

Annual Report

2019-2023

Peer 2 Peer 4 Justice Indonesia - Netherlands Legal Network

Annual report 2023

CILC
Center for International
Legal Cooperation

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1. Introduction



This progress report provides a detailed account of the implementation results from the 1st of January 2023 until the 31st of December 2023, in the framework of the project entitled: “Peer 2 Peer 4 Justice Indonesia – Netherlands Legal Network 2019 – 2023” (hereinafter referred to as the P2P project).

In 2023, the project focussed on consolidating the results achieved in the past years to ensure sustainability of the result. In 2023, many project activities were finalised and new ones were introduced. Bilateral judicial relationships were consolidated, such as that of the Dutch and Indonesian Ombudsman moving beyond their initial Fair Treatment Approach work and into strategising about the future of the Ombudsman in Indonesia, and the Dutch and Indonesian Supreme Court, exploring the bilateral cooperation past Dutch funding support. Other bilateral relationships found new meaning where the Dutch and Indonesian probation service prepare together for the implementation of the new criminal code in January 2026.

Leadership changes had taken place for almost all judicial institutions involved in this project, and the atmosphere between the leadership of the ORI- NO, the MA-HR and other institutions was notably more familiar and cooperative than in previous years. Increased activity in 2022 following the COVID-19 period and the signalled end of the project created an atmosphere where many parties looked to achieve the maximum possible results within the last project year.

“I see this P2P for Justice project as unique. This project has provided ample space for stakeholders to interact and determine their own work agenda priorities. As a project designed to support bilateral judicial cooperation between Indonesia and the Netherlands, P2P Justice has successfully carried out its mandate properly. Despite the constraints that more than half of the program's implementation period took place during the pandemic era, P2P Justice has managed to make adjustments and continue to carry out its work agenda very well.” - Pak Sunarto, Vice Chief Justice of MA.

A notable activity that was set out was the evaluation and analysis of all the partners working on the Indonesian and Dutch judicial relationship. Most working group members were interviewed, and firsthand accounts of the leadership of Indonesian Judicial Institutes were included in a sustainability strategy. The results of the sustainability strategy showcased the importance of the bilateral relationship and the trust that has been built over the years. Quotes on the sustainability strategy can be found throughout the text.

With the project end in sight, this project year included many online and offline activities. Together with the institutions involved, we brainstormed ideas for future cooperation past the funding phase. The results below will showcase a combination of strategic activities that were held in order to support the institutions in future cooperation and ensure that the strong judicial bilateral bond will not weaken.

2. Main project achievements



This chapter summarises the main achievements resulting from the activities implemented from the 1st of January 2023 until the 31st of December 2023.

Outcome 1 Indonesia-Netherlands Rule of Law network continues to operate and remains relevant

Output 1.1. Indonesia Working Group continues to function throughout 2019-2023 // Main achievements

- ✓ 3 general Working Group Indonesia meetings were held online and on-site with a relatively high number of participants.
- ✓ WG Annual Plan 2023 implemented
- ✓ WG Online Platform is active with 127 member registrations
- ✓ 50 member organisations in the Netherlands and Indonesia engaged through the Working Group
- ✓ A sustainability strategy developed summarising the results of the Indonesian-Netherlands legal relationship by all partners

Output 1.2. Thematic events organised with existing and new partners have contributed to deepening the dialogue on specific reform areas // Main achievements

- ✓ 1 thematic event on connecting higher education and the judiciary with speakers from both Indonesian and Dutch universities and supreme courts held in October 2023.
- ✓ 1 thematic event in the form of a stakeholder meeting to discuss the preparation for the implementation of alternative sanctions held in October 2023.

Outcome 2 Sustained and institutionalised relations of NL/IND justice sector institutions have furthered concrete reform processes

Output 2.1. Existing long-term peer-to-peer relations between justice sector institutions in the Netherlands and Indonesia are maintained and managed // Main achievements

- ✓ 1 online courtesy call of the MA and HR
- ✓ Extension of the MoU between MA and HR
- ✓ Compilation of online materials into MA E-Learning program
- ✓ Online consultations on FTA of NO to ORI
- ✓ Online consultation on the application of SDG at ORI
- ✓ 1 working visit of MA delegation to HR and other judicial institutions
- ✓ 1 working visit and leadership retreat of the Dutch to the Indonesian Ombudsman
- ✓ 1 working visit of MA delegation to RvdR (as part of the working visit to HR in June 2023)
- ✓ Webinar OM and SDGs

Outcome 3 New bilateral relations between justice sector institutions established in support of concrete reform goals

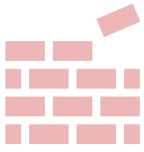
Result/output 3.1. New peer-to-peer relation(s) between the Netherlands and Indonesian probation service is established to increase awareness of Indonesian criminal justice actors about the benefits and opportunities of probation and alternative sanction // Main achievements

- ✓ 4 courtesy meetings between the leadership of Ditjen pas and Reclassering Nederland
- ✓ 3 Working visits of Reclassering Nederland to Indonesia in March, July and Oct 2023
- ✓ Stakeholders engagement and consultations on the implementation of alternative sanctions
- ✓ Various workshops on the preparation for the implementation of alternative sanctions
- ✓ One workshop to raise awareness amongst the judiciary on the application of alternative sanctions

Result/output 3.2. New peer-to-peer relation(s) established and managed in support of judicial reform in line with RPJMN 2020-2024 // Main achievements

- ✓ Multistakeholder meeting on restorative justice organised with the Restorative Justice working group
- ✓ Thematic event on strategic topic- maintaining legal development

3. Progress in implementation



This chapter details the activities implemented and progress achieved regarding realised outputs.

Outcome 1 Indonesia-Netherlands Rule of Law network continues to operate and remains relevant

- ✓ Output 1.1: Indonesia Working Group continues to function throughout 2019-2023.
- ✓ Output 1.2: Thematic events organised with existing and new partners have contributed to deepening the dialogue on specific reform areas.

Working Group Indonesia

In 2023, there were working group meetings in the Netherlands organised on the 20th of March, the 20th of June and the 27th of September. The working group remains a valuable platform for all members to discuss ongoing and new activities related to legal development in Indonesia by Dutch actors. The working group also allows for synergies of working by similar donors in the same area. The working group also allows members to give updates on new legal and political developments. The working group meetings in 2023 were hosted by CILC for both the Indonesian and Dutch working group and had on average around 20 participants from various institutions.

During the first working group meeting, updates on the rule of law development in Indonesia was given by the Policy Advisor of the Embassy in Jakarta. The new criminal code (KUHP) was passed in parliament on the 6th of December 2022, allowing and encouraging the application of alternative sanctions. The KUHP will not come into effect until January 2026. However the Dutch Embassy predicted that the forthcoming Presidential elections will affect the implementation of the KUHP. In addition to revising the KUHP, Indonesia's criminal procedural law needs to be revised in a manner that is complementary to the new KUHP. The meeting in March also concluded a visit following the closing of two Nuffic Neso programs, the successful cooperation between the Judicial Training Centres of the Netherlands and Indonesia and the cooperation of the TMT new narratives with Saxion University and the Dutch probation service supporting Ditjen Pas.

The working group on the 20th of June and the 27th of September both focussed on the planned implementation of an INLU in 2023, followed by updates from members. More information on this can be found on page 9.

Supplementary to the working group, a newsletter was published with articles from several members about their work on legal cooperation to spread more news about the working group. The newsletter included a foreword by Ambassador Lambert Grijns.

Sustainability strategy

Indonesia-Netherlands legal cooperation has a long history, and many Indonesian and Dutch legal institutions have cooperated for decades to foster the rule of law, judicial efficiency, and legal service delivery in the interest of justice seekers. CILC was created in 1985 to provide Dutch

support to the Indonesian rule of law. In the past 15 years, the Dutch Embassy has funded three large projects in the framework of this legal cooperation: the NLRP National Legal Reform Program (2009-2012), the Judicial Sector Support Project (JSPP; 2013-2019), and The Peer 2 Peer 4 Justice Project (P2P; 2019-2023); and numerous smaller projects.

The P2P program is ending following the Dutch government's decision to limit funding for legal development in Indonesia. The project team tasked independent experts with analysing all the actors and beneficiaries who worked on Dutch-Indonesian legal bilateral relations. The analysis included interviews with all institutions involved in this project (MA, HR, ORI, NO, RN, DP, EKN) and other active partners such as IDLO, SSR, Nuffic Neso and others.

The sustainability report consists of two parts. Following desktop research and interviews, an overview of activities, achievements and institutional reforms that have been carried out in the framework of Indonesia-Netherlands legal cooperation over the years were mapped. Activities that, according to the stakeholders, have contributed to enhanced efficiency, service delivery and legal certainty of the legal institutions involved. Second, it mapped the desires, commitments and priorities (if there were available funds) for future legal cooperation activities among stakeholders in view of major changes in Dutch development cooperation policies towards Indonesia. Thus, the sustainability report has not only mapped the sustainability of past legal cooperation activities, but also looked at the desires, prospects, possibilities and added value of future Indonesia-Netherlands legal cooperation in the context of major policy changes.

Thematic events

Thematic event – Restorative Justice– 2nd and 3rd of October 2023

During the working visit on October 2nd and 3rd, 2023, experts from the Dutch Probation service, the judiciary, and the prosecution service (hybrid) and the Indonesian working group on Restorative Justice had thematic discussions on applying alternative sanctions in the Indonesian context.

Overcrowding in prisons has been a priority issue for Indonesia. Overcrowding has the potential for riot breaks, security, and more resources such as medicine, officers, facilities, and money. The Indonesian government is trying to find a solution to this. It is implementing Restorative Justice (RJ) as a diversion, outside of court settlement, as a new perspective implemented in juvenile cases. It is said to have succeeded in decreasing juvenile cases. However, no studies or research have confirmed this.

The new Penal Code (KUHP) that will come into force in January 2026 also offers options for alternative sanctions. As a reaction to criminal behaviour, alternatives to imprisonment are now possible. The changes will impact law enforcers and their officers' roles and capabilities to achieve a better society in Indonesia.

The Netherlands has been implementing alternative sanctions in the last two decades, and the role of sanctioning has increasingly become a political tool used in advocating societal

protection. This has resulted in the introduction of new sanctions. Next, efficiency has become an independent factor in establishing new sanction modalities. It was, among other things, one of the main reasons for introducing a sanctioning power for public prosecution and breaking the traditional sentencing monopoly of the courts. Introducing an array of alternatives to imprisonment and fines has resulted in a much-reduced prison population, which is also credited partly for the overall crime reduction. While changes in the Dutch Penal Code can be generally regarded as a positive development, recognising the separation of state powers and preserving a balance in the sanctioning system must be respected.

The thematic discussions at the start of October were there to explore concepts of restorative justice with the established Restorative Justice Working Group and to create awareness among law enforcers about implementing alternative sanctions. Similarly, the thematic event provided an opportunity to learn about best practices for alternative sanctions in the Netherlands. Lastly, the thematic event was used to establish the opportunities and willingness of the criminal justice chain partners to strengthen cooperation to pave the way for swift implementation of alternative sanctions in Indonesia, thereby reducing the high prison rate and providing more possibilities for the judiciary to opt for tailor-made sanctions. One of the results of the thematic event was to discuss a possible pilot to test alternative sanctioning under the current criminal code to prepare for implementing the new criminal code.

Thematic event - Maintaining The Legal Development: Connecting The Higher Education and The Judiciary – the 30th of October 2023



On the 30th of October, at the Universitas Indonesia, a hybrid thematic event on maintaining legal development took place. In Indonesia, there is limited legal discourse on court decisions from higher education and legal scholars. Specifically on court decisions from higher education and legal scholars. Similarly, court decisions are not usually part of the higher education curriculum. This shows that

Indonesian higher legal education has not yet contributed optimally to maintaining and improving the quality and consistency of court decisions needed to maintain and support legal development in Indonesia.

In 2024, Indonesia will celebrate 100 years of Indonesian legal education. In leu of this commemoration, Indonesian higher legal education is encouraged to reflect on their role, including renewing their spirit to contribute to Indonesian legal development. Court decisions must be discussed more frequently as part of the academic community's curriculum, teaching methods, and discourses in Indonesian higher legal education. In this way, Indonesian higher legal education could play a more significant role in the legal development of Indonesia by objectively commenting on court decisions and continuing to produce legal scholars and practitioners who could play a significant role in the future of Indonesian legal development.

However, the role of higher legal education needs to be accompanied by the role of the courts, which are open to comments from higher legal education regarding court decisions. The court

needs to mainstream and familiarise themselves to hear and consider legal discourse on their decisions from the higher legal education and public as objective external parties. The Netherlands has a culture where higher education actively discusses and analyses court decisions, leading to an evolving discussion amongst the public. Thus, this thematic event encouraged knowledge and experience sharing between legal scholars and practitioners in Indonesia and the Netherlands.



During the thematic event, speakers from the Supreme Court of the Netherlands and Indonesia discussed the respective roles of the judiciary in promoting legal discourse, including academic opinion, and maintaining legal development. Similarly, academics from Leiden University and Universitas Indonesia discussed the importance of including court decisions in legal education. Both

the Indonesian and Dutch academics agreed that Indonesian legal education should include court decisions in their curricula and that the court should make their court decisions more publicly available. Representatives of the Indonesian Supreme Court were also intrigued by the use of academic input by the Dutch Supreme Court, leading to discussions of possible improvement.

Indonesia-Netherlands Legal Update – INLU 2023.

In 2023, one last INLU was foreseen to build on the success of 2022. Following the Embassy’s advice, INLU was postponed until next year or it was suggested to be picked up by the Embassy in another year (without election) outside of the project's scope. During the working group meetings on the 20th of June and the 27th of September, the INLU topics and ideas were discussed. Following the working group discussions, initial plans were made with an INLU commission (created in June 2023) for the INLU to be held in December. Following the Working group meeting on the 27th of September, CILC received 5-panel suggestions from outside organisations in anticipation of the INLU.

Gender

During the working group meetings, women and men are represented equally. Most speakers were female during the thematic event in October, Maintaining Legal Development. During the thematic event on restorative justice, there was a female representation of participants, but most of the speakers were male.

Baseline 2021

	Baseline – the 30th of April 2020	Target	Status – the 31st of December 2023
Appreciation of the functioning of the Working Group	0	5	5
Appreciation of the added value of the Working Group	0	5	5

<i>Original activity</i>	<i>Original planning</i>	<i>Realised</i>
WG meeting 1 NL & IND	Q1, 2023	Realised, the 20th of March 2023, hybrid at the Embassy
WG meeting 1 NL	Q2, 2023	Realised, the 20th of June 2023, online
WG meeting 3 NL & IND	Q3, 2023	Realised, the 27th of September 2023, online
Sustainability strategy	Q1-Q4, 2023	Realised
Thematic event Restorative Justice	Q3 2023	Realised, 2.3.10.2023, on-site
Thematic event strategic topic	Q4, 2023	Realised, 30.10.2023, on-site

Outcome 2 Sustained and institutionalised relations of NL/IND justice sector institutions have furthered concrete reform processes.

✓ Output 2.1: Existing long-term peer-to-peer relations between justice sector institutions in the Netherlands and Indonesia are maintained and managed.

Mahkamah Agung (MA) – Hoge Raad (HR)

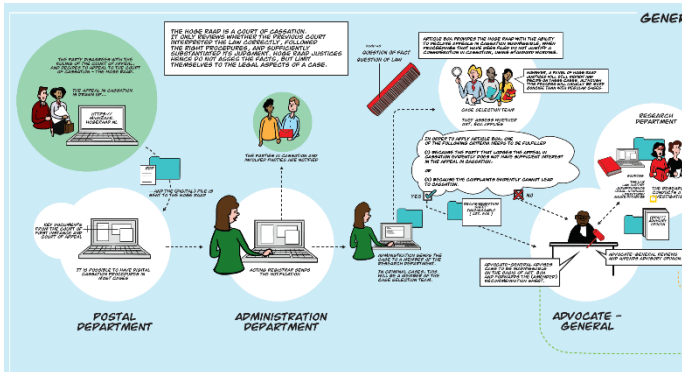
Introduction

Following two working visits and continued work on the case selection program, 2022 was a strong year of cooperation, and the focus of 2023 was to consolidate the momentum to sustain the results achieved throughout the project. The year started with signing an extension of the MoU, showcasing both institutions' interest in continuing close cooperation under the P2P project. Then, preparatory meetings took place to plan for the visit of the MA to HR in spring 2023. The themes of the visit were the plenary chamber system meeting and the digitalisation of court decisions. The visit resulted from HR's commitment to sign a new MoU with MA beyond the funding period, as well as a commitment of the MA to work on organising regular plenary chamber meetings and further strengthening the case selection team.

Memorandum of Understanding extension

At the start of the project year, the focus was to extend the Memorandum of Understanding beyond the five-year term from 2018-2022. Throughout 2022, CILC facilitated discussions between the MA and HR to extend the term of the MoU by one year to include the P2P project timeline. An extension of the MoU was agreed upon for one year. With this milestone achieved, the next milestone was introduced. Meetings with MA and HR discussed the cooperation beyond the P2P project. During the visit of June 2023, President Dineke de Groot invited the MA to develop an MoU of friendship for the period following the P2P project. Signalling the continued connection between the two supreme courts highlights the mutual desire to sustain the achieved results of the cooperation. The upcoming MoU will have a different nature as it will not have an implementing organisation such as CILC to support activities or funding. Still, it allows for the door of cooperation to remain open (red; an MoU for the next 5 years was signed between the MA and HR).

Compilation of the E-Learning materials of the Case Selection training and evaluation



From 2019-2022, a training plan was developed, including seven guest lectures from the President to the legal assistant of the HR. All the guest lecturers explained their role in the case selection mechanism. Case materials and diagrams of the workflow were developed. All the materials were compiled into a training brochure that was handed over to the registrar of the MA so that the materials could be made available for the next

batch of case selection members. The materials will be saved on their e-learning portal, and case selection team members can refer to it for tools and support in their new tasks as case selection team members. An evaluation of the case selection team was done in 2021 and 2022 and was to be updated in 2023; however, the MA had requested not to do it at this time as they will do so when they have the new batch of case selection team members. They wish to include them in the evaluation.

Working Visit Makamah Agung to Hoge Raad, The Hague



From the 12th of June to the 20th of June, the HR and other judicial institutions in the Netherlands hosted a delegation of 14 members of the MA, led by Vice Chief Justice Dr. Sunarto. The working visit allowed for courtesy meetings between the MA and HR leadership, as well as the Dutch Judicial Training Center (SSR), the Council of the Judiciary (RvdR), and Reclassering Nederland (RN).

The week-long visit allowed for many topics to be discussed. It started at the HR with a courtesy meeting between the Indonesian delegate and the HR leadership, led by President Dineke de Groot, justices from the tax and criminal chambers, and the advocate general. The HR members had prepared a plenary chamber system explanation and a moot plenary chamber system demonstration. The plenary chamber system has been discussed since the previous JSSP project. At the MA, a letter on the Chamber’s Agreement (SEMA Kesepakatan Kamar) is circulated as guidance for justices and lower judges to handle cases in terms of specific legal issues. To allow for the use of regular plenary chamber meetings, an SOP was developed, and following the explanation and the demonstration of the regular plenary meetings at the HR, the regular plenary meetings can be piloted at chambers in the MA. Justices from the Civil, Religious and Administrative chambers had confirmed that they were willing to pilot the regular plenary chamber meetings in their chamber.

The visit also included a knowledge exchange on the use of jurisprudence at HR and MA. At HR, the function of jurisprudence is to make decisions and write decisions and determine how the roles and functions of the HR staff use and contribute to jurisprudence. The session consisted of HR staff (legal assistants and justices) explaining the process towards jurisprudence within the digital system (Invent@ 1). clarification; 2). development of law; and 3). correction to the previous decision. Every decision in the Invent@ system would have a flag regarding those types of judgment. All HR decisions are published on Invent@, but not all. Still, most HR decisions are published on rechtspraak.nl, considering whether or not the decisions can be published for the public. Apart from the decision, all conclusions from Advocaat General are also included in the invent@ system, which is displayed on each decision's information along with the legal basis of the decision. There is no publication on the First Instance and Appeal Court decision in the Invent@. A demonstration of the functional specifications of the Invent@ system followed the session on jurisprudence. MA delegates were enthusiastic about the system and noted elements and specifications of the system that they would like to incorporate into their digital space.

The week also included visits to SSR, RvdR and RN. At RvdR, the focus was a performance-based budgeting system and Rechtspraak.nl. For more information, see page 14. At RN, the discussion focused on the forms of alternative punishment and its relation to the new criminal provisions in the Indonesian Criminal Code. MA delegates were interested in hearing about the role of the RN as the new criminal code provides the provisions for the application of alternative sanctions. Increasing probation and decreasing prison sentences is the aim, as Indonesian prisons are overcrowded.



The RN explained their three pillar duties: 1) advice, providing information background of the defendant in the form of pre-trial reports; 2) supervision, the supervision of clients that have conditional release and probation; and 3) community service, as they enforce the community service sentence imposed by the court. The RN and CILC have supported the Indonesian probation service through capacity building, working visits and other strategic partnerships. When the new criminal code was ratified, this partnership focused on supporting the Indonesian probation service in its new task (for more information, see Chapter Outcome 3).

The Indonesian delegates also visited the SSR in Utrecht as part of the working visit. SSR has cooperated closely with its Indonesian counterpart- the Judicial Training Center (JTC) of the MA since 2010. The cooperation ended with the conclusion of the Nuffic Neso training program in March 2023. Since 2010, SSR has supported the JTC in the creation of initial training for judges, the digitalisation of training for judges and other programs such as integrity, internal management and writing effective court decisions. SSR presented some of the work of the past years to the delegates together with a member of the delegation who had worked at the JTC and had experienced it firsthand. The presenter praised the SSR, who had more friendship and collaborative approach than other JTC collaborative partners and managed to bring experts to Indonesia for training conducted with JTC, such as communication specialists in training for court spokespersons. The need for future training on

effective court decision writing was identified based on the training need analysis conducted by JTC with the judges and registrars as respondents, even though JTC already had a curriculum related to that material at that time. Therefore, both the SSR and MA agreed that JTC could provide the training developed with the SSR to a broader audience of judges in Indonesia.



The visit included many content-based discussions of the challenges encountered in their daily work and solutions or mitigating measures applied in their institutions. The discussions ranged from the plenary chamber system to digitalisation, jurisprudence and effective decision writing. Next to the working sessions, time was made to build relationships further with the leadership of the institutions through a dinner organised by the HR and

lunches by SSR and RvdR. The most notable outcome was the willingness of the HR to commit to a MoU beyond the Dutch financing period. Previously, HR had signalled their hesitation to commit to a new MoU term, but the activities in 2022 and 2023 had shown the importance of maintaining the relationship.

Chamber Plenary Meeting

Regular Chamber Plenary Meetings have been a topic of discussion of the HR and MA since the previous JSSP program. From November 2022- May 2023, many online meetings were held with the operational teams of the HR and MA. This included calls with justices and other staff to discuss how to support the implementation of the chamber plenary meetings. It was decided that the SOP made in JSSP would not be adjusted as it was still relevant. The June mission of MA to HR would allow the new justices and the vice-chief justice to be updated on the procedure; see the demonstration of the moot chamber plenary meeting and the role division. Following the mission, justices from the Civil, Military and Administrative chambers committed to piloting the regular plenary meeting in their chambers. Due to the limited availability of the Justices, it was not possible to organise a follow-up mission for HR to MA to witness a regular chamber plenary meeting in person at the MA.

Mahkamah Agung (MA) – Netherlands Council for the Judiciary (Raad voor de Rechtspraak; RvdR)

Introduction

In December 2022, CILC and the RvdR planned a working visit of a delegation from the MA Planning Bureau headed by the court's Secretary. The visit was meant to connect on the implementation of performance-based budgeting (PBB) and share experience with the working group that MA appointed to oversee the implementation of PBB at MA and lower courts. Based on this working visit, other activities on PBB will be planned. Unfortunately, prior to the planning of the visit, there were charges opened by the Corruption Eradication Commission of Indonesia (KPK), which implicated the Secretary of MA. The visit of December 2022 was postponed with expectations that it will be conducted in March 2023. However, since the investigations against the Secretary of MA were ongoing until late 2023, the visit was not carried out. Given the situation and in the absence of the leadership of the Secretary, engagement of the working group for PBB has come to a standstill as guidance from the top leadership is crucial. This has compelled us to cease the working visit pending clarity on the situation.

Implementation of RENSTRA

Despite the abovementioned challenges, CILC and the RvdR secured a day programme on PBB for an MA delegation during their working visit in June 2023. The visit to the RvdR was part of the MA delegation's working visit to the Hoge Raad. The Vice Chief Justice headed the visit, accompanied by five justices, registrars, and the head of the Planning Bureau. At the RvdR, Jos Puts (Vice Director of the Finance Department) hosted the delegation.

The discussions were fruitful, focusing on budgeting mechanisms of the judiciary, particularly how the RvdR prepares, manages and monitors the budget of first instance and appeal courts. Which formula does the RvdR use to calculate the budget, and how does it manage allocation and depletion through PBB. Also, the RvdR shared insights on how they engage with the parliament and Ministry of Justice and Security on budgeting and reporting on the courts' underspending or overspending of resources. It was also noted that implementation of PBB does come with challenges which relate to fixing the price of costs (which may vary depending on cases decided), the quality of decision (as budget is on the number of cases decided and not how the cases were decided) and the subjectivity in determining the case price as that is dependent on agreement with courts and the Ministry of Justice and Security.



The aspects mentioned above were crucial for the MA to note how to move forward with PBB and set priorities for judicial administration. From this visit, we gathered that for the MA, it was essential to focus on planning and budgeting resources so that court personnel working on the budget could improve their skills in formulating the budget plan and forecasting better to have proper depletion.

Follow-up was made after the June visit, but as indicated above, given the ongoing investigation with KPK, we deemed it not prudent/sustainable to bring an RvdR expert to Indonesia to continue with the activities as the results would be very limited in the absence of the working group to oversee the implementation of PBB. For the same reasons, there were no further activities or requests to engage in the implementation of the RENSTRA.

Ombudsman of Indonesia (ORI) – National Ombudsman of the Netherlands (NO)

Introduction

In 2023, the project team, following the request of ORI, focused on supporting the ORI in creating their future strategy and organising workshops on the Sustainable Development Goals (SDGs). The focus had shifted from implementing the Fair Treatment Approach (FTA) because ORI had already internalised the FTA within the organisation. As Reinier van Zutphen said during the working visit in September 2022, “We have rarely seen an ombudsman organisation that has so fully internalised Propartiff(red. FTA)”. Following the complete internalisation of the FTA at ORI, the method's effectiveness was tested through a survey for an internal survey of staff and an external survey of complainants. Both surveys concluded that significant time was saved, and complainants felt the service level had increased. The surveys concluded the work on FTA and allowed the ORI and NO to

work closely on other topics, such as the SDGs and the future of the Ombudsman in Indonesia. This allowed the relationship between ORI and NO to consolidate further.

Ombudsman and SDGs Webinar – June-July 2023

The United Nations' 2030 Agenda sets seventeen ambitious sustainable development goals (SDGs). In this global agenda, access to justice for all was established as a universal goal for the first time in SDG16. Sparked by the adoption of this goal, the understanding and operationalisation of access to justice is shifting. A global movement is emerging that argues that justice is central to socioeconomic development and that people should be at the centre of justice. This is called people-centred justice. People-centred justice is relevant to the future of the ombuds function. The UN also encourages Ombudsman institutions to prepare Voluntary National Ombudsman Reviews. Ombudsman Indonesia is taking the subsequent VNR for SDGs as part of their task. In meetings with ORI in March 2023, they requested support from experts from the NO and international organisations on how to do the VNR at the ORI.

During the workshops, the SDG expert explained the most relevant goals, targets and indicators for ORI in applying the SDGs. Within ORI, the VNR process is handled by the planning unit and the unit Maladministration Prevention Unit (KUMPM) handling work closely with the National SDG secretariat (Seknas SDG) from the Indonesian government, which is hosted by the Ministry of Development and Planning (Bappenas). These are new tasks, so the SDG expert helped them to implement and handle the VNR. The workshop was led by an expert on the SDGs and VNR, who explained the requirements that ORI would have to adhere to. The workshop also allowed future implementors of the tasks to ask questions about how to implement these tasks. A second workshop was organised as a Q&A in July, but this was cancelled later as the President organised a national holiday on that day.

Leadership retreat, Bogor, 18-21 December 2023



Following the close cooperation between ORI and NO at the start of the ORI and the internalisation of Profpartiff, it was time to look at the future of the Ombudsman in Indonesia together. With it, ORI requested help developing their RPJMN and Grand Design vision. The making of the National Medium Term Development Term (RPJMN) is based on three transformations, namely economic transformation, social transformation, and governance transformation, the latter of which will be the focus of ORI. ORI has started developing its five-year

Strategic Plan or RPJMN (2025-2029) and 25-year Grand Design (2025-2045). To develop the common vision for these strategy documents to be drafted, the project decided to organise a leadership retreat with the leadership of ORI and NO in Bogor.

During the leadership retreat, the central theme was change management, which focused on four transformations: institutional transformation, transformation of human resources, role transformation, and digital transformation. These four topics were discussed in plenary amongst the Dutch national Ombudsmen, and experts met with all 9 Ombudsmen. As the leadership of both institutions were so familiar with one another, the setting was more of a brainstorming session than a formal working visit. In the setup of the visit, we limited the attendance of support staff so that all parties could speak freely. The confirmation of all 9 Ombudsmen from the central office in Jakarta showcased the value ORI had placed on the brainstorming session. During the workshop, many

strategies were discussed and tested. NO’s experience in the Netherlands and supporting other Ombudsman institutions worldwide case support in framing specific visions into possibilities. The leadership retreat results gave ORI clarity regarding the future of the Ombudsman in Indonesia and fuelled the planning bureau of ORI to start drafting their RPJMN.

Although the P2P project is ending, some follow-up activities are planned. One of the follow-up activities is the IOI conference that the NO will host in May 2024. The Indonesian Ombudsman will join the IOI conference, and CILC will see if they can support and organise a complementary activity for the visiting delegates. The Southeast Asian Ombudsman Organisation is also meeting in Q4 2024. The NO has pledged to be an observer state to the ASEAN ombudsman organisation, so they will be invited to join the conference. Other online follow-ups are planned, particularly when the grand design and the strategic plans are made.



Gender

With the appointment of Dinieke de Groot as President of the Hoge Raad, there has been more engagement of female leadership from the Hoge Raad, which is already influencing the composition of leadership from MA in exchange visits. Upon the encouragement of the project team, the MA also included female justices during meetings.

Baseline 2021

	Baseline-	Target	Status
At least three concrete reform goals supported through the sustained bilateral relations	0	4	4

Activity	Objectives	Original planning	Realised
Working visit MA to HR.	Introduce the new leadership of MA and HR, and receive training on case selection.	Spring 2023	Realised from 10-20 June in The Hague.
Working visits HR to MA.	Strengthening the relationship of leadership MA and HR, facilitating discussion on regular plenary meetings	Fall 2023	This visit was not made due to HR's limited availability. Online meetings were suggested.
1 Monitoring mission MA with Jos Puts (RvdR) and Tonnie Hulman (SSR)	Capacity building and dissemination of PBB with the working group of MA and other courts in Indonesia	Q3 – Q4 2023	Not realised due to the unavailability of leadership at MA. MA delegation was received in Den Haag.
Working visit, NO – ORI	Working visit and leadership retreat on strategy development of ORI	October 2023	Realised together with a leadership retreat from 18-21 December 2023 in Bogor, Indonesia
Measurement tool Propartif	The focus was developed From the operational, and	Q1-Q4 2022	Realised by the development and

	courtesy calls to measure Propartif.		surveying of two surveys. One for ORI staff One for complainants
Operational calls	Operational calls with NO and ORI on strategy development of ORI and application of SDG's	Q2-Q3 2023	Realised online and on-site
Online consultation	Online consultation between operational teams at ORI-NO.	Q1-Q4 2023	Realised

Outcome 3 New bilateral relations between justice sector institutions established in support of concrete reform goals

- ✓ Output 3.1: New peer-to-peer relation(s) between the Netherlands and Indonesian probation service is established to increase awareness of Indonesian criminal justice actors about the benefits and opportunities of probation and alternative sanctions
- ✓ Output 3.2: New peer-to-peer relation(s) established and managed in support of judicial reform in line with RPJMN 2020-2024

Indonesian Probation Service (Ditjen Pas) – Netherlands Probation Service (Reclassering Nederland)

Introduction

Ditjen Pas and the Reclassering Nederland took significant steps forward in their cooperation in 2023. Through various activities in 2023, such as online consultations, working visits and high-level courtesy calls (with Minister Laoly and DG of Correction), (senior) officials could exchange experience on critical issues important for Indonesia's criminal justice reform. This was to support Indonesia in reducing the prison population by introducing alternative sanctions as a reaction to criminal behaviour.

In January 2023, Indonesia adopted a new criminal code (Kitab Undang-undang Hukum Pidana (KUHP), which provides several opportunities to practice alternative sanctions, such as community and conditional sentencing. With the adoption of KUHP, Reclassering Nederland and CILC have taken the opportunity already to facilitate discussions, roundtables and stakeholder engagement to understand the new law and pave the way for the preparation of the implementation, which should start by January 2026. So, the expert team devoted time and attention to creating awareness among law enforcement agencies (including prosecutors), reinforcing cooperation among partners in the criminal justice chain (police, prosecution, judiciary and correctional service) and seeking common ground to understand the law and apply it with the same vision to achieve common goals.

Thus, activities carried out during this reporting were mainly geared to support Ditjen Pas and other stakeholders in the criminal justice chain to understand the new law better, define their roles and position once the law is adopted and initiate the preparation for the implementation of KUHP. Most importantly, the activities were meant to position the probation service in Indonesia (Bapas) to prepare to take critical steps to fulfil their new role once the law is enforced. Capacity building of Bapas and other Ditjen Pas staff was carried out via the TMT+ project *New Narrative in Corrections and CILC and Saxion UAS-led Alternative Sanctions* in cooperation with Reclassering Nederland and CILC. Below, we provide an overview, update and outcome of our interventions in 2023.

Online courtesy call and consultations Ditjen Pas and Reclassering Nederland



On the 27th of February, 2023, an online courtesy call was held between Ditjen Pas and Reclassering Nederland. The meeting aimed to share and discuss development in criminal justice in Indonesia in particular and discuss and agree on the agenda of the upcoming mission of the Reclassering Nederland, Saxion and CILC in March 2023. An update on the activities and achievements of the project was then presented, and preparations for the multistakeholder meeting planned on the 13th of March were made.

NEXT

P2P	TMT +
<ul style="list-style-type: none"> • Courtesy call 26 Feb • By-monthly consultation 26 Feb • March 13 (morning) Roundtable Multistakeholder alternative sanctions • Meeting with NGOs to discuss about opportunities on alternative sanctions 	<ul style="list-style-type: none"> • March 6 -10 Public engagement and awareness training • March 8-11 Master class dialogue trainer – outside Jakarta • March 14 closing ceremony (afternoon) • 14 March day with the AGO -scoping

Following the courtesy call, an online consultation meeting was held on the topic “Alternative Sanctions in the new criminal code,” and

presentations were held by Ditjen Pas on the main changes in the new law code. The courtesy call and online consultation proved the need to deepen discussions on the new criminal code further. It showed the need to strengthen the probation service in Indonesia, which will have to supervise offenders while implementing alternative sanctions. The meeting established a basis for identifying topics that can be included in the new work plan between the partners, focusing on increasing the use of alternatives to detention. Thereby reducing the high prison rate and providing more possibilities for the judiciary to opt for tailor-made sanctions.

Courtesy meeting Minister Yasonna Laoly, The Hague, the 25th of August 2023

On the 25th of August, 2023, Minister Laoly visited the Netherlands. During his visit, he dedicated his there was a courtesy meeting with the General Director of Reclassering Nederland, Mr. Johan Bac, the Head of the International Department, Mr. Jochum Wildeman and CILC Director Ms. Anne-Marie Bruist, among other guests. Minister Laoly was accompanied by Special Advisor Ms. Linggawati Hakim, Ambassador of Indonesia in the Netherlands and other senior representative from the Ministry of Law and Human Rights and provinces. Minister Laoly acknowledged Indonesia and the Netherlands' relations concerning law and appreciated the support extended to strengthen the criminal justice system. He reiterated that cooperation in implementing alternative sanctions is crucial for Indonesia to provide relief to overburdened prisons.

Minister Laoly insisted on Bapas' capacity building to empower the institution to fulfil its role under KUHP once enforced. Mr. Johan Bac acknowledges the efforts needed of Indonesia, as Reclassering Nederland, which now celebrates 200 years, went through various transformations to get where it is now. Today, in the Netherlands, offenders are sent five times more to probation than prison. To get to this point, Mr. Bac insisted on enhancing public awareness of the benefits of probation and how to prevent new victims of crime.

Mr. Bac invited Minister Laoly to participate in the World Probation Congress, which Reclassering Nederland will host in April 2024. In addition, Ditjen Pas was invited to consider hosting the next World Congress on Probation in 2026 (Edit- this has since been confirmed, and Indonesia will be the host of the Next World Probation Congress in 2026, to be announced in April in the Hague during the upcoming congress). In addition to the high-level discussions, feedback was shared on the Reclassering Nederland, Saxion UAS, and CILC visits in March and July 2023. Both visits gave an impression of the



progress made in installing local community centres (Griya Abhipraya), which could serve as the basis for implementing alternative sanctions once the law is enforced.

Lastly, while acknowledging the winding up of the Peer 2 Peer 4 Justice project, the Minister was asked about their plan and commitment to support further cooperation on criminal justice reform/corrections in which co-funding will be essential. Mr. Laoly extended his commitment to supporting collaboration with the Netherlands Dutch Probation Service. He invited the Dutch partners to write a letter requesting commitment from the Indonesian Ministries and other relevant stakeholders. This commitment could support co-funding for the project activities in the coming years.

Following this visit, a letter was written by Reclassering Nederland to Minister Laoly with a request for attention to the aspects mentioned above. On the 4th of October 2023, Minister Laoly invited the Reclassering Nederland delegation and the Netherlands Ambassador in Jakarta for a lunch courtesy meeting. During this meeting, Minister Laoly reiterated the needs, wishes and commitment to support the capacity building of Bapas, among other essential aspects of the cooperation with Reclassering Nederland.

This expresses the Ministry of Law and Human Rights's acknowledgement of the need to act quickly to prepare Bapas, Ditjen Pas and other partners in the criminal justice chain for the implementation of KUHP. In addition, courtesy meetings proved the warmth and friendly relations that the Ministry of Law and Human Rights and Ditjen Pas have with Reclassering Nederland and CILC, which are the basis for building trust, support and reliance in any reform trajectory.



Multistakeholder meetings on alternative sanctions and restorative justice

Roundtable discussion on alternative sanction in the criminal justice system, Jakarta, Monday the 13th of March 2023

In March 2023, CILC, Reclassering Nederland, and Saxion UAS organised a joint mission. Part of this mission was dedicated to a round table and consultations with stakeholders in the framework of the P2P project. Next, training activities for BAPAS were organised, and a closing ceremony for the project TMT+ New Narratives in Correction and Alternative Sanctions was conducted on the 16th of March. The mission kicked off with a roundtable organised on Monday the 13th of March, which brought together representatives from Ditjenpas, the Supreme Court, the Attorney General's Office, Police, and from the Dutch side Reclassering Nederland, Saxion University, CILC and the Dutch Embassy. The Reclassering Nederland presented the Dutch experience on alternative sanctions. They reiterated that the Dutch government and society believe that punishment alone does not help, so they should focus on behavioural change and risk management.

MA and other stakeholders recognised the biggest problem facing the Indonesian community and criminal justice, which stems from drug offences. More than half of inmates in prison are incarcerated for drug offences. There seems to be no separation between drug use and dealing. Working Mission of Reclassering Nederland (RN), Saxion UAS and CILC to Ditjenpas, Indonesia July 2023. During this roundtable, participants raised several issues for consideration. This includes the question about who will have the authority to supervise offenders and whether that will be the authority of Ditjen. Also, how could they have the buy-in of society so that they could accept alternative sanctions as punishment? The question was when to start this awareness campaign. In addition, it was pointed out that there will be a need to develop implementing guidelines for alternative sanctions for implementation.



Aside from the roundtable, the delegation also visited the National Police and the AGO's office to discuss and explore the possibility of cooperation in implementing alternative sanctions. The key takeaway of the discussions is that there is a common understanding among stakeholders that prison does not always have a positive impact. Although stakeholders may be on the same page about implementing alternative sanctions, there is a significant job ahead to develop guides and form consensus for the supervision and implementation.

Working visit RN and CILC to Indonesia, July 2023



From 10th to 14th July, CILC, Reclassering Nederland, and Saxion UAS conducted a follow-up mission to build on the consultation on the implementation of alternative sanctions in Indonesia. This time, the delegation did not remain in Jakarta but travelled to Yogyakarta to explore the experience of correctional practice and perception of the regional BAPAS offices on the implementation of alternative sanctions after the enforcement of KUHP.

The delegation started on Monday with a courtesy meeting with Ditjen Pas's leadership. During this meeting, the delegation and Ditjen Pas exchanged updates on the new penal law and the preparation made so far to understand the new position of the law. The Reclassering Nederland also used the opportunity to officially invite Ditjen Pas to the World Congress on Probation, which will be hosted in Den Haag in April 2024.

As in the previous mission, the delegation met with the NGO coalition to discuss the new penal law. This was essential to having an informed position about implementing alternative sanctions. For two days, the delegation visited Yogyakarta and met with representatives of the Ministry of Law and Human Rights regional office, the BAPAS office and the detention facilities for youth, female and male offenders. In all meetings, the key question was how the officials interpret alternative sanctions (community sanctions) under the penal law. It seemed there wasn't a common understanding of the disciplinary approach. More effort is needed to ensure a standard definition of how the punishment can be applied in the Indonesian context. The visit to Yogyakarta significantly showcased the pilot community centres established by Ditjen Pas in 2022, which could provide a workplace for offenders to serve community sanctions.



Working visit RN and CILC to Indonesia, October 2023



The working visit of Reclassering Nederland and CILC was conducted between the 2nd and 6th of October. This time, the visit was centred in Jakarta. The mission's objective was to create opportunities for further exchange of information on how the law enforcers translate and implement alternative sanctions among them. Also, to explore possibilities for implementing elements of alternative sanctions before adopting the new penal law (KUHP) in January 2026.

The mission's objectives were to raise stakeholders' awareness of the implementation of alternative sanctions, provide opportunities to learn about best practices in alternative sanctions and establish the willingness of the criminal justice chain partners to strengthen cooperation to pave the way for the swift implementation of alternative sanctions.

Several moments for consultations, workshops and a thematic event were established during the mission. The delegation started with a two-day workshop with stakeholders of the criminal justice chain on the concept of alternative sanctions in Indonesia and the Netherlands. This workshop was

hosted by Ditjen Pas, which invited representatives from the Ministry of Law and Human Rights, Attorney General’s Office, National Police, National Planning Agency (Bappenas), Academicians and NGOs. The workshop was organised in a hybrid format, allowing broad participation from the Netherlands and Indonesia.

The position of the law was made clear that alternative sanctions will be imposed for offences that will not carry a punishment of more than five years. A judge will have the option to impose community sanctions or a conditional sentence (probation). A judge will have to determine if the accused can implement community service. In Indonesia, the minimum punishment for community sanction will be 8 hours, and the maximum penalty will be 240 hours. The sanctions will have to be implemented within six months or less. The important provisions of KUHP in this regard are Article 85(1), article 75 and Article 70.



This provision also covers the supervision of offenders, which needs to be defined before the law is enforced. Ditjen Pas believes it should be for the probation service (BAPAS) to supervise, as they have the authority to develop Litmas (advisory reports), which are essential for alternative sanctions practice. However, to fulfil the new role, BAPAS will need to enhance its capacity.

During the workshop, it was insisted that Indonesia needs a common understanding among law enforcement agencies. The new correction law is part of the integrated system requiring synergies among law enforcement. They should have a common interpretation. In addition, there is a need to engage with the public to form the opinion that alternative sanctions can benefit the public.

In addition to the stakeholders, Reclassering Nederland also conducted a workshop with Ditjen Pas to discuss the practical side of the preparation for the implementation of alternative sanctions by formulating goals and business plans and ensuring the resources are available to realise the objectives. This workshop was well received and triggered an interesting discussion with the planning bureau of Ditjen on how and when to plan for budget resources for the activities. During this workshop, Ditjen Pas and Reclassering Nederland concluded that they would need to implement a pilot to prepare effectively for the implementation before the penal law is enforced. A proposal for the pilot project was developed, and it was agreed that it would be presented to the Minister of Law and Human Rights via Ibu Linggawati (special advisor) and to Pappenas and the Coordinating Ministry of Security and Legal Affairs.

The pilot idea was presented to Minister Laoly during the lunch meeting hosted by the Minister on the 5th of October, and it was well received. The proposal for the pilot was further presented to the Director of Law of Bappenas and a senior representative of the Coordinating Ministry of Security and Legal Affairs on Friday, the 6th of October, and it was also well received. The proposal has been processed and submitted to key stakeholders in Indonesia and the Netherlands Embassy for approval.

Thematic events on strategic topics

For more information on this, please see page 6- Thematic Events.

A webinar was organized on December 12th for the association of new judges in Indonesia to explain the concepts of Alternative Sanctions by experts from the Dutch judiciary, prosecution office, and probation service. The webinar raised awareness amongst the judiciary on the concepts and application of alternative sanctions and the possibilities of applying alternative sanctions within the new criminal code.

	Baseline – the 30th of April 2020	Target	Status – December 2023
At least two concrete reform goals were supported through sustained bilateral relations.	2	2	2

Activity	Objectives	Original planning	Realised
Courtesy call between the leadership of Ditjen Pas and Reclassering Nederland	Update on progress on reforms and project implementation.	Q1 2023 – Q4 2023	Realised. Four courtesy meetings were organised in Feb, March, July, Aug and Oct 2023
Online consultations Dirjen Pas – Reclassering Nederland	Update and consultation on progress on reforms and project implementation. Knowledge and expertise exchange on probation work and to support innovation and efficiency in operational work	Q1 2023 – Q4 2023	Realised, one Organised in Feb 2023
Multistakeholder meetings (at least 2) on restorative justice and alternative sanctions	Knowledge and expertise exchange on correctional service to foster collaboration in enforcing restorative justice and alternative sanctions in Indonesia	Q1 2023– Q2 2023	Realised, several stakeholder meetings were organised during four missions conducted in 2023
Thematic events on strategic topics	Knowledge exchange on strategic topics derived through collaboration with the working group. Topics suggested by the WG. See above	Q2 2023 – Q4 2023	Realised, see the thematic event on alternative sanctions and legal education held in October 2023

Outcome 0 Project management and reporting

In 2023, we applied the same approaches to realising our activities as in the previous year 2022. Activities were carried out online, hybrid, and face-to-face. Although CILC, partners, and institutions have become more versed in working virtually, meeting and implementing activities in person, concerning topics such as the application of the new criminal code or the inner workings of the MA, was still preferred. This combination paired institutions through working visits and connected implementers through an online approaches.

There were changes in staffing in the project team due to staffing changes at CILC. The Director at CILC was changed, as was the senior project manager. During the summer of 2023, another staff member was added to the project team.

To ensure successful project implementation, the following measures and efforts were taken in 2023:

- ✓ Frequent calls with project partners via different platforms to design, update and implement project activities. These meetings were conducted almost bi-weekly to maintain momentum. The CILC project team was engaged almost daily to translate the plans into feasible actions.
- ✓ Organise several calls apart from the expected courtesy and knowledge exchanges with partners to maintain the relationships despite the preoccupation with health and security issues as well as with the preliminary work of our institutional partners.
- ✓ Increased guidance and assistance to inform partners about the possibilities and advantages of online meetings and activities and guide them in this transformation. We needed to be present in all sessions to support the conversations and technical Access to the online/virtual platforms.
- ✓ Continuous project activities and meetings are transformed based on both countries' needs, wishes and developments. For instance, we organised hybrid sessions when the situation permitted in Indonesia and brought experts to our offices in The Hague to use our virtual platform. Overall, the project team spent a generous amount of time preparing and executing project activities, which proved fruitful and had significant results.
- ✓ Increased support for future cooperation past the P2P project. There was a request from organisations to set up sustainable communication channels. All meetings included an element of sustainability past the P2P project.



<i>Activity</i>	<i>Original planning</i>	<i>Realised</i>
50 Monthly operational calls (internal management purposes)	Weekly basis	Realised
Annual financial progress report	n/a	Realised on the 21st of Decemk
Request Budget Neutral Extension	n/a	Realised on the 21st of Decemk
Annual budget	n/a	Realised on the 21st of Decemk

4. Concluding remarks



In 2023, the momentum was used that was created in 2022 to consolidate the results of the bilateral judicial relationships into sustainable partnerships beyond the Dutch funding period.

As this was to be the last project year of the P2P project, the main focus was to use the momentum and re-invigoration of the relationships following the COVID-19 pandemic, and to consolidate the relationships into sustained legal relations beyond 2023. The end of 2023 was marked by the suspense of the upcoming elections. The new criminal code that was ratified by the end of 2022 increased the focus on the Indonesian probation service to prepare them for the upcoming task.

From all three results areas, we celebrated numerous achievements. A few worth noting are:

- ✓ The continued growth and interest of WG Indonesia since its establishment in 2012 have remained constant. The WG has and still provides a good platform for Indonesian and Netherlands legal institutions (including academicians) members to meet, exchange and learn from each other. It also allows for aligning interventions and creating synergies for legal reforms.
- ✓ The working relationship between the MA and HR has further strengthened despite leadership changes through the project. Both MA and HR are open to signing new MoUs for the upcoming period further sustaining their relationship.
- ✓ After more than ten years of cooperation, 2023 was a remarkable year for the Indonesian Ombudsman, which is fully internalising the Fair Treatment Approach and becoming Indonesians' knowledge centre on the topic. The leadership of the two organisations met for a leadership retreat, developing together the four pillars of the future of the ORI in a mid-long term plan.
- ✓ With the new criminal code, Ditjen Pas will take on a new set of responsibilities. The Dutch counterpart, RN, has been supporting them in capacity building and strategising how to prepare for their upcoming tasks. They have built a mutual trust relationship and are keen to receive further support in preparation for the implementation of the new criminal code.
- ✓ The sustainability strategy that was built included interviews with all actors in the bilateral judicial relationship between the Netherlands and Indonesia. The strategy shows the special bond that the two nationals have built. Firsthand accounts showcase the value of the Dutch support to the Indonesian institutions, from training legislators to supporting the creation of a chamber system at the MA to helping the DP prepare for the upcoming changes in legislation. It is not only a sustainability strategy but an evaluation of the effectiveness of the work of the past 15 years, which we can now conclude have yielded successful results.

Indonesia has taken a significant step towards implementing restorative justice and alternative sanctions. With the enactment of the new penal code (KUHP), the legal framework to formalise such change is in place. We are using the momentum to provide tailored support to the institutions that we directly work with (MA, Ditjen Pas). Hopefully, we can introduce change to the AGO/Public Prosecution through capacity

building. Cooperation with NGOs remains essential to reach new legal institutions and translate good practices into the Indonesian context.

Building momentum to realise the remaining portion of the project has been crucial as the P2P project draws to a close. To ensure results, CIC employed a diverse range of techniques, including the hybrid approach and organised working visits. It keeps bringing people and institutions closer together so they can exchange and grow from one another. We have no doubts that the P2P relationships that this project set out to establish are flourishing.

Annexe I - Results Framework

THEME	IMPACT / OUTCOME	RESULT AREA	
SRoL	Impact	Sustained long-term partnerships and knowledge exchange between IND and NL legal professionals to support justice reform in Indonesia	
	Outcome	<ol style="list-style-type: none"> 1. The Indonesia-Netherlands Rule of Law network continues to operate and remains relevant 2. Sustained and institutionalised relations of NL/IND justice sector institutions have furthered concrete reform processes. 3. New bilateral relations between justice sector institutions established in support of concrete reform goals 	
	Outcome indicators	<u>20% increase in appreciation of Indonesia Working Group members regarding the functioning and added value of the network</u>	
		• Baseline:	• Target:
		• Status	
		<u>At least three concrete reform goals supported through the sustained bilateral</u>	
		• Baseline:	• Target:
• Status:			
<u>At least two concrete reform goals supported through new bilateral relations</u>			
• Baseline:	• Target:		
• Status:			

Indicator / Result	Results framework indicator/activity-specific indicator	Baseline + year	Targets + year	Source	Status
1.1 Indonesia Working Group continues to function throughout 2019 -2023	Result framework indicator	1, 2019	1/2023	Annual report 2023	Realised
1.2 Thematic events organised with existing and new partners have contributed to deepening the dialogue on specific reform areas	Activity specific indicator	0, 2019	5/2023	2	Realised
2.1 Existing peer-to-peer relations between justice sector institutions are managed and maintained	Result framework indicator	3, 2019	3/2023	Annual report 2023	Realised
3.1 New peer-to-peer relations between the Netherlands and Indonesia probation services were established to increase the benefits of probation and alternative sanctions	Result framework indicator	0, 2019	2/2023	Annual report 2023	Realised
3.2 New peer-to-peer relations established in support of judicial reform in line with RPJMN 2020 -2024	Result framework indicator	0, 2019			

THEME	IMPACT / OUTCOME / OUTPUT	RESULT AREA
SRoL	Output	1.1 Indonesia Working Group continues to function throughout 2019-2023

Indicator	Results framework indicator or activity-specific indicator	Baseline + year	Targets + year	Results from reports received between Jan – Dec 2023	Source	Status
Number of annual plans adopted	Activity specific indicator	0, 2019	02023		Annual plan	Realised
Several working Group meetings were held, including at least one session on gender.	Activity indicator	0, 2019	4,2023	6	Agenda and minutes	Realised, 6 meetings combined into 3 for joint IND and NL workings

THEME	IMPACT / OUTCOME / OUTPUT	RESULT AREA
SRoL	Output	1.2 Thematic events organised with existing and new partners have contributed to deepening the dialogue on specific reform areas 1.2 Increased number of partners engaged in activities of the network, with a specific focus on equal participation of women

Indicator	Results framework indicator or activity-specific indicator	Baseline + year	Targets + year	Results from reports received between Jan – Dec 2023	Source	Status
Number of thematic events held	Activity specific indicator	0, 2019	2, 2023	2	Agenda, report	Realised

A number of member organisations in the Netherlands and Indonesia engaged through the Working Group	Activity specific indicator	30, 2019	35/2023	35	WG Google platform	Realised
A number of organisations in Indonesia engaged through these events in reform processes	Activity specific indicator	0, 2019	5/2023	10	WG Google Platform	Realised
Number of participants (m/f) involved in these events (target: % increase of women involvement)	Activity specific indicator	Estimated at 60%, 2019	60%/2023	60%	WG Google Platform	Realised

THEME	IMPACT / OUTCOME / OUTPUT	RESULT AREA
SRoL	Output	2.1 Existing long-term peer-to-peer relations between justice sector institutions in the Netherlands and Indonesia are maintained and managed 2.1 Increase participation of women in working visits

Indicator	Results framework indicator or activity-specific indicator	Baseline + year	Targets + year	Results from reports received between Jan – Dec 2022	Source	Status
A number of exchanges between IND and NL partners have taken place in support of: <ul style="list-style-type: none"> Acceleration of case handling Functioning of the chamber system Improved M&E and strategic planning Institutionalisation of FTA 	Activity specific indicator	0, 2019	10,2023	15	Annual report, working visits agenda and reports	realised
Number of participants (m/f) involved in these events (target: % increase of the involvement of women)	Activity specific indicator	Estimated at 2, 2019	20% increase	20% increase	Meeting notes	realised

THEME	IMPACT / OUTCOME / OUTPUT	RESULT AREA
SRoL	Output	3.1 New peer to peer relationship between the Netherlands and the Indonesian probation service is established to increase awareness of Indonesian criminal justice actors about the benefits and opportunities of probation and alternative sanctions

Indicator	Results framework indicator or activity-specific indicator	Baseline + year	Targets + year	Results from	Source	Status
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				reports received between Jan – Dec 2022		
Number of exchanges facilitated between IND probation service and NL partners in support of the adoption of an Indonesian probation roadmap	Activity specific indicator	0, 2019	4/2023	4	Annual report 2023	Realised
Baseline study on legislation and institutional capacity (including opportunities for pre-trial phase involvement) produced between November 2019 and March 2020	Activity specific indicator	0, 2019	0/2023		Annual report 2020	Realised already in 2020

THEME	IMPACT / OUTCOME / OUTPUT	RESULT AREA
SRoL	Output	3.2 New peer-to-peer relation(s) established and managed in support of judicial reform in line with RPJMN 2020-2024

Indicator	Results framework indicator or activity-specific indicator	Baseline + year	Targets + year	Results from reports received between Jan – Dec 2022	Source	Status
Number of exchanges facilitated between new IND and NL partners to provide Dutch input in support of law-making and/or legal reform processes	Activity specific indicator	0, 2019	4/2022	4	Annual report 2023, webinar agendas	Realised
Number of participants (m/f) involved in these events (target: % increase of the involvement of women)	Activity specific indicator	To be determined once activities are being implemented, 2019	20% increase/2022	30% increase	Annual report 2023	Realised

Annexe II – Financial Report 2023

Please see the separately file attached to this report.