TERMS OF REFERENCE

Participation beyond business as usual: Co-creation forum for a strong climate change legislation

Jakarta, 18 & 19 October 2022

The Westminster Foundation for Democracy (WFD) is the UK public body dedicated to supporting democracy around the world. WFD works in partnership with political parties, parliaments, and civil society organisations to create a fairer and more inclusive, accountable, and transparent political system. WFD strengthens the capacity of these key democratic institutions, helping ensure they have the systems, knowledge, and skills to perform effectively. WFD also fosters improved democratic processes, bringing together individuals and institutions, and encouraging them to work together to solve concrete problems, applying democratic values and principles.

In Indonesia, WFD has been providing support to the national parliaments, particularly the House of Representatives (DPR RI), and, to a certain extent, the Regional Representatives Council (DPD RI) and sub-national parliaments. WFD's works have focused on: a) evidenced based legislation making processes including legislative drafting, pre-legislative scrutiny, and post-legislative scrutiny; b) parliamentary oversight, particularly the financial oversight by its public accounts committee; c) the parliament internal accountability and transparency through strengthening the Parliament internal audit and open parliament; and d) various thematic issues as agreed and cross cutting issues including human rights, gender and inclusion, as well as climate change and environment. Additionally, WFD has also been a key partner to DPR RI in establishing its open parliament initiative, which has introduced some internal reform commitments across two action plans since 2018 to increase parliamentary transparency.

In October 2021, WFD began implementing an environmental democracy project supported by the UK Department for Business, Energy, and Industrial Strategy (BEIS) through the UK Partnering for Accelerated Climate Transition (UK PACT) programme aimed at strengthening the Indonesian Parliament to play more active roles to enhance Indonesia's performance in fulfilling its climate commitments, such as by legislating climate change, scrutinising laws with potential impact on climate and the environment, scrutinising government budget and spending, and overseeing government's performance in meeting their climate commitments.

Context

In 2016, DPR RI ratified the Paris Agreement through Law 16/2016. In July 2021, Indonesia updated its Nationally Determined Contribution (NDC) and developed a Long-Term Strategy for Low Carbon and Climate Resilience (LTS LCCR) which set the target of achieving net-zero emission (NZE) by 2060 or sooner. However, as of November 2021, Indonesia's climate policies and commitments were rated as highly insufficient by Climate Action Tracker.[1] This indicates that existing policies and commitments will lead to rising emission instead and are inconsistent with the 1.5-degree temperature limit under the Paris Agreement. While Indonesia has gone through intensive process of policy building in recent years, there is a major task of realigning those

[1] See https://climateactiontracker.org/countries/indonesia.

policies and commitments with the level of ambition reflected in the country's NDC and LTS LCCR documents.

Parliaments are at the heart of delivering commitments under the Paris Agreement and WFD is committed to supporting DPR RI in mainstreaming the issue of climate change through its legislation, budgeting, and oversight functions. In January 2022, in cooperation with Committee for Inter Parliamentary Cooperation (BKSAP), WFD facilitated the publication of the White Paper Agenda on Green Economy in Indonesia, which emphasises the need to overcome the possibility of discontinuation or at least reduction in commitment for supporting climate change due to regime change and political transition. To address this, we believe that developing a strong legislation product to flesh out concrete policies and steps toward managing climate change risks and creating a climate resilient community and economy is the best way forward. A climate change legislation will also increase the legitimacy of the Indonesian government's efforts to meet its climate change commitments.

To achieve these goals, the legislation product needs to mandate a transparent, inclusive, and accountable approach in climate governance. Through this activity, WFD hopes to convene civil society reformers from a wide range of thematic policy areas to co-create a collaborative agenda for a strong climate change legislation. This process is also being observed by WFD and the Indonesian Parliament to understand how the co-creation model could be adopted for processes beyond business as usual for civil society groups to be able to set legislative agenda and improve the evidence base and generate stronger, more legitimate legislation products.

Objectives

This roundtable seeks to achieve the following objectives:

1. To gather inputs and gain insights from civil society reformers on the opportunity to help the Indonesian Parliament develop a Climate Change Bill.
2. To set the agenda and deliberate key areas of governance for inclusion in the Climate Change Bill legislation process.
3. To discuss potential forms of multistakeholder collaboration in safeguarding the legislation process of the Climate Change Bill.

Schedule

Day 1:	Tuesday, 18 October 2022
Day 2:	Wednesday, 19 October 2022
Time:	08.00–16.00 WIB

Agenda

Time	Description
08.00–09.00	Arrival and Registration
09.00–09.15	**Welcome Remarks** by **Agus Wijayanto** | Indonesia Country Representative, Westminster Foundation for Democracy (WFD)
09.15–09.30	**Co-Creation in Legislative Process** by **Ravio Patra** | Programme Manager, Westminster Foundation for Democracy (WFD)
09.30–11.00	**Prompt 1: Do we need a climate change bill?** *Facilitated by* **Agus Wijayanto** | Indonesia Country Representative, Westminster Foundation for Democracy (WFD)
11.00–12.30	**Prompt 2: What should the climate change bill govern?** *Facilitated by* **Amelia Wijayanti** | Programme Coordinator, Westminster Foundation for Democracy (WFD)
12.30–14.00	Lunch Break
14.00–15.30	**Prompt 3: How will civil society safeguard the legislation process?** *Facilitated by* **Ravio Patra** | Programme Manager, Westminster Foundation for Democracy (WFD)
15.30–15.40	**Closing Remarks** by **Agus Wijayanto** | Indonesia Country Representative, Westminster Foundation for Democracy (WFD)
15.40–16.00	**Activity Feedback Session**