



CALL FOR PROPOSALS

Advocacy for Development of a Gender Equality Law in Indonesia

UNIFEM (part of UN Women) is calling for proposals to support the advocacy for development of a Gender Equality Law (GEL) in Indonesia. The advocacy that UNIFEM will support is intended to complement the current efforts of the Ministry of Women Empowerment, Government of Indonesia to develop a Gender Equality Law. The aim is to facilitate the participation of gender equality advocates and civil society organizations in the development of a Gender Equality Law that will ensure the full implementation of the Convention on the Elimination of All Forms of Discriminations Against Women (CEDAW) that has been ratified by the Government of Indonesia in 1984.

Guidelines for the Submission of Proposals

What is the format for the proposal?

Given the attached Terms of Reference, the proposal should contain, at minimum, the following:

- 1) A proposal consisting of:
 - a) **Context:** a brief description on the rationale for GEL development in Indonesia (2 paragraphs)
 - b) **Justification:** description of how the advocacy will facilitate the participation of gender equality advocates and civil society organizations in the development of a GEL in Indonesia (1 page)
 - c) **Objectives:** overall objective of the advocacy and its expected outputs and outcomes (half page)
 - d) **Logframe and Implementation Work Plan:** description of expected outcomes, outputs and corresponding activities and work plan to conduct the activities (format attached)
 - e) **Experts/Resource persons to be engaged:** description of experts and resource persons that will be mobilized for implementation of the proposed activities. (1/2 page)
 - f) **Partnerships:** Include a description of the multiple partners needed to successfully implement the project and their roles. (1/2 page)
 - g) **Institutional profile:** brief description of the organization, including its registration detail and relevant experience with CEDAW implementation and engagement with civil society organizations that qualifies the organization for this UNIFEM support. (one page)
 - h) **NGO Capacity Assessment Form** (form attached)
- 2) A budget proposal indicating items to support the activities
The budget should be in the range of US\$ 25,000 to US\$35,000, including the cost for preparing a final financial report certified by an auditor.

Applicants may include Annexes (supporting documents) such as organizational brochure, previous annual reports and audit reports.

Who can apply?

Proposal can be submitted by an organization or jointly by two or more organizations of any of the following categories.

- Non-governmental organizations
- Community-based organizations
- Educational and academic institutions

The applying organization must be legally registered in Indonesia.

What criteria will be used for the selection of the proposal?

Proposal will be selected on the basis of technical (70%) and financial (30%) assessments.

The technical assessment will review the following;

1. Extent to which the proposal fulfills the requirements of the Call for Proposals
2. Soundness of proposed activities and expected results
3. Composition of experts/resource persons and participating CSOs
4. Application of a participatory process and brings together various strategic partners
5. Realistic work plan to complete the activities
6. Applicants institutional capacity and relevant experience

When is the proposal due?

Proposals are due by COB 20th September 2010

To whom should the proposal be sent?

Please e-mail your proposal to Dian Heryasih at dian.heryasih@unifem.org

Annex:

1. Terms of Reference
2. Logframe and Implementation Workplan Format
3. NGO Capacity Assessment Format



Terms of Reference

Advocacy for Development of a Gender Equality Law in Indonesia

1. Background

UNIFEM (part of UN Women) is the women's fund at the United Nations, dedicated to advancing women's rights and achieving gender equality. UNIFEM focuses its activities on one overarching goal: to support the implementation at the national level of existing international commitments to advance gender equality.

One of the cornerstones of UNIFEM's work is the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW). Adopted in 1979 by the UN General Assembly, CEDAW is the internationally recognized bill of rights for women. It is the most detailed international agreement that deals with women's human rights, and requires the elimination of discrimination in all aspects of women's lives – from education to employment, from family life to political office, from health care to rural development, from cultural stereotypes to public spending.

UNIFEM (part of UN Women) in Indonesia supports capacity development of state organs and civil society groups for the realization of women's human rights through the more effective implementation of CEDAW.

Development of GEL in Indonesia

The Indonesian Government ratified CEDAW in 1984. As a CEDAW state party, Indonesia therefore has the obligation to promote and protect the human rights of women and achieve gender equality. Efforts have been made by the Government in building CEDAW-compliant legal and policy framework to promote women's human rights and to achieve gender equality, starting with the domestication of CEDAW through Law No. 7/1987. In 1998, the President issued regulation no. 181/1998 on the establishment of National Commission on the Elimination of Violence Against Women (Komnas Perempuan), and in 2000 an operational framework to achieve gender equality in Indonesia was established through the Presidential Instruction No. 9/2000 on Gender Mainstreaming. Also important is the enactment of the Anti Domestic Violence Law in. Main policy decisions relating to the national development have also integrated a gender perspective. The National Mid-Term Development Plan (RPJMN 2010-2014) has reflected this achievement, stating that gender equality as one of the cross-cutting issues in the achievement of national priorities.

However, gender equality and the promotion of women's human rights have not been significantly improved in some areas. Many government agencies have not yet

succeeded in gender mainstreaming into their programmes partly due to the lack of commitment of heads of ministries at national and local levels. Also, lack of understanding of gender concepts and gender mainstreaming strategy by the staff of government apparatus has been a factor impeding the implementation of the gender mainstreaming policy. The Law 7/1984 has had no effect on amending discriminatory laws such the Marriage Law No. 1/1974 which stipulates that the husband is the head of the household, and allows courts to grant the request of husbands to practice polygamy if their wives are unable to perform their reproductive roles. Law 23/1992 on Health is also discriminatory as it limits single sexually active women from accessing reproductive health services. At the local level, 154 discriminatory bylaws, as identified by National Commission on the Elimination of Violence Against Women (*Komnas Perempuan*), limit the ability of women to exercise their rights in various provinces.¹

As shown by above-mentioned examples, discriminatory practices still prevail in laws and regulations, impeding the achievement of Indonesia's *de jure* gender equality. For the Government of Indonesia to comply with CEDAW, it has to make further efforts to amend or repeal discriminatory laws, modify existing laws, or enact new laws to cover areas not yet legislated in. One option for the government, therefore, is to enact a Gender Equality Law (GEL). A GEL is a single piece of legislation that is solely focused on gender equality. The enactment of this GEL that reflects the norms of CEDAW without engaging in the complicated, lengthy and resource intensive process of amending multiple pieces of legislation, provides a straightforward initial response to a State party's *de jure* obligations under CEDAW.²

The government of Indonesia has already begun development of a GEL in 2004, yet the process has not progressed until the new elected cabinet of 2009-2014 identified the drafting of GEL as one of the national legislation priorities. The drafting of the academic paper as foundation for drafting the GEL has been initiated by the Government and it has reached the final stage. UNIFEM (part of UN Women) will support the advocacy for the GEL that will complement the government initiatives, in order to make sure that the draft incorporates substantive gender equality norms and standards required by CEDAW. The advocacy should also ensure that human rights based approach is respected by opening the space for rights holders' participation and inclusive participation of key stakeholders in GEL drafting process.

2. Objective of UNIFEM (part of UN Women) Support

UNIFEM (part of UN Women) is looking for proposals that would fulfill the following:

- 1) Ensure that the GEL development process respects a human rights based approach and involves a diversity of rights holders,
- 2) Ensure that the GEL complies with CEDAW norms and principles
- 3) Include strategic advocacy to increase awareness on GEL of key decision makers (members of parliaments, ministries/government agencies and the president's office)

The proposal should include a series of activities that would satisfy the above

¹ The Jakarta Post, "154 Bylaws Haunt Women, 15 More to Come", 30 January 2010

² UNIFEM (2009), Gender Equality Laws: Global Good Practice and a Review of Five Southeast Asian Countries.

3. Funding Period: No more than 1 year starting October 2010

4. Budget limit: The budget proposed should be in the range of \$25,000 to \$35,000

5. Who can apply?

Proposals can be submitted by an organization or jointly by two or more organizations of any of the following categories.

- Non-governmental organizations
- Community-based organizations
- Educational and academic institutions

The applying organization must be legally registered in Indonesia.

LOGICAL FRAMEWORK FORMAT

Results	Indicators	Means of Verification/Sources of Information	Assumptions/Risks
Goal –			
Outcome 1 – <i>The project is expected to contribute towards the achievement of this result, collectively with other development partners.</i>	<i>Link to relevant indicators.</i>		
Output 1.1 – <i>The project will be directly held accountable for this result.</i>			<i>X – not needed</i>
Activity 1.1.1	<i>X – Not needed</i>		X
Activity 1.1.2	X		X
Activity 1.1.3	X		X
Output 1.2 - <i>The project will be directly held accountable for this result.</i>			<i>X – Not needed</i>
Activity 1.2.1	<i>X – Not needed</i>		X
Activity 1.2.2	X		X
Activity 1.2.3	X		X
Outcome 2 – <i>The project is expected to contribute towards the achievement of this result, collectively with other development partners.</i>	<i>Link to relevant indicators.</i>		
<i>Repeat as in above</i>			

IMPLEMENTATION WORK PLAN FORMAT

Outcome										
Output	Output Indicator	Key Activity	Implementing Partner(s)	Timeframe (6 monthly units)						Budget Amount

NGO CAPACITY ASSESSMENT FORM

Name of organisation:				
Date of assessment:	Requirement	Flags¹	Answer	Additional comments
			(Yes/No)	
Section A: Technical Capacity				
Does the organization have a proven track record of work on gender or related issues?	Documented successful track records. For newly formed organizations, the personnel to be assigned to the UNIFEM project should have proven track records in this area.	Lack of or limited experience with similar projects.		
Does the organisation have an established organisational culture of accountability and commitment to delivery of results?	A record and evidence of organisational culture of accountability, such as a written Code of Conduct; and proven commitment to results. Previous record of successful projects.	Previous failure to deliver, either on UNIFEM or other donor funded projects.		
Does the organisation have internal programmatic, administrative and financial processes in place to ensure delivery of quality and timely project results?	Functioning internal processes to delivery of quality and timely project results. Inbuilt process monitoring and improvement mechanisms.	No documentation of internal processes. Negative comments on, or evaluations of, internal controls by external auditors or consultants.		
Does the NGO have credibility with gender equality advocates including those within government?	Proven credibility in the country/region.	Bad press on previous projects. Conflict with/Criticism from government, donors and/or civil society - preferably		

¹ These are examples of flags for demonstrative purposes and are not comprehensive. They are meant to demonstrate the kinds of potential issues the assessor should be aware of and seek information on. Existence of these flags does **NOT** automatically mean the potential partner cannot be used. However, when flags are noted comments should be given to explain why they are not impediments to selection of the NGO partner.

Name of organisation:				
Date of assessment:	Requirement	Flags¹	Answer	Additional comments
			(Yes/No)	
		documented.		
Does the NGO have grass roots presence/outreach especially if that is relevant for the project?	Existing grassroots network in the country/region.			
Does the organization have an adequate number of professional staff with adequate qualifications and experience?	Adequate availability of personnel to handle planned UNIFEM project in addition to existing work.	Personnel limitations High staff turnover Newly recruited staff in key positions Management issues		
Has the organization previously worked with UNIFEM, other UN organizations or directly with significant non-government donors?	Good track record with UN agencies.	Weak track record.		List contracts signed with UNIFEM or other UN organisations during the last five years.
Are there specific areas of programming or advocacy where the NGO has made innovative contributions?	Indicate areas of innovation.	Innovations that were not sustainable.		
Section B: Governance and Management Structure				
Is the organization non-profit?			Mandatory	
Is the organization officially registered in the country?			Mandatory	
Does the organization have a Board of Directors/managing committee?	A qualified governing body with demonstrable independence from senior management.	Politically active board members or senior managers?		
Does the organization or any of its managers/Board members have links with the Government, or a political party?	Politically impartial senior management and governing body.	Board members/senior managers known to be closely linked with senior government or political party officials or other “vested interests”.		
Are key decisions subject to review by a	Strategic business decisions	Lack of checks and balances on		

Name of organisation:				
Date of assessment:	Requirement	Flags¹	Answer (Yes/No)	Additional comments
committee or the board e.g. decisions affecting strategy, partnerships, programmes, finance and procurement?	should be subject to independent review.	key decisions.		
Is there any conflict of interest between any UNIFEM staff member and the NGO?				
Section C: Financial and Administrative Management				
Does the organisation have and follow written and transparent financial and administrative rules and regulations?	Follows clearly defined written financial and administrative rules and regulations.	Informal (unwritten) key policies Record of ad-hoc changes in procedures and rules, or <u>regular</u> granting of waivers by senior managers.	Mandatory	
Does the organization have a clear system for procurement, subcontracting?	Follows clearly defined written procurement and sub-contracting rules consistent with international practices.	Previous procurement irregularities. Bad press on previous procurement.	Mandatory	
Does the organization have clear, documented procedures and internal controls governing the payment cycle (requisition, approval, disbursements versus cash, vouchers etc.)?	Working internal controls and procedures, including adequate segregation of duties ²	Previous payments irregularities. Lack of segregation of duties e.g. if any one official can make payments without second review.		
Is segregation of duties ensured in receipt and management of funds?	Money received is banked properly in the organisation's account and safeguarded.	No bank account in the name of the organization. Organisation routinely	Mandatory	

² Reviewers may refer to the UNDP Internal Control Framework (ICF) for examples of the types of procedures and controls that should be in place.

Name of organisation:				
Date of assessment:	Requirement	Flags¹	Answer (Yes/No)	Additional comments
		discourages direct wire transfers to its bank account.		
Do payments require two or more signatures?		Second signatory not senior enough to be reasonably independent of influence from first signatory.	Mandatory	
Is the organization as a whole subject to regular external audits? ³			Mandatory	
Has the UNIFEM office looked at the last three audited statements of the organization to assess the latter's financial capacity?				If reviewing a new organisation, there may be less than three audited statements available.
Does the organization have a sustainable financial position?	<p>A record of accountable financial management</p> <p>Availability of adequate financial resources from other (non-UNIFEM) sources. The organisation should not be relying on UNIFEM for its financial viability.</p> <p>Established good relationship with a reputable bank.</p>	<p>Previous bankruptcy or reported financial difficulties, either by the organization or some of its senior officials.</p> <p>Previous failure to properly and promptly account for donor resources.</p> <p>Independent auditor's audit qualifications and/or comments on financial statements</p> <p>Non existence of a good accounting system and regular financial statements.</p>		

³ Separate from donor mandated project specific audits.