

ASEAN Environmental Democracy Observatory: Indonesia Baseline Report

Research Center for Politics and Government
Universitas Gadjah Mada

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Acknowledgements

The methodology used in this report is described in full detail in the Assessment Methodology document available at <https://www.wfd.org/where-we-work/asean-environmental-democracy-observatory>.

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Contents

- Contents 2
- Acronyms 3
- Executive Summary 4
 - Overview 4
 - Policy Recommendations 5
- Environmental Democracy Index: Indonesia 6
 - Pillar 1: Access to Information 6
 - Pillar 2: Public Participation 7
 - Pillar 3: Access to Justice 9
- Annex 1: Indonesia Full Index Scores 11
 - Pillar 1: Access to Information in Indonesia 12
 - Pillar 2: Public Participation in Indonesia 15
 - Pillar 3: Access to Justice in Indonesia 18
- Annex 2: Comparison with the 2015 EDI 24
 - Pillar 1: Access to Information 24
 - Pillar 2: Public Participation 30
 - Pillar 3: Access to Justice 39

Acronyms

A2J	Access to Justice
AER	ASEAN Environmental Rights
Amdal	<i>Analisis Mengenai Dampak Lingkungan</i> (Environmental Impact Assessment)
ASEAN	Association of Southeast Asian Nations
ATI	Access to information
BO	Beneficial Ownership
BOT	Beneficial Ownership Transparency
CSO	Civil Society Organisation
ED	Environmental Democracy
EDI	Environmental Democracy Index
EDF	Environmental Democracy Framework
EDO	Environmental Democracy Observatory
EIA	Environmental Impact Assessment
EITI	Extractive Industries Transparency Initiative
EU	European Union
FOI	Freedom of Information
FCDO	Foreign, Commonwealth, and Development Office
ICCPR	International Covenant on Civil and Political Rights
Jatam	<i>Jaringan Advokasi Tambang</i> (Indonesian Mining Advocacy Network)
NGO	Non-Governmental Organisation
OGP	Open Government Partnership
Perda	<i>Peraturan Daerah</i> (Local Ordinance)
PoIGov	Research Center for Politics and Governance of Universitas Gadjah Mada
PP	<i>Peraturan Pemerintah</i> (Government Regulation)
RTI	Rights to Information
SLAPP	Strategic Litigation against Public Participation
TAI	The Access Initiative
UGM	Universitas Gadjah Mada
UK	The United Kingdom
UNECE	United Nations Economic Commission for Europe
UNEP	United Nations Environment Programme
UNECLAC	United Nations Economic Commission for Latin America and the Caribbean
UNESCAP	United Nations Social and Economic Commission for Asia and the Pacific
UNGA	United Nations General Assembly
UU	<i>Undang-Undang</i> (Indonesian Law)
Walhi	<i>Wahana Lingkungan Hidup</i> (Indonesian Forum for the Environment)
WFD	Westminster Foundation for Democracy
WHO	World Health Organisation
WRI	World Resources Institute

Executive Summary

Overview

Despite its growing prominence in the regional and international stages in recent years, Indonesia remains a nation with limited history of democratic practices following the 1998 political reform. Civil society is vibrant, but regulations are often ineffective amid insufficient demand for civic engagement rights.¹ At the same time, trust on government tends to fluctuate, with many increasingly opting to avoid seeking assistance or intervention from state institutions to resolve their problems. To an extent, this is a significant symptom of a dearth of active citizenry.

Between March and July 2024, we conducted desk research and a series of stakeholder interviews to assess the current state of environmental democracy in Indonesia. The process builds on the updated Environmental Democracy Index (EDI) methodology developed by the Research Center for Politics and Government of Universitas Gadjah Mada (PolGov) and the Westminster Foundation for Democracy (WFD).

Based on our assessment in this period, Indonesia achieves an **overall index score of 1.4 out of 3.0** with the following results for each of the three EDI pillars:

- Access to information: 1.8 out of 3.0
- Public participation: 1.2 out of 3.0
- Access to justice: 1.3 out of 3.0

To demonstrate the distinction of assessment outcomes using our methodology, we provide a comparison table against the indicators of the 2015 EDI at the end of this report.²

In evaluating the relevant policy frameworks, we applied an intermediary study approach which demonstrates that civil society is essential for the promotion of citizen engagement in governance. This enables us to observe results that are more responsive to the efficacy of state policy implementation. The supply-demand framework is operationalised by determining whether each indicator investigates the capacity of the state (“supply” dimension) or the activities of civil society or citizens in relation to the government (“demand” dimension).³

Initially, we conducted an analysis of the existing EDI methodology by addressing two primary questions in each pillar: (1) the degree to which the legal formal provision in each pillar acknowledges societal inequalities; and (2) the degree to which the legal formal provision encourages citizens to exercise or assert their rights in environmental matters. We then investigate the demand dimension of the indicators, which includes looking at civil society activities as well as the publication of media articles in alternative and critical platforms along with how they inspire further collective action in reclaiming environmental rights.

In conducting this assessment, the policies that we refer to encompass not only the content of certain legal documents, but also any formal statements made by state actors. Our methodology delves deeper into the intended outcome of policy implementation—compared to the previous one—to determine the extent to which the current legal framework influences government policies that cater to public interests with respect to access to information, participation, and access to justice in environmental matters. Additionally, we also assess the extent to which the policies allow civil society entities, including the free press, to express public voices regarding environmental matters.

While the framework we have developed is currently focused on the Southeast Asian context, the methodology incorporates the most recent United Nations resolution that recognises the right to a clean, healthy, and sustainable environment as a human right,⁴ and as such is applicable in the broader global contexts as well.

Policy Recommendations

Enhancing environmental democracy in Indonesia necessitates the improvement of transparency, public participation, and access to environmental justice. The purpose of this report is to identify areas where Indonesia has performed well and where reforms—both in terms of policy and practice—are required to achieve those improvements. By establishing Indonesia as a baseline, we aim to conduct the same assessment of all countries in Southeast Asia to establish a community of practice to foster collective action and raise the level of ambition in environmental democracy reforms not only domestically, but also regionally. Based on the outcome of this assessment, we propose two objectives that will help guide Indonesia improve its environmental democracy performance.

Objective 1: Improve the effectiveness of policies that promote environmental rights

While Indonesia has several policies that support environmental democracy, there is a need for a consistent and equitable legal framework that encompasses not only the provision of access to information and public information, but also law enforcement, redress, and remedy. Inviting public consultation and participation in environmental decision-making at all administrative levels are the prerequisites for this strategy to be effective. Additionally, it is important for businesses to also disclose the environmental impact of their activities as well as participate in environmental planning and administration in collaboration with civil society and local communities.

Independent bodies (e.g., an environmental ombudsman) must be established by state institutions and administrations at every level to supervise the implementation of environmental policies and projects, as well as to guarantee the existence of a complaint mechanism. This can encompass safeguards for whistleblowers who disclose corruption and environmental violations. Reporting environmental violations can also benefit from the utilisation of online and digital platforms to encourage public participation in environmental monitoring and decision-making processes. Other key stakeholders—such as businesses, philanthropies, and development banks—must be encouraged and incentivised to participate in environmental stewardship initiatives that go beyond business-as-usual approaches.

Objective 2: Enhance the effectiveness of policies that foster citizen engagement

A secure and conducive environment is necessary for the public participation that reaches marginalised and resident communities to express local demand. It is imperative that the state institutions and governments at every level ensure an equitable consultation process between corporations, local communities, and governments by utilising culturally appropriate methods and local languages from the outset of development projects. Conduct workshops and seminars in local communities to inform the community about their environmental rights, including their responsibilities and the right to consent.

Governments need to encourage the participation of civil society and media policymaking and monitoring. Transparency initiatives necessitate the establishment and maintenance of open access databases and platforms that are regularly updated and readily accessible for any practical purpose. These platforms should include environmental data, such as air and water quality, deforestation rates, and pollution levels. Awareness campaigns for inclusive environmental governance could be implemented by the independent press and educational institutions. Most importantly, incorporating environmental education into school curricula could help not only to instil the importance of participation from a young age, but also to tackle the threats of environmental and climate disinformation.

¹ Michael Marinetto, “Who wants to be an active citizen? The politics and practice of community involvement,” in: *Sociology*, Vol. 37 (1), February 2003, <https://journals.sagepub.com/doi/abs/10.1177/0038038503037001390>.

² See Annex 2.

³ For full details, see: Research Center for Politics and Government, “ASEAN Environmental Democracy Observatory: Assessment Methodology,” *Westminster Foundation for Democracy*, October 2024, <https://www.wfd.org/sites/default/files/2024-11/1.%20ASEAN%20EDO%20Assesment%20Methodology%20October%202024.pdf>, pp. 7–9.

⁴ “With 161 votes in favour, 8 abstentions, General Assembly adopts landmark resolution recognizing clean, healthy, sustainable environment as human right,” *United Nations General Assembly*, 28 July 2022, <https://press.un.org/en/2022/ga12437.doc.htm>.

Environmental Democracy Index: Indonesia

The analyses in this section are based on the indicators of the three Environmental Democracy pillars which seeks to investigate: (a) the clarity of rules and regulations; (b) the capacity of the state to regulate, provide, encourage, and facilitate citizens and civil society in various capacities; and (c) the capacity of the state in relation to its engagement with citizens and civil society.

Overall, Indonesia scores 1.4 (out of 3.0) based on our assessment in 2024.

The scores generated from this indexing process indicate a much more nuanced reality beyond the 0-to-3 range. Countries may score lower under our methodology compared to the 2015 EDI because our questionnaire is contextualised for the ASEAN context and is therefore more comprehensive both in terms of size and range.

It is also important to note that the scores reflect the perception of respondents as captured in the assessment. The accuracy of the scores in representing actual conditions and the status of policy implementation may be influenced by the diversity of respondents involved in the indexing process. The extent to which each respondent's answers are informed by their lived experiences and/or knowledge of environmental policies also plays a critical role in shaping the final scores.

Pillar 1: Access to Information

The seven guidelines of this pillar address the normative principles that govern the actions of the state in both normal and crisis situations as well as the state's capacity to ensure and implement access to environmental information along with its nature and scope. The state's capacity to fulfil multiple duties (supply side) is the primary focus of many indicators in the pillar, whereas the state's role in promoting effective access to environmental information (demand side) is only addressed at the concluding stage.

Access to Information Function Indicator	Number of Indicators	Total Score	Index Score
The presence of policies	1	1	1.0
The function of policies in promoting rights to access to environmental information	11	13	1.2
The function of policies in encouraging citizen engagement in using access to environmental information	9	8	0.9
The presence of civil society	1	1	1.0
The function of civil society in advocating rights to access to environmental information	5	15	3.0
The function of civil society in encouraging citizen engagement to exercise rights to access to environmental information	8	24	3.0
Access to Information Index Score¹			1.8

The regulation governing access to environmental information in Indonesia is outlined in Law No. 32/2009 on the Protection and Management of the Environment. In addition, Law No. 6/2023 on Jobs Creation—specifically the environment cluster—and Government Regulation (PP) No. 22/2021 on the Protection, Organisation, and Management of the Environment supplement this regulation, specifically Articles 22 and 185 (b).

Under Guidelines 2 and 4, it could be difficult to collect data from companies regarding environmental information, including quality, health impacts, legislation, and policy as well as their environmental performance and compliance. Legal proceedings involving ambiguous articles, such as those outlined by Law No. 11/2008 on Electronic Transactions and Information (UU ITE), have frequently impeded the efforts of activists to promote and monitor the preparedness of information disclosure. Most recently, for instance, environmental activist Daniel Tangkilisan faced criminal charges under Articles 27 (3) and 28 (2) of UU ITE for his public criticism of the presence of shrimp farms in the Karimunjawa National Park area, which causes environmental damage and pollution to the Cemara Beach in Jepara, Central Java.²

Companies and government entities also frequently employ Article 17 of Law No. 14/2008 on Public Information Disclosure (UU KIP) to deny access to environmental information. The law mandates every public body to provide access to public information except for information deemed dangerous if disclosed. The Surabaya City Government, for instance, has denied public information request by the Indonesian Forum for the Environment (Walhi) concerning the Sepat Reservoir and the environmental impact assessment of the Waste-to-Energy Project in Benowo citing this clause.³ Civil society organisations have categorised the use of these ambiguous clauses as strategic litigation against public participation (SLAPP).

These regulations appear to be insufficient in terms of meeting the indicators on the demand side. A civil society organisation requested that the government task force responsible for land use planning and investment facilitation to be transparent in the revocation of land permits related to mining companies that have caused environmental devastation on 22 May 2023.⁴ This demand from civil society may have been apparent in other regulations that are pertinent, but not directly related, to the environment.

The empirical case that pertains to access to environmental information within the framework of Guideline 2 is germane to consider without placing undue emphasis on the demand side issue. In accordance with UU KIP, the Indonesian Mining Advocacy Network (Jatam) submitted a formal request for environmental information on 22 January 2012 to assess the impact of mining activities on public health and the environment particularly in East Kalimantan. Jatam submitted a plethora of additional requests over the course of over a year, filed numerous formal complaints, and escalated to the public court system until May 2013. However, the local environmental department was intentionally delaying the process, although they eventually began issuing environmental impact assessment reports on a weekly basis.⁵ This case underscores the importance of civil society perseverance in pursuing rights to environmental information.⁶

Demands made by organisations such as Walhi and Jatam to obtain access to environmental information demonstrate the critical intersections between governance, environmental sustainability, and citizen engagement. Walhi's demands for public information on behalf of coastal communities stroked by climate change-induced phenomena in the northern coast of Java, including tidal flooding, underscore the essence of an informed governance in mitigating environmental degradation and its socio-economic repercussions. Walhi's report of the 109 villages in Central Java that have submerged by 2020, expected to deteriorate further by 2050, serves as a clarion call for proactive measures to protect both the ecosystems and the livelihoods of communities.⁷

Pillar 2: Public Participation

The seven guidelines under this pillar reveal normative principles that dictate the state's actions in both normal and crisis situations while emphasising on the state's capacity to encourage public participation in environmental decision-making by employing methods such as input, remarks, and review at every stage. Most of the indicators under this pillar are dedicated to enabling the state to fulfil a variety of supply side

functions with the overall objective of encouraging proactive citizen engagement in public participation on environmental matters, particularly at the concluding stage (demand side).

Public Participation Function Indicators	Number of Indicators	Total Score	Index Score
The presence of policies	1	1	1.0
The function of policies in promoting rights to public participation in environmental policymaking	9	2	0.2
The function of policies in encouraging citizen engagement in environmental policymaking	14	7	0.5
The presence of civil society	1	1	1.0
The function of civil society in advocating rights to public participation in environmental policymaking	3	9	3.0
The function of civil society in encouraging citizen engagement in environmental policymaking	9	27	3.0
Public Participation Index Score⁸			1.2

The regulation governing public participation in environmental governance in Indonesia is outlined in Law No. 32/2009 on the Protection and Management of the Environment. In addition, Law No. 6/2023 on Jobs Creation—specifically the environment cluster—and Government Regulation (PP) No. 22/2021 on the Protection, Organisation, and Management of the Environment supplement this regulation, specifically Articles 22 and 185 (b), by enabling public participation through a variety of mechanisms such as reviews, inputs, and comments. Furthermore, the environmental impact assessment (Amdal) assures public participation, particularly in affected communities, in the initial stages of environmental decision-making.⁹

Existing regulations are largely insufficient in terms of meeting the demand side indicators. The Jobs Creation Law and its implementing regulations have significantly reduced the opportunities for public participation and the involvement of local communities in the early phases of decision-making, in contrast to previous legal regime. In terms of environmental impact assessment, the regulations only consider the communities that are directly impacted by a project and exclude representatives of these communities who could be members of civil society organisations or advocacy groups. They also fail to adequately safeguard the rights of local communities to reject projects that they do not endorse from moving forward.¹⁰

In Riau, the drafting of a Local Ordinance (Perda) on Indigenous Land and Utilisation has been criticised by a variety of environmental advocates such as the Indonesian Forum for the Environment (Walhi) and the Indonesian Indigenous Peoples Alliance (AMAN) for its closed-off nature and overall lack of meaningful participation of indigenous communities.¹¹ This criticism resonates profoundly with the overarching issue of insufficient public involvement in environmental policymaking—a trend that has been further exacerbated by the speedy passage of certain legislative proposals such as the Jobs Creation Law, leaving little to no room for public participation. Current regulations also do not sufficiently protect the rights of local communities to reject initiatives that may have a detrimental effect on their lands and livelihoods, which effectively undermines the autonomy and agency of especially indigenous communities, whose territories are frequently targeted for development projects without their consent or consultation.

These cases reflect a more extensive and systemic issue of opacity and exclusion within the existing environmental regulatory framework.¹² In the absence of meaningful reforms that prioritise community participation and respect for indigenous rights, Indonesia will continue to fall short of guaranteeing sustainable and equitable development for all.¹³

Pillar 3: Access to Justice

The twelve guidelines under this pillar comprise normative principles that dictate the state's actions and emphasise on the state's capacity to ensure the resolution of environmental issues at a reasonable cost by implementing mechanisms e.g., request appeals, broad standing, and remedy at all phases of public court procedures. Empowering the state to fulfil various functions on the supply side is the primary focus of most of the objectives in the pillar, which establishes the legal framework required to validate the right to access justice. This can be accomplished through the participation of competent legal professionals, judicial officers, and other pertinent stakeholders.

Access to Justice Function Indicators	Number of Indicators	Total Score	Index Score
The presence of policies	1	1	1.0
The function of policies in promoting rights to access to justice in environmental matters	23	8	0.3
The function of policies in encouraging citizen engagement in using justice mechanisms in environmental matters	15	4	0.2
The presence of civil society	1	1	1.0
The function of civil society in advocating rights to access to justice in environmental matters	14	40	2.8
The function of civil society in encouraging citizen engagement in using justice mechanisms in environmental matters	10	30	3.0
Access to Justice Index Score¹⁴			1.3

Law No. 32/2009 on the Protection and Management of the Environment, the environment cluster of Law No. 6/2023 on Jobs Creation, and Government Regulation (PP) No. 22/2021 on the Protection, Organisation, and Management of the Environment establish the regulations that govern public involvement in the decision-making process regarding environmental issues by enabling the public to review, provide inputs, and give remarks on environmental decision-making.

However, the current regulations impede the execution of appropriate safeguarding measures on the demand side. The rights of local communities to reject initiatives they disagree have effectively been erased by the Jobs Creation Law and its implementing regulations.¹⁵ Criminal prosecution and harassment of civil society and local community activists who express criticisms towards government initiatives continue to be recorded nationwide. The Indonesian Forum for the Environment (Walhi) documented that at least 827 environmental defenders (including 9 minors and 19 women) had faced criminal prosecution and harassment between 2014 and 2023. Of these, 145 were eventually detained and 28 were processed as criminal suspects in the public court system. Furthermore, there were over 620 injuries as well as 6 fatalities recorded after clashes with law enforcement authorities.¹⁶

The most recent case involving environmental activist Daniel Tangkilisan in Jepara, Central Java serves as a stark illustration of the challenges encountered by environmental defenders in Indonesia, especially with the ambiguous provision of the Electronic Transactions and Information Law. It further underscores the intersection of environmental advocacy and legal constraints, in which activists often find themselves at risk of criminal prosecution and harassment for speaking out against ecological destruction. Executive Director of Amnesty International Indonesia Usman Hamid suggests that the case is indicative of the continued criminal prosecution and harassment of environmental defenders in Indonesia. Despite Article 66 of Law No. 32/2009 on the Protection and Management of the Environment providing protection for individuals who

advocate for a healthy environment,¹⁷ the reality on the ground tells a very different story, which leaves environmental defenders and activists exposed to constant legal jeopardy.

¹ For the full scores of Indonesia assessment against access to information indicators, see “Pillar 1” of Annex 1 in this report.

² “ICJR kirimkan surat dan pendapat hukum ke jaksa untuk hentikan penuntutan aktivis lingkungan Daniel Tangkilisan,” [ICJR submits legal opinion in support of environmental activist Daniel Tangkilisan] *Institute for Criminal Justice Reform*, 30 January 2024, <https://icjr.or.id/icjr-kirimkan-surat-dan-pendapat-hukum-ke-jaksa-untuk-hentikan-penuntutan-aktivis-lingkungan-daniel-tangkilisan>.

³ “Pemerintah Kota Surabaya harus membuka akses informasi publik terkait lingkungan hidup,” [Surabaya City Government must open access to public information related to the environment] *Walhi*, 19 September 2022,

<https://walhijatim.org/2022/09/19/pemerintah-kota-surabaya-harus-membuka-akses-informasi-publik-terkait-lingkungan-hidup>.

⁴ Nasrun Katingka, “Transparansi Pencabutan Izin Konsesi Dipersoalkan,” [Transparency in Revocation of Concession Permits Questioned] *Kompas*, 22 Mei 2023, <https://www.kompas.id/baca/humaniora/2023/05/22/transparansi-pencabutan-izin-konsesi-dipersoalkan>.

⁵ Carole Excell et al., “Struggles in East Kalimantan Underscore Need for Better Access to Environmental Information,” *World Resources Institute*, 17 March 2014, <https://www.wri.org/insights/struggles-east-kalimantan-underscore-need-better-access-environmental-information>.

⁶ Purwo Santoso (Universitas Gadjah Mada), interview, 28 February 2024.

⁷ Moh. Tamimi, “Ancaman tenggelamnya wilayah di pesisir utara Jawa Tengah makin nyata?” [Is the threat of sinking areas on the North Coast of Central Java becoming more real?] *Mongabay*, 12 April 2024, <https://www.mongabay.co.id/2024/04/12/ancaman-tenggelamnya-wilayah-di-pesisir-utara-jawa-tengah-makin-nyata/>.

⁸ For the full scores of Indonesia assessment against public participation indicators, see “Pillar 2” of Annex 1 in this report.

⁹ Ary Sudijanto (Ministry of Environment and Forestry of Indonesia), interview, 26 February 2024.

¹⁰ Parid Ridwanudin (Walhi), interview, 15 February 2024.

¹¹ Suryadi, “Susun Raperda Tanah Ulayat, DPRD Riau Tertutup?” [Riau subnational council closed during the drafting of indigenous land ordinance] *Mongabay*, 15 April 2024, <https://www.mongabay.co.id/2024/04/15/susun-raperda-tanah-ulayat-dprd-riau-tertutup>.

¹² Suryadi, “Riau subnational council closed during the drafting of indigenous land ordinance,” *Mongabay*.

¹³ Lindayanti (National University of Singapore), interview, 19 February 2024.

¹⁴ For the full scores of Indonesia assessment against access to justice indicators, see “Pillar 3” of Annex 1 in this report.

¹⁵ Parid Ridwanudin (Walhi), interview, 15 February 2024.

¹⁶ Ardhi Ridwansyah, “827 pejuang lingkungan dikriminalisasi sepanjang 2014–2023,” [827 environmental fighters were criminalized during 2014–2023] *KBR*, 16 January 2024, <https://kbr.id/berita/nusantara/827-pejuang-lingkungan-dikriminalisasi-sepanjang-2014-2023->.

¹⁷ Grita Anindarini (Indonesian Centre for Indonesian Environmental Law), interview, 23 February 2024.

Annex 1: Indonesia Full Index Scores

This instrument is designed for a wide variety of stakeholders that include the government, civil society, businesses, academia, and local communities. The ability of the index scoring to accurately reflect actual conditions as well as the status of policy implementation depends on the diversity of the data and respondents engaged in the indexing process. Additionally, the degrees to which each respondent provides responses to the indicator questions based on lived experiences and/or knowledge of environmental policies also have influence on the scores generated in the indexing process.

Note that the scoring guide for each question ranges from 0 (zero) to 3 (three). The respective functions of rights promotion and citizen engagement facilitation in policy implementation are all indicated by a maximum score of three, which helps give respondents a range to choose from and is intended to restrict, though not eliminate, subjectivity in the indexing process.

This section establishes the indicators that must be assessed to determine the compliance of countries against the Bali Guidelines across the three environmental democracy pillars:

- Pillar 1: Access to Information
- Pillar 2: Public Participation
- Pillar 3: Access to Justice

The colour of the cells in this section signifies the nature of each indicator as follows:

Yellow	Presence of indicators
Blue	Provision of rights
Purple	Engagement of citizens

Pillar 1: Access to Information in Indonesia

Dimension	Indicator	Indonesia Score (August 2024)
Guideline 1: Any natural or legal person should have affordable, effective, and timely access to environmental information held by public authorities upon request, without having to prove a legal or other interest.		
Supply	Is there any policy regulating access to information about environmental matters?	1
Supply	To what extent do the policies recognise the inequity of information access?	0
Supply	To what extent do the policies enhance the effective information communication system that caters to all information requests?	0
Supply	To what extent do the policies encourage the governments and state institutions to maintain information channels that are easy to be accessed?	2
Demand	Is there any civil society element, including the press, to voice information access?	1
Demand	To what extent do civil society entities, including the press, encourage the government to provide access to information through various news platforms and media channels?	3
Demand	To what extent does civil society, including the press, encourage citizens to get access to information?	3
Guideline 2: Environmental information in the public domain should include, among other things, information about environmental quality, environmental impacts on health, and factors that influence them, in addition to information about legislation and policy, and advice about how to obtain information.		
Supply	To what extent do the policies recognise the public domain of environmental information?	3
Supply	To what extent do the policies ensure the accessibility of environmental data and information in the public sphere according to specific themes, such as potable water, air purity, and waste handling?	2
Supply	To what extent do the policies ensure the preparedness of environmental data and information, specifically ready for environmental impact assessment, monitoring, and evaluation?	1
Demand	To what extent does civil society, including the press, put pressure on the governments and state institutions for data preparedness?	3
Demand	To what extent does civil society encourage citizens to request preparedness of environmental data and information, specifically ready for environmental impact assessment, monitoring, and evaluation?	3
Guideline 3: States should clearly define in their law the specific grounds on which a request for environmental information can be refused. The grounds		

Dimension	Indicator	Indonesia Score (August 2024)
for refusal are to be interpreted narrowly, taking into account the public interest served by disclosure.		
Supply	To what extent do the policies recognise the controversial matters of the information?	2
Supply	To what extent do the policies enhance the presence of a complaint mechanism that allows the public interests assessment on grounds of refusal?	2
Supply	To what extent do the policies enhance the preparedness of public assessment on a valid reason for refusal?	0
Demand	To what extent do civil society, including the press, put pressure on governments and state institutions to allow public complaints on controversial matters?	3
Demand	To what extent do civil society, including the press, encourage citizens to request review on controversial matters?	3
Guideline 4: States should ensure that their competent public authorities regularly collect and update relevant environmental information, including information on environmental performance and compliance by operators of activities potentially affecting the environment. To that end, States should establish relevant systems to ensure an adequate flow of information about proposed and existing activities that may significantly affect the environment		
Supply	To what extent do the policies recognise the public concerns towards environmental information and communication systems?	2
Supply	To what extent do the policies enhance the effective public consultative forum (such as a multistakeholder forum) to engage in producing the responsive report?	1
Supply	To what extent do the policies ensure data preparedness about existing activities that affect the environment with specific measurement in the public domain?	0
Demand	To what extent do civil society, including the press, put pressure on the governments and state institutions to ensure relevant data for practical purposes?	3
Demand	To what extent do civil society, including the press, encourage citizens to request relevant data for practical purposes?	3
Guideline 5: States should periodically prepare and disseminate at reasonable intervals up-to-date information on the state of the environment, including information on its quality and pressures on the environment.		
Supply	To what extent do the policies enhance information and communication systems to publish environmental data and information on a thematic public (water, air purity, waste handling) domain at periodic times?	1
Supply	To what extent do the policies enhance information and communication systems to publish data on existing or up-to-date activities that may significantly affect the environment?	1

Dimension	Indicator	Indonesia Score (August 2024)
Supply	To what extent do the policies enhance the preparedness of the environmental information communication system for implementing an early warning mechanism?	0
Demand	To what extent does civil society, including the press, put pressure on the government and state institutions to ensure up-to-date information about the quality of the environment?	3
Demand	To what extent does civil society, including the press, encourage citizens to request up-to-date information about the quality of the environment?	3
Guideline 6: In the event of an imminent threat of harm to human health or the environment, States should ensure that all information that would enable the public to take measures to prevent such harm is disseminated immediately.		
Supply	To what extent do the policies recognise the threat of harm to the environment or human health?	1
Supply	To what extent do the policies encourage stakeholders to serve a public consultative forum in handling risk and threat?	2
Supply	To what extent do the policies encourage data utilisation to handle risk and harm in the public sphere?	1
Demand	To what extent do civil society, including the press, urge governments to provide immediate information for enabling the public to measure and prevent any harm to the quality of the environment?	3
Demand	To what extent do civil society, including the press, encourage citizens to request immediate information for enabling the public to measure and prevent any harm to the quality of the environment?	3
Guideline 7: States should provide means for and encourage effective capacity-building, both among public authorities and the public, to facilitate effective access to environmental information		
Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback to improve the environmental data and information system?	1
Supply	To what extent do the policies invite stakeholders to facilitate the generation of pertinent data?	1
Demand	To what extent does civil society, including the press, develop proactive citizenship to get access to information?	3

Pillar 2: Public Participation in Indonesia

Dimension	Indicator	Indonesia Score (August 2024)
Guideline 8: States should ensure opportunities for early and effective public participation in decision-making related to the environment. To that end, members of the public concerned should be informed of their opportunities to participate at an early stage in the decision-making process.		
Supply	Is there any policy regulating public participation in environmental decision-making?	1
Supply	To what extent do the policies concerning environmental impact assessment (EIA), pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise inequity in public participation?	0
Supply	To what extent do the policies invite public engagement in submitting requests, inputs, and comments during the early phases of decision-making?	2
Supply	To what extent do the policies encourage stakeholders, including the press, to serve as an effective public consultative forum, to facilitate engagement in the early phases of decision-making?	1
Supply	To what extent do the policies encourage stakeholders, including the press, to serve as an effective public consultative forum, to provide requests and feedback through an EIA process under national law?	1
Demand	Is there any civil society element, including the press, to leverage public participation?	1
Demand	To what extent does civil society, including the press, urge governments to invite public requests, comments, and feedback in the early phases of decision-making?	3
Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback in the early phases of decision-making?	3
Guideline 9: States should, as far as possible, make efforts to seek proactively public participation in a transparent and consultative manner, including efforts to ensure that members of the public concerned are given an adequate opportunity to express their views.		
Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and policymaking recognise inequity in public engagement?	0
Supply	To what extent do the policies encourage the public to express their views, including submitting requests, suggestions, and feedback through any channels including the press concerning EIA?	1
Supply	To what extent do the policies encourage stakeholders to create effective public consultative forums in facilitating public engagement in decision-making?	1

Dimension	Indicator	Indonesia Score (August 2024)
Supply	To what extent do the policies use inputs and feedback from public consultative forums concerning EIA, pollution control permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking?	0
Demand	To what extent does civil society, including the press, urge governments to account for public requests, comments, and feedback in any phases of the decision-making process?	3
Demand	To what extent does civil society, including the press, encourage citizens to express their views in any phases of the decision-making process?	3
Guideline 10: States should ensure that all information relevant to decision-making related to the environment is made available, in an objective, understandable, timely, and effective manner, to the members of the public concerned		
Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking define public concerns about environmental matters connecting public interests and policymaking?	1
Supply	To what extent do the policies evaluate the capacities of data and information systems in accommodating public concerns about environmental matters at periodic times connecting public interests and policymaking?	1
Supply	To what extent do the policies encourage governments and state institutions to publish processed data about operations (e.g., licences, contracts, land uses, cadastre, waste) that directly impact the environment for practical purposes connecting public interests and policymaking?	0
Supply	To what extent do the policies encourage governments and state institutions to maintain the preparedness of the environmental data and information for connecting public interests and policymaking?	1
Demand	To what extent do civil society, including the press, urge governments to provide relevant information for ensuring public interests in decision-making related to the quality of the environment?	3
Demand	To what extent do civil society, including the press, encourage citizens to submit requests for immediate and relevant information for ensuring public interests in decision-making related to the quality of the environment?	3
Guideline 11: States should ensure that due consideration is taken of the comments of the public in the decision-making process and that the decisions are made public.		
Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking encourage governments and state institutions to take due account of public requests, input, and feedback in decision-making?	0
Supply	To what extent do the policies encourage stakeholders including the press to serve public consultative forums to incorporate	0

Dimension	Indicator	Indonesia Score (August 2024)
	public interest in decision-making?	
Demand	To what extent does civil society including the press encourage citizen engagement in consultative forums and public review for providing requests, comments, and feedback in decision-making?	3
Guideline 12: States should ensure that when a review process is carried out where previously unconsidered environmentally significant issues or circumstances have arisen, the public should be able to participate in any such review process to the extent that circumstances permit.		
Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking invite the public to submit requests, suggestions, and comments at the decision-making process related to the environment?	0
Supply	To what extent do the policies encourage stakeholders to serve an effective public consultative forum in providing requests, inputs, and feedback in decision-making process?	0
Demand	To what extent does civil society, including the press, urge governments and state institutions to open public consultative forums and public review when environmental circumstances have arisen?	3
Demand	To what extent does civil society including the press encourage citizens to be engaged in public consultative forums and public review when environmental circumstances have arisen?	3
Guideline 13: States should consider appropriate ways of ensuring, at an appropriate stage, public input into the preparation of legally binding rules that might have a significant effect on the environment and into the preparation of policies, plans, and programs relating to the environment.		
Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise inequity of public engagement in the decision-making process related to the environment?	0
Supply	To what extent do the policies pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking encourage the public to provide requests, inputs and feedback at any stage of decision-making process related to the environment?	0
Supply	To what extent do the policies invite stakeholders to serve a public consultative forum at any stage of the decision-making process related environment?	0
Demand	To what extent does civil society, including the press, urge governments to account for public requests, comments, and feedback into the preparation of legally binding rules?	3
Demand	To what extent does civil society, including the press, encourage citizens to submit public requests, comments, and feedback in the preparation of legally binding rules?	3

Dimension	Indicator	Indonesia Score (August 2024)
Guideline 14: States should provide means for capacity-building, including environmental education and awareness-raising, to promote public participation in decision-making related to the environment.		
Supply	To what extent do the policies recognise inequity of engagement in the decision-making process among governments, companies, and communities?	0
Supply	To what extent do the policies invite the public to submit requests, suggestions, and comments at any stages of the decision-making process related environment?	0
Supply	To what extent do the policies encourage governments and state institutions to ensure the preparedness channels for stakeholders, including press to serve a public consultative forum to facilitate an inclusive decision-making process?	0
Supply	To what extent do the policies encourage governments and state institutions to take account requests, inputs, and feedback of a public consultative forum in decision-making process?	0
Demand	To what extent does civil society, including the press, encourage governments to develop means (e.g., regulations, institutions, programs, channels) for encouraging proactive citizenship in the decision-making process?	3

Pillar 3: Access to Justice in Indonesia

Dimensions	Indicators	Indonesia Score (August 2024)
Guideline 15: States should ensure that any natural or legal person who considers that his or her request for environmental information has been unreasonably refused, in part or in full, inadequately answered or ignored, or in any other way not handled following applicable law, has access to a review procedure before a court of law or other independent and impartial body to challenge such a decision, act, or omission by the public authority in question.		
Supply	Is there any policy regulating review procedures related to the court on environmental matters?	1
Supply	To what extent do the policies concerning environmental impact assessment (EIA), pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise public complaints about the refusal of environmental requests or public challenges about the procedural decisions related to the environment?	0
Supply	To what extent do the policies recognise vulnerable groups to access legal procedures concerning public interests?	1

Supply	To what extent do the policies entitle the public to use complaint mechanisms or review procedures?	0
Supply	To what extent do the policies provide complaint mechanisms and review procedures for appealing information request refusals or challenging decisions?	0
Supply	To what extent do the policies encourage the public to submit reviews and feedback through legalised complaint mechanisms and review procedures for appealing information request refusals or challenging decisions?	0
Supply	To what extent do the policies encourage stakeholders to serve consultative forums to submit reviews and feedback for appealing information request refusals or challenging decisions?	1
Demand	Are there any civil society elements, including the press, to leverage public access to justice?	1
Demand	To what extent does civil society, including the press, urge governments to account for public complaints and challenges toward decisions by the public authority?	3
Demand	To what extent does civil society, including the press, encourage citizens to submit public requests, comments, and feedback to challenge decisions by the public authority?	3
Guideline 16: States should ensure that the members of the public concerned have access to a court of law or other independent and impartial body to challenge the substantive and procedural legality of any decision, act or omission relating to public participation in decision-making in environmental matters.		
Supply	To what extent do the policies ensure public entitlement to use complaint mechanisms and review procedures for appealing requests that have been refused or challenging decision-making related to environments?	0
Supply	To what extent do the policies encourage governments and state institutions, including courts to take account of any decision regarding public requests, complaints, and reviews subject to the grounds for refusal?	0
Demand	To what extent does civil society, including the press, urge governments to guarantee public participation appeals to the court of law in challenging decisions by the public authority?	3
Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by the public authority?	3
Guideline 17: States should ensure that the members of the public concerned have access to a court of law or other independent and impartial body or administrative procedures to challenge any decision, act, or omission by public authorities or private actors that affect the environment or allegedly violates the substantive or procedural legal norms of the State related to the environment.		
Supply	To what extent do the policies recognise the inequity of legal and procedural access to raise complaints and reviews among public authorities, private companies, and local communities regarding the decision-making related to the environment?	0
Supply	To what extent do the policies encourage governments and state institutions to take account of any determination regarding	0

	the exercise of legal rights to contest governmental entities and/or private actors?	
Demand	To what extent does civil society, including the press, urge governments to guarantee people access to the court of law in challenging decisions by the public authority?	1
Demand	To what extent does civil society, including the press, urge governments to guarantee people access to the court of law in challenging decisions by private actors?	3
Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by the public authority?	3
Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by private actors?	3
Guideline 18: States should provide a broad interpretation of standing in proceedings concerned with environmental matters with a view to achieving effective access to justice.		
Supply	To what extent do the policies recognise the inequity of access to legal procedures in serving the public interest in environmental cases?	0
Supply	To what extent do the policies grant broad legal standing for appealing information request refusals or challenging decisions concerning equitable access to justice?	0
Demand	To what extent does civil society, including the press, urge governments to account for the right of the legal person and group potentially affected by decisions (e.g., NGOs, local communities) to bring a proceeding before courts, tribunals, and administrative bodies?	3
Demand	To what extent does civil society, including the press, encourage citizens to claim the right of the legal person and group potentially affected by decisions (e.g., NGOs, local communities) to bring a proceeding before courts, tribunals, and administrative bodies?	3
Guideline 19: States should provide effective procedures for timely review by courts of law or other independent and impartial bodies, or administrative procedures, of issues relating to the implementation and enforcement of laws and decisions pertaining to the environment. States should ensure that proceedings are fair, open, transparent, and equitable.		
Supply	To what extent do the policies recognise the inequity of public access to judicial review?	0
Supply	To what extent do the policies encourage the public to submit requests, inputs, and comments in the judicial review process?	0
Supply	To what extent do the policies encourage governments and state institutions to inform the public regarding a judicial review process relating to the environment?	0
Supply	To what extent do the policies encourage stakeholders to serve public consultative forums to monitor an all-encompassing	0

	process of law enforcement and decisions relating to the environment?	
Demand	To what extent does civil society, including the press, urge governments to provide transparent procedures for review by courts or impartial bodies to the decisions pertaining to the environment?	3
Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback to review by courts or impartial body pertaining to the environment?	3
Guideline 20: States should ensure that the access of members of the public concerned to review procedures relating to the environment is not prohibitively expensive and should consider the establishment of appropriate assistance mechanisms to remove or reduce financial and other barriers to access to justice.		
Supply	To what extent do the policies recognise financial barriers to access to justice for the vulnerable groups?	1
Supply	To what extent do the policies provide appropriate assistance mechanisms for vulnerable groups to access justice?	0
Supply	To what extent do the policies encourage governments and state institutions to remove or reduce financial barriers to protecting the public interest in the judicial review process?	0
Demand	To what extent does civil society, including the press, urge governments to ensure affordable procedures for the public to access justice?	3
Guideline 21: States should provide a framework for prompt, adequate and effective remedies in cases relating to the environment, such as interim and final injunctive relief. States should also consider the use of compensation and restitution and other appropriate measures.		
Supply	To what extent do the policies encourage governments and state institutions to develop measurements of adequate remedies to the environment?	0
Supply	To what extent do the policies encourage governments and state institutions to include expertise on ecology and environment for the apparatuses to enforce law related to the environment?	1
Supply	To what extent do the policies encourage governments and state institutions to have consultative forum functions in an all-encompassing process of prompt remedies for the environment?	1
Demand	To what extent does civil society, including the press, urge governments to ensure effective remedies in cases relating to the environment?	3
Demand	To what extent does civil society, including the press, encourage citizens to request adequate compensation in cases relating to the environment?	3
Guideline 22: States should ensure the timely and effective enforcement of decisions in environmental matters taken by courts of law, and by administrative and other relevant bodies.		

Supply	To what extent do the policies encourage governments and state institutions to evaluate court decisions or law enforcement relating to the environment?	0
Supply	To what extent do the policies encourage law enforcement or court to provide decisions that have a deterrent effect on the criminals relating to the environment?	3
Supply	To what extent do the policies prompt the public to submit requests, suggestions, and feedback in the implementation of the court decisions?	0
Supply	To what extent do the policies encourage stakeholders to serve public consultative forums to push effective law enforcement relating to the environment?	1
Demand	To what extent does civil society, including the press, urge governments to enforce decisions taken by courts?	3
Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback in pushing the law enforcement?	3
Guideline 23: States should provide adequate information to the public about the procedures operated by courts of law and other relevant bodies in relation to environmental issues.		
Supply	To what extent do the policies encourage governments and state institutions to define the public interest in an environmental case currently being litigated in the court?	1
Supply	To what extent do the policies encourage governments and state institutions to inform the public about the procedures litigated by the courts related to the environment?	0
Supply	To what extent do the policies encourage governments and state institutions to provide preparedness data and information about a case litigated by the courts related to the environment for practical purposes?	0
Supply	To what extent do the policies encourage stakeholders, including the press, to serve public consultative forums to be engaged in the public reviews regarding remedies and relief?	0
Demand	To what extent does civil society, including the press, urge governments to provide adequate information about the court procedures to the public to adequate remedies and relief relating to environmental issues?	3
Demand	To what extent does civil society, including the press, disseminate information about the court procedures to the public to get adequate remedies and relief relating to environmental issues?	3
Guideline 24: States should ensure that decisions relating to the environment taken by a court of law, or other independent and impartial or administrative body, are publicly available, as appropriate and in accordance with national law		
Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback to judicial and administrative decisions, including remedies related to the environment?	0

Supply	To what extent do the policies encourage stakeholders including the press to serve public consultative forums for monitoring judicial and administrative decisions including remedies related to the environment?	0
Demand	To what extent does civil society, including the press, urge governments to provide information relating to judicial and administrative decisions taken by court of law?	3
Demand	To what extent does civil society, including the press, disseminate information relating to judicial and administrative decisions taken by court of law?	3
Guideline 25: States should, on a regular basis, promote appropriate capacity-building programmes in environmental law for judicial officers, other legal professionals, and other relevant stakeholders.		
Supply	To what extent do the policies encourage governments and state institutions to include expertise on ecology and the environment in the apparatuses for law enforcement related to the environment?	0
Supply	To what extent do the policies encourage governments and state institutions and or other impartial bodies to evaluate law enforcement and remedies at periodic time?	0
Supply	To what extent do the policies encourage stakeholders including the press to serve public consultative forums to be engaged in law enforcement related to the environment?	0
Demand	To what extent does civil society prompt legal awareness of public access to justice through community paralegals and or paralegal services?	3
Guideline 26: States should encourage the development and use of alternative dispute resolution mechanisms where these are appropriate.		
Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback including disputes to the court decisions and remedies?	1
Supply	To what extent do the policies encourage governments and state institutions to ensure public access to complaint mechanisms and judicial review procedures regarding court decisions including remedies?	1
Supply	To what extent do the policies encourage stakeholders including the press to serve public consultative forums to be engaged in implementing court decisions and or raising alternative dispute resolution?	0
Demand	To what extent does civil society, including the press, urge governments to open possibilities for alternative dispute resolution in cases of environmental harm?	3
Demand	To what extent does civil society, including the press, encourage citizens to request alternative dispute resolution in cases of environmental harm?	3

Annex 2: Comparison with the 2015 EDI

Pillar 1: Access to Information

TAI & WRI (2015)			PoIGov & WFD (2024)			
Question	Indonesia Score	Criteria	Dimension	Question	Indonesia Score	Criteria
Guideline 1: Any natural or legal person should have affordable, effective, and timely access to environmental information held by public authorities upon request (subject to guideline 3), without having to prove a legal or other interest.						
To what extent does the law mandate access to environmental information to be provided upon request?	3	There is a general law, such as a freedom of Information Law that provides for access to information on request.	Supply	To what extent do the policies recognise the inequity of information access?	0	The policy is silent on this matter.
To what extent does the law provide for natural or legal persons' access to environmental information?	2	Only two of the three categories have the right.	Supply	To what extent do the policies enhance the effective information communication system that caters to all information requests?	0	The policy is silent on this matter.
To what extent does the law make access to environmental information affordable?	1	The law requires access to environmental information to be "affordable" or "not expensive" (without defining the same) OR (ii) for fees to be waived or reduced based on the public interest nature of the request or poverty or non-profit nature of applicant.	Supply	To what extent do the policies encourage the governments and State institutions to maintain information channels that are easy to be accessed?	2	The policy provides channels to publish and receive requests for data and information.
To what extent does the law provide for timely access to environmental information?	3	The law provides 30 days or less for the first decision to request for information.	Demand	Is there any civil society element, including the press, to voice information access?	1	There is civil society entity.

To what extent does the law include public authorities under access to environmental information provisions?	3	All public authorities are subject to the access to information law, including the judiciary, legislature and executive.	Demand	To what extent do civil society entities, including the press, encourage the government to provide access to information through various news platforms and media channels?	3	The presence of civil society organisations strongly encourages government to provide access to information.
To what extent does the law not require proof of legal or other interest for access to environmental information?	2	The law only requires disclosure of the identity of the requester but does not require any other reasons for the request.	Demand	To what extent does civil society, including the press, encourage citizens to get access to information?	3	The presence of civil society organisations strongly encourages citizens to get access to information.
Guideline 2: Environmental information in the public domain should include, among other things, information about environmental quality, environmental impacts on health, and factors that influence them, in addition to information about legislation and policy, and advice about how to obtain information						
To what extent does the law require information on environmental quality to be made proactively available to the public?	3	The law requires all key ministries and agencies to proactively make environmental information available to the public.	Supply	To what extent do the policies recognise the public domain of environmental information?	3	The policy requires governments and state institutions to ensure public inform and consent about impacts to environment, with specific instruments of incentives and punishments to do so.
To what extent does the law require environmental information on environmental factors that influence health be placed in the public domain?	2	The law requires majority of public health related environmental information to be proactively made public.	Supply	To what extent do the policies ensure the accessibility of environmental data and information in the public sphere according to specific themes, such as potable water, air purity, and waste handling?	2	The policy requires all institutions relating and having impact to environment shall disclose information to public.
To what extent does the law require information on environmental laws and policy be placed in the public domain?	0	The law is silent on this or leaves it to the discretion of the ministry or agency to disclose environmental laws and policies.	Supply	To what extent do the policies ensure the preparedness of environmental data and information, specifically ready for environmental impact assessment (EIA), monitoring, and evaluation?	1	The policy mandates to publish data.

To what extent does the law require publicly available information and advice on how to obtain environmental information?	3	The law requires all key ministries and agencies to inform the public about how to obtain environmental information.	Demand	To what extent does civil society, including the press, put pressure on the governments and state institutions for data preparedness?	3	The presence of civil society organisations strongly encourages governments to ensure data preparedness.
Are real time air quality data for the capital city of your country made available online by the government?	1	Limited (data is made available sporadically, the parameters publicised are limited, the geographic area covered by the data is smaller than the capital city boundaries, or the data is made available but not daily).	Demand	To what extent does civil society encourage citizens to request preparedness of environmental data and information, specifically ready for environmental impact assessment (EIA), monitoring, and evaluation?	3	The presence of civil society organisations strongly encourages citizens to ensure data preparedness.
In the last two years, has annual drinking water quality data for water services in your capital city been proactively provided to consumers either by mail (post) or online and do they meet the minimum standards established by the regulatory agency?	0	Limited (on an infrequent basis or incomplete data).	n/a	n/a	n/a	n/a

Guideline 3: States should clearly define in their law the specific grounds on which a request for environmental information can be refused. The grounds for refusal are to be interpreted narrowly, taking into account the public interest served by disclosure.

To what extent does the law clearly define specific grounds on which a request for environmental information can be refused?	2	The law specifies grounds on which a request for environmental information can be refused but these are framed or interpreted broadly.	Supply	To what extent do the policies recognise the controversial matters of the information?	2	The policy mentions controversial matters and imply restriction to disclose this matter.
To what extent does the law require environmental information that is covered by a ground for refusal to be severed (separated) from the rest of the information before being released to the requester?	3	All laws providing for environmental information to be released upon request include a provision on severance.	Supply	To what extent do the policies enhance the presence of a complaint mechanism that allows the public interests assessment on grounds of refusal?	2	The policy outlines complaint mechanism and measurement for the accomplishment.
To what extent does the law require the decision maker to take	3	The law provides a wide public interest test that covers all	Supply	To what extent do the policies enhance the	0	There is no policy on this matter.

into account the public interest served by disclosure when considering exemptions (grounds for refusal)?		exemptions and requires the requested information to be made available if it is in the public interest.		preparedness of public assessment on a valid reason for refusal?		
			Demand	To what extent do civil society, including the press, put pressure on governments and state institutions to allow public complaints on controversial matters?	3	The presence of civil society organisations strongly encourages governments to allow public complaints on controversial matter.
			Demand	To what extent do civil society, including the press, encourage citizens to request review on controversial matters?	3	The presence of civil society organisations strongly encourages citizens to request review on controversial matter.

Guideline 4: States should ensure that their competent public authorities regularly collect and update relevant environmental information, including information on environmental performance and compliance by operators of activities potentially affecting the environment. To that end, States should establish relevant systems to ensure an adequate flow of information about proposed and existing activities that may significantly affect the environment.

To what extent are competent public authorities mandated by law to regularly collect and update relevant environmental information?	3	The law provides a wide public interest test that covers all exemptions and requires the requested information to be made available if it is in the public interest.	Supply	To what extent do the policies recognise the public concerns towards environmental information and communication systems?	2	The policy appeals all institutions relating and having impact to environment shall disclose information to public.
To what extent does the law mandate the public authorities to comprehensively monitor the environmental performance and compliance by operators of activities potentially affecting the environment, and to collect and update such information?	3	The law mandates competent public authorities to monitor the performance and compliance by operators of all activities potentially affecting the environment and collect and update such information.	Supply	To what extent do the policies enhance the effective public consultative forum (such as a multistakeholder forum) to engage in producing the responsive report?	1	The policy mention about public consultation concerning information on environmental performance and compliance by operators of activities potentially affecting the environment.
To what extent is there a system established by the law ensuring adequate public information about proposed and existing activities that may significantly affect the environment?	3	The law mandates the establishment of a comprehensive system ensuring adequate public information about proposed and existing activities that may significantly affect the environment.	Supply	To what extent do the policies ensure data preparedness about existing activities that affect the environment with specific measurement in the public domain?	0	The policy is silent on this matter.

Does a national agency in your country ensure that daily air emission and wastewater discharges by large-scale industries at a facility level are proactively made publicly available either online, through a public register or at a library; if so, is that information comparable to a national standard?	1	Limited (only air or water data (but not both) are made available, the data are more than one year old, or the data are available but not at a facility level).	Demand	To what extent do civil society, including the press, put pressure on the governments and state institutions to ensure relevant data for practical purposes?	3	The presence of civil society organisations strongly encourages governments to ensure relevant data for practical purposes.
			Demand	To what extent do civil society, including the press, encourage citizens to request relevant data for practical purposes?	3	The presence of civil society organisations strongly encourages citizens to request relevant data for practical purposes.
Guideline 5: States should periodically prepare and disseminate at reasonable intervals up-to-date information on the state of the environment, including information on its quality and pressures on the environment.						
To what extent does the law mandate the government to publish reports on the state of the environment (i.e. a State of the Environment report)?	3	The law obligates the government to publish reports on the state of the environment.	Supply	To what extent do the policies enhance information and communication systems to publish environmental data and information on a thematic public (water, air purity, waste handling) domain at periodic times?	1	The policy requires governments and state institutions to prepare and publish data at periodic time.
To what extent does the law require the publication of a State of the Environment report to be periodic at reasonable intervals?	1	The law specifies that state of the environment reports should be published every three to five years.	Supply	To what extent do the policies enhance information and communication systems to publish data on existing or up-to-date activities that may significantly affect the environment?	1	The policy requires governments and state institutions to develop integrated data and information system with ICT for ensuring preparedness.
Does the law require the report to be comprehensive in the information that it provides?	0	The law is silent on the report containing environmental quality information.	Supply	To what extent do the policies enhance the preparedness of the environmental information communication system for implementing an early warning mechanism?	0	The policy is silent on this matter.
To what extent does the law require the report to contain up-to-date information?	0	The law is silent on the need for the report to contain up-to-date information.	Demand	To what extent does civil society including the press put pressure on the government and state	3	The presence of civil society organisations strongly encourages governments to ensure up-

				institutions to ensure up-to-date information about the quality of the environment?		to-date information about quality of environment.
In the last 10 years has a national government agency regularly published State of the Environment Reports? (Regular is at fixed intervals of five years or less)	2	Yes		Demand To what extent does civil society including the press encourage citizens to request up-to-date information about the quality of the environment?	3	The presence of civil society organisations strongly encourages citizens to request competent apparatuses for managing data preparedness.
Guideline 6: In the event of an imminent threat of harm to human health or the environment, States should ensure that all information that would enable the public to take measures to prevent such harm is disseminated immediately.						
When there is an imminent threat of harm to human health or the environment, to what extent does the law obligate or mandate the government agencies to immediately disseminate information to the public that enables it to take preventive action?	3	The law obligates the state and state agencies to immediately disseminate information to the public when there is an imminent threat of harm to human health or the environment.	Supply	To what extent do the policies recognise the threat of harm to the environment or human health?	1	The policy indicates existing risk and threat to human and environment.
			Supply	To what extent do the policies encourage a multistakeholder to serve a public consultative forum in handling risk and threat.	2	The policy provides mechanisms and procedures for request, comments, and feedback to handle risk and threat to human and environment.
			Supply	To what extent do the policies encourage data utilisation to handle risk and harm in the public sphere?	1	The policy provides data and information.
			Demand	To what extent do civil society, including the press, urge governments to provide immediate information for enabling the public to measure and prevent any harm to the quality of the environment?	3	The presence of civil society organisations strongly encourages governments to provide immediate information for enabling public to measure and prevent any harm to the quality of the environment.

			Demand	To what extent do civil society, including the press, encourage citizens to request immediate information for enabling the public to measure and prevent any harm to the quality of the environment?	3	The presence of civil society organisations strongly encourages citizens to request immediate information for enabling public to measure and prevent any harm to the quality of the environment.
Guideline 7: States should provide means for and encourage effective capacity-building, both among public authorities and the public, to facilitate effective access to environmental information.						
n/a	n/a	n/a	Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback to improve the environmental data and information system?	1	The policy encourages governments and state institutions to provide data and information system.
			Supply	To what extent do the policies invite stakeholders to facilitate the generation of pertinent data?	1	The policy encourages governments and state institutions to provide data and information system.
			Demand	To what extent does civil society, including the press, develop proactive citizenship to get access to information?	3	The presence of civil society organisations strongly develops proactive citizenship to get access to information.

Pillar 2: Public Participation

TAI & WRI (2015)			PoIGov & WFD (2024)			
Question	Indonesia Score	Criteria	Dimension	Question	Indonesia Score	Criteria
Guideline 8: States should ensure opportunities for early and effective public participation in decision-making related to the environment. To that end, members of the public concerned should be informed of their opportunities to participate at an early stage in the decision-making process.						

To what extent does the law require the public concerned to have opportunities to participate in decision making related to the environment?	3	The law requires the public to have the opportunity to participate in decision-making on all projects, permitting, licencing, standard-setting, policymaking and planning that may have a significant effect on the environment.	Supply	To what extent do the policies concerning EIA, pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking, recognise inequity of participation in the decision-making process related to the environment?	0	The policy does not acknowledge inequity.
To what extent does the law require public participation opportunities to be provided early in the decision-making process?	2	A majority of the laws (more than 50%) provide public participation opportunities at the very earliest stages of decision-making e.g., scoping stage of projects or planning or early assessment of industrial facilities in permitting or licensing etc.	Supply	To what extent do the policies invite public engagement in submitting requests, inputs, and comments during the initial phase of the decision-making process?	2	The policy outlines procedures for public engagement but lacks explicit encouragement.
To what extent does the law require that the public concerned be provided with information about its opportunities to participate early in the decision-making process?	2	A majority of the laws require State agencies or private actors to notify the public concerned.	Supply	To what extent do the policies encourage stakeholders, including the press, to serve as an effective public consultative forum, to facilitate engagement at early-stage decision-making process?	1	The policy mention about public participation.
Choose three recent controversial development projects (in terms of press coverage and potential cost and/or revenue of project) that were approved through an Environmental Impact Assessment (EIA) process under national law. Were public notices given seeking comments on the EIA or its terms of reference?	1	Limited (not in all cases)	Supply	To what extent do the policies encourage stakeholders, including the press, to serve as an effective public consultative forum, to provide requests and feedback through an EIA process under national law?	1	The policy mention about public participation.
			Demand	Is there any civil society element, including the press, to leverage public participation?	1	There is civil society entity.

			Demand	To what extent does civil society, including the press, urge governments to invite public requests, comments, and feedback in the early phase of the decisions-making process?	3	The presence of civil society organisations strongly encourages governments to invite public requests, comments, and feedback in the early phase of the decision-making process.
			Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback in the early phase of the decisions-making process?	3	The presence of civil society organisations strongly encourages citizens to submit requests, comments, and feedback in the early phase of the decisions-making process.
Guideline 9: States should, as far as possible, make efforts to seek proactively public participation in a transparent and consultative manner, including efforts to ensure that members of the public concerned are given an adequate opportunity to express their views.						
To what extent do the laws concerning environmental impact assessments, pollution control permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking obligate the state or state agencies at the national level to proactively seek public participation?	2	Most laws assessed obligate the State or state agencies to proactively seek public participation in decisions related to the environment.	Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise inequity of public engagement in the decision-making process?	0	There is no policy on this matter.
To what extent do the laws concerning: environmental impact assessments, pollution control permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking obligate the State or State agencies at the national level to give members of the public concerned an adequate opportunity to express their views?	3	All laws assessed require the State or state agencies to give the public concerned an adequate opportunity to express its views.	Supply	To what extent do the policies encourage the public to express their views, including submitting requests, suggestions, and feedback through any channels including the press concerning EIA?	1	The policy mentions participation but lacks commitment to opportunity.
n/a	n/a	n/a	Supply	To what extent do the policies encourage stakeholders to create effective public	1	The policy mentions involvement.

				consultative forums in facilitating public engagement in the decision-making process?		
			Supply	To what extent do the policies use inputs and feedback from public consultative forums concerning EIA, pollution control permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking.	0	The policy does not incorporate public feedback.
			Demand	To what extent does civil society, including the press, urge governments to account for public requests, comments, and feedback in any phases of the decision-making process?	3	The presence of civil society organisations strongly urges governments to account for public requests, comments, and feedback in any phases of the decisions-making process.
n/a	n/a	n/a	Demand	To what extent does civil society, including the press, encourage citizens to express their views in any phases of the decision-making process?	3	The presence of civil society organisations strongly encourages citizens to express their views in any phases of decision-making process.

Guideline 10: States should ensure that all information relevant to decision-making related to the environment is made available, in an objective, understandable, timely, and effective manner, to the members of the public concerned.

To what extent do the laws concerning: environmental impact assessments, pollution control permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking require all information relevant to decision-making processes relating to the environment to be made available to the public concerned, without the public having to make an	1	A minority of the laws assessed require all information relevant to decision-making to be provided to the public concerned in a timely manner.	Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking define public concerns about environmental matters connecting public interests and policymaking?	1	The policy mentions about general environmental information shall be disclose to the public.
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official information request?						
To what extent do the laws concerning environmental impact assessments, pollution control permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking require that proactively released information relevant to decision-making be understandable to the public concerned?	1	A minority of the laws assessed require proactively released information to be understandable by the public concerned at the most basic literacy/education level and in all relevant languages.	Supply	To what extent do the policies evaluate the capacities of data and information systems in accommodating public concerns about environmental matters at periodic times connecting public interests and policymaking?	1	The policy requires governments and state institutions to update and publish data at periodic time.
To what extent do the laws concerning environmental impact assessments, pollution control permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking require the information relevant to decision-making to be provided in a timely fashion to the public concerned?	0	The law does not specify any time frame during which the information relevant to decision-making must be available to the public concerned.	Supply	To what extent do the policies encourage governments and state institutions to publish processed data about operations (such as licences, contracts, land uses/cadastre, and waste) that directly impact the environment for practical purposes connecting public interests and policymaking?	0	The policy is silent on this matter.
Are the Environmental Impact Assessments for development projects accessible to the public online or at a national government agency?	1	Limited (only for some projects or they are available but not online).	Supply	To what extent do the policies encourage governments and state institutions to maintain the preparedness of the environmental data and information for connecting public interests and policymaking?	1	The policy requires governments and state institutions to update and publish data at periodic time.
Is information on wastewater discharge and air emission permit violations available to the public online or at a government agency?	1	Limited (only for some permit violations or they are not available online).	Demand	To what extent do civil society, including the press, urge governments to provide relevant information for ensuring public interests in decision-making related to the quality of the environment?	3	The presence of civil society organisations strongly urges governments to account for public requests, comments, and feedback in any phases of the decisions-making process.

Are extractive industry licences/permits available to the public online or at a government agency?	0	No	Demand	To what extent do civil society, including the press, encourage citizens to submit requests for immediate and relevant information for ensuring public interests in decision-making related to the quality of the environment?	3	The presence of civil society organisations strongly encourages citizens to express their views in any phases of decision-making process.
During the past three years, in the process of granting forest use contracts, has the relevant agency made publicly available information related to such contracts?	0	No	n/a	n/a	n/a	n/a
Are the forest use contracts, once finalised, made available to the public online or at a government agency?	0	No	n/a	n/a	n/a	n/a
Guideline 11: States should ensure that due consideration is taken of the comments of the public in the decision-making process and that the decisions are made public.						
To what extent do the laws concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking require the State or State agencies at the national level to take due account of the public's comments in decision-making relating to the environment?	1	A minority of laws assessed require the State or State agencies at the national level to take due account of public comments.	Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking encourage governments and state institutions to take due account of the public's requests, suggestions, and feedback in decision-making relating to the environment?	0	The policy does not address public involvement.
To what extent do the laws concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking require that decisions relating to the environment are made	1	A minority of the laws assessed require decisions relating to the environment to be in writing and publicised through the press.	Supply	To what extent do the policies encourage stakeholders including the press to serve public consultative forums to incorporate public interest in decision-making?	0	There is no policy on this matter.

public?						
In the three most recent large-scale extractive or development projects, did the relevant agency respond to public comments on the environmental impact assessment and make the responses available to the public?	2	Limited (Responses were made, but they are not publicly available, or responses made public were only for some but not all public comments).	Demand	To what extent does civil society including the press encourage citizen engagement in consultative forums and public review for providing requests, comments, and feedback in decision-making?	3	The presence of civil society organisations strongly encourages citizens to be engaged in public consultative forums.
Guideline 12: States should ensure that when a review process is carried out where previously unconsidered environmentally significant issues or circumstances have arisen, the public should be able to participate in any such review process to the extent that circumstances permit.						
To what extent do the laws concerning: environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, biodiversity and terrestrial protected areas, and environmental policymaking require the State or state agencies to provide for a public review process for decisions relating to the environment if previously unconsidered environmental impacts become apparent?	0	Either the law is silent on the possibility of a public review of previous decisions relating to the environment or expressly does not allow for it when previously unconsidered environmental impacts become apparent.	Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking invite the public to submit requests, suggestions, and comments at the decision-making process related to the environment?	0	The policy is silent on this matter.
n/a	n/a	n/a	Supply	To what extent do the policies encourage stakeholders to serve an effective public consultative forum in providing requests, inputs, and feedback in decision-making process?	0	There is no policy on this matter.
n/a	n/a	n/a	Demand	To what extent does civil society, including the press, urge governments and state institutions to open for public consultative forums and public review when environmental circumstances have arisen?	3	The presence of civil society organisations strongly urges governments and state institutions to open for public consultative forums and public review when environmental circumstances have arisen.
n/a	n/a	n/a	Demand	To what extent does civil society including the press encourage citizens to be	3	The presence of civil society organisations strongly urges

				engaged in public consultative forums and public review when environmental circumstances have arisen?		governments to account for public consultative forums and public review in decision-making.
Guideline 13: States should consider appropriate ways of ensuring, at an appropriate stage, public input into the preparation of legally binding rules that might have a significant effect on the environment and into the preparation of policies, plans, and programs relating to the environment.						
To what extent does the law require opportunities for public input at an appropriate stage during preparation of legally binding rules (rulemaking or preparation of subsidiary legislation, regulations, etc.) that might have a significant effect on the environment?	3	The law requires the state or state agencies to seek direct input from the public during the preparation of legally binding rules that might have a significant effect on the environment.	Supply	To what extent do the policies concerning pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise inequity of public engagement in the decision-making process related to the environment?	0	The policy is silent on this matter.
To what extent do the laws concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking require the State or state agencies to provide opportunities for public input at an appropriate stage of the preparation of policies?	1	A minority of the laws assessed require the state or state agencies to seek public input during the preparation of policies under such laws.	Supply	To what extent do the policies pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking encourage the public to provide requests, inputs and feedback at any stage of decision-making process related to the environment?	0	There is no policy on this matter.
To what extent do the laws concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking require there to be opportunities for public input at an appropriate stage of the preparation of plans relating to the environment?	1	A minority of the laws assessed require the state or state agencies to seek public input during the preparation of plans that might have a significant effect on the environment.	Supply	To what extent do the policies invite stakeholders to serve a public consultative forum at any stage of the decision-making process related environment?	0	There is no policy on this matter.

To what extent does the law require there to be opportunities for public input at an appropriate stage of the preparation of programs relating to the environment?	1	A minority of the laws assessed require the State or state agencies to seek public input during the preparation of programs that might have a significant effect on the environment.	Demand	To what extent does civil society, including the press, urge governments to account for public requests, comments, and feedback into the preparation of legally binding rules?	3	The presence of civil society organisations strongly urges governments to account for public requests, comments, and feedback into the preparation of legally binding rules.
n/a	n/a	n/a	Demand	To what extent does civil society, including the press, encourage citizens to submit public requests, comments, and feedback to the preparation of legally binding rules?	3	The presence of civil society organisations strongly encourages citizens to submit public requests, comments, and feedback to the preparation of legally binding rules.
Guideline 14: States should provide means for capacity-building, including environmental education and awareness-raising, to promote public participation in decision-making related to the environment.						
n/a	n/a	n/a	Supply	To what extent do the policies recognise inequity of engagement in the decision-making process among governments, companies, and communities?	0	The policy does not address inequity.
			Supply	To what extent do the policies invite the public to submit requests, suggestions, and comments at any stages of the decision-making process related environment?	0	The policy is silent on this matter.
			Supply	To what extent do the policies encourage governments and state institutions to ensure the preparedness channels for stakeholders, including press to serve a public consultative forum to facilitate an inclusive decision-making process?	0	There is no policy on this matter.
			Supply	To what extent do the policies encourage governments and state institutions to take	0	The policy does not incorporate public

				account requests, inputs, and feedback of a public consultative forum in decision-making process?		feedback.
n/a	n/a	n/a	Demand	To what extent does civil society, including the press, encourage governments to develop means (e.g., regulations, institutions, programs, channels) for encouraging proactive citizenship in the decision-making process?	3	The presence of civil society organisations strongly urges governments to develop means for encouraging proactive citizenship in the decision-making process.

Pillar 3: Access to Justice

TAI & WRI (2015)			PoIGov & WFD (2024)			
Question	Indonesia Score	Criteria	Dimension	Question	Indonesia Score	Criteria
Guideline 15: States should ensure that any natural or legal person who considers that his or her request for environmental information has been unreasonably refused, in part or in full, inadequately answered or ignored, or in any other way not handled following applicable law, has access to a review procedure before a court of law or other independent and impartial body to challenge such a decision, act, or omission by the public authority in question.						
To what extent do the laws concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking provide for access to a review procedure in cases where environmental information requests have been denied?	3	The law sets out clear procedures for access to a review procedure before a court or other independent and impartial body in cases where environmental information requests are denied.	Supply	To what extent do the policies concerning environmental impact assessments, pollution control standards and permits, forest concessions, extractive industries, protected areas and terrestrial biodiversity, and environmental policymaking recognise public complaints about the refusal of environmental requests or public challenges about the procedural decisions related to the environment?	0	There is no policy on this matter.
To what extent does the law	2	The law gives citizens and legal	Supply	To what extent do the policies	1	The policy mentions

make the review available to all natural or legal persons?		persons or citizens and non-citizens the right to a review when information requests are denied.		recognise vulnerable groups to access legal procedures concerning public interests?		vulnerable groups.
To what extent does the law provide access to a review procedure before a court of law or other independent and impartial body in cases when an environmental information request has been denied?	2	The law requires review procedures when environmental information requests are denied being heard by a court of law or other “independent and impartial body” but legal mechanisms to enforce this are weak or limited.	Supply	To what extent do the policies entitle the public to use complaint mechanisms or review procedures?	0	There is no policy on this matter.
Is there a court, tribunal or other independent or impartial body at the national level with a physical office to receive and process public complaints about the refusal of environmental information?	2	Yes.	Supply	To what extent do the policies provide complaint mechanisms and review procedures for appealing information request refusals or challenging decisions?	0	There is no policy on this matter.
n/a	n/a	n/a	Supply	To what extent do the policies encourage the public to submit reviews and feedback through legalised complaint mechanisms and review procedures for appealing information request refusals or challenging decisions?	0	The policy mentions both procedures.
			Supply	To what extent do the policies encourage stakeholders to serve consultative forums to submit reviews and feedback for appealing information request refusals or challenging decisions?	1	The policy mention about public consultation to review decisions.
			Demand	Is there any civil society element, including the press, to leverage public access to justice?	1	There is civil society entity.

			Demand	To what extent does civil society, including the press, urge governments to account for public complaints and challenges toward decisions by the public authority?	3	The presence of civil society organisations strongly urges governments to account for public complaints and challenges toward decisions by the public authority.
n/a	n/a	n/a	Demand	To what extent does civil society, including the press, encourage citizens to submit public requests, comments, and feedback to challenge decisions by the public authority?	3	The presence of civil society organisations strongly encourages citizens to submit public requests, comments, and feedback to challenge decisions by the public authority.

Guideline 16: States should ensure that the members of the public concerned have access to a court of law or other independent and impartial body to challenge the substantive and procedural legality of any decision, act or omission relating to public participation in decision-making in environmental matters.

To what extent does the law entitle members of the public concerned to challenge the substantive legality of any decision, act or omission relating to decision-making in environmental matters which is subject to public participation?	1	The law entitles members of the public concerned to challenge any decision, act or omission relating to decision-making in environmental matters which is subject to public participation generally but is unclear about whether this includes challenges on substantive legality.	Supply	To what extent do the policies ensure public entitlement to use complaint mechanisms and review procedures for appealing requests that have been refused or challenging decision-making related to environments?	0	The policy does not address mechanisms.
To what extent does the law entitle members of the public concerned to challenge the procedural legality of any decision, act or omission relating to decision-making in environmental matters subject to public participation?	1	The law entitles members of the public concerned to challenge any decision, act or omission relating to decision-making in environmental matters subject to public participation, generally but is unclear about challenges on procedural legality.	Supply	To what extent do the policies encourage governments and state institutions, including courts to take account of any decision regarding public requests, complaints, and reviews subject to the grounds for refusal?	0	The policy does not mention both procedures.
To what extent does the law require that a court of law or	2	The law requires challenges to substantive and procedural	Demand	To what extent does civil society, including the press, urge governments to guarantee public	3	The presence of civil society organisations strongly urges

other independent and impartial body hear challenges to substantive and/or procedural legality?		legality of environmental decisions subject to public participation to be heard by a court of law or other “independent and impartial body”, but there are few legal mechanisms in place to ensure the independence and impartiality of the court or other body, or the mechanisms are weak.		participation appeals to the court of law in challenging decisions by the public authority?		governments to guarantee people access to court of law in challenging decisions by the public authority.
In the last 5 years, have public interest environmental or natural resource cases been filed before a court, tribunal or other body? If court records are not public information, check media reports.	2	Yes.	Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by the public authority?	3	The presence of civil society organisations strongly encourages citizens to submit public requests, comments, and feedback to express their views freely without fear in challenging decisions by the public authority.
Guideline 17: States should ensure that the members of the public concerned have access to a court of law or other independent and impartial body or administrative procedures to challenge any decision, act, or omission by public authorities or private actors that affect the environment or allegedly violates the substantive or procedural legal norms of the State related to the environment.						
To what extent does the law give rights to the public concerned to challenge any decision, act or omission by public authorities that allegedly violates the procedural legal norms of the state relating to the environment?	3	The law gives the public concerned the right to challenge any decision, act or omission by public authorities that allegedly violate the procedural legal norms of the state relating to the environment.	Supply	To what extent do the policies recognise the inequity of legal and procedural access to raise complaints and reviews among public authorities, private companies, and local communities regarding the decision-making related to the environment?	0	The policy is silent on this matter.
To what extent does the law give rights to the public concerned to challenge any decision, act or omission by private actors that allegedly violates the substantive legal norms of the state relating to the	3	The law gives the public concerned the right to challenge to any decision, act or omission by private actors that allegedly violates the substantive legal norms of the state relating to the environment.	Supply	To what extent do the policies encourage governments and state institutions to take account of any determination regarding the exercise of legal rights to contest governmental entities and/or private actors?	0	The policy does not incorporate determination.

environment?						
To what extent does the law give rights to the public concerned to challenge any decision, act or omission by private actors that allegedly violates the procedural legal norms of the State relating to the environment?	3	The law gives the public concerned the right to challenge any decision, act or omission by private actors that allegedly violates the procedural legal norms of the state relating to the environment.	Demand	To what extent does civil society, including the press, urge governments to guarantee people access to the court of law in challenging decisions by the public authority?	1	The presence of civil society organisations limitedly urges governments to guarantee people access to court of law in challenging decisions the public authority.
To what extent does the law require the challenges referred to in indicators 1-3 to be heard by an independent and impartial body?	2	The law requires the challenges referred to in indicators 1-3 to be heard by a court of law or other “independent and impartial body” and there are some minimum legal mechanisms in place to ensure the independence and impartiality of the court or body.	Demand	To what extent does civil society, including the press, urge governments to guarantee people access to the court of law in challenging decisions by private actors?	3	The presence of civil society organisations strongly urges governments to guarantee people access to court of law in challenging decisions by private actors
Have there been cases in the last 5 years when civil society filed a lawsuit against a polluter in a national court?	2	Yes, more than one case.	Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by the public authority?	3	The presence of civil society organisations strongly encourages citizens to submit public requests, comments, and feedback to express their views freely without fear in challenging decisions by the public authority.
Have there been cases in the last 5 years when civil society filed a lawsuit in a national court challenging a government decision, policy, or rule affecting the environment?	2	Yes, more than one.	Demand	To what extent does civil society, including the press, encourage citizens to express their views freely without fear in challenging decisions by private actors?	3	The presence of civil society organisations strongly encourages citizens to submit public requests, comments, and feedback to express their views freely without fear in challenging decisions by private actors.

Guideline 18: States should provide a broad interpretation of standing in proceedings concerned with environmental matters with a view to achieving effective access to justice.

To what extent does the law recognize broad legal standing in proceedings concerned with environmental matters?	2	The law recognizes broad legal standing in some proceedings concerned with environmental matters, but more restrictive legal standing e.g., the potentially affected public in others.	Supply	To what extent do the policies recognise the inequity of access to legal procedures in serving the public interest in environmental cases?	0	The policy ignores inequity.
In the last 5 years, have NGOs been granted legal standing by national courts in public interest environmental cases?	2	Yes.	Supply	To what extent do the policies grant broad legal standing for appealing information request refusals or challenging decisions concerning equitable access to justice?	0	The policy does not address legal standing.
			Demand	To what extent does civil society, including the press, urge governments to account for the right of the legal person and group potentially affected by decisions (e.g., NGOs, local communities) to bring a proceeding before courts, tribunals, and administrative bodies?	3	The presence of civil society organisations strongly urges governments to account for the right of the legal person and group potentially affected by decisions to bring a proceeding before courts, tribunals, and administrative bodies.
			Demand	To what extent does civil society, including the press, encourage citizens to claim the right of the legal person and group potentially affected by decisions (e.g., NGOs, local communities) to bring a proceeding before courts, tribunals, and administrative bodies?	3	The presence of civil society organisations strongly encourages citizens to claim the right to bring a proceeding before courts, tribunals, and administrative bodies.
Guideline 19: States should provide effective procedures for timely review by courts of law or other independent and impartial bodies, or administrative procedures, of issues relating to the implementation and enforcement of laws and decisions pertaining to the environment. States should ensure that proceedings are fair, open, transparent, and equitable.						
To what extent does the law provide procedures for the review of issues relating to the implementation and enforcement of laws and	3	The law provides procedures for administrative or judicial review of the implementation and enforcement of all laws and decisions pertaining to the	Supply	To what extent do the policies recognise the inequity of public access to judicial review?	0	The policy is silent on this matter.

decisions pertaining to the environment by courts or other bodies, or administrative procedures?		environment.				
To what extent does the law require review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment to be decided by impartial and independent courts or bodies?	2	The law requires the decision to be made by a court of law or other “independent and impartial body” and there are some minimum legal mechanisms in place to ensure the independence and impartiality of the court or body.	Supply	To what extent do the policies encourage the public to submit requests, inputs, and comments in the judicial review process?	0	The policy is silent on this matter.
To what extent does the law require review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment to be timely?	1	The law (i) requires such procedures to be completed on average within 12-18 months of their commencement or (ii) expressly requires that enforcement or implementation procedures should be “timely” but does not set a particular time frame.	Supply	To what extent do the policies encourage governments and state institutions to inform the public regarding a judicial review process relating to the environment?	0	The policy does not address public information.
To what extent does the law require review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment to be fair and equitable?	3	The law has legal mechanisms in place to ensure fairness and equity in all review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment.	Supply	To what extent do the policies encourage stakeholders to serve public consultative forums to monitor an all-encompassing process of law enforcement and decisions relating to the environment?	0	The policy does not address multistakeholder engagement.
To what extent does the law require review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment to be open and transparent?	3	The law requires all review procedures regarding the implementation and enforcement of laws and decisions pertaining to the environment to be transparent.	Demand	To what extent does civil society, including the press, urge governments to provide transparent procedures for review by courts or impartial bodies to the decisions pertaining to the environment?	3	The presence of civil society organisations strongly urges governments to provide transparent procedures for review by courts or impartial bodies to the decisions pertaining to the environment.

In the last 5 years have there been sanctions or corrective actions imposed by a national court of law or other independent and impartial body, for violation of laws and decisions pertaining to the environment?	2	Yes.	Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback to review by courts or impartial body pertaining to the environment?	3	The presence of civil society organisations strongly encourages citizens to submit requests, comments, and feedback to review by courts or impartial body pertaining to the environment.
Guideline 20: States should ensure that the access of members of the public concerned to review procedures relating to the environment is not prohibitively expensive and should consider the establishment of appropriate assistance mechanisms to remove or reduce financial and other barriers to access to justice.						
To what extent are there legal mechanisms in place to ensure that access to review procedures relating to the environment for members of the public concerned is not prohibitively expensive?	0	The law contains (i) no requirement; and (ii) very few or no legal mechanisms, to ensure that access to review procedures is not prohibitively expensive.	Supply	To what extent do the policies recognise financial barriers to access to justice for the vulnerable groups?	1	The policy mentions financial barriers to access justice but lacks specific interventions.
To what extent does the law provide an assistance mechanism to reduce financial barriers to access to justice?	1	The law provides some minimal assistance mechanisms to reduce financial barriers for accessing such procedures.	Supply	To what extent do the policies provide appropriate assistance mechanisms for vulnerable groups to access justice?	0	The policy does not address assistance mechanisms for vulnerable groups.
To what extent does the law provide an assistance mechanism to reduce gender-related non-financial barriers to access to justice?	0	The law does not provide any assistance mechanisms to reduce gender-related barriers for accessing such procedures.	Supply	To what extent do the policies encourage governments and state institutions to remove or reduce financial barriers to protecting the public interest in the judicial review process?	0	The policy does not mention financial barriers to judicial review.
To what extent does the law provide an assistance mechanism to reduce other non-financial and non-gender barriers to access to justice?	0	The law does not provide any assistance mechanisms to reduce non-financial and non-gender barriers for accessing such procedures.	Demand	To what extent does civil society, including the press, urge governments to ensure affordable procedures for the public to access justice?	3	The presence of civil society organisations strongly urges governments to ensure affordable procedures for public to access justice.

In the last 5 years, has a public interest case relating to the environment or natural resources been filed which was supported by government legal aid?	0	No or no information is accessible to the public to respond to this indicator.	n/a	n/a	n/a	n/a
In the last 10 years, have there been cases relating to the environment or natural resources where the costs of proceedings were awarded against a public interest complainant/plaintiff/petitioner (c/p/p)?	2	Yes, at least one case where costs were awarded against c/p/p).	n/a	n/a	n/a	n/a
In the last 5 years have there been cases related to the environment or natural resources where the costs of proceedings were awarded in favour of a public interest complainant/plaintiff/petitioner (c/p/p)?	2	Yes (at least one case where costs were awarded in favour of c/p/p).	n/a	n/a	n/a	n/a
Guideline 21: States should provide a framework for prompt, adequate and effective remedies in cases relating to the environment, such as interim and final injunctive relief. States should also consider the use of compensation and restitution and other appropriate measures.						
To what extent does the law require adequate and effective remedies in cases relating to the environment?	1	The law (i) requires remedies in a small number (less than 50%) of cases relating to the environment to be adequate and effective and/or (ii) provides limited flexibility for the decision-maker to fashion the remedy to fully address the grievance and to fully target the harm so that it is prevented or rectified.	Supply	To what extent do the policies encourage governments and state institutions to develop measurements of adequate remedies to the environment?	0	The policy is silent on measurement development.

To what extent does the law require remedies in cases relating to the environment to be provided promptly?	0	The law does not require remedies in cases relating to the environment to be granted promptly.	Supply	To what extent do the policies encourage governments and state institutions to include expertise on ecology and environment for the apparatuses to enforce law related to the environment?	1	The policy mentions the need for expertise in ecology and environment.
To what extent is interim and/or final injunctive relief available under the law?	1	Under the law, interim and/or final injunctive relief is rarely available for matters related to the environment and/or the legal requirements for it to be granted are onerous.	Supply	To what extent do the policies encourage governments and state institutions to have consultative forum functions in an all-encompassing process of prompt remedies for the environment?	1	The policy provides mechanisms and procedures for managing remedies.
To what extent is compensation available as a remedy under the law?	3	Under the law, compensation is always available for matters related to the environment and the legal requirements for it to be granted are not onerous.	Demand	To what extent does civil society, including the press, urge governments to ensure effective remedies in cases relating to the environment?	3	The presence of civil society organisations strongly urges governments to ensure effective remedies in cases relating to the environment.
To what extent is restitution available as a remedy under the law?	0	Under the law, restitution is not available for matters related to the environment.	Demand	To what extent does civil society, including the press, encourage citizens to request adequate compensation in cases relating to the environment?	3	The presence of civil society organisations strongly encourages citizens to submit requests, comments, and feedback to request adequate compensation in cases relating to the environment.
To what extent is restoration of the environment available as a remedy under the law?	3	Under the law, restoration of the environment is always available for matters related to the environment and the legal requirements for it to be granted are not onerous.	n/a	n/a	n/a	n/a
In the last 5 years, have there been injunctions/stay orders/interdicts issued by a court, tribunal or other judicial body in environmental or natural resource cases?	2	Yes.	n/a	n/a	n/a	n/a

Guideline 22: States should ensure the timely and effective enforcement of decisions in environmental matters taken by courts of law, and by administrative and other relevant bodies.

To what extent does the law provide for the effective enforcement of criminal court decisions relating to the environment?	2	The law provides for the effective enforcement of most (more than 50% of those assessed) such decisions.	Supply	To what extent do the policies encourage governments and state institutions to evaluate court decisions or law enforcement relating to the environment?	0	The policy does not address evaluation.
To what extent does the law require the enforcement of criminal court decisions relating to the environment to be timely?	0	The law does not require timely enforcement of such decisions.	Supply	To what extent do the policies encourage law enforcement or court to provide decisions that have a deterrent effect on the criminals relating to the environment?	3	The policy outlines clear mechanisms for enforcement with strong penalties.
To what extent does the law provide for the effective enforcement of civil court decisions relating to the environment?	1	The law provides for the effective enforcement of a minority of such decisions.	Supply	To what extent do the policies prompt the public to submit requests, suggestions, and feedback in the implementation of the court decisions?	0	The policy is silent on this matter.
To what extent does the law require the enforcement of civil court decisions relating to the environment to be timely?	0	The law does not require timely enforcement of such civil court decisions.	Supply	To what extent do the policies encourage stakeholders to serve public consultative forums to push effective law enforcement relating to the environment?	1	The policy encourages governments and state institutions for law enforcement.
To what extent does the law provide for effective enforcement of decisions relating to the environment taken by administrative and other relevant bodies?	2	The law provides for the effective enforcement of most (more than 50% of those assessed) such decisions.	Demand	To what extent does civil society, including the press, urge governments to enforce decisions taken by courts?	3	The presence of civil society organisations strongly urges governments to enforce decisions taken by courts.
To what extent does the law ensure the enforcement of administrative decisions relating to the environment will be timely?	0	The law does not require timely enforcement of such administrative decisions.	Demand	To what extent does civil society, including the press, encourage citizens to submit requests, comments, and feedback in pushing the law enforcement?	3	The presence of civil society organisations strongly encourages citizens to submit requests, comments, and feedback in pushing the law enforcement.

Guideline 23: States should provide adequate information to the public about the procedures operated by courts of law and other relevant bodies in relation to environmental issues.

To what extent does the law require the State or State agencies or institutions to provide information to the public about court procedures relating to environmental issues?	2	The law requires the State or state agencies to provide information to the public about the procedures operated by courts of law in relation to environmental issues but does not require it to be comprehensive or user-friendly.	Supply	To what extent do the policies encourage governments and state institutions to define the public interest in an environmental case currently being litigated in the court?	1	The policies mention public interest but lack clarity.
To what extent does the law require the State or State agencies or institutions to provide information to the public about review procedures relating to environmental issues provided by bodies other than courts of law?	2	The law requires the state or state agencies to provide information to the public about the procedures operated by bodies other than courts of law in relation to environmental issues but does not require it to be comprehensive or user-friendly.	Supply	To what extent do the policies encourage governments and state institutions to inform the public about the procedures litigated by the courts related to the environment?	0	The policy is silent on public awareness.
Is there an easily understandable explanation of court procedures in the national language(s) on the website or office of the highest national court or the apex national environmental agency?	2	Yes.	Supply	To what extent do the policies encourage governments and state institutions to provide preparedness data and information about a case litigated by the courts related to the environment for practical purposes?	0	The policy does not mention information provision.
			Supply	To what extent do the policies encourage stakeholders, including the press, to serve public consultative forums to be engaged in the public reviews regarding remedies and relief?	0	The policy is silent on this matter.
			Demand	To what extent does civil society, including the press, urge governments to provide adequate information about the court procedures to the public to adequate remedies and relief relating to environmental issues?	3	The presence of civil society organisations strongly urges governments to provide adequate information about the court procedures to the public to adequate remedies and relief relating to environmental issues.

			Demand	To what extent does civil society, including the press, disseminate information about the court procedures to the public to get adequate remedies and relief relating to environmental issues?	3	The presence of civil society organisations strongly disseminates information about the court procedures to public to get adequate remedies and relief relating to environmental issues.
Guideline 24: States should ensure that decisions relating to the environment taken by a court of law, or other independent and impartial or administrative body, are publicly available, as appropriate and in accordance with national law.						
To what extent does the law require judicial decisions relating to the environment to be made publicly available?	3	The law requires that judicial decisions relating to the environment are proactively made available to the public e.g., on its website.	Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback to judicial and administrative decisions, including remedies related to the environment?	0	The policy is silent on this matter.
To what extent does the law require decisions relating to the environment taken by administrative bodies to be made publicly available?	2	The law requires that decisions relating to the environment of administrative bodies are made available to the public upon request.	Supply	To what extent do the policies encourage stakeholders, including the press, to serve public consultative forums for monitoring judicial and administrative decisions including remedies related to the environment?	0	The policy is silent on this matter.
To what extent does the law require decisions relating to the environment taken by other independent and impartial bodies to be made publicly available?	2	The law requires that decisions relating to the environment of other independent and impartial bodies are made available to the public upon request.	Demand	To what extent does civil society, including the press, urge governments to provide information relating to judicial and administrative decisions taken by court of law?	3	The presence of civil society organisations strongly urges governments to provide information relating to judicial and administrative decision taken by court of law.
Are the decisions of the last three environmental or natural resource cases decided by a national court, tribunal or other judicial body available to the public online or at the office of that court, tribunal or body?	2	Yes.	Demand	To what extent does civil society, including the press, disseminate information relating to judicial and administrative decisions taken by court of law?	3	The presence of civil society organisations strongly disseminates information relating to judicial and administrative decision taken by court of law.
Guideline 25: States should, on a regular basis, promote appropriate capacity-building programmes in environmental law for judicial officers, other legal						

professionals, and other relevant stakeholders.

n/a	n/a	n/a	Supply	To what extent do the policies encourage governments and state institutions to include expertise on ecology and the environment in the apparatuses for law enforcement related to the environment?	0	The policy does not address the inclusion of expertise in ecology and environment.
			Supply	To what extent do the policies encourage governments and state institutions and or other impartial bodies to evaluate law enforcement and remedies at periodic time?	0	The policy does not mention about evaluation processes.
			Supply	To what extent do the policies encourage stakeholders, including the press, to serve public consultative forums to be engaged in law enforcement related to the environment?	0	There is no policy on this matter.
			Demand	To what extent does civil society prompt legal awareness of public access to justice through community paralegals and or paralegal services?	3	The presence of civil society organisations strongly prompts legal awareness of public access to justice through community paralegals and/or paralegal services.

Guideline 26: States should encourage the development and use of alternative dispute resolution mechanisms where these are appropriate.

To what extent does the law provide for the possibility to use alternative dispute resolution mechanisms to address violations of the right of access to environmental information, public participation or cases of environmental harm?	3	The law provides several possibilities to use alternative dispute resolution mechanisms to address each of the following: violations of the right of access to environmental information, violations of the right of public participation, and cases of environmental harm.	Supply	To what extent do the policies encourage the public to submit requests, suggestions, and feedback including disputes to the court decisions and remedies.	1	The policy mentions mechanism and procedure.
To what extent does the law provide incentives for the use of	0	The law provides no incentives for the use of alternative dispute	Supply	To what extent do the policies encourage governments and state	1	The policy acknowledges accessible complaint

alternative dispute resolution mechanisms where these are appropriate?		resolution mechanisms for environmental disputes.		institutions to ensure public access to complaint mechanisms and judicial review procedures regarding court decisions including remedies?		mechanism and judicial review procedures shall open to public.
In the last 5 years, has a public interest case relating to the environment or natural resources been solved by an alternate conflict resolution method (such as mediation, arbitration and conciliation)?	2	Yes.	Supply	To what extent do the policies encourage stakeholders, including the press, to serve public consultative forums to be engaged in implementing court decisions and or raising alternative dispute resolution?	0	There is no policy on this matter.
			Demand	To what extent does civil society, including the press, urge governments to open possibilities for alternative dispute resolution in cases of environmental harm?	3	The presence of civil society organisations strongly urges governments to open possibility for alternative dispute resolution.
			Demand	To what extent does civil society, including the press, encourage citizens to request alternative dispute resolution in cases of environmental harm?	3	The presence of civil society organisations strongly encourages citizens to request alternative dispute resolution.

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