvious that there are many unexplored areas for synergy effects and linkages between different components. In Riau, for instance participants of the Basic Human Rights Training with a Gender Perspective are considering establishing a linkage between the women’s human rights network and the regional RAN HAM Committee. The review team also see possibilities to establish firmer linkages between PusHAMs and provincial RAN HAM committees and that the PusHAM could be involved in RAN HAM oriented research.

7. Sustainability and Cost Coverage

7.1 Sustainability

According to the Agreement signed between the Ministry of Law and Human Rights and the RWI, the Ministry is to pay for all local costs relating to the training activities. While there have been some minor adjustments to this agreement, the Ministry has throughout the Programme paid for a considerable part of the total local costs. This is reportedly highly unusual as most donor agencies have been willing to pay for a large share of these costs. It has, at times, been difficult for the DGHR to live up to its financial obligation but the arrangement has promoted sustainability and national ownership and most probably aligned training courses in line with DGHR’s priorities.

With the exception of book translation and library acquisition, training has been the major activity of the Programme, which has, to a large extent, relied upon international lecturers supplied by the RWI. The internal lecturing capacity of the partner organisations is weak. For instance the human rights centre in Surabaya, which is often mentioned as a strong partner, have 11 staff members but only one internal lecturer. In light of the above, technology transfer and capacity development of partner organisations, although figuring as an objective of the Programme, has maybe not been given the attention deserved and this has repercussions on the technical sustainability of initiated activities.

³ RWI, Funding proposal for human rights capacity building in developing countries; Part III: The Asia Programme, 2003, p. 30

Considering the high costs of the training programmes, it is unlikely that the Ministry of Law and Human Rights, the Komnas Perempuan and the PusHAMs will be able to continue with this type of high-cost training activities. At the same time, it is probable that the institutions will continue to carry out various forms of training activities and that their technical capacity to do so has been enhanced through the cooperation with the RWI.

One way to develop internal capacities and technically sustainable training programmes is Training of Trainers (TOT). This has been the strategy for two of the components; the training of Correctional Services staff and the Basic Human Rights Training Course with a Gender Perspective of the Komnas Perempuan. It seems likely that the Correctional Services and the Komnas Perempuan will have developed the technical capacities to continue to offer the training courses, it is more uncertain that the Komnas Perempuan will have attained the financial sustainability needed to offer the training on a continuous basis and to provide monitoring and coaching to the trained educators. The trainers, or as they were called educators, selected for the Basic Human Rights Training with a Gender Perspective, were to be committed to continue the training and to promote the HR issues in their respective region. This is a good sustainability strategy, however difficult to prove. Furthermore, the educators, trained in 2004, were provided with seed money to implement activities and were monitored by Core Team Members. The monitoring of the educators has now come to an end and time will tell whether or not the educators will continue to be active.

A positive finding was that the majority of the training courses have had an inherent sustainability strategy, in order to ensure that the acquired knowledge will be used. Core elements of this strategy were the *introduction and follow-up phases* and the requirement, towards the end of the first phase, to develop action plans, indicating how the trainees will promote human rights.

The sustainability of the components that are not focusing on human rights training activities, such as the Library development project and the Translation project, must be considered as good. There is generally a growing interest in the field of human rights in Indonesia and RWI and DGHR have decided to focus on and distribute books to institutions that seem to be capable of ensuring long term, but not necessarily broad, access to them.

Generally, the sustainability of the Indonesia Programme is probably positively affected by the high degree of national ownership of the various components. In all projects, the basis for the cooperation is either a proposal prepared by the cooperation partner or the outcome of consultative process between the RWI and the partner organisation. The activities thus often build on existing organizational structures and internal demands.

7.2 Cost Coverage

As mentioned above, the DGHR has had difficulties in covering its counterpart contribution, this has caused implementation delays and it seems as if it hasn't always been totally clear to the DGHR what their financial obligations were.

Great differences were observed as regards the cost coverage or levels of subsidies of different Programme events. According to the Agreement between the RWI and the DGHR, the Indonesian party would cover almost all local costs, whereas the Agreement between RWI and the Centre for Human Rights Studies at the University of Surabaya stipulates that, for instance, costs for accommodation, meals and transportation of the participants are to be borne by the RWI. It seems as if the differences are not really based on a specific cost sharing policy on behalf of the RWI, nor on any assessment of the financial weaknesses or strengths of the partner institution but rather on the proposal submitted by them. This has meant that when government officials, in Surabaya, have been trained by DGHR, RWI has not covered local costs. However, these costs were covered when the PusHAM delivered the similar training.

Some re-allocation of resources has taken place in the aftermath of the tsunami disaster, when the DGC was not able to cover all the local costs originally foreseen and made a request to RWI and Sida for a higher degree of financing, which was accepted.

The Komnas Perempuan and the PusHAM in Surabaya come out as the most subsidised partners. RWI has furnished international experts and fully funded the local costs of their training programmes. There is an expressed desire, of the Komnas Perempuan, not to be dependent on Government funding but this might instead have led to a dependence on donors.

8. Gender

The Programme should be commended for both mainstreaming gender, in all its training courses, as well as implementing specific training courses with a gender perspective. In addition, specific efforts have been made to foster the participation of women, as resource persons and as participants, in the various training events. Still, on many occasions male participants have dominated and this due to the fact that there have been very few women in the positions targeted, thus outside the control of the Programme. This has been the case, for instance, when it comes to the training of members of the RAN HAM committees at national and provincial levels, the training of government officials and law enforcement officials as well as for the training of correctional services staff. In the human rights courses carried out by the PusHAM, Surabaya, 70 per cent of the participants have been men despite the fact that it was specified, in the letter of invitation, that there should be two nominees; one woman and one man.

On the other hand, in the training organised by the Komnas Perempuan, the majority of the participants have been women. For instance, in 2004, 19 of the 23 participants in the Basic Human Rights (TOT) course were women. As concerns the educational programmes carried out in the eight regions, a large majority (95 per cent) have been women.

The components implemented through the Komnas Perempuan; Basic Human Rights Training with a Gender Perspective and the Special Course on Gender Based Crimes against Humanity were, as the names indicate, specific gender courses. The Basic Human Rights training (as well as other training courses evoking gender issues) have encountered many challenges, often embedded in religious fundamentalist and patriarchal values. It has however proven its legitimacy and facilitators and participants have been able to respond to the challenges. The mission also noted that a women's prison was added to the prisons targeted by the correctional services training, at the request of the RWI.

9. Lessons Learned

Here we will try to highlight best practices and established benchmarks – what are the lessons learned? The following stands out as good programming principles, which should possibly be carried forward to a next phase.

- A participative training course is more bound to bring out changes and is an efficient method for adult learning. It enables discussions and the sharing of experiences and peers are often more efficient than lecturers in transferring values and changing attitudes. It also contributes to the development of a common understanding of human rights issues.

- Bringing participants together to follow-up sessions enable the sharing of information, experience, developed material and identification of best practices and strengthens the learning process.
- The task of formulating concrete action plans is an efficient way to build commitment and to promote that new knowledge really leads to changes and concrete actions. To have participants report back on how their action plans are implemented after a limited period further contributes to a process of commitment and change.
- It is conducive and constructive to have various categories of participants in the same group, as it contributes to broader discussions and opens up for future cooperation between different sectors.
- It is better to use somebody with a technical background in human rights as an interpreter rather than to use a professional interpreter with little human rights knowledge.
- In order to have the people targeted actually attend a training course, the letter of invitation clearly has to specify the necessary profile, the level or position of the trainee, age range and that there should be a willingness to invest in concrete actions to promote human rights.
- It is difficult to carry out gender specific human rights education due to existing resistances to the gender concept and due to traditional practices and religious interpretations. As gender and human rights are often regarded as western concepts, it is important to use resource persons from Indonesia or other countries in the third world and to refer to Indonesian laws and international standards, to which Indonesia has committed itself.
- It was a good approach to mix theory and empirical information (mapping-out of facts on discrimination and violence against women in the 8 concerned regions) as was done in the Basic Human Rights courses, implemented by Komnas Perempuan.
- It is a useful approach to complement the capacities of an implementing institution by forming a core team consisting of leading national authorities, such as the core team formed by Komnas Perempuan for the Special Course on Gender Based Crimes against Humanity and to have this Core Team be involved in all the phases of the course.

10. The Way Forward

The objectives of human rights education programmes can be many, but are usually linked to transfer of knowledge, changes of attitudes and empowerment of people. The RWI Indonesia Programme is clearly focusing on the transfer of knowledge and its Programme Document makes little mention of the “moulding” of attitudes or of empowering people to claim their rights. As Swedish development cooperation is supposed to have a poverty perspective as well as a rights perspective, it is possible that the Programme would have been even more in line with Sida’s strategies and priorities if it more clearly aimed at ensuring that the rights of particularly vulnerable groups were respected and that an empowerment objective, which in this process is so essential, was included

Due to the size and complexity of Indonesia, it is important to focus on strategic areas and catalytic interventions where a small donor, such as Sweden, can have some impact. This requires an in-depth analysis of the Indonesian human rights situation, of the roles and capacities of partner organisations and the identification of problems and constraints for improving the situation. The Programme should strive for results and impact and concentrate on areas where a critical mass, needed for substantial changes, can be reached.

There are many examples of human rights related reforms challenging vested interests. Governments can therefore be reluctant to initiate reforms and instead there has to be significant public demand in order to bring about changes. Considering that Indonesia has a poor tradition when it comes to putting human rights related policies into practice and that there was little evidence of success of the first RAN HAM, Indonesia is no exception. It is thus possible that a stronger commitment to human rights and to the RAN HAM would emerge if there was stronger pressure from civil society. RWI may therefore want to consider a project targeting NGOs, journalists and other civil society representatives with the purpose of empowering these stakeholders to demand actions, related to the promotion and protection of human rights, from the Government. Maybe even the RAN HAM could become an advocacy tool for human rights reform.

Over the past decade, there has, nevertheless, been progress made towards increased respect for human rights and this will have to be consolidated and defended as there are powerful interests trying to reverse this trend. Bills for new legislations can pop up unexpectedly and basic human rights principles are constantly being challenged. The decentralisation process has, for instance, paved the way for Sharia laws, the Anti-pornography bill has been presented and even if it will not be adopted, others of a similar character are likely to come.

There is a debate about human rights values and legal interpretations going on right now. The evaluation mission came across many instances when people, working as professionals within human rights related institutions, expressed their feelings about, for instance the Anti-pornography bill but seemed to have little knowledge as to whether or not it was in line with the Constitution or international instruments. This does not appear as a satisfactory situation, the debate needs to be backed up by facts, jurisdiction and research and not come down to what people feel or think.

In our view, the RWI programme should have a certain flexibility allowing it to support partners that are, on an ad hoc basis, contributing to enlightening debates on urgent and sensitive human rights issues or undertaking related research in order to present facts or bring in a legal perspective. Thus, in order to be able to utilize the resources at its disposal in an optimum manner, RWI ought to have the flexibility to provide both financial and technical assistance on short notice, to partners prepared to respond to new and unforeseen developments and when basic human rights principles are being threatened.

What is then the way forward for RWI's partners? Well, until there is evidence of substantial Government commitment to implementing the RAN HAM and signs that the national and provincial RAN HAM committees have started to operate more effectively, there seems to be a case for scaling down the support to the RAN HAM infrastructure. It may even be motivated to scale down the cooperation with the Ministry of Law and Human Rights considering the number of donors already cooperating with the Ministry and the Ministry's limited capacity to effectively manage and fund projects. There might however be need for capacity building and capacity-building needs should be identified before the next phase as well as the reasons for the RAN HAM not taking off.

The support to correctional services should continue and if possible enter a new phase incorporating the development of master trainers, for long-term sustainability.

Komnas Perempuan expressed an interest to continue the Basic Human Rights with a Gender Perspective course in a next phase and, in addition to reaching out to universities, Government departments and NGOs, also targeting high school teachers. The Komnas Perempuan would also like to strengthen its capacity to function as a national research and resource centre on women's human rights. The evaluation mission endorses this but think that any future support should also encompass the development of a sustainability strategy.

Regarding the PusHAMs, main challenges are to strengthen capacities, for training and for research and especially of the many existing PusHAMs that have not yet developed into active or professional institutions. A project where stronger PusHAMs are supporting weaker ones could be put in place.

The quality of the Programme could be maintained, its cost reduced and its sustainability improved with a more selective use of international experts. Such experts can clearly make valuable contributions but there is little reason to continue to use foreign experts to teach basic introductory human rights courses. Also the role and functions of the RWI Jakarta office needs to be reviewed.

11. Conclusions and Recommendations

11.1 Conclusions

The Raoul Wallenberg Institute is implementing a relevant and timely Programme, with many interesting components in Indonesia. Through its presence in Indonesia RWI has developed substantial knowledge of the human rights context and is in a good position to contribute to the promotion of human rights in the country. It is a highly respected institution and has developed good relations with its partners.

The staff of RWI as well as of its partners were found to be highly competent and driven by strong motivation. International and national experts used by the Programme were, likewise felt to have been of high quality. Staff resources of both RWI and the main partner DGHR have, however, been stretched at times and the staff have been forced to spend more time on administrative rather than substantive issues.

There doesn't seem to be any explicit strategy or defined principles for how RWI will promote human rights in Indonesia and there could have been more of a programme approach and more attention to the development of synergies between different components. At the same time, there are many positive examples of how the Indonesia Programme has provided networking opportunities and perhaps contributed to increased understanding and interaction between Government agencies and the civil society.

It is difficult for an outsider to get a clear picture of the Programme, its result, impact or status of implementation and there is a need for improvement with regard to analysis and reporting for RWI and its partners.

There is, however, considerable anecdotal evidence relating to self-claimed changes in attitudes amongst former participants. There are also many reports of former participants using the knowledge and skills acquired while providing training in human rights to others, as well as examples of how the training courses have stimulated changes in existing university curricula, inspired law enforcement officials and members of the judiciary to take human rights norms into account while carrying out their daily duties and improved practices in prisons.

Generally, objectives have been poorly formulated and are difficult to verify. It is possible that better consistency with the Programme's original objectives and plans could have been obtained if, at the planning stage, closer attention had been paid to the administrative capacity of the Indonesian partners, more thorough needs assessments had been conducted and a better understanding of the socio-political context in which the Programme was to be implemented had existed.

Nevertheless, project objectives have to a reasonable extent been attained and expected results produced. In fact, the level of activity is impressive and activities have more or less been implemented as planned and intended target groups have been reached.

The main partner of the Programme has been the DGHR and the activities have to a large extent focused on the implementation of the RAN HAM and on strengthening institutions having the respon-

sibility to implement the RAN HAM. There is, however some doubt as to whether or not supporting the RAN HAM was the optimum way to promote human rights. At the same time there has been a very high level of activity and of implementation and, in fact, all components but one, the Development of Curriculum for Master Students, have been or are expected to be implemented. Furthermore, valuable support has been provided through two PusHAMs and the Komnas Perempuan.

There are few active human rights institutions or NGOs and as a result many donors are supporting the same institutions. This situation is adversely effected by limited donor coordination. The empowerment of civil society representatives, including right holders, has been somewhat neglected by the Programme.

The usefulness of international experts has been diminished by poor interpreters or their unfamiliarity with the Indonesian human rights context. Furthermore, international experts are costly when used for basic human rights training for middle or low-ranking government officials. Two components have encompassed Training of Trainers and this has been a good strategy both in terms of outreach and sustainability.

The level of cost sharing varies with some partners covering a very large part of the local costs while others are heavily subsidised. There has been no over all policy for cost sharing. Neither, has the support been evenly distributed or based upon needs.

There are, presently, many instances of basic human rights values being challenged and indications that the monitoring of international instruments needs to be reinforced as well as capacities of institutions with a mandate to defend and promote human rights. National and externally financed human rights programmes need to increase their support in these respects.

11.2 Recommendations

Recommendations to Sida and RWI

- The RWI Indonesia Programme should be extended into a new phase.
- As part of the programme preparation for a next phase, a comprehensive situation analysis should be carried out, encompassing the identification of problem and priority areas and consultations with various stakeholder groups.
- The Programme should be endowed with a certain level of flexibility to be able to respond to unforeseen situations and demands from partners to undertake action oriented research, training or advocacy activities.
- There should be more coordination with other donors and with donor-financed projects and programmes in order to coordinate support to institutions with many donors, such as the MOLAHR and to develop possible synergy effects, at national as well as organisational levels.
- The RWI, should be entrusted with the task to develop indicators and benchmarks for human rights interventions in order to enable the validation of results and impact and to assess the development of the human rights situation in a specific country. The use of these indicators and benchmarks could be piloted during a future Indonesian programme.

Recommendations to RWI

- Greater attention needs to be given to the development of a coherent Programme with strategic impact, maximum outreach, synergy effects and realistic results.
- Baseline data should be developed at project formulation stages and referred to during impact assessments, monitoring or evaluations.

- There should be more analytical and results-oriented planning and reporting with synthesis, in English, of reports of partner organisations, in order to improve monitoring and introduce results-based management.
- In addition to supporting the Government's human rights efforts and mechanisms, the Programme should also directly focus on identified problems areas and on enabling various categories of duty bearers to assist vulnerable groups. The rights of women, ethnic minorities, children and other vulnerable groups should be addressed in a more systematic manner and possibly through direct support to relevant Indonesian NGOs.
- There should be more focus on capacity building and staff development for all partner organisations.
- Translation of human rights literature to Bahasa Indonesian is valid but should be complemented by support to Indonesian research and publishing. The PusHAMs ought to be assisted in developing their competence to conduct human rights related research.
- A Pilot Master Programme should be developed in cooperation with a suitable university institution.
- Efforts should be made, whenever feasible, to include government officials, academics and civil society representatives in the same training courses in order to promote pluralistic discussions during the training and to contribute to improved contacts and dialogue between representatives of various sectors of society.
- In order to increase capacities and sustainability of training courses there should be more training of trainers and training of master trainers. Co-teaching arrangements should also be used to develop capacities of partners. Indonesian case studies should be developed.
- International experts should be used in a more strategic way and only when they are truly required such as when national competence is not available or international comparisons or experiences are important.
- The interpretation/translation issue should be addressed by specific training and the need to develop a specific human rights dictionary should be looked into.
- RWI's Programme Manager at the Jakarta office should be entrusted with more substantial duties, including liaising with programmes of other donors and be more involved in situation analysis and analytical reporting. An administrative assistant should be hired to take over some administrative functions and a locally-based Advisory Team be formed to serve as a discussion partner and provide strategic guidance.
- The RWI should make optimum use of international staff and the policy of not letting course managers lecture should be waived, for Indonesia.
- A cost-sharing policy should be developed for the Programme and sustainability strategies developed for all components.
- A LFA problem identification and objective formulation workshop should be held with each partner organisation in order to develop relevant and realistic project proposals.

Annex A: Terms of Reference

Evaluation of Sida support to the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, RWI – Indonesia Programme, 2004–2006

Introduction to Sida

Sida is the Swedish government agency for national development cooperation. The Swedish Parliament and the Government decide on the development cooperation budget, the countries with which Sweden shall have a development cooperation as well as the focus of the cooperation.

Sida supports development activities in 120 countries in Africa, Asia, Latin America, the Middle East and Central and Eastern Europe. Most of the resources are allocated to the twenty or so partner countries with which Sida has an extensive, long-term cooperation. The framework of cooperation is specified in country specific strategies and regulated in agreements between Sida and the Government of each partner country.

Sida operates to a great extent through some 1,500 partners in cooperation, mostly Swedish. These are companies, popular movements, organisations, universities and government agencies that have the expertise to make Swedish development cooperation successful.

For more information, please see Sida's homepage: www.sida.se

Introduction to RWI

RWI was established in 1984 and is an independent academic institution dedicated to the promotion of human rights through research, training and education. The Institute is named after Raoul Wallenberg, a Swedish diplomat, in order to pay homage to his well-known humanitarian work in Hungary at the end of the Second World War. The Institute is currently involved in organising two Master Programmes and an interdisciplinary human rights programme at the undergraduate level. Host to one of the largest human rights libraries in northern Europe and engaged in various research and publication activities, the Raoul Wallenberg Institute provides researchers and students with a conducive study environment.

With funding from, among others, the Swedish International Development Cooperation Agency (Sida), a wide range of training and capacity building programmes in the field of human rights are carried out in Sweden and abroad, mainly in Africa, Asia and Latin America.

Apart from the close cooperation RWI has with Lund University, the Institute maintains extensive relationships with several other academic institutions as well as international organisations, non-governmental organisations and government institutions worldwide. It also participates in various networks of Nordic, European and international institutions, within the framework of its mandate.

For more information, please see the RWI website: www.rwi.lu.se

1. Background

Sida has provided support to RWI's Asia Programme – of which the Indonesian programme is a part – since 1989/90. The current Agreement on support for the period 2004–2006 to an amount of sek 19,8 million is coming to an end in December 2006. The Indonesian Programme comprises three main components:

- Ministry of Justice and Human Rights – implementing the National Plan of Action (on HR), incl. specialized training of public officials;
- The National Commission on Violence Against Women;
- Cooperation with two Universities and their research centres on HR.

Based on evaluations and other considerations, such as Sida's cooperation strategy for Indonesia and the region, an assessment of future support to the programme will be carried out in 2006.

2. Objective of the Evaluation

The evaluation is expected to provide information on performance and lessons learnt and serve as a basis for future decisions. The objective is to examine the results of the Swedish support and the RWI activities in Indonesia during the period June 2003–2006. The evaluation should determine whether the objectives have been accomplished, whether the support was relevant and had any strategic impact and whether results are sustainable. The evaluation should analyse whether the programme has been methodologically well managed and efficient regarding achievements and the use of resources.

It is expected that the evaluation will contribute to strategic choices, both for Sida and RWI, regarding contents and methodology in the design of any future support to RWI programmes in Indonesia.

3. The Assignment

Aspects to be evaluated

- a. The Programme should be evaluated at the programme level. Has a problem analysis been made and was the composition of the programme a strategically useful choice according to such an analysis? Is the programme relevant from a needs perspective, considering the Indonesian context?
- b. Has the programme reached the objectives? If not, which are the reasons? What are the main obstacles – if any – for an effective application of the knowledge obtained through the training programme? Are there unexpected positive or negative effects of the programme as a whole or of any of the components included in the programme? Was integration between any of the projects within the programme achieved?
- c. It should be evaluated how the RWI has managed the Programme, regarding quality of the technical assistance, the administration and cost efficiency.
- d. Has the programme been designed and implemented in a way that enhances partnership and national ownership?
- e. Have gender aspects been dealt with in an effective way?

4. Method

a. General orientations

The evaluation should be carried out on a programme level, focusing on the coherence, relevance and achievements of the programme as a whole. In order to carry out the evaluation the consultants should:

- Assess reports and other relevant documentation
- Interview different stakeholders – staff as well as beneficiaries – that have been involved in the programme at different times (including staff at Sida and RWI)

b. Information sources

Written Sources

- Programme and project documents
- Decision Memoranda
- Programme and Project Reports
- Audits
- Evaluation Reports, if any
- Strategy for the Swedish Development Co-operation with Indonesia

Persons to be interviewed

- Current and former Government Representatives involved in the Programme
- Current and former representatives for Universities and ONGs involved in the Programme
- If possible, a sample of former participants from the training programmes
- Sida staff in Stockholm and staff at the Swedish Embassy in Jakarta
- RWI staff in Lund and in the office in Jakarta
- Civil Society Representatives engaged in Democratic Governance issues in Indonesia
- If possible and deemed relevant – other donors active in the field of Human Rights in Indonesia

c. Alternative approaches

Sida would especially welcome any alternative suggestions that the consultant might present in the tender document as well as a presentation of approaches and methods to be applied in performing the assignment.

5. Requirements and Qualifications

The assignment is proposed to be carried out by a team of at least two consultants – at least one with special knowledge of the Indonesian context. The team leader must have experience in evaluation of development projects and specific knowledge of development co-operation within the area of Human Rights and preferably the Legal sector.

The team competence requirements must include

- knowledge of mainstreaming of gender equity in institutions;
- capacity to evaluate cost efficiency in development co-operation projects;
- good knowledge about Swedish development co-operation objectives and methods, including the area of human rights and gender equity.

At least one team member should be well acquainted with the political and social situation in Indonesia, including the human rights situation.

The evaluators must be fluent in English and at least one team member must also be fluent in Swedish.

6. Time Schedule

The work should be carried out during a maximum of five (5) weeks during the period 1st of April and 31st of May, 2006, including field work in Indonesia. A Draft Report should be presented mid May, 2006. Sida and RWI shall have a maximum of two weeks for submitting written comments to the draft report. The Final Report should be submitted to Sida no later than 2nd of June, 2006.

7. Reporting

The report should be of an analytical character and contain recommendations for future development co-operation within the area of Democracy and Human Rights in Indonesia. The report shall be written in English (maximum 30 pages) with an Executive Summary of maximum 3 pages. The final version of the report shall be presented to Sida in 3 printed copies as well as an electronic version. Subject to decision by Sida, the report may be published and distributed as a publication within the Sida Evaluation series. The report shall be written in 6.0 for Windows (or in compatible format) and be presented in a way that enables publication without further editing.

Annex B: List of People Met

Sweden

Ms. Ellenor Ekman, Programme Manager, Sida, Stockholm
Mr. Fredrik Frisell, First Secretary, Embassy of Sweden/Sida, Jakarta
Mr. Rolf Ring, Assistant Director, Raoul Wallenberg Institute (RWI), Lund
Mr. Johannes Eile, Head, Division of International Programmes, RWI, Lund
Mr. David Karlsson, Deputy Head, Division of International Programmes, Lund

Indonesia

Mr. Andreas Ljungholm, Head of Indonesia Office, RWI
Ms. Indah Amaratasari, Deputy Head of Indonesia Office, RWI
Mr. Bill Barker, International Expert, RWI
Mr. Jeffrey Christian, International Expert, RWI
Mr. Pieter Cronje, International Expert
Dr. Hafid Abbas, Director General, Directorate General of Human Rights Protection
Dr. Suprijanto, Director of Cooperation of Human Rights Promotion,
Mr. Temmanengna, Directorate General of Human Rights Protection
Mr. Marvel Manurung, Head of Jawa Timur Province, Regional Office of the MLHR in Surabaya
Mr. Suprianto, Head of Human Rights Division, Regional Office of the MLHR in Surabaya
Ms. Kamala Chandrakirana, Chairperson, National Commission on Violence against Women
Ms. Zoemrotin Soesilo, Vice Chairperson, the Indonesian National Commission on Human Rights
Ms. Atikah
Mr. Rudi Rizki, Director Indonesian Community for Human Rights, Padjadjaran University
Ms. Siti Putri, Department of International Law, Padjadjaran University
Ms. Etin Anwar, Lecturer, State Institute of Islamic Studies
Ms. Hesti Aemiwulan, Director, Centre for Human Rights Studies, University of Surabaya
Ms. Vira Herawati, Center for Human Rights, University of Surabaya
Mr. Wawan Suwandi, Head of Correctional Institute, Jakarta
Mr. Eduard Izaak, Lecturer at Pelita University, Jakarta
Mr. Johnston Panjaitan, Chairperson of Executive Board, PBHI
Mr. Arfiandi Fauzan, Secretary of Executive Boards, PBHI
Mr. King Cey, Capacity Building Consultant, PBHI
Mr. Ifdal Kasim, Former Executive Director, ELSAM
Ms. Indriaswati Dyah, Research Coordinator, ELSAM

Mr. Sentot S. Information, Documentation and Training Coordinator, ELSAM
Ms. Semendawai Ahwai, Coordinator of Public Service, ELSAM
Ms. Eva Tuft, Counsellor, Norwegian Embassy
Mr. Erland Flaterud, First Secretary, Norwegian Embassy
Ms. Emily Nicholson, Political and Public Affairs Officer, Embassy of Canada
Mr. Stewart Fenwick, Team Leader, Legal Development Facility
Ms. Sally Low, Deputy Team Leader, Legal Development Facility
Ms. Terria Lamishar, Project Officer, Legal Development Facility
Ms. Evin Djunaidi, Project Officer, Legal Development Facility
Groups of participants of various RWI training programmes

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