

“EU-UNDP SUPPORT TO JUSTICE SECTOR REFORM IN INDONESIA (SUSTAIN)” PROJECT FINAL EVALUATION

MAY - JULY 2019

FINAL EVALUATION REPORT

**“EU-UNDP Support to Justice Sector Reform in
Indonesia (SUSTAIN)” Project**

May - July 2019



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The authors' views expressed in this independent report do not reflect the views of the UNDP.

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ACRONYMS & ABBREVIATIONS

AIPJ	Australian Indonesian Partnership for Justice
AWP	Annual Work Plan
BADILAG	Badan Peradilan Agama (Religious Courts Body)
BADILUM	Badan Peradilan Umum (General Courts Body)
BADILMILTUN	Badan Peradilan Militer dan Tata Usaha Negara (Military and Administrative Courts Body)
BAPPENAS	Badan Perencanaan Pembangunan Nasional (National Development Planning Agency)
BAST	Berita Acara Serah Terima (Handover Notes on Funding Support)
BAWAS	Badan Pengawas (Oversight Body)
C4J	Changes for Justice
CJE	Continuing Judicial Education
CMS	Case Management System
CSO	Civil Society Organization (Organisasi Masyarakat Sipil)
	Development Assistance Committee of the Organization for Economic
DAC/OECD	Cooperation and Development
EU	European Union
FGM	Focus Group Meeting
GGIJ	Good Governance in Indonesia's Judiciary
GOI	Government of Indonesia
IT	Information Technology
JC	Judicial Commission
JRTO	Judicial Reform Team Office
JSSP	Judicial Sector Support Program
KPK	Komisi Pemberantasan Korupsi (Corruption Eradication Commission)
KY	Komisi Yudisial (Judicial Commission)
LAN	Lembaga Administrasi Negara (State Administrative Agency)
LeIP	Lembaga Kajian dan Advokasi untuk Independensi Peradilan (Center for the Study and Advocacy of Independent Judiciary)
LHKPN	Laporan Harta Kekayaan Pejabat Negara (Wealth Report for Public Officials)

MA	Mahkamah Agung (Supreme Court)
M&E	Monitoring and Evaluation
NPD	National Project Director
PERMA	Peraturan Mahkamah Agung (Supreme Court Regulation)
PA	Pengadilan Agama (Religious Court)
PN	Pengadilan Negeri (District Court)
PT	Pengadilan Tinggi (Appellate Court)
SDGs	Sustainable Development Goals
SIPP	Sistem Informasi Penelusuran Perkara (Case Tracking System)
SISDIKLAT	Sistem Informasi Pendidikan dan Pelatihan (Training and Education Information System)
SIWAS	Sistem Informasi Pengawasan (Whistleblowing System)
SPPA	Sistem Pengadilan Pidana Anak (Juvenile Criminal Justice System)
SOP	Standard Operational Procedures
SUSTAIN	EU-UNDP Support to Justice Sector Reform in Indonesia
ToR	Terms of Reference
TOT	Training of Trainers
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
UU	Undang-Undang (National Law)

EXECUTIVE SUMMARY

Project Background

From 2014 to 2019, United Nations Development Programme (UNDP) Indonesia implemented the EU-funded Support to Justice Sector Reform in Indonesia (SUSTAIN) project to strengthen reforms in the judicial system, enhance public trust in the judicial system, and support the Government of Indonesia (GoI) in advancing the rule of law. The project has four programmatic foci: (1) Enhanced internal and external oversight of the judiciary; (2) Enhanced skills and knowledge of judges and court staff; (3) Improved human resource management and an enhanced case management system; and (4) Strengthened quality of case data, decisions, and timeliness of case handling. The project addressed head-on some of the most intractable problems in Indonesia: Limited public trust in the justice system, vulnerability of citizens to arbitrary and unaccountable justice administration, and corruption in the judicial system.

Evaluation Objectives and Scope

In its final year of implementation in 2019, a Final Evaluation of the project was mandated under the project's Monitoring and Evaluation (M&E) Plan to assess the results and impacts of the project and to strengthen transparency and accountability in the use of project funds. Evaluation results were also used to draw lessons for learning and improve project design and implementation in the future. In particular, an Evaluation Matrix (Annex III) synthesizes the key evaluation questions, evaluation criteria, data collection methods, and key findings, and provides a framework on how evaluation activities fit into a coherent plan.

Evaluation Methods and Approaches

The Evaluation Team employed a mix of methodological approaches and instruments, ranging from key informant interviews and document review to focus group discussions and on-site observation during the field visits. In accordance with UN ethical guidelines, interviews and meetings were conducted in full confidence and anonymity, without specific attribution of comments to individuals unless permission was sought and explicitly granted. The evaluation process also adhered to a strong participatory and consultative approach that aims to include and respect the interests and perspectives of all participants.

Findings and Conclusions

Project activities and outcomes were analysed and evaluated in turn using the five evaluation criteria of *Relevance*, *Effectiveness*, *Efficiency*, *Sustainability*, and *Impact*. The findings premised on each criterion were triangulated using multiple sources to ensure the validity of the inferences. Using a rating framework that the Evaluation Team has developed for this evaluation, programme activities were rated on each of the above five criteria in turn to elicit an overall assessment or systematized grade.

In the light of evaluation findings and the analyses of data on **Relevance**, SUSTAIN project is overall rated as “**Excellent**” on this criterion. It has very strong alignment with key stakeholder interests, strategic plans and reform agenda, and its activities systematically tackled entrenched problems in the justice system ranging from public access to justice information and the quality of judicial decisions to the plight of underserved vulnerable groups and judicial corruption.

The overall rating for **Effectiveness** is “**Good.**” Notable strengths in effectiveness include: Improved judicial case management through digitization and standardization; increased accessibility of court information to the public; enhanced quality and frequency of training for judicial officers; strengthened internal oversight within the courts; and enhanced openness to and accountability for public complaints. Areas of shortfall are the lack of progress in bridging of the partnership between the Supreme Court (SC) and the Judicial Commission (JC); the absence of systematic outreach to civil society organisations (CSOs), the media, and the public in general; and the limited progress in engaging the Judicial Reform Team Office (JRTO) as a change agent within the SC.

The rating for **Efficiency** is also “**Good.**” Noteworthy successes in this area are: Management structure and resource allocation in the project are fit-for-purpose, cost-effective implementation strategies such as the use of existing capacity in the Supreme Court (e.g. its Training Center and IT personnel) and the procurement of local expertise for project activities. There have been significant efficiency gains from the new computer systems; convenient and paperless applications for just-in-time updating and dissemination of information. A setback in terms of efficiency is the slow transition from the improved but costly training workshops towards the upscaling of training-of-trainers programmes and the upgrading of the Supreme Court’s in-house training infrastructure.

In terms of **Sustainability**, SUSTAIN’s computerized applications need constant updating to keep up the advances in technology. These require continued investments in the training of

end-users and constant updates to the software and equipment. In spite of its strong commitment to the reform in the SC, its capacity is mostly directed at day-to-day functions and service delivery and it may not have the capacity to deal with some of these strategic challenges. Practices that promote sustainability include the project's practical exit strategy, the institutionalized rules and SOPs that change norms, habits and practices, and the strong and unwavering ownership of the new applications and practices by the Supreme Court.

Overall Sustainability is rated as “**Good**” because there is significant ownership of the project by the SC and good prospects for continuing the activities and systems. However, these are contingent on a number of factors, such as budget allocations, approval from authorizing ministries, effective taking-over of responsibilities from SUSTAIN, and the emergence of champions for reform at both operational and managerial levels.

Finally, in terms of **Impact**, our assessment is focused on four key areas: Gender equality and empowerment and concern for the vulnerable groups; public outreach to publicize the benefits and outcomes of the project; continuous public consultations to seek inputs from key constituencies and beneficiary groups throughout the project cycle; and corruption control and integrity building in the judicial system.

The impact on area of gender equality and empowerment as well as greater attention to the vulnerable groups is rated as “**Satisfactory**.” Training and sensitization programs have increased judicial officers' awareness of the special needs of women, children and other vulnerable groups; however, the extent to which the training and sensitization program enhanced gender equality and improved women, children and other vulnerable groups' access justice is unclear, because there are real obstacles to their seeking justice that exist in the form of entrenched practices of patriarchy and discrimination.

On public outreach, the impact is also rated as “**Satisfactory**.” Apart from the use of brochures, posters, and banners to communicate to the public, there have been ad hoc efforts to reach the media, academia, and CSOs through public events, forums and special events. However, the outreach is generally confined to one-off, special events rather than on regular updates on progress of the project. Social media presence is minimal, and it is an important vehicle for reaching young people. These publicity efforts are mainly concentrated in Jakarta and on Java.

On continuous public consultations, the impact is rated as “**Unsatisfactory**.” Public consultation to plan events, solicit feedback, and validate outcomes have been patchy and ad hoc in nature. Although it is difficult and costly to involve and consult stakeholders and

beneficiary groups, they are often the most knowledgeable about the problems and are able to provide feasible and meaningful solutions to these problems. Some civil society groups also have strong networks at the grassroots to help promulgate the benefits of the project and promote the public's usage of services.

On controlling corruption and building integrity, the impact is rated “**Good.**” SUSTAIN has strengthened the transparency and accountability of the courts through the use of digital applications and management information systems, and the training of and enhanced disciplinary procedures for judges and court officers. However, there remains a need to systematically inculcate new values of integrity and professionalism not only in the judges selected for training and development, but also during the induction and training of new judges, bailiffs and court officers at all levels within the court system.

Taking into consideration the sub-ratings of the four areas above, the overall rating for **Impact** of SUSTAIN activities and outcomes, is rated as “**Satisfactory.**” This is a measure of the impact of the project on four very selective facets involving the “cross-cutting issues” of gender equality and the empowerment of the vulnerable groups; public outreach, public consultations, and corruption control and integrity building; not a rating on the global impact of the project.

Lessons Learned and Recommendations

Three foremost lessons learned from this Final Evaluation are in the areas of managing project strategically, shifting mindsets, and integrity building. For a broad-based, public-interest project like SUSTAIN, the constituencies are so many and varied. It is important for project managers and implementing partners to manage not only project resources, but also actively engage external constituencies like civil society and the media, and constantly involve the authorizing environments of the funders and overseers. Failure to do that would deprive the project of important supporters as well as the flow of resources and legitimacy for undertaking the work.

Second, while technical solutions like introducing new computer applications and information systems can do much to enhance transparency and accountability, an equally important task in this reform work is the transformation of the hearts and minds of people. Such difficult and adaptive work may require modalities beyond the use of traditional forms of directives from above and training workshops. More engaging forms of training and intense forms of socialization are needed to build skills, change habits, and adopt “new ways of doing things.” They include problem-solving exercises, simulations, and role-playing used in SUSTAIN's leadership courses and sensitization programmes.

Third, SUSTAIN has made inroads in fighting corruption by radically promoting the transparency of court information and case management, and in minimizing the opportunity for the use of bribes to influence court decisions. IT-based recruitment, promotion and personnel appraisal, too, have made nepotism and arbitrary decisions more risky and difficult. So has the widening of access to public complaints and whistle-blowing mechanisms improved the accountability of the courts. However, controlling corruption and building integrity are not the same thing. Judges can still come under the influence of bribery, kickbacks, and extortion outside the courts, and in domains not easily captured in the case management system. A separate set of measures to inculcate a strong sense of ethics in the judges and court officers is needed to raise the quality of judicial decisions and immunize them against corrupt influences.

Looking forward, the Evaluation Team has three main recommendations for continuing the work of judicial reform in Indonesia that builds on the progress made by SUSTAIN. First, we propose a dedicated project that specializes in diagnosing and addressing the special needs and interests of women, children, the poor, and the other vulnerable groups in the justice system. This project could strongly engage the CSOs and the local beneficiary groups, throughout the project design, implementation, and monitoring, in order to truly identify the gender-sensitive modalities and nuanced interventions that genuinely reach and help underserved and marginalized people.

A second project that will be very timely is one that focuses on the cross-section of justice administration and the environment or climate change. This is the Age of Sustainable Development with climate action and concern for the environment raised to the forefront of the global development agenda. With Indonesia's significant natural resources under constant siege from illegal logging, illegal fishing, industrial pollution, and land grabs, the role of courts in safeguarding these national assets and the public interests cannot be overemphasized. A dedicated project in the environmental domain can affect the welfare and livelihoods of many people for generations to come, and also receive strong public support and media attention. If well managed, it can truly demonstrate the value of the judiciary and build public trust in the courts.

Finally, we come back to the nexus between fighting corruption and building integrity. The Evaluation Team recommends a project specifically targeted at building integrity in the judiciary. Leveraging on the successes of SUSTAIN in controlling corruption through enhancing transparency, accountability, leadership development and supervision, this project aims to strengthen the integrity of the judicial system. Three possible components of this project include

the promulgation and enforcement of a universal code of conduct for all judicial officers; a country-wide public communications plan that highlights the standards of judicial conduct and publishes the standards for judicial services; and an institutionalized system of training in judicial ethics and professionalism to reach officers at all levels and in all regions.

This project can bridge the chasm between the courts and civil society by including CSOs, and the media as partners for strengthening external oversight and monitoring of the judiciary. The project may yet accomplish what SUSTAIN has valiantly attempted but not succeeded in – to bring about a new partnership between the Judicial Commission and Supreme Court to improve judicial integrity and advance the quality of judicial decisions for the benefit of all in Indonesia.

PROJECT BACKGROUND

1. From 2014 to 2019, UNDP Indonesia implemented the EU-UNDP Support to Justice Sector Reform in Indonesia (SUSTAIN) project to strengthen reforms in the judicial system, enhance public trust in the judicial system, and support the Government of Indonesia (GoI) in advancing the rule of law (Project Document).
2. The SUSTAIN Project has four programmatic foci: (1) Enhanced internal and external oversight of the judiciary; (2) Enhanced skills and knowledge of judges and court staff; (3) Improved human resource management and an enhanced case management system; and (4) Strengthened quality of case data, decisions, and timeliness of case handling (SUSTAIN Project Document, 2014). These four areas are organized around a results framework (called Output and Activity Results in the Project Document) to directly link the project activities to the Blueprint for Judicial Reform of the Supreme Court and “to increase transparency, integrity [and] accountability of the judiciary, to improve the quality of justice services, and to enhance access to justice.” (Project Document, page 12)
3. In addition to these four focus areas in the results framework, the project has a number of cross-cutting themes that are embedded in the project design and which run through all its activities, as follows (see also Project Document (“Institutional Sustainability,” “Cross-Cutting Themes” and “Gender Strategy” in pages 19-21) and UNDP Quality Standards for Programming (UNDP Evaluation Guidelines, 2019)).
 - a. **Good Governance** – the imperative in building integrity and controlling corruption to strengthen public trust in the public institution of the courts and as the underlying factors for promoting accountable, transparent, responsive and equitable access to justice services by all citizens.
 - b. **Human Rights** – the concern for affirming the dignity, freedoms and fundamental rights of all people, regardless of their gender, class, geographical location and other identities, especially in the forms of the right to information, right to judicial services, and right to fair and equal treatment under the law.
 - c. **Sustainability** – interest in the sustainability of the new practices, policies, and procedures and their institutionalization during the project cycle to ensure their continuation after the project’s wind down and to prevent the roll-back of the gains

made during the project cycle in promoting human rights, equality before the law, public access to justice, protection of the rights of vulnerable groups and the rights to basic public services.

- d. **Women and Other Vulnerable Groups** - The specific goals of the SUSTAIN project are to increase the transparency, integrity, and accountability of the judiciary and equal access to justice services for all people. These goals mandate that particular attention be paid to the needs of women, children, minorities, the poor and other marginalized groups. Gender equality and the empowerment of women are also espoused by the UN Partnership for Development Framework in Indonesia (2011-2015) and the UN's Sustainable Development Goals (SDGs) in the 2030 Agenda (2015-2030).
4. This is a very timely project in the Indonesian political economy. Corruption and abuse of power remain endemic in the country. The occasional scandal involving judges and the judicial system erode public trust in the courts, despite the advances made in judicial reform and corruption control. In December 2016, President Jokowi announced that 122 parliamentarians, 25 ministers, 17 governors, 51 regents and mayors, 130 high-ranking bureaucrats and 14 judges had been imprisoned for corruption since the creation of the KPK (Anti-Corruption Commission) in 2004 (BTI Country Report 2018). Respondents to a World Justice Project survey in Indonesia perceived that 42% of judges are involved in corrupt practices, compared to 49% for both the police and the DPR (WJP Indonesia Report 2015).
5. At the dawn of the SUSTAIN project in 2014, a nation-wide Justice Needs and Satisfaction Survey with 2,400 respondents from five Indonesian provinces found that “[L]egal information and advice is not readily available for the people who have to cope with legal problems. The people who experience justice problems hardly know where to find legal advice or information. There is clearly a huge need for better and accessible legal information.” The survey also found that most Indonesians DO NOTHING to resolve their justice problems. They simply accept the harm or injustice and do not use the law to seek redress or remedy the situation. A deeper look at three serious categories of legal problems faced by respondents - land disputes, crimes and money-related disputes - reveal that people are concerned about the time it takes, the stress it will incur, and the fairness of the process in seeking justice (*Justice Needs in Indonesia 2014: Problems, Processes and Fairness*).
6. In the past two to three decades, there has been a movement towards using the tools of

information technology and artificial intelligence (such as online dispute resolution), and disciplines of performance measurement and management (PMM) in the courts around the world (*Global Measures of Court Performance*, 2018). The opening of access to justice and modernizing of judicial systems are increasingly expected, and even demanded, by citizens worldwide. SUSTAIN's activity outcomes in electronic case tracking system, digitized case management, online public complaints and whistle-blowing protocols, computerized asset declaration by court officials, and competency-based human resource management are important steps forward.

7. Overall, the SUSTAIN project is an ambitious and complex endeavor that seeks to bring together an array of powerful stakeholders and partners to advance some very critical reforms in the Indonesian judiciary in the areas of integrity, quality of justice services delivery, and access to justice. Due to the multiplicity of actors involved, the breadth and scope of the reforms envisioned, and the entrenched cultures and mindsets in many judicial institutions, challenges to reform are many and powerful.

8. However, the project leverages on the strengths and power of three key partners: UNDP's expertise and experience in managing technical support to the justice sector; the EU's financial resources and

commitment to judicial reforms; and the Supreme Court's institutional capacity and will to improve its systems and services to the people. This tripartite alignment gives the project significant resources and valuable assets to deliver on its objectives and results

framework; which is something that many other projects in the developing world can only dream about.

Quote

Legal information and advice are not readily available for the people who have to cope with legal problems. The people who experience justice problems hardly know where to find legal advice or information. There is clearly a huge need for better and accessible legal information... In general, the Indonesian people feel empowered. People are less confident in their abilities to resolve legal problems in situations in which there are power imbalances – i.e. one of the parties has more power than the other.

Justice Needs in Indonesia 2014



Figure 1: Criminal Trial in Progress in the District Court in Bandung



Figure 2: Public Information Posters in the Pilot Courts in Kupang

EVALUATION OBJECTIVES & SCOPE

9. In its final year of implementation in 2019, a Final Evaluation of the project is mandated under the project's M&E Plan to assess the results and impacts of the project, and to underscore UNDP's commitment to transparency, accountability, and results-based management. Evaluation results will be also used to draw lessons for learning and improve project design and implementation in the future. This evaluation will take stock of the project outcomes and impacts from an independent, external perspective, using participatory approaches that engage a wide segment of the project's stakeholders.
10. This evaluation will be organized around the four main areas of SUSTAIN's programmatic focus: (1) Enhanced internal and external oversight of the judiciary; (2) Enhanced skills and knowledge of judges and court staff; (3) Improved human resource management and an enhanced case management system; and (4) Strengthened quality of case data, decisions, and timeliness of case handling. The five criteria used for evaluating these four programmatic areas are the DAC/OECD's five evaluation criteria of **Relevance**, **Effectiveness**, **Efficiency**, **Sustainability**, and **Impact**.
11. To address the key cross-cutting issues addressed in this project, the **Impact** assessment will be organized around five focus areas in this Final Evaluation, as follows:

- a. **Public Communication:** The main objective of SUSTAIN is "to build public trust through support to the Government of Indonesia through strengthening the rule of law" (SUSTAIN Project Document, page 11). This focus area will examine the various forms of public outreach to build public trust in the judiciary and increase awareness in the judicial reforms being undertaken in this project.

Quote

The judiciary has only the trust and confidence of the public and the grounding of the rule of law to produce respect for its judgments and decrees. The respect accorded to judges depends on the way they meet the expectations of fairness and justice, which individuals (public) have of them and on the substantive values which their decisions and procedures promote. *Binziad Kadafi, Important Elements of Public Confidence in the Courts: The Indonesian Case*

- b. **Continuous Consultations:** Engagement of the beneficiary groups and key

stakeholders can help validate the impact of the reforms and also refine project design, implementation and monitoring. Such participatory consultations are consistent with the project funders' and partners' concern for gender inclusion, diversity, transparency and "fully engaging stakeholders" (UNDP Evaluation Guidelines, 2018).

- c. **Gender Issues and Rights of Vulnerable Groups:** This focus area affirm the UNDP's country programme mandate, which "aims to ensure that Justice Providers and Institutions are more effective in promoting human rights and citizens enjoy improved access to justice" (SUSTAIN Project Document, page 11) and the project funders' and stakeholders' concern for promoting gender equality and women's empowerment in the process of judicial reform.
- d. **Sustainability of the Reforms:** Judicial reform is a long-term process that will outlive the SUSTAIN project. The imperative of institutionalizing the reform practices and seeking continuation funding and support for the project's work after the wind-down of SUSTAIN is responsible project-management practice (SUSTAIN Project Document "Institutional Sustainability," page 19).

Quote

Corruption continues to challenge the Indonesia judiciary, continues to be a stumbling block... Addressing corruption is fundamental to restore accountability and public trust in the justice system.

SUSTAIN Project Document

- e. **Integrity Building and Corruption Control:** Good governance and the elimination of corruption in the courts are a cornerstone safeguard to ensure that the judicial services are transparent, accountable, responsive, inclusive, and respecting of all the rights of justice seekers, especially women, children, the poor and other vulnerable groups that may have been underserved or discriminated against (SUSTAIN Project Document, pages 9, 11 & 19-20).

12. The Evaluation Team consists of Dr. Tay Keong Tan (International Consultant and Team Leader) and Dr. Sirojuddin Arif (National Consultant), with advice from Dr. Michael Buehler (External Advisor to the Evaluation Team). They have developed an evaluation process based on the terms of reference (TOR) for the Evaluation Team (see Annex I). It is founded on a comprehensive evaluation plan that will deliver on the following evaluation outcomes: (1) Evaluation Inception Report; (2) Draft Evaluation Report; and (3) Final Evaluation Report, all of which include an Evaluation Matrix in progressive stages of completion that aims to systematically answer the guiding evaluation questions in the TOR.

13. The Evaluation Team made two debriefing presentations to the SUSTAIN Project Steering Committee and Technical Working Group, and UNDP representatives. The findings and recommendations in these presentations (and reports) were elicited from the interviews of some 85 informants, review of documents, and eight focus group meetings – four in the pilot courts of Bandung, Malang, Kupang and Pontianak, and the remaining four in the five focus areas held in Jakarta.
14. Following these presentations, quality assurance or validation meetings are planned with representatives of key stakeholder organizations (SUSTAIN leadership, UNDP representatives and members of SC) to review the key findings and recommendations of the Final Evaluation Report. These are aimed to provide comprehensive, validated, and strategic information on the SUSTAIN project's outcomes and results that are acceptable to and actionable by these organizations (UNDP Evaluation Guidelines, 2019).
15. Finally, the Evaluation Team also studied the findings and conclusions to propose recommendations for new focuses, strategies, and project outcomes in the future spinoff of the SUSTAIN project should there be continuation of funding from other donors. This Final Evaluation has drawn lessons on project design, implementation strategy, and policy implications in similar projects in Indonesia and other contexts.

Figure 3: Meeting of the Project Steering Committee on 22 July 2019



EVALUATION METHODS & APPROACH

Methodology

16. This Final Evaluation of the SUSTAIN project is based strictly on an approved plan to ensure the timely development and delivery of the evaluation outcomes. They include the development of iterative versions of the Evaluation Report, presentations to key stakeholder and oversight groups, and quality assurance reviews of the Final Report's findings and recommendations with important constituencies of the project.
17. The Evaluation Team has employed methodological approaches involving a mix of qualitative instruments, focus areas, and sequencing in consultation with the SUSTAIN project and UNDP staff, as follows:
 - a. **Document Review:** The evaluation involves the analysis of a wide variety of relevant reports, papers, and documents. They include the Contribution Agreement; SUSTAIN Project Document; project results frameworks ("Outputs and Activity Results"); monitoring reports; annual work plans; donor reports; activity designs (training plans and needs assessment reports); reports to UNDP, Bappenas and the EU; minutes of Project Steering Committee meetings and Project Technical Working Group meetings; and other publications on the Indonesian Judiciary and on judicial reforms around the world.
 - b. **Evaluation Matrix:** In Annex III, the matrix outlines the key evaluation questions, evaluation criteria, data collection methodologies, key findings and conclusions, and how the various evaluation methods and activities fit into a coherent evaluation plan.
 - c. **Key Informant Interviews:** Interview questions were developed around *relevance, effectiveness, efficiency, sustainability, and impact*. These interviews include the perspectives and views of different stakeholders of the project, including implementing partners, beneficiary groups, representatives of government agencies, civil society organizations, and funders.
 - d. **Focus Group Meetings (FGMs):** They enable more in-depth discussion and assessment of important issues and offer rich data with real-time validation of information. Four FGMs were conducted on special topics in Jakarta during the two Data Collection Missions, as well as during the visits to the seven pilot courts. The target groups or participants of each of these four meetings are listed in Annex IV attached.

The participants represent professions and organizations that have an interest in or special knowledge of the specific topics of the FGMs: (1) Gender Empowerment and Vulnerable Groups; (2) Sustainability of Reforms; (3) Integrity Building and Corruption Control; and (4) Public Consultation and Engagement. Other than the four FGMs in Jakarta, the Evaluation Team also conducted four other FGMs in four different courts. The target groups or participants of these FGMs are also listed in the Annex IV attached. The participants were selected from different parts of the court system to allow the Evaluation Team to examine the implementation of the judicial reform at the local level more thoroughly.

- e. **Field Visits and On-site Observation:** Purposeful (not randomized) selection of project sites and activities (see the list of project sites and offices visited in Annex IV) enables evaluators to get a sense of the environments and the manner in which project activities were conducted. These sites were selected based on several criteria, namely (1) geographical location of the courts whether they are located in Java or outside Java; and (2) court status in Indonesia's judiciary system. Out of seven district courts (PN) visited, four courts are classified as 1A courts. Two visited PN courts are classified as 1B courts and the other was Special 1A court. In terms of geographical distribution, three selected courts are in Java, two courts are located in Sulawesi, and the two other courts are each located in Kalimantan Barat and Nusa Tenggara Timur. The visits to these courts provide observational data on issues, such as the proper and accountable use of project resources and funds, and the physical layouts and personnel deployment in the courts to attend to justice seekers.

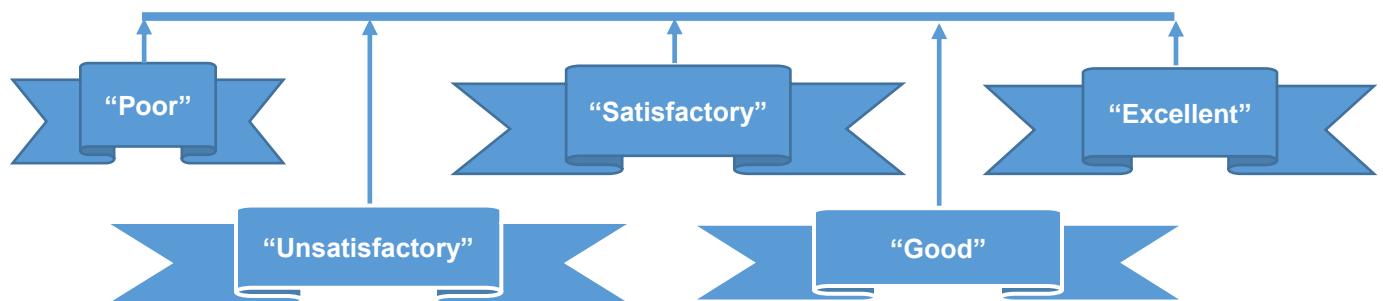
18. While a questionnaire survey may obtain data that could not be easily obtained through the qualitative methods outlined above, such surveys are costly and time-consuming, and they are not practical given the time and resource constraints.

19. Data analysis was conducted by the Evaluation Team by reviewing field notes, observations and analysis of documentary evidence. The analyses of the evidence collected is documented in detail and categorized according to the OECD DAC Criteria for Development Assistance in the Evaluation Matrix in Annex III. The last column of the Evaluation Matrix presents the data analyses and the implications drawn on "progress indicators" along the lines of the OECD DAC criteria used in this evaluation. There is no baseline data collected at the onset of the project and hence, pre-post comparison using previously collected data by which the final evaluation data is measured proved difficult.

Evaluation Rating Scale

20. This evaluation proposed a rating scale to help the evaluators assess the various aspects of the project in accordance with the OECD DAC criteria used in this evaluation. A simple five-point rating scale is proposed to associate qualitative measures or ratings with the various aspects of the project (i.e. the five criteria). It is a framework by which the overall assessment concerning a criteria can be systematized in this report. The rating method offers a degree of structure for appraisals of the project activities and outcomes. Each criterion is rated on a five-point scale that ranges from “poor” to “satisfactory” to “excellent” - like the standardized Likert scale, where 1 is the lowest point on the scale, and 5 is the highest point on the scale. This rating scale is presented in Chart 1 below.

Chart 1: A Five-Point Rating Scale for this Evaluation



21. **How are the project activities and outcomes rated?** The project is evaluated on the bases of the five evaluation criteria of *Relevance*, *Effectiveness*, *Efficiency*, *Sustainability*, and *Impact*. The findings founded on each criteria were triangulated using multiple sources to ensure their validity. The framework and rationale for our rating system are as follows:

- a. Five criteria for assessing and rating the project activities and outcomes have been derived from the DAC/OECD evaluation guidelines (Column 1 of the Evaluation Matrix in Annex III).
- b. Evaluation questions (Column 2 of the Evaluation Matrix) for each criterion are adopted from the key guiding questions in the ToR for the Final Evaluation (Annex I).

- c. Progress indicators and evaluation findings are based on data collected to systematically answer the evaluation questions (Column 4 Evaluation Matrix). The data may or may support progress or positive results in the indicators.
- d. If all the progress indicators are assessed to be positive, the rating given will tend to be “excellent.” Conversely, when all of them are assessed to be negative, the rating will be “poor.”
- e. If there is a mix of both positive and negative ratings – the rating will range from “unsatisfactory” to “satisfactory” to “good,” depending on the weights given to each of the indicators. More weight is given to the outcomes, results or activities that are more important, far-reaching in consequence or longer lasting. For instance, new computerized systems or institutionalized protocols (e.g. a new electronic whistle-blowing system) affecting many people and lasting for years, will be given more weight than a stand-alone event that engages only a few people. Another example is that a policy change or new regulation (e.g. new rules on personnel appraisal or the judges’ discipline) that would have systemic impact on judicial officers’ behaviors will be given more weight than a training workshop that may not have a similarly broad or enduring impact.

22. What do the ratings mean?

- a. An “excellent” rating in the accomplishment on a criterion signifies that substantive results have been achieved or sufficient progress has been made and most of the progress indicators are positive.
- b. A “poor” grade on a criterion suggests that insignificant results or insufficient progress made in the area, and most of the progress indicators are negative.
- c. A “satisfactory” grade signifies moderate accomplishment on a criterion, with a mix of both positive and negative results, or some moderate progress made in the area.
- d. The “good” rating indicates a level of accomplishment is that commendable, between “satisfactory” and “excellent.” This rating is awarded when there is significant progress made but the data and findings on some shortfalls observed justify a conclusion just short of an excellent accomplishment.

- e. The “unsatisfactory” rating shows a level of accomplishment that is between “poor” and “satisfactory.” This rating is used when there is mediocre progress made that falls short of justifying a conclusion of a satisfactory accomplishment.

Ethical Principles

- 23. This is a project that deals with justice, integrity and public service to the people. The Evaluation Team tries to live up to these ideals and bring a greater focus on responsible professional practice, codes of conduct, and ethical standards to its work, even as it critically assesses the work of the SUSTAIN team and its implementing partners.
- 24. The UN Evaluation Group’s (UNEG) Norms and Standards for Evaluation (2016) provide a detailed overarching framework for evaluation activities. In accordance with the UNEG ethical guidelines, interviews and FGMs were conducted in full confidence and anonymity. Confidentiality of research data has been safeguarded throughout the evaluation process.
- 25. The final evaluation report does not assign specific comments to individuals. Adhering to the principle of informed consent, this evaluation respects the dignity and diversity of evaluation participants. When a participant is quoted by name, explicit permission has been asked for attributing a specific statement to him or her.
- 26. This evaluation will also adhere to a participatory and consultative approach that respects the interests and views of all partners and participating members, maintaining close consultation with evaluation managers, and engaging a representative segment of the implementing partners and project beneficiaries.
- 27. The broad-based engagement of project stakeholders aims to ensure the validity and reliability of data through the triangulation of multiple data sources. In line with the interests in transparency, accountability, and learning (UNDP Evaluation Guidelines, 2019), the methods of this Final Evaluation, including the evaluation matrix, interview schedule, and field visits and data, will be clearly documented in an evaluation audit trail for close consultation with UNDP project managers and other key stakeholders.
- 28. Where appropriate, this evaluation will pay attention to the extent to which the SUSTAIN project activities have addressed the issues of social and gender inclusion, equality and empowerment and contributed to strengthening the application of these principles to judicial reforms (UNDP Evaluation Guidelines, 2019). This is further reinforced by the focus on

women and vulnerable groups in the evaluation methodology and activities.

Limitations

29. Like all evaluation work in the real world, the Evaluation Team has to contend with

Quote

Measuring the initial state of affairs and thereby setting a benchmark is essential to determining subsequently whether the initiative or action has had an effect. Too often courts adopt a new process and later are forced to attempt to retrospectively prove it had a beneficial impact.
International Framework for Court Excellence 2013

conducting its work under budget, time, and data constraints. A first constraint is that the evaluation was commissioned when the project was nearing completion and there were both time and budget constraints in conducting a summative assessment of a project of this complexity, scope and geographical coverage.

30. A study of the multifaceted outputs and outcomes of this project has to adequately and comprehensively cover the four major programmatic components, involve the Supreme Court and a sample of some 17 pilot courts around the country, and also delve into the five cross-cutting themes. It has to evaluate all these components using the five DAC/OECD criteria. The Evaluation Matrix contains many data variables and progress indicators that go into the evaluation findings and conclusions.

31. A second constraint is that there is no systematic baseline data collected at the start of the project on important outcomes (e.g. public trust in and public perception of judicial integrity). Collecting information on sensitive topics like complaints against judges, performance of the courts, and the integrity of (and corruption in) the courts, is challenging. In the project's concern for the underserved and difficult-to-reach groups, difficulties in collecting data and measuring perceptions abound.

32. Finally, the project's goals in promoting human rights, equality before the law, public access to justice, and protection of the rights of vulnerable groups, are broad and abstract. They are influenced by a variety of socio-economic, political and technological forces; improvements in which cannot be easily attributable to project interventions. The impact of project activities, such as judicial integrity, public confidence in the courts, and cultural shifts in judicial officers, are often time-lagged and cannot be fully measured within a few years. All these factors make the accurate measurement and assessment of outcomes difficult.

Figure 4: Site Observation at a Pilot Court in Bandung



Figure 5: Focus Group Meeting on Special Topics in Jakarta



Figure 6: Observation of a Juvenile Court Case in Session



FINDINGS & CONCLUSIONS

33. This is the Final Evaluation of the EU-UNDP Support to Justice Sector Reform in Indonesia (SUSTAIN, DCI-ASIE/2014/346-895) implemented through a Contribution Agreement between the EU and UNDP signed in July 2014. The project's overarching objective was to enhance public trust in the judiciary in Indonesia by improving the quality of judicial services and strengthening the accountability, transparency and integrity of the judicial system.

34. The project was designed to address many entrenched problems in the judicial system in Indonesia, ranging from the lack of public trust in the judiciary and lack of public access to information, to the quality of justice services and the vulnerability of groups of citizens as a result of discrimination or corruption in the justice system. To address these problems, the SUSTAIN project operationalized its activities organized around four outcome areas (outputs and activity results in the results framework in the Project Document):

- a. Enhanced internal and external oversight of the judiciary;
- b. Enhanced skills and knowledge of judges and court staff;
- c. Improved human resource management and an enhanced case management system; and
- d. Strengthened quality of case data, decisions, and timeliness of case handling.

Quote

On Justice Experience ...
Slightly more than half (54%) of respondents believe Indonesian courts guarantee everyone a fair trial always or often... Indonesia remains below average when compared to other Asian countries.
Indonesia Country Report 2015, World Justice Project

35. Each of these are analysed and evaluated in turn using the DAC/OECD's five evaluation criteria of **Relevance**, **Effectiveness**, **Efficiency**, **Sustainability**, and **Impact** that were discussed earlier.

Relevance: The extent to which the project activity is suited to the priorities and policies of the target group, recipient and donor

36. The project's objectives are in line with the GoI's National Strategies on Access to Justice

2009 (NSA2J) and the National Medium Term Development Plan (RPJMN) 2010-2014, both of which aim to strengthen social justice by improving access to justice for the poor and marginalized communities. The project is also well aligned with the interest of the Jokowi Administration in developing e-Government system and in addressing environment-related legal issues such as illegal fishing and illegal mining.

37. The SUSTAIN project provided technical assistance to the Supreme Court in pursuing the strategic goals outlined in its own reform plan, The Blueprint for Judicial Reform of the Supreme Court (2010 – 2035). It builds on the work done and lessons learned from the previous EU-funded Good Governance in Indonesian Judiciary (GGIJ) programme. SUSTAIN is implemented under the framework of the UNDP Country Programme Action Plan (2011-2015) and is consistent with the organization’s focus on justice and peace programming in the Governance Cluster. It also builds on the work done by the C4J that pioneered the development of case tracking system.

Quote

38. This project’s activities are consonant with the EU’s development policy with overarching goals in the promotion of human rights, democracy and good governance (EU’s Common Foreign and Security Policy, 2017). With its focus on access to justice (especially by the poor, women, and vulnerable groups), judicial reforms, and anti-corruption, this project’s outcomes can contribute to the advancement of the Sustainable Development Goals (SDGs) of the United Nations’ 2030 Agenda, particularly SDG #16 (Peace Justice, and Strong Institutions), SDG #5 (Gender Equality), and SDG #10 (Reduced Inequalities).

On Discrimination Perception...
When facing the police, poor people are viewed as the most disadvantaged group, followed by women and ethnic minorities.
Indonesia Country Report 2015, World Justice Project

39. Project activities also promise to help address the major impediments to justice services delivery to women, minorities, the poor and other vulnerable groups in the nation who may live in hard-to-reach areas. These underserved constituencies face many obstacles to safeguarding their rights and seeking access to equal justice under the law. These issues are at the core of SUSTAIN’s reform objectives: Improving ease of access to justice; maintaining and improving high-quality justice delivery; ensuring consistency of judgements and timeliness; providing an effective and equitable service to the public.

40. In the light of these findings and the analysis of indicators and data relating to **Relevance**, as presented in detail in the Evaluation Matrix in Annex III, the SUSTAIN project is overall

rated as “**Excellent**” on this first criterion. It has strong alignment with key stakeholder interests and involves the systematic tackling of entrenched problems in the justice system.

41. Hence, our analysis in the Evaluation Matrix showed that all or most indicators on this criterion are positive. Much credit goes to the processes of careful programme design and dedicated project implementation. It may be hard to find a project that is so strongly aligned with the plans and programs at the levels of the national goals, the primary client organization (MA), the implementing agency (UNDP), the funder (EU), and the wider beneficiary groups that include all justice seekers and even the entire Indonesian nation.
42. One possible area for improvement is the attention to underserved areas and hard-to-reach constituencies both in the consultative processes of program design as well as in getting feedback and ideas during project implementation.

Effectiveness: The extent to which the project activity attains its objectives

43. In our analysis of the second evaluation criterion of **Effectiveness**, we found six key areas of accomplishment in the project activities strongly meeting the project's goals and objectives. They are in the following areas:
 - a. Improved case management (SIPP) – Enhanced judicial case management is done through digitization of the process, opening up for public access to court information, setting standards for the timely and systematic updating of case information, and the tracking of this information.
 - b. Accessibility and openness to the public – SIPP, SIWAS, e-Court initiative, PTSP, specific training on handling of the media, special events for engaging journalists and media organizations, and related initiatives are important steps forward.
 - c. Strengthened internal oversight (SIWAS) – This system involves opening up to public complaints and taking instituting a more accessible whistle-blower protocol. They are important milestones in transparency and accountability of the courts, signaling a willingness to hear from and address the grievances of the public. In line with this improvement in internal oversight mechanism, the results of public survey on the influence corruption on public institutions and the survey data reveal that the courts in Indonesia appears to be one of the public institutions that could do most to significantly reduce corrupt practices from within the institution (see Chart 2).

- d. Enhanced quality of training for judicial officers – One of the strongest components of SUSTAIN is the qualitative improvement and increase in the types of training

Quote

The new computer applications have given supervisors and monitors an intuitive and convenient way to monitor the resolution of the court cases, with clear dashboard in red, yellow and green highlighting.

Senior administrator at the Religious Court in Pontianak

programs and training modalities to build the skills and knowledge of judicial officers.

- e. New tools for Competency-Based HRM – They include the development of an HR database on a digitized platform, designed competencies for each position in the courts, and an HRM competency dictionary and matrix to prepare for implementation of a Competency-Based Human Resource Management (CBHRM) for

technical position within the lower and appellate courts. In a discussion panel during the Closing Event of the SUSTAIN project in 16 July 2019, one of the top KPK officials on the panel stated that “the Supreme Court performed better than other state agencies and ministries in conducting bureaucratic reform.”

- f. Experimentation with new modalities and programmes – One of the most important contributions made by SUSTAIN is to find new solutions and pioneer innovations to address entrenched problems and outdated practices. These experiments go beyond new computerized systems and applications (SIKEP, SIWAS, SIPP, e-Monev, e-LHKPN, and SIMARI CAKRA) to include “ways of doing things.” They include inclusive training workshops involving other enforcement agencies (Indonesian National Police, Navy, Attorney General’s Office, Judges, and Ministry of Marine and Fishery) and novel ways of engaging CSOs and the media. They also include new approaches to training, sensitization and socialization process to introduce new ways of thinking and working (e.g. paying attention of the needs of women and children, updating case information to meet the needs and demands of the public).

44. Based on our analysis in the Evaluation Matrix, the areas for improvement for enhancing **Effectiveness** in the SUSTAIN activities are as follows, some of which involves political and partnership-building work, which may not be totally within the mandate of SUSTAIN implementers.

- a. Bridging the Partnership between MA and JC – More work needs to be done to bring the external and internal oversight mechanisms of the MA into alignment, despite the

- gulf between these agencies. They each have a political and public service mandate that are closely intertwined; it would serve the public interest for them to collaborate.
- b. **Systematic Outreach to the CSOs, Media, and the Public to Build Trust** – These events in outreach to these constituencies that are traditionally out of the radar of the judicial system are useful but they tend to be ad hoc in nature. They could be expanded into new programmes and procedures to infuse more outward-oriented and inclusive approaches into the functions of the courts. CSOs have grassroots networks and local knowledge that could help the courts bring their messages to the public and hence strengthen the relationship between the judiciary and the local community.
 - c. **Transforming Mind-sets in Relation to Public Accountability** – Public officials (including judicial officers) are regularly asked to account for work done and results in their exercise of public authority and use of public resources. This includes judges and judicial officers giving accounts to the media, justice seekers, and the public in general and adopting an attitude of openness to the constituencies of their justice services, including the vulnerable and underserved groups. This important work in shifting mind-sets has just begun for the SC as a result of the catalytic work by SUSTAIN, which has traditionally been insulated from the vagaries of public opinion and media reporting.
 - d. **Strengthened Role of Judicial Reform Team Office (JRTO)** – The organization is largely sidelined despite its mandate and specific role in facilitating reform initiatives concerning the judiciary. More can be done to work through the obstacles to bring them into the mainstream of SUSTAIN's activities, particularly in engaging the public, CSOs, academia, and the media. The Evaluation Team is unable to diagnose and ascertain the reasons for the lack of a stronger role of the JRTO in the work of SUSTAIN when they would be “natural partners.” This is an area of work mandated by the Project Document, but the JRTO's role was not within the control of SUSTAIN.
45. Given the balance of the key areas of accomplishments and the areas for improvement, the overall rating for Effectiveness is **“Good.”** It is noted that most of the areas for improvement involve work that is hard to strategize, measure and manage; they involve work with steep learning curves and the people who do them often uncertain of the success of their endeavours. Many of the areas of improvement are important, far-reaching and long-lasting in implications because they involve systemic changes in case management, human

resources management and oversight; hence more weight are given to positive than negative factors for this criterion.

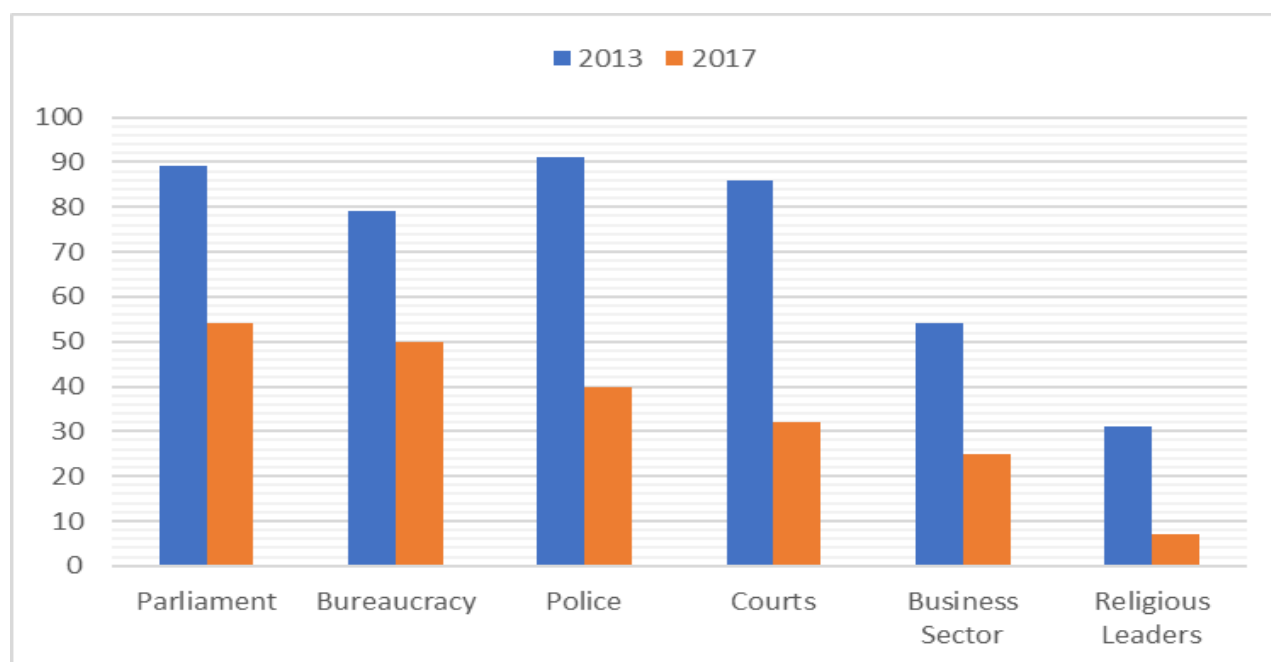


Chart 2: Public Perception of Corruption in Public Institutions, Private Sector, and Public Figures (Source: Transparency International Indonesia, 2019)

Efficiency: Measures the outputs in relation to the inputs of a project activity and the least costly resources possible in order to achieve the desired results

46. As in our assessment under the previous criteria of Effectiveness, the indicators on **Efficiency** show a mix of accomplishments and areas where further progress can still be made. Five key areas of noteworthy success in terms of Efficiency:

- a. Management structure and resource allocation are generally fit-for-purpose – the SUSTAIN PMU’s organization structure and resource allocation are driven by the Activity Results goals and targets with time-bound and specific results attached to the use of financial resources.
- b. Implementation strategies are mostly cost-effective – Project management is conscious of the need to optimize the use of resources to achieve the greatest results. They have used existing capacity in the MA (e.g. Training Center and IT

personnel), procured local expertise for training facilitation than to bring in expensive expatriates, and have generally been conscious of the need to economize and conserve resources (e.g. in the planning of travel and training activities).

- c. Satisfactory monitoring and evaluation systems – These accomplishments are most evident in the monitoring of the implementation of SIPP and the need for constant upgrading of the systems and protocols, the concern for participants' learning outcomes in certain training modules like Leadership courses, and the focused attention to track project expenditures and procurement in accordance to UNDP rules and MA norms.
- d. Efficiency gains from new computer systems – Digitization and paperless procedures with just-in-time facilities for updating and dissemination of information have increased the efficiency of the courts. These are also met with increased ease of accessing court information by justice seekers, who cannot go online instead of traveling long distances and seeking appointment with long waiting times and potential for delays.
- e. Systematic procedural changes and increased transparency from digitization and automation - The streamlining and uniformizing the reporting procedures, timeframes for taking certain actions, and systematic automation of case information and HR data have transformed the way court officers work. They have also allowed for setting standards in terms of timeliness and the use of checklists in quality assurance and adherence to important procedures in the courts' management.

47. These areas of accomplishment have their counterweight in a few areas for improvement:

- a. Transition from improved training workshops towards upscaling of training-of-trainers programmes and the upgrading of MA training infrastructure. This step can have multiplier effects in ensuring the new training modules reach as many judicial officers as possible. The training-of-trainers' program has started and was pioneered with the help of the SUSTAIN project, but it has yet to be expanded to a sufficient scale that could sustain the training of the many judicial officers in the courts in Indonesia.
- b. Consistent outreach and publicity on SUSTAIN activities and outcomes to influence public perception, build public trust, and increase usage of computerized information. Informants from the media and civil society opined that the outreach efforts have focused on ceremonies and one-off, special events rather than on regular updates

- on progress of the project. Efforts to publicize the results and benefits of SUSTAIN's programmes and to motivate people to use the new computerized systems are important to maximizing the intended results for a given set of inputs. For instance, some of the complainants using the SIWAS whistle-blowing system may need some assurance of the confidentiality of the complaint and protection from backlash against them; there is no complaint received through the SIWAS system in most of the courts visited by the Evaluation Team. These would be follow-on actions that can help increase the efficiency in expanding public access to judicial services.
- c. Reduction of duplication of digitized and manual records – Although there is provision for ceasing the keeping of manual records (after achieving certain merit-based ratings in the keeping of SIPP records), most of the pilot courts visited by the Evaluation Team are still required to keep both electronic and manual records. This doubles the workload and reduces support for the use of computerized systems. It is also important to note that this policy of duplication was not within the purview of the SUSTAIN project although it affects the efficiency gained from the computerization of record keeping.
 - d. Delay in confirming the HRM Roadmap and integration of the HRM system with other applications – Delays prevent the timely delivery of results and cause efficiency losses. They are evident in the fact that the Five-year Roadmap of Human Resources Management Reform was finalized only in 2017, and authorization and implementation of a Competence-Based Human Resources Management (CBHRM) can only begin in the later stages of the project. This has downstream impact on other initiatives, such as the integrated human resource database, and the transformation of the Personnel Information System (SIKEP) into a Human Resources Information System (HRIS). Other delays include those in developing the proposal for a tax administration reform strategy and a new HRM system for the Tax Court. The MA's approval process for and uptake on HRM-related policy changes takes time and this has resulted in some delays.
48. A factor that drained efficiency is delays in project implementation. There has been delays in the project implementation at the onset due to start-up problems. In many development projects, this initial delay of a few months is inevitable as the recruitment and formation of the project team requires time, and it is not necessarily a reflection of the competence of SUSTAIN management. This was not within the purview of the SUSTAIN project

implementation. In 2018, delayed disbursement of funding resulted because the EU's "payment has been suspended as some conditions for payment set out in the Contribution Agreement are not respected." This caused project activities at the beginning of year to be postponed, resulting in most activities being delivered only in the third and fourth quarters of the year. The funds available for project implementation in 2017 also fell short of the budgeted amount due to currency exchange rate fluctuation.

49. These do not necessarily reflect on the competence or performance of the project staff's competence, but they have been a drain on efficiency. The Evaluation Team did not include them in the findings used for the rating on Efficiency. However, these are serious issues that needed to be addressed by the senior management of the project as soon as they emerged, and if necessary escalate it to the higher levels of authority in the Implementing Agency and the Funding Agency for the problems to be resolved as soon as possible.
50. As in the previous criteria of Effectiveness, the overall rating for Efficiency is "**Good**" due to the mix of areas of achievement and those of shortfalls or delays, but the responsibility for the delays are beyond the control of the SUSTAIN project team. Many of the areas of improvement are important, far-reaching and long-lasting because they involve the project management structure, implementation strategy, monitoring and evaluation processes, and systemic changes through digitization; hence more weight are given to positive than negative factors. One take-away lesson is that there can be significant efficiency gains from digitization, but the realization of these gains is not automatically assured.

Sustainability: The longevity of the benefits or outcomes of a project or its continuance of its activities after the cessation of a project

51. Most of SUSTAIN's computerized applications need constant updating to work through problems and keep up the advances in technology. These require continued investment in the constant updates to software and systems. In spite of its strong commitment to the reform at the top leadership of the MA, the organization's capacity is mostly "operational" or directed at day-to-day functions and service delivery. The Supreme Court may not have the "strategic" capacity to deal with challenges as SUSTAIN had done for them and this will result in problems in carrying on the project's activities.
52. It is also hard to replace the advocates and supporters of reform (in SUSTAIN) with internal champions at various levels and in the different courts to carry on the work. Where

procedural changes and new attitudes and practices are needed, the role of internal champions makes all the difference between sustained attention to reforms and the benign neglect that could result in the roll-back of the results.

53. The evidence collected by the Evaluation Team and summarized in the Evaluation Matrix revealed four areas of significant accomplishment on the criteria of **Sustainability**:

- a. A practical exit strategy – The exit strategy goes beyond the proper handing over of the project’s software, documents and applications. It also includes strategies like finding the right people to carry on the mantle. SUSTAIN’s strategy of organizing its activities in four key sectors that align closely with the structure and activities within the MA results in natural “owners and successors” to take charge of the reform activities.
- b. Institutionalized rules and SOPs – There is a powerful approach to change norms, habits and practices. By amending the rules and SOPs, behaviors and activities are transformed as people adapt to “new ways of doing things.” This is often achieved through computerization of work processes that mandates tasks, deadlines and standards. For example, new SOPs in handling of cases involving women and children and new protocols for investigating whistle-blowing cases can institutionalize new practices and policies that carry on beyond the lifespan of the project.
- c. Ownership by MA of the new applications, procedures and practices – This sense of ownership and sponsorship for the reforms is more evident at the higher levels of the organisation, but regular contacts between the courts’ operational staff and SUSTAIN counterparts, training in new skills and attitudes, and the demonstration of new ways of doing things have generated a certain level of ownership within the MA. In addition, the MA has begun to put in place measures to continue the work left by SUSTAIN: A special task force for SIKEP and SIPP, a development team for SIWAS and SIPP, and a Rp. 3 Trillion fund to continue some of SUSTAIN’s training programmes and a special fund to develop e-Court and other case management practices in some 1,900 courts throughout the Republic.
- d. Internal champions within MA to continue the work – Related to the above points, the five years of results-driven and engagement-intensive activities and interaction with SUSTAIN trainers and facilitators have gradually cultivated internal supporters, if not champions, of the reforms in the pilot courts. This is evident from the Evaluation

Team's focus group meetings and interviews with judges, administrators and court staff at various levels in the five pilot courts. A senior MA administrator opined: "We would like to continue all the new applications and activities, but the technology changes very fast, and and we would likely allocate some budget and personnel to them..."

54. Similarly, the Evaluation Team found some room for improvement in enhancing the **Sustainability** of the project's outputs and benefits, although in some of these, the onus of responsibility may not rest on, or cannot be totally assigned to, the SUSTAIN project:
- a. Lessons learned not systematically shared across different levels and units – The Evaluation Team's FGMs and interviews at the pilot courts and in Jakarta seem to suggest that there is no systematic sharing of lessons learned across different courts in a region, or even within different functions in a particular court. In general, the further away a person is from the center (Jakarta) and from the top (Chief Judge), the fewer lessons will be heard or learned by him or her.
 - b. Competency-based HRM systems still relatively nascent and their institutionalization uncertain – Delays and slow progress in some areas have been noted in the analysis on Efficiency above. Delay in confirming the HRM Roadmap and integration of HRM system with other applications may have affected the depth of adoption or mastery of the new HRM systems. The Five-year Roadmap of Human Resources Management Reform was finalized only in 2017, and authorization and beginning implementation of a Competence-Based Human Resources Management (CBHRM) was in 2018. This can affect the sustainability of reforms once project activities cease.
55. Overall the Sustainability of the project is rated as "**Good**" because there is significant prospect for continuing the activities and systems but these are counterweighted by a smaller number of factors. Among the most important variables is the Supreme's Court's ownership of the project activities and its willingness to take over and continue SUSTAIN's work. Success in pursuing the continuation and elaboration of project activities will depend on the budget allocations, approval from authorizing Ministries (such as the Ministry of State Apparatus's approval for certain policy changes), and the emergence of champions at operational and managerial levels in various levels in the years ahead.

Impact: Assessment of the effects, positive or negative, intended or not, on stakeholders

(including those on the environment) caused by activities of the project

56. Impact areas are hard to measure; they concern the different types of substantive effort that an intervention or activity has on broad national constituencies, underserved groups in hard-to-reach regions, and may even involve change in individual mind-sets and organizational culture. Though difficult to assess, **Impact** measures can shed light on important core values (respect for human rights, rule of law, etc.) and the changes to key variables like public trust and public welfare.
57. For the purpose of this Final Evaluation, the impact assessment is focused on four key areas, namely: Gender equality and empowerment and concern for the vulnerable groups; public outreach to publicize the benefits and outcomes of the project, continuous public consultations to seek inputs from key constituencies and beneficiary groups throughout the project cycle, and corruption control and integrity building in the judicial system.
- a. The discernible impact on gender equality and empowerment as well as greater attention to the vulnerable groups is rated as “**Satisfactory**.” The various computer applications have democratized access to court information and complaint channels involving misconduct of judicial officers. Training and sensitization programs have also increase judicial officers’ awareness of the special needs of women, children and other vulnerable groups. However, the extent to which these programs have contributed to empowering these groups to access the enhanced services is unclear. There is a need for broader roll-out of the training, sensitization, and other programmes to counter the impact of entrenched practices of patriarchy, exclusion, and discrimination. One viewpoint expressed in a focus group was that a much deeper and more targeted project intervention is needed to overcome the powerful conditioning and deep-seated biases that stand in the way of empowering women and the other vulnerable groups.
 - b. On systematic public outreach, the impact is also rated as “**Satisfactory**.” Apart from the use of brochures, posters, and banners to communicate to the public, there have been efforts to reach the media, academia, and CSOs through public events, forums and special events such as the ceremonies for the release of the annual reports of the Supreme Court. There was no outreach to the public by the Supreme Court or SUSTAIN on the more routine matters relating to the progress of SUSTAIN activities and computer applications. In a focus group dedicated to the public communication of the Supreme Court and SUSTAIN, participants noted that

emphasis has been placed on engaging the media for special events and ceremonies of the SUSTAIN project, while the media would like regular updates about the scope and progress of judicial reform in order to bring that message to the public. The publicity efforts tended to be focused and concentrated on Java and in Jakarta in particular, and more can be done for outreach in the pilot courts and related sites. Some participants also noted that the MA's website could be improved in its design and interface, to make it easier for the public to access its information. Social media presence is minimal, and it is an important vehicle for reaching young people. FaceBook, Instagram, Tweeter and YouTube are some platforms whose content can be used to target at specific groups of social media users.

- c. On continuous public consultations, the impact is rated as “**Unsatisfactory.**” Public consultation during the planning of events, and to solicit for feedback and validation of the intended outcomes has been patchy and uneven. This is confirmed in practically every pilot site and project area visited by the Evaluation Team. Although it is often difficult and costly to involve and consult stakeholders and beneficiary groups, they are often most knowledgeable about problems and most able to provide feasible and meaningful solutions to the most intractable problems. In addition, civil society and public groups have wide social networks at the grassroots level that can offer insightful feedback, help publicize the benefits of the project, and build a bridge between the courts and the local communities. Stronger engagement of the CSOs can be very fruitful for the MA to improve its public image and enhance support for its reform agenda. While not all CSOs working on legal reform, human rights, and anti-corruption are suitable partners for the MA; hence it is imperative for the latter to identify the most suitable ones to support its reform work, especially in the areas of public communication and consultation.
- Quote
- I think there is an increase in the public trust in the courts here, because there is increased transparency and the public tends to trust what they can see.
Marlin Simaujuntah, Vice Head of the District Court in Pontianak
- d. On controlling corruption and building integrity, impact is rated “**Good.**” “The level of corruption and ineffective enforcement remain areas of concern in Indonesia. It is also noteworthy that few Indonesians reported using the court system” (Indonesia

Country Report 2015, World Justice Project, page 22). “Defective investigations, an ineffective correctional system, and violations to due process of law remain areas of concern in Indonesia” (Indonesia Country Report 2015, World Justice Project, page 24). Corruption remains a problem for the justice system and the people of Indonesia. SUSTAIN has made significant inroads in fighting corruption in the courts by radically promoting the transparency of court information and case management, and minimizing the need for public contact and opportunity for the use of bribes to expedite or influence court decisions. IT-based recruitment, promotion and personnel appraisal, too, have made nepotistic and arbitrary decisions more risky and difficult. The broadening of access to public complaints and whistle-blowing mechanisms has also improved the accountability of the courts. Participants at a focus group on corruption control and integrity building noted that the SUSTAIN project has been very effective at addressing the ‘technical problems’ of preventing corruption through the use of computer systems and reporting protocols. With the implementation of the SIPP and SIWAS and other systems, SUSTAIN has reduced the opportunities of judges, registrars and bailiffs for public contact and to engage in corrupt practices. Nevertheless, eradicating corruption is not only about reducing the opportunity for corruption, but it also involves the cultivation of integrity in court officers at all levels. In this light, many FGM participants believe that the longer-term impact of the SUSTAIN on corruption and integrity of the judicial system is something that requires more work. An area for improvement is the need to systematically and broadly inculcate new values of integrity not only in the judges selected for training and leadership development, but also in the induction and training of new and junior judges, bailiffs and court officers at all levels throughout the entire court system.

58. Taking into consideration the sub-ratings in the four focus areas above, the overall rating for **Impact**, focusing on the above four areas in SUSTAIN project activities and outcomes, in taking into consideration the four sub-ratings above, is rated as “**Satisfactory.**” It is important to note that this is a measure of the impact of the project on four very selective facets involving the “cross-cutting issues” of gender equality and the empowerment of the vulnerable groups; public outreach, public consultations, and corruption control and integrity building. Given the time and resource constraints, the Evaluation Team has to focus on just these four areas, leaving out other important measures of impact. This rating above is, hence, not a rating on the global impact of the SUSTAIN project per se.

Table 1: Rating of the SUSTAIN Project According to the DAC/OECD Evaluation Criteria

Criteria	Rating
Relevance	Excellent
Effectiveness	Good
Efficiency	Good
Sustainability	Good
Impact	Satisfactory

Table 2: Ratings of the SUSTAIN Project According to the four “Impact” Criteria

Special Areas	Rating
Gender Issues and Vulnerable Groups	Satisfactory
Public Outreach	Satisfactory
Public Consultations	Unsatisfactory
Corruption Control and Integrity Building	Good
Overall Assessment of Impact	Satisfactory

LESSONS LEARNED & RECOMMENDATIONS

Lessons Learned

59. The five most important lessons learned from the design and implementation of the SUSTAIN project are derived from the findings and conclusions. They are not necessarily a critique of the project, as they also draw from the best practices and good outcomes of the project's implementation. These lessons, if shared with the appropriate stakeholders, can help inform the work of future and follow-up projects in judicial reforms, and also help prevent the occurrence of shortcomings and shorten the learning curve in related or follow-up projects.
60. **Lesson 1 on “Managing Resources vs. Engaging Stakeholders”:** Project managers and implementing partners typically spend their time and energy in managing inputs and resources in order to achieve the best outputs or outcomes. They actively manage and measure the time and finances put into project activities as responsible and accountable agents. For a broad-based public-interest project like SUSTAIN, the constituencies are many and varied. It is important for project managers and implementing partners to manage not only project resources, but also actively engage the external constituencies like civil society and the media, and constantly involve the authorizers: funders and overseers.
61. Failure to do that would deprive the project of important supporters as well as the resources and legitimacy for undertaking the important work. The experience of SUSTAIN showed that some of the most important work in a project may involve “managing upwards” – to keep funders engaged and informed in order to maintain authorization and the flow of resources. Continuously engaging and consulting civil society and the media would also help to maintain public interest and trust in, and political support for, the work. Also, keeping authorizers and funders engaged is also a sustainability strategy to maximize the chances of continuation funding or spark interests in related or follow-up projects. Without this more inclusive, external orientation, the new programmes of SUSTAIN may not become as widely known and truly accessible to the public as they could be.
62. **Lesson 2 on “Forging Partnerships to Increase Capacity”:** Project managers tend to see their capacity for implementing projects as static and unchangeable within the mandate and budgets they inherit. Bureaucracies typically reinforce this type of thinking; however, capacity to realize project objective and outcomes can be increased through building

partnerships. SUSTAIN's positive experience of engaging diverse enforcement agencies in training programs and media organizations in public forums are pioneering examples. These include the training programme on corruption prevention in Tanjung Pinang and Malang, workshops on recovering environmental damages for enforcement agencies in Jayapura, training on the prevention of illegal fishing in Semarang.

63. Such new partnerships help to increase people-to-people contact, smooth coordination and create new partnerships that can enhance the operational capacity of organizations such as the Supreme Court, especially in the work to increase the integrity of and public trust in the courts and to enhance justice services to the people in the broadest possible way.
64. **Lesson 3 on “Problem-Solving from the Bottom Up”:** Although it is often difficult and costly to inform, involve and consult underserved stakeholders and beneficiary groups in hard-to-reach places, they are often most knowledgeable about the problems and most able to provide feasible and meaningful solutions. Meeting with a sample of these stakeholders in different levels of the court organization, in marginalized groups and in peripheral regions, can offer new perspectives on how to solve problems and “what works and what does not” in tackling the most intractable problems. This applies to problems ranging from the challenge of empowering the underserved and poor to use justice services to that of encouraging whistle blowers to expose corrupt practices from within and giving information from the bottom up.
65. Other entrenched problems include gender biases or discrimination in the recruitment and promotion of judges, or systematic biases in dealing with certain identity groups in justice administration. Disadvantaged groups regularly face these problems and are often most able to offer insightful and feasible solutions. The same goes for judicial officers at the frontlines of public contact; they have the best views of the problems faced by justice seekers, and may come up with the most practical and effective solutions.
66. **Lesson 4 on “Visibility vs. Publicity”:** Visibility is easy to enact but may be superficial and short-lived in impact. Publicity events in outreach to these constituencies that are traditionally out of the radar of the judicial system are useful but they tend to be ad hoc in nature. They could be expanded into new programmes and procedures to infuse more outward-oriented and inclusive approaches into the functions of the courts. Inviting the media and CSOs to special events and ceremonies are an important first step to bring the messages of reform to the public. Many civil society groups and media organizations have broad networks of contacts that can help a program broaden its reach and broadcast its

message to the public. In this light, the real and enduring work of publicity and public engagement must involve continuous and sustained effort to repeatedly engage the media and grassroots organizations to elicit their views and support, keep them informed of project activities, and elicit their feedback. This consistent engagement can have more lasting impact on the psyche and perception of the people, and build a more enduring relationship between the courts and the community they serve.

67. For instance, getting the people to use the public complaints protocol, SIWAS, is not a one-off public notification or announcement, but it may require repeat messaging in multiple media over a period of time to influence public confidence in the use of the system and to strengthen the public's will and resolve to seek justice through this channel. In the focus groups, some journalists noted that they have been invited to special events when publicity and an audience is desired, but they have not been regularly informed of the programmes or routine progress of the project. Hence, public outreach must go beyond putting up publicity materials in special ceremonies and ad hoc events, to involve actively communicating the

Quote

There is nothing more difficult than difficult to take in hand, more perilous to conduct, or more uncertain in its success, than to take the lead in the introduction of a new order of things.

Niccollo Machiavelli, 14th Century Italian political philosopher and statesman

intent, activities, and expected benefits of the project to the public on a regular basis.

68. **Lesson 5 on “Changing Mind-Sets and Culture”:**

The work of SUSTAIN involves introducing and institutionalizing new ways of doing things – from case management and appraisal of personnel, to serving marginalized, disempowered groups and building integrity in the justice profession. Such work is inherently

difficult because people are required to learn new ways of doing things (such as digitizing case documentation and electronic asset declaration). Practicing one's profession with integrity against the temptations of personal gain and the pressures to conform are also considered a practice that involves a new mindset supported by a conducive workplace culture. This type of difficult work also requires people to make changes that may result in immediate losses in terms of their power, status, resources, competencies in doing certain tasks, and even their personal comfort. In this pursuit, they also do not have assurance that the outcomes will be successful or even favourable to them. Consider, for instance, opening up to public complaints or the use of competency-based personnel appraisal.

69. Such difficult and adaptive work may require modalities beyond the use of traditional forms

of training programmes and directives from above. More immersive and intense forms of socialization and practice are needed to change the skills and habits of individuals. Hands-on problem-solving exercises, simulations, and role-playing used by the SUSTAIN project in Leadership courses and other “sensitization training” may point the way forward. These approaches take more time and effort on the part of both the trainers and trainees, but they are well worth it in terms of unlearning old ways and for adopting new practices and habits.

Recommendations on Future Work

70. Drawing upon the analyses and findings of this evaluation, the Evaluation Team has three main recommendations for continuing the work of judicial reform in Indonesia that builds on the progress made by SUSTAIN. As judicial reform in Indonesia has been carried out since the early 2000s, it is important that donor-funded projects seek to achieve outcomes of *strategic* importance and lasting impact, and not merely seek to supplement the government’s budget in routine activities and operational work, including training of judges and the updating of computer systems. It is imperative that donor-funded activities aim to catalyse substantive and enduring changes in the court system that the beneficiary organizations are not able to accomplish by themselves.
71. First, we propose a dedicated project that specializes in diagnosing and addressing the special needs and interests of women, children, the poor, and the other vulnerable groups in the justice system. Such a project will comprehensively look at the different ways that women and other disadvantaged groups engage the justice system, not just in a court hearing. It will address discriminatory and inequitable practices from the perspective of these groups as complainants, witnesses and accused persons. It will inclusively diagnose their problems from crime reporting to police investigation, to prosecution, trial, and incarceration or rehabilitation. This is a very ambitious project given its scope and reach, and it should strongly engage CSOs and local beneficiary groups throughout the project design, implementation, and monitoring stages in order to truly identify gender-sensitive modalities and nuanced interventions that could help underserved and marginalized people.
72. A second project that will be very timely is one that focuses on the cross-section of justice administration and the environment. This is the Age of Sustainable Development with climate action and concern for the environment elevate to the forefront of the global development agenda. With Indonesia’s significant natural resources under constant siege

from illegal logging, illegal fishing, industrial pollution, and land grabs, the role of courts in safeguarding these national assets and the public interest cannot be overemphasized. A dedicated project in the environmental domain can affect the welfare and livelihoods of many people and receive strong public support and media attention. If well managed, it can truly demonstrate the value of the judiciary and build public trust in the courts.

73. Finally, we come back to the nexus between fighting corruption and building integrity. The Evaluation Team recommends a project specifically targeted at building integrity in the judiciary. Leveraging on the successes of SUSTAIN in controlling corruption through enhancing transparency, accountability, leadership development and supervision, this project aims to strengthen the integrity of the actors in the judicial system. Three possible components of this project include the promulgation and enforcement of a universal code of conduct for all judicial officers; a country-wide public communications plan that highlights the standards of judicial conduct and publishes the standards for judicial services; and an institutionalized system of training in judicial ethics and professionalism to reach officers at all levels and in all regions. This project can bridge the chasm between the courts and civil society, by including CSOs and the media as partners for strengthening external oversight and monitoring of the judiciary. The project may yet accomplish what SUSTAIN has valiantly attempted but not succeeded in – to bring about a new partnership between the Judicial Commission and Supreme Court to improve judicial integrity and advance the quality of judicial decisions for the benefit of all in Indonesia.

Annexes



Figure 7: Lady Justice personified as the moral force of judicial systems at the SUSTAIN Closing Event, with her blindfold, a balanced scale, and a sword

ANNEX I: TOR FOR THE EVALUATION

Terms of Reference

Position: Evaluation Consultants (International & National)

Closing date: TBD

I. Position Information

Title : "EU-UNDP Support to Justice Sector Reform in Indonesia (SUSTAIN)"
Project Final Evaluation

Department/Unit : DGPRU

Reports to : Programme Manager/Technical Advisor, Peace and Justice Cluster,
DGPRU

Duty Station : Jakarta

Expected Places of Travel (if applicable): Jakarta, 2 out of 5 pilot courts in Java (Cibinong, Bandung, Sleman, Malang, Kepanjen) and 3 out of 10 pilot courts outside Java (Stabat, Kabanjahe, Singkawang, Pontianak, Manado, Bitung, Kupang, Ambon, Sorong, Jayapura)

Duration of Assignment: 30 working days during a period of three months

Need for presence of IC consultant in office:

☒ partial (the consultant is required to present his/her evaluation plan and findings in the beginning and end of the evaluation exercise at the office)

☐ intermittent (explain)

☐ full time/office based (needs justification from the Requesting Unit)

Provision of Support Services:

Office space : ☐ Yes ☒ No

Equipment (laptop etc) : ☐ Yes ☒ No

Secretarial Services : ☐ Yes ☒ No

Signature of the Budget Owner:

Syamsul Tarigan - Programme Manager/Technical Advisor, Peace and Justice Cluster, DGPRU

II. Background and Context

Since mid-2014 UNDP Indonesia has implemented an EU-funded project called EU-UNDP Support to Justice Sector Reform in Indonesia (SUSTAIN). The overall objective of the project is to enhance public trust in the judicial system through support to the Government of Indonesia in strengthening the rule of law. The specific objective is to increase the transparency, integrity and accountability of the judiciary and the quality of justice services delivered to the people. This [five-year] project has provided technical supports to the Supreme Court with the aim of achieving strategic results that are directly linked to the Blueprints for Judicial Reform of the Supreme Court.

To achieve its intended objectives, SUSTAIN Project focuses on four sectors:

- a. enhanced internal and external oversight of the judiciary;
- b. enhanced skills and knowledge of judges and court staff;
- c. improved human resource organization and management policies and enhanced case management system designed to increase transparency;
- d. quality of case data and decisions and timeliness of case handling.

The project is implemented under the framework of the UNDP Country Programme Action Plan (CPAP) and applies the National Implementation Modality (NIM) with the Supreme Court is designated as the Implementing Partner. Other key partners include Tax Court, Judicial Commission, and National Development Planning Agency (Bappenas). Budget for the project is EUR 9,790,400, of which EUR 9,700,000 is funded by EU and the rest is from UNDP Indonesia. Project Document can be found in the following link:

<https://info.undp.org/docs/pdc/Documents/IDN/82733%20PRODOC%20SUSTAIN.pdf>

While major stakeholders of the project are located in Jakarta, implementation of project activities is also carried in the 15 project pilot locations: Stabat and Kabanjahe (Sumatera), Singkawang and Pontianak (Kalimantan), Cibinong, Bandung, Sleman, Malang, and Kepanjen (Java), Manado and Bitung (Sulawesi), Kupang (NTT), Ambon (Maluku), Sorong (West Papua), and Jayapura (Papua).

As the project is entering its final year and in accordance with the project's M&E Plan, a final evaluation of the project needs to be conducted to measure results and impacts of the project. This evaluation is part of UNDP commitment to results based management. Evaluation results will be used to improve project and programme design and implementation in the future.

III. Evaluation Purpose, Scope, and Objectives

The evaluation will investigate and assess the relevance, effectiveness, efficiency, and sustainability, and impact of the project. It will also cover cross-cutting issues such as gender and human rights and identify lessons learned and best practices, and to provide recommendations for further programming. The evaluation will focus on project implementation since the beginning in mid-2014 to now (Q1 2019).

- **Relevance:** evaluate the extent to which intended output of the SUSTAIN project are consistent with national and local policies and priorities and the needs of intended beneficiaries. Also evaluate the extent to which SUSTAIN project was able to react to changing and emerging development priorities and needs in a responsive manner.
- **Effectiveness:** evaluate the extent to which the intended results of SUSTAIN project have been achieved. This includes an assessment of cause and effect - that is attributing observed changes to project activities and outputs.
- **Efficiency:** evaluate how economically resources or inputs (such as funds, expertise and time) were converted to results. An initiative is efficient when it uses resources appropriately and economically to produce the desired outputs.
- **Sustainability:** evaluate the extent to which benefits of SUSTAIN project continue after external development assistance has come to an end. This includes evaluating the extent to which relevant social, economic, political, institutional, and other conditions are present and, based on that assessment making projection about the national capacity to maintain, manage and ensure the development results in future.
- **Impact:** evaluate changes in human development and people's well-being that are brought about by the project, directly or indirectly, intended or unintended.

A complete list of evaluation questions (and sub-questions) will be developed by the evaluation team. Indicative questions to be addressed in the evaluation can be found in Section IV.

IV. Evaluation Criteria and Key Guiding Questions

Evaluation questions define the information that the evaluation will generate. Questions are grouped according to the four DAC/OECD evaluation criteria, namely relevance, effectiveness, efficiency, and sustainability.

Relevance:

1. To what extent was the project in line with the national development priorities, the CPD outputs, UNPDF/CPD outcomes, UNDP Strategic Plan and the SDGs?
2. To what extent were lessons learned from other relevant projects considered in the project's implementation?
3. To what extent were perspectives of those who could affect the outcomes, and those who could contribute information or other resources to the attainment of stated results, taken into account during the project design processes?
4. To what extent has the project been appropriately responsive to political, legal, economic, institutional, etc., changes in the country?

Effectiveness

1. To what extent did the project contribute to the UNPDF/CPD outcomes and CPD outputs, the SDGs, UNDP Strategic Plan and national development priorities?
2. To what extent were the project outputs achieved and/or not achieved? What factors have contributed to it?
3. In which areas does the project have the greatest achievements? Why and what have been the supporting factors?
4. In which areas does the project have the least achievements? What have been the constraining factors and why? How can they or could they be overcome?
5. What, if any, alternative strategies would have been more effective in achieving the project's objectives?
6. Are the projects objectives and outputs clear, practical, and feasible within its frame?
7. To what extent have stakeholders been involved in project implementation?
8. To what extent is project management and implementation participatory and is this participation contributing towards achievement of the project objectives?
9. To what extent has the project been appropriately responsive to the needs of the national constituents and changing partner priorities?
10. To what extent has the project contributed to gender equality, the empowerment of women and the realization of human rights?

Efficiency

1. To what extent was the project management structure and resources as outlined in the Project Document efficient in generating the expected results?
2. To what extent has UNDP's project implementation strategy and execution been efficient and cost effective?
3. To what extent have project funds and activities been delivered in a timely manner?
4. To what extent do the monitoring and evaluation systems utilized by UNDP ensure effective and efficient project management?
5. In as much as the Project mandate was to improve the perception of the Justice system by society, to what extent the results achieved have been publicized?

Sustainability

1. To what extent will financial and economic resources be available to sustain the benefits achieved by the project? What are the financial risks that may jeopardize the sustainability of project outputs?
2. Will the level of stakeholder's ownership be sufficient to allow for the project benefits to be sustained?
3. To what extent do stakeholders support the project's long-term objectives?
4. To what extent are lessons learned being documented by the Project Team on a continual basis and shared with appropriate parties who could learn from the project?
5. To what extent do UNDP interventions have well designed and well-planned exit strategies?
6. As the Project objective was partly to change mentalities, which policies has the Project contributed to establish which will guarantee the sustainability of changes in the stakeholders' mindsets?
7. What could be done to strengthen exit strategies and sustainability?

The consultant will have to develop specific list of questions under the above key questions that will help generate information required. Evaluation questions must be agreed upon by UNDP.

V. Methodology

In order to answer the key guiding questions, this section explains some evaluation methods suggested by UNDP. The team of the evaluators, however, will design an evaluation inception report that specifies the step-by-step methods the evaluation will use to collect the information needed to address its purpose and objectives. The overall approach and methodology should ensure the most reliable and valid answers to the evaluation questions and criteria within the limits of resources (for more details see the UNDP Evaluation Guidelines 2019:

<http://web.undp.org/evaluation/guidance.shtml#handbook>).

Methodological approaches may include some or all of the following:

- Evaluation should employ a combination of both qualitative and quantitative evaluation methods and instruments.
- **Document review of all relevant documentation** this would include a review of
 - Project Document (Contribution Agreement),
 - Theory of change and results framework
 - Quality assurance reports
 - Annual Work Plans,
 - Activity Designs,
 - Consolidated Quarterly and Annual Reports,
 - Results Oriented Monitoring Report,
 - Highlights of Project Board Meetings and
 - Technical/Financial Monitoring Reports amongst other documents.
- **Semi-structured interviews** with key stakeholders including key government counterparts, donor community members, representatives of key civil society organizations, UNCT members, and implementing partners;
 - **Development of evaluation questions** developed around relevance, effectiveness, efficiency and sustainability and designed for different stakeholders to be interviewed.
 - Key informant and focus group discussions with men and women, beneficiaries and stakeholders.
 - All interviews should be undertaken in full confidence and anonymity. The final evaluation report should not assign specific comments to individuals.
- **Surveys and questionnaires** including participants in development programmes, UNCT members, and/ or surveys and questionnaires involving other stakeholders at strategic and programmatic level;
- **Field visits** and on-site validation of key tangible outputs and interventions.
- The Evaluator is expected to follow a participatory and consultative approach ensuring close engagement with the evaluation managers, implementing partners and direct beneficiaries.
- **Other methods** such as outcome mapping, observational visits, group discussions etc.
- **Data review and analysis** of monitoring and other data sources and methods.
 - Ensure maximum validity, reliability of data (quality) and promote use, the evaluation team will ensure triangulation of the various data sources.

Final methodological approach including interview schedule, field visits and data to be used in the evaluation should be clearly outlined in the inception report of the evaluation and be fully discussed and agreed between UNDP, stakeholders and the evaluators.

VI. Evaluation Products (Deliverables)

At minimum, the evaluation consultant is accountable for the following products:

- **Evaluation inception report (10-15 pages):** An inception report should be prepared by the evaluators before going into the full-fledged data collection exercise. Based on the Terms of Reference, initial meetings with PMU, UNDP programme staff and QARE Unit, and desk review of relevant documents, the evaluators should develop the inception report. The inception report will be reviewed and approved by UNDP. The evaluator cannot start the data collection process prior to UNDP's approval on the inception report. The report should include, at minimum:
 - Scope of Evaluation: A clear statement of the objectives of the evaluation and the main aspects or elements of the initiative to be examined, along with evaluation criteria and key evaluation questions.
 - Evaluation methodology, such as clear outlines of FGDs and interview guide, survey questionnaires, and an evaluation timeline with specific deadlines for each deliverable. The inception report should also clearly explain the sampling methodology and sample size should a quantitative survey be used as a method, and clear and logical explanation of the number of FGDs and KIIs planned in each location.
 - Evaluation matrix: It identifies the key evaluation questions and how they will be answered by the methods selected.
- **Evaluation debriefings:** immediately following an evaluation UNDP may ask for a preliminary debriefing and findings.
- **Draft Evaluation report (40 to 60 pages including executive summary):** UNDP and PMU will review the draft evaluation report to ensure that the draft evaluation report addressed the content required (as agreed in the TOR and inception report) meets the required quality criteria as outlined in the UNDP Evaluation Guidelines. It is likely that the evaluator will be asked to present the draft to PMU, UNDP and Project Board members. Otherwise, a back and forth review process, facilitated by UNDP will allow PMU and partners to provide input towards the report. Evaluator must address the input from UNDP and partners, otherwise provide a rational counter-argument based on the evidence on why it cannot be addressed. The review and feedback of the report could be more than one rounds depending on the quality of the report submitted by the consultant and the extent to which the comments and suggestions from the first round of review have been incorporated.
- **Evaluation report audit trail:** Comments and changes by the evaluator in response to the draft report should be retained by the evaluator to show how they have addressed comments.
- **Final evaluation report (40 to 60 pages including executive summary):** The report should be written strictly in English and shall follow the UNDP evaluation report template as stipulated in the UNDP Evaluation Guidelines 2019 (Annex 3 UNDP evaluation report template and quality standards) and must fulfill the Quality Assurance requirements as stipulated in the UNDP Evaluation Guidelines 2019 (Section 6.10.2 on Evaluation report structure, methodology and data sources; Section 6.10.3 on Cross-cutting issues; and Section 6.10.4 on Evaluation results).
- **Presentations to stakeholders and/or evaluation reference group (Project Board):** The evaluator is required to present the results of the evaluation to commissioner and representatives of stakeholders, including project board members and donor. This presentation meeting may take place after the first draft of the evaluation report is received- or after all final evaluation processes has been completed. To support the presentation, the evaluation needs to prepare a 15 minutes-long presentation document (in PowerPoint or other similar formats) which highlights the evaluation background, scope, methodology, findings, and recommendation in a visually pleasing way. The document must be both in English and Bahasa Indonesia.
- **English Editing:** The consultant is responsible for English editing of the final report and should be well formatted. The report will be credited to the evaluator and potentially placed in the public domain at the decision of UNDP.
- **All handwritten and electronic transcripts of interviews and FGDs, hard copies of the survey questionnaires, any logistics taken from UNDP or PMU for the evaluation purpose and photographs taken during the evaluation should be**

submitted to UNDP. Further to this, all information generated during the baseline will be the sole property of UNDP and is subject to submission to UNDP along with the final report or the termination of contract.

Review/approval time required to review/approve the outputs prior to authorizing payments:

No.	Deliverables	Payment	Due Date
1.	Inception report – as stated in Section VII and Evaluation work plan (Schedule of key milestones, deliverables and responsibilities)	20%	Day 6
2.	Draft evaluation report and presentation of the draft report	40%	Day 21
3.	Final evaluation report	40%	Day 30
	Total Working Days	30 days over period of 3 months	

Submit the expected written outputs above in printed and soft versions; MS Word (.doc) format including power point presentation when necessary.

VIII. Evaluation Team Composition and Required Competencies

The evaluator team will consist of two consultants: one international and one national. Roles and responsibilities and qualification of the team are as follow:

a. International consultant

Role and responsibilities:

The international consultant will act as the team leader. He/she will take lead in all aspects of the evaluation and be responsible for timely submission of all deliverables. Accordingly, the team leader is responsible of the following tasks:

- Forming and managing the team;
- Being the main point of contact to UNDP throughout the evaluation processes;
- Identifying and define evaluation priority areas, methodology and indicators;
- Designing and overseeing data collection;
- Analyzing data and findings
- Submitting the final report;
- Make a brief presentation of findings and recommendations to UNDP and partners, including donors.

Expertise and qualification:

1. At least master's degree in law, public policy, international development or relevant fields;
2. At least 15 years extensive international experience in the field of judicial sector reform, at least in three countries. Prior experience in Indonesia is important added advantage;
3. At least 10 years' experience in conducting evaluation in the field of development policies;
4. Knowledge and understanding of international and country-level implementation of judicial sector agenda;
5. Experience with UNDP mandate, policy, procedures, and programme management;
6. Fluent in English. Working knowledge in Bahasa Indonesia is added advantage;
7. Excellent written and verbal communication skills in English. Fluency in spoken and reading Bahasa Indonesia is added advantage; and
8. Knowledge and experience in gender issues is added advantage.

b. National consultant

Role and responsibilities:

The national consultant will assist the international consultant in conducting all aspects of evaluation. In particular, he/she will assist in data collection, provide translation services if needed, and support in analysis, report writing and presentation.

Expertise and qualification:

1. At least master's degree in law;
2. At least 10 years extensive experience in the field of judicial sector reform;
3. At least 5 years' experience in evaluation projects in the field of development policies;
4. Knowledge and understanding of country-level implementation of judicial sector agenda;
5. Extensive experience with UNDP or other international organizations;
6. Fluent in English; and
7. Excellent written and verbal communication skills in English.

VIII. Evaluation Ethics

This evaluation will be conducted in accordance with the principles outlined in the UNEG 'Ethical Guidelines for Evaluation. The Consultant must safeguard the rights and confidentiality of information providers, interviewees and stakeholders through measures to ensure compliance with legal and other relevant codes governing collection of data and reporting on it data. The Consultant must also ensure security of collected information before and after the evaluation and protocols to ensure anonymity and confidentiality of sources of information where that is expected. The information knowledge and data gathered in the evaluation process must also be solely used for the evaluation and not for other uses with the express authorization of UNDP and partners.

While evaluating this project, evaluators also need to critically consider some of the following aspects

Consent: Evaluators should respect the dignity and diversity of evaluation participants. Further, prospective evaluation participants should be treated as autonomous, be given the time and information to decide whether or not they wish to participate, and be able to make an independent decision without any pressure. Hence, whenever possible, respondents in interviews, focus groups, surveys and observations should give informed consent prior to data gathering.

Confidentiality of research data: All personal information about participants in programs is very sensitive, but this may be particularly the case for interventions attempting to counter violent extremism. This means that the identity of participants must remain confidential and that care should also be taken that participants cannot be indirectly identified. Moreover, in some evaluations, evaluators might want to ask for sensitive information from participants in P/ CVE interventions, for example about their political or religious views. Hence data that respondents have provided should be kept confidential and stored securely.

XI. Implementation Arrangements

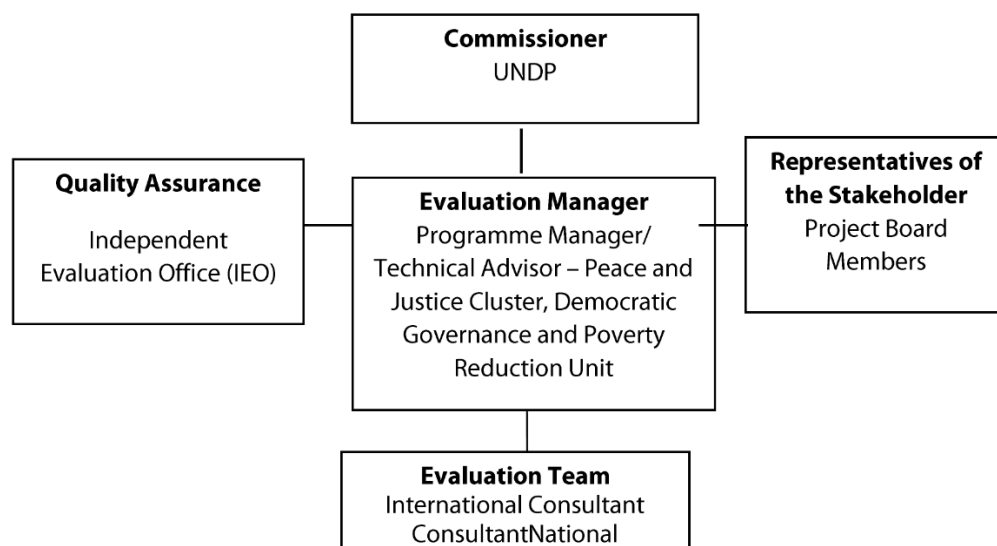
The consultant will compose an evaluation team under his/her supervision. The roles of evaluation team and its relations vis-à-vis other evaluation stakeholders are described in the table below and in the management structure.

Table 1: Key roles and responsibilities in the evaluation process

Person or Organization	Roles and Responsibilities
------------------------	----------------------------

Evaluation Commissioner (UNDP)	<ul style="list-style-type: none"> • Determine which output will be evaluated and when • Provide clear advice to the evaluation manager at the onset on how the findings will be used • Respond to the evaluation by preparing a management response and use of findings as appropriate • Take responsibility for learning across evaluation on various content areas and about evaluations • Safeguard the independence of the exercise • Allocate adequate funding and human resources
Quality Assurance (Independent Evaluation Office):	<ul style="list-style-type: none"> • Review documents as required and provide advice on the quality of the evaluation and recommendation for improvement through the Evaluation Resource Center (erc.undp.org) site.
Evaluation Manager (Programme Manager/ Technical Advisor- Peace and Justice Cluster, Democratic Governance and Poverty Reduction Unit);	<ul style="list-style-type: none"> • Lead the development of the evaluation TOR • Manage the selection and recruitment of the external evaluators • Manage the contractual arrangements, the budget, and the personnel involved in the evaluation • Provide executive and coordination support to the reference group • Provide the evaluators with administrative support and required data • Liaise and respond to the commissioners • Connect the evaluation team with the wider programme unit, senior management and key evaluations stakeholders, and ensure a fully inclusive and transparent approach to the evaluation • Review the inception report and the draft evaluation report; ensure the final draft meet quality standard
Representatives of the Stakeholder: Project Board members	<ul style="list-style-type: none"> • Oversee progress and conduct of the evaluation • Review the draft evaluation report and ensure final draft meets quality standards
Evaluation Team	<ul style="list-style-type: none"> • Fulfil the contractual arrangements as stipulated in the TOR, in line with the United Nations Evaluation Group (UNEG) norms and standards and ethical guidelines; this includes developing an evaluation matrix as part of the inception report, drafting reports, briefing the commissioner and stakeholders on the progress and key findings and recommendations as needed.

Figure 1: Proposed management structure for SUSTAIN project evaluation



X. Time Frame for Evaluation Process

Activity	Days	Date of Completion	Place	Responsible Party
Inception Report				
Development of Inception Report	5 days	Within 2 weeks of contract signing 10 May 2019	Home based	Evaluation Team
Comments and approval of Inception Report	-	Within 5 days of submission of the inception report 15 May 2019	Via email	Program manager cum Technical Advisor
Data Collection Mission				
Meeting briefing with UNDP	-	20 May 2019	UNDP Indonesia	Program manager cum Technical Advisor
Consultations and field visits	10 days	20 May 2019 to 30 May 2019	In Country with field visits	Programme Manager cum Technical Advisor; SUSTAIN will assist in arrange
Debriefing to UNDP and Project Board	1 day	31 May 2019	In Country	Evaluation Team
Evaluation Report Writing & Consultation				

Preparation of Draft Evaluation Report	5 days	Within 3 weeks of the completion of the Field Mission Up to 20 June 2019	Home based	Evaluation Team
Draft Report Submission	-	21 June 2019		Evaluation Team
2nd visit to present Draft Final Report and consolidate comments to the Draft Final Report	6 days	24 June to 28 June 2019	In country	Programme Manager cum Technical Advisor; SUSTAIN will assist in arrange
Finalization of the evaluation report	3 days	Within 1 weeks of submission of comments	Home based	Evaluation Team
Submission of the final evaluation report to UNDP	-	5 July 2019	Home based	Evaluation Team
Estimated Total days for the evaluation	30			

VIII. Application for Submission and Criteria for Selection

Interested candidate must submit the following documents as part of their application:

- Evaluation proposal maximum 6 pages, including the methods and methodology to be adopted/ applied
- Detailed budget estimates and price quote
- Curriculum Vitae with clear description of work history that demonstrate the above competence and qualifications
- Writing sample of Evaluation Report is recommended

ANNEX II: PROJECT INFORMATION

Project Information		
Project title	EU-UNDP Support to Justice Sector Reform in Indonesia (SUSTAIN)	
Atlas ID	00082733	
Corporate outcome and output	Expected CP Outcome: Justice providers and institutions are more effective in protecting human rights, and citizens enjoy improved access to justice. Expected Output(s): <ul style="list-style-type: none">• Output 1: Enhanced internal and external oversight mechanism of the judiciary• Output 2: Enhanced knowledge and skills of justice & court staff and strengthened capacity of the Supreme Court Training Centre• Output 3: Enhanced Human Resource and Organization Management via integrated Human Resources performance management databases, effective implementation of advanced Human Resources policies, and a strengthened Judicial Reform Team Office.• Output 4: Enhanced Case Management System and procedures of the judiciary to improve transparency, quality of case data and decisions, and timelines of case handling.	
Country	Indonesia	
Region	All regions of the Republic, including those served by the Supreme Court and 15 pilot courts selected for the project.	
Date project document signed	July 21, 2014	
Project dates	Start	Planned end
	July 2014	July 2019
Project budget	US\$ 13,416,320 (9,700,000 Euros)	
Funding source	European Union	
Implementing party	UNDP Jakarta Office	
Evaluation Information		
Evaluation type	Project Evaluation	
Final /midterm review/ other	Final Evaluation	
Period under evaluation	Start	End
	July 2014	July 2019
Evaluators	Tay Keong Tan, Ph.D. and Sirojuddin Arif, Ph.D.	
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Evaluation dates	Start	Completion
	May 22, 2019	July 27, 2019

ANNEX III: EVALUATION MATRIX¹

Evaluation Name: Final Evaluation of the SUSTAIN Project

Evaluation Purpose: Investigate and Assess the Relevance, Effectiveness, Efficiency, Sustainability, and Impact of the Project

General Evaluation Approach: UNDP Evaluation Guidelines and OECD DAC Criteria for Development Assistance

Notes on the Evaluation Matrix

1. The evaluation design matrix is an instrument for planning and organizing this Final Evaluation. It defines **what** is going to be evaluated and **how** the team intends to go about evaluating it.
2. It is a table consisting of the key evaluation questions and associated columns that address evaluation design issues such as data collection methods, data sources, analysis methods, indicators of progress, etc. ***The matrix relates the key evaluation questions to the means for answering those questions.*** It helps the Evaluation Team consider the most appropriate and feasible data collection method for each evaluation question.
3. It culminates in a final column on findings and recommendations to draw attention to the practical implications of the results of this evaluation. It also helps the Evaluation Team consider the most appropriate and relevant recommendations that follows each key finding of the evaluation. As this final evaluation has an interest in lesson drawing for the design and implementation of similar projects, the Evaluation Matrix is a tool that would focus attention on the most salient lessons from the past five years of the project cycle.
4. Finally, the matrix lays out the empirical data and evidence elicited by the data collection methods and the supporting bases for findings, conclusions, and recommendations. It offers insight into the process of quality assurance for the evaluation process. Each conclusion and recommendation can be cross-referenced to the relevant sources of data and data collection methods.

Criteria	Sub-questions (TOR)	Data Collection Methodology	Progress Indicators and Data Analysis
<p>Relevance: A construct on the extent to which the project activity is suited to the priorities and policies of the target group, recipient and donor.</p>	<p>1. To what extent was the project in line with the national development priorities, the CPD outputs, UNPDF/CPD outcomes, UNDP Strategic Plan, and the SDGs?</p>	<p>Review and analyses of SUSTAIN Project Document, documents on Indonesia's national development plans, UNDP Strategic Plan, and the SDGs (Agenda 2030), PAC reports. Key Informant Interviews (KIs) and focus group meetings (FGMs).</p>	<p>Progress indicator:</p> <ul style="list-style-type: none"> Level of coherence between the Project's activities with the national development priorities, UNDP Strategic Plan, and the SDGs. <p>Data analysis:</p> <p>By focusing on the improvement of human resources and organization management, the SUSTAIN Project fits very well with the focus of the GOI's RPJMN 2010-2014 on the improvement of case handling. It also contributes directly to the National Strategies on Access to Justice, 2009 (NSA2J) in terms of improving public access to judicial services and the quality of these services.</p> <p>The SUSTAIN's project activities also contributed to the Supreme Court's Blueprint of reform (2010 – 2035), which focuses on the development of a clean, accountable and high performing bureaucracy committed to enhancing public services.</p> <p>The Project also has a strong fit with the UNDP Strategic Plan (UNDP Country Programme Action Plan, 2011-2015) and SDGs, especially related to the commitment to provide access justice for all (SDG #16), including the vulnerable groups (SDG #10), especially women and children, and to address the gender inequality (SDG #5) within the judiciary and the specific needs of the vulnerable groups, especially the women and children.</p> <p>However, the Project does not fit well with one of the development priorities of the GOI's RPJMN 2015-2019, on the development of integrated judiciary system, which requires coordination and interconnection among law enforcement agencies, including not only the Supreme Court but the police, prisons, and attorneys as well.</p> <p>Besides, the project does not take into account the possible impact of the conflict between the MA and KY on the likelihood of improving the external oversight mechanism of the court. The Project does not take into account either the difficulties caused by the complexity of regulatory framework that defines the operation of the tax court in developing a tax court model. In the existing regulatory framework, the tax court falls under two different jurisdictions, namely the Ministry of Finance and the Supreme Court. This makes it difficult to propose a tax court model that can be agreeable by both sides. Changes in the law defining the tax court</p>

Relevance: A construct on the extent to which the project activity is suited to the priorities and policies of the target group, recipient and donor.			may be needed to develop the expected model.
	2. To what extent were lessons learned from other relevant projects considered in the project's implementation?	Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes. Interviews with project partners, PMU staff, and other stakeholders.	<p>Progress indicator:</p> <ul style="list-style-type: none"> The extent to which lessons learned from other relevant projects are considered in the Project's design and implementation. <p>Data analysis:</p> <p>The lessons learned from the EU-funded Good Governance for Indonesian Judiciary (GGIJ) Programme included: (1) The need for coherence and alignment with the State's reform agendas and (2) The imperative to seek the full involvement of beneficiary organizations in the various stages of design of and preparation for this project.</p> <p>The first lesson was well incorporated into the SUSTAIN project as evident from the above analysis. On the second lesson, there has been significant effort made to consult with a broad segment of stakeholders and partners during the design stages of the project. However, the full involvement of beneficiary groups especially in the hard-to-reach regions of the country and most obscure vulnerable groups would be prohibitively costly and hence was not undertaken.</p> <p>In case management, the SUSTAIN continued and improved the prototype of case tracking system developed under the C4J Project (SIPP). The SUSTAIN improved the SIPP by transforming it into a case management system equipped with a monitoring system that allows the court leadership from the first layer to the SC not only to track the registration of cases but also to monitor the progress of case handling by the court.</p>
	3. To what extent were perspectives of women, minorities, the poor and other vulnerable groups who could affect the project outcomes and those who would be affected by the	Review of project documents. KII with project staff. FGM on Gender Issues and the Vulnerable Groups.	<p>Progress indicators:</p> <ul style="list-style-type: none"> Increased capacity of the SC Training Center to develop and implement certification training program on gender sensitization and juvenile justice system. SOP and policies on how to deal with cases involving women and children are in place and implemented. <p>Data analysis:</p> <p>The SUSTAIN revised the training module and implemented the revised module on juvenile justice certification training. The training programmes enhanced the awareness and competencies of the judges and other court personnel in handling cases that involve women and children. Related to women issues, the training module on gender sensitization has been added to SC Training Center's training materials. Training on gender sensitization has been also delivered by SUSTAIN for judges and court staffs in several cities. The SUSTAIN Project also facilitated the SC's Working Group on Mediation, Women and Children to revise the SC's</p>

<p>Relevance: A construct on the extent to which the project activity is suited to the priorities and policies of the target group, recipient and donor.</p>	<p>project outcomes, taken into account during the project design and implementation?</p>		<p>regulations in this area.</p> <p>SUSTAIN also contributed to the implementation of the MA Regulation (PERMA) No. 03/2017 regulating how judges should handle cases that involve women. The SUSTAIN helped oversee judges that handle cases that involve women and children. The SUSTAIN also helped the MA to socialize the MA regulation No 03/2017.</p> <p>The implementation of SIPP has created transparency in the sense that people now can better access information about cases in the court. Nevertheless, the SUSTAIN did little to address one of the basic problems of the vulnerable groups in dealing with the court, especially related to the lack of knowledge and information about law and legal processes. So far, there is no indication that more people from the vulnerable groups bring their legal problems to the court.</p> <p>Five areas that can receive more attention and work (according to FGM findings) relating to the needs of women, children and other vulnerable groups are:</p> <ol style="list-style-type: none"> 1. Rules and judges, as well as court personnel, should be gender-sensitive in all areas of their professional practice. 2. The development of information system that can be accessed and understood easily by the vulnerable groups. 3. The development of policies that are responsive to the specific needs of the vulnerable groups. As will be noted below, the specificity of the needs of the vulnerable groups should be further broken down to account for different situations that the vulnerable may face, namely whether they become perpetrators, witnesses, or victims. 4. Improving the quality of judges' decision in cases involving women and children. SUSTAIN did little to help the Supreme Court to define the criteria of good or quality decision when it comes to such cases. 5. Involvement of the rest of the justice system: To fully address the needs of the vulnerable groups, it is argued that judicial reform like the SUSTAIN project should involve not only the Supreme Court but also other stakeholders like the police, prosecutors and the prisons.
	<p>4. To what extent has the project been appropriately responsive to political, legal, economic, institutional and</p>	<p>Interviews with project partners, PMU staff, and other stakeholders. FGMs on Gender Issues and Vulnerable</p>	<p>Progress indicators:</p> <ul style="list-style-type: none"> • The extent to which the SUSTAIN Project's activities has been responsive to the Gol's new interests in developing e-government • The extent to which the SUSTAIN Project's activities has been responsive to the Gol's new interest in law enforcement on environment-related issues such illegal fishing and illegal logging. <p>Data analysis:</p>

	local environment as well as the changes in the country?	Groups and the Sustainability of the Judicial Reforms.	<p>In line with the new administration's interest in developing e-government, the SUSTAIN Project has worked with the SC to develop several applications, namely SIWAS, SIKEP and SIPP to accelerate the development of e-court.</p> <p>New training modules have been developed and delivered in training programs on fishery and environmental laws. Most of these programs are well designed, include a good mix of participants from the policy area (agencies on enforcement against illegal fishing and logging), police, prosecutors, etc. However, these stand-alone pioneering programs were not systematically expanded and regularly held for them to become part of the institutionalized training program agenda.</p>
<p>Effectiveness: A measure of the extent to which the project activity attains its objectives.</p>	1. To what extent did the project contribute to the UNPDF/CPD outcomes and CPD outputs, the SDGs, UNDP Strategic Plan and national development priorities?	Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes, report of public satisfaction survey on court services. Interviews with project partners, PMU staff, and other stakeholders and FGMs on various topics	<p>Effectiveness of the SUSTAIN is a multifaceted construct, due to the many components of the project in different policy and activity domains. A representative cross-section of the myriad measures of effectiveness are discussed in turn, as follows.</p> <p>Progress indicators:</p> <ul style="list-style-type: none"> • Better caseload management • Legal information is more accessible at central and local levels for judges and justice seekers <p>Data analysis:</p> <p>The implementation of SIPP contributed to the realization of the UNPDF, the SDGs, UNDP Strategic Plan, especially related to the improvement of governance and equitable access to justice for all. It also helped the Gol to strengthen the management of the courts and the quality of judicial services to the public.</p> <p>The SIPP has been instrumental for the SC not only to increase transparency but also to improve caseload management. One study found that the number of backlog cases declined from 4,425 cases in 2014 to 906 cases in 2016, while the number of decided cases increased from 14,501 to 17,638 during the same period (LP3ES, 2019, p. 13).</p> <p>The SIPP is also very useful for judges not only to improve their time and case management but also to access decisions of other judges, which is needed to maintain the consistency of decisions across similar cases. At the same time, SIPP also allowed justice seekers to have a better access not only to judge decision but also legal processes before the decision.</p> <p>Nevertheless, although the information provided by the SIPP can be accessed by all the citizens, it is not automatically assured. The results of FGM and interviews with several key informants suggests that the poor and marginalized groups still lack effective access to legal information and access to computers, etc. The extent to which the poor can have access to justice and information about legal processes, in general, is very much dependent on the legal aid services provided by the Posbakum (Pos Bantuan Hukum). However, the</p>

Effectiveness: A measure of the extent to which the project activity attains its objectives.			<p>work or services of the Posbakum depends on the funding from the government. In some places, this dependency on state funding has adversely affected the quality of services provided by the Posbakum lawyers as they were underpaid for their services.</p> <p>Moreover, channels of communication between the court and society is now restricted as the central government no longer provided funding for district governments to organize a forum for the court and government as well as other related stakeholders to socialize and inform public about legal issues and procedures.</p>
	2. To what extent were the project outputs achieved and/or not achieved? What factors have contributed to it?	Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes. Interviews with project partners, PMU staff, and other stakeholders. FGMs on Gender Issues and Vulnerable Groups and Sustainability of the Judicial Reforms.	<p>Progress Indicators:</p> <ul style="list-style-type: none"> Enhanced relationship between the SC and the JC by implementing recommendations elaborated by the working group of the CS and JC Monitoring system to share information between internal oversight mechanism of the SC and external oversight mechanism of the JC is in place and implemented Tax court model is in place and disseminated <p>Data analysis:</p> <p>The SUSTAIN Project have not been able to facilitate the development of cooperation between the SC and JC due to severe conflicts between the two institutions, despite attempts to form a bridge towards a partnership.</p> <p>As a result, the monitoring system that share information and integrates the findings between SC's internal oversight and JC's external oversight cannot be developed.</p> <p>The SUSTAIN project has not been able to develop a tax court model due to the different regulatory frameworks that govern the operation of tax court (under jurisdiction of the Ministry of Finance) and the other courts (under the control of the Supreme Court). Tax judges, who are under the Ministry of Finance, are not willing to be transferred to be under the Supreme Court as the transfer will adversely affect their salary.</p>
	3. In which areas does the project have the greatest achievements? Why and what have been the supporting	Analyses of SUSTAIN project documents. Interviews with project partners, PMU staff, and other	<p>Progress Indicators:</p> <ul style="list-style-type: none"> Increased transparency of judicial procedures Delivery of programs for certification training in various competencies Delivery of programs for leadership training for senior judges Improved human resource management with competence- and performance-based human resources

<p>Effectiveness: A measure of the extent to which the project activity attains its objectives.</p>	factors?	stakeholders. FGMs on Gender Issues and Vulnerable Groups and Sustainability of the Judicial Reforms.	<p>policies and guidelines and an online system</p> <ul style="list-style-type: none"> Implementation of an enhanced online case management procedures to improve court efficiency and reduce backlog <p>Data analysis:</p> <p>The implementation of SIPP has increased the transparency of the court as public can see the progress of a case until its settlement. The public can view schedules of trials and progress of cases. They can also download decisions.</p> <p>The SIPP also increased the discipline of the judges to manage cases in a timely fashion, so that court efficiency is increased. On the specific objective by SUSTAIN “to increase the transparency, integrity and accountability of the judiciary and, the quality of justice service delivery for the people.” The continuously-updated version of SIPP (now at version 3.2) and constant attention to address problems in implementation and adoption, the digitized case management system has increased efficiency in the management of court cases and allowing greater public access to information.</p> <p>Related to public complaint mechanism, the whistle-blowing system (SIWAS) has been fruitful not only to encourage public to report wrongdoing by judges or court staff but also to allow BAWAS the information to pursue these cases. For this reason, SIWAS has strengthened the internal oversight mechanism of the SC.</p> <p>The SUSTAIN also facilitated the SC to develop the SIKEP, a new human resource management system that allows the SC to develop an integrated database of the performance and conduct of judges and court staffs, including “fit and proper tests” for judicial competencies. The database can be used to plan and develop career development of judges and court staffs.</p> <p>The SUSTAIN Project has been also successful in delivering several training programs, ranging from certification for handling juvenile cases to the adjudication of environmental laws and illegal fisheries cases. It also delivered on some well-received leadership training programs for senior judges.</p>
	4. In which areas (policy, issues, and geographical areas, etc.) does the project have the fewest achievements? What have been the constraining	Analyses of SUSTAIN project documents. Interviews with project partners, PMU staff, and other stakeholders. FGMs on	<p>Progress Indicators:</p> <ul style="list-style-type: none"> Strengthened role of JRTO in advising the SC to implement the latter’s Blueprint of reform Enhanced external survey instrument to gauge public satisfaction and trust in the courts Improved quality of judicial decisions. <p>Data analysis:</p> <p>By the end of 2018, the SUSTAIN Project has not been able to provide substantive technical experts to help the JRTO to strengthen its role in advising the SC to implement the latter’s Blueprint of reform. SUSTAIN also</p>

Effectiveness: A measure of the extent to which the project activity attains its objectives.	factors and why? How could they be overcome?	Gender Issues and Vulnerable Groups and Sustainability of the Judicial Reforms.	<p>failed to facilitate the enhancement of an external survey instrument that can gauge not only public satisfaction but also public trust in the courts.</p> <p>Another important area in which the SUSTAIN may have mixed results is the enhancement of the quality of judicial decisions. There was no significant progress in the development of the criteria of good judicial decisions. In fact, the imperative to accelerate the case handling brought by the BADILUM and BADILAG in dealing with the SIPP monitoring and evaluation system has brought an unintended consequence of prioritizing the speed over the quality of decision.</p>
	5. What, if any, alternative strategies would have been more effective in achieving the project's objectives?	Analyses of SUSTAIN project documents. Interviews with project partners, PMU staff, and other stakeholders. FGMs on various topics.	<p>Progress Indicators:</p> <ul style="list-style-type: none"> Enhanced working relationships between the SC and JC and between the SC and other law enforcement institutions. Better engagement of the CSOs and other beneficiary groups that have a stake in the activities and outcomes of the project. <p>Data analysis:</p> <p>Many interviews and FGM participants acknowledged that judicial reform requires collaboration between different law enforcement institutions such as the SC, Attorney General and Police. This is an area that deserves attention, for example, in project activities that regularly bring these diverse stakeholders of the justice system together for training, information sharing, and networking.</p> <p>With regards to the external oversight of the SC, the role of the JC is mandated by law. The chasm between the SC and JC has adversely affected the external oversight of the SC. This is an area the SUSTAIN project activities can help improve through efforts to bring them together.</p> <p>Some informants suggest that better engagement between the SC and CSOs would have increased the effectiveness of the SUSTAIN Project activities in the inclusion of the views from the grassroots in project monitoring and implementation, and ultimately in increasing public trust in the judiciary.</p> <p>Some suggestions on how to better include the CSOs and beneficiary groups include collaboration with CSOs in socializing PERMAs and the SUSTAIN-supported judicial reform.</p>
	6. To what extent have stakeholders and partners been involved in project	Analyses of SUSTAIN project documents. Interviews with project partners, PMU staff, and	<p>Progress Indicators:</p> <ul style="list-style-type: none"> Increased capacity of Supreme Court's Training Center on training management and development of monitoring and evaluation tools Increased capacity of Supreme Court's IT personnel in dealing with the new computerized-based and

Effectiveness: A measure of the extent to which the project activity attains its objectives.	implementation?	other stakeholders. FGMs on various topics.	<p>automation applications.</p> <ul style="list-style-type: none"> Improved human resource management with competence and performance-based human resources policies and guidelines <p>Data analysis:</p> <p>The SUSTAIN project activities involved many offices/bureaus in the SC as the target group in implementing many project activities. The SUSTAIN facilitated the SC to implement their strategic plans, especially concerning the enhancement of SC Training Capacity and the development of competence and performance-based human resource policies. In line with the SC's Blueprint, the SUSTAIN also facilitated the SC's personnel bureau to develop competency dictionary, which will support the implementation of SIKEP. Related to case management, the SUSTAIN project activities also involved the SC in developing a pool of IT personnel capable of developing and maintaining the SIPP.</p> <p>Nevertheless, the SUSTAIN failed or did little in involving other stakeholders, such as the JC, JRTO, and other law enforcement agencies, and CSOs in the SUSTAIN project activities in promoting judicial reform.</p>
	7. To what extent has the project management been responsive to the needs of national constituents and changing partner priorities?	<p>Analyses of SUSTAIN project documents.</p> <p>Interviews with project partners, PMU staff, and other stakeholders.</p> <p>FGMs on Gender Issues and Vulnerable Groups and Sustainability of the Judicial Reforms.</p>	<p>Progress indicators:</p> <ul style="list-style-type: none"> The extent to which SUSTAIN's project activities have been in line with the SC's Blueprint of reform Level of coherence between the SUSTAIN Project's activities and the Gol's interests in developing e-government, an abiding policy focus of the Jokowi administration. Level of coherence between the SUSTAIN Project's activities and the Gol's interest in law enforcement on environment-related policy issues, such as illegal fishing and logging. The extent to which SUSTAIN Project activities have been responsive to the changing priorities of EU <p>Data analysis:</p> <p>In line with the current administration's interest in developing e-government, the SUSTAIN Project has the SC to develop several applications, namely SIWAS, SIKEP and SIPP to accelerate the development of e-court with a full array of digitized judicial services. New training modules have been also developed and delivered in training programs on illegal fishery, illegal logging, which are policy domains relevant to national policy priorities on the environment.</p> <p>Another example of responsiveness is when in 2017 the Supreme Court came under intense public scrutiny as corruption cases involving the SC emerged and were widely covered in the mass media. SUSTAIN supported the anti-corruption drive in the SC by working with its Internal Oversight Body (BAWAS) to revise its internal regulations to control bribery, conflict of interest and other forms of malfeasance within the institution.</p>

Effectiveness: A measure of the extent to which the project activity attains its objectives.			<p>Both regulations have been promulgated by the Supreme Court and adopted in SIWAS. SUSTAIN also provided training to help judges fill in the newly-developed electronic-based wealth reporting (e-LHKPN), especially the justices and higher echelons in Jakarta, and judges of the high courts of Jayapura, Bandung, and Surabaya.</p> <p>On response to the changing priorities of the EU, there are concerns expressed by the EU representatives that could have been more effectively address, such as in the areas of building the SC Training Center's infrastructure and capacity instead of focusing on offering training programmes that could not be sustained after the close of the project. Other areas of EU representative's concern that could have been better handled include:</p> <ul style="list-style-type: none"> • Progress in the setting up and expansion of the Assessment Center and the institutionalization of use of psychological testing for recruitment and promotion of judicial officers. • Integration of the work of external supervision (by the JC and the public media) with internal oversight mechanisms within the SC. • Publicity on the online tool for public complaints to enable more citizens to know about the facility and to enhance public trust in the judiciary. E.g. the public, especially those in vulnerable groups, need assurance of confidentiality in their use of public complaints and of some protection in their use of the whistle-blowing protocol. • Gender issues and women's empowerment. More could have been done in seeking out female judicial officers for training and empowerment. For instance, there is insufficient attention paid to targeting and especially engaging women judges – as the project did not provide gender-segregated data on training participants. • Monitoring and evaluation tool for the SC to tracking application of lessons from training programmes and assessing behavioral change in the participants' professional practice and workplace behavior. This tool was not developed.
	8. To what extent has the project contributed to gender equality, the empowerment of women and the realization of	Interviews with project partners, PMU staff, and other stakeholders. FGMs with representatives of partner	<p>Progress indicators:</p> <ul style="list-style-type: none"> • Increased number of judges and court staffs that have taken gender sensitization training and juvenile justice certification program • The development of court personnel data disaggregated by sex/gender <p>Data analysis:</p> <p>The SUSTAIN has succeeded in facilitating the promulgation of SC regulations on how to handle cases that</p>

the extent to which the project activity attains its objectives.	human rights?	organizations and stakeholder groups.	<p>involve women and children. This can be seen in the promulgation of PERMA No 3/2017 on how to handle these cases.</p> <p>SUSTAIN has also delivered training programs for judges and court staffs on gender sensitization and juvenile criminal justice system. By 2018, the SUSTAIN has delivered two certification programs on juvenile criminal justice system for judges.</p> <p>Related to gender empowerment, the SIKEP has a sex variable that allows the SC to develop sex-disaggregated data and further analyze the position and role of female judges in the judiciary system.</p> <p>For example, based on this kind of data, it is found that the proportion of female judges is lower at the higher level (PT and MA) than in the first layer of court (PN and PA). It is also found that family consideration is not the barrier that prevents female judges from having a good career in the PT and MA. Further research and analysis are needed to explain these persistent imbalances and the contributing causes.</p>
Efficiency: Measures the outputs in relation to the inputs of a project activity and the least costly resources possible in order to achieve the desired results.	1. To what extent was the project management structure and resources as outlined in the Project Document efficient in generating the expected results?	Analyses of SUSTAIN Project Document. Interviews with project partners, PMU staff, and other stakeholders.	<p>Indicator:</p> <ul style="list-style-type: none"> The organizing of the SUSTAIN programme along the lines of the sectors (internal and external oversight, training and capacity building, human resources and organizational management, and case management) based on the reform implementation structure of the Blueprint of reform <p>Data analysis:</p> <p>The SUSTAIN project activities, which are divided into four areas namely oversight mechanism, training, human resource management, and case management, use the same reform implementation structure as the SC's Blueprint of reform, which divided reform agendas into five focus areas, namely supervision, human resource management, training and education, case management and access to justice.</p> <p>This offers a certain structural and programmatic alignment between SUSTAIN and the SC's strategic plan and enables the partnering with and use of existing capacities in the SC. There is a case to be made that this strong mirroring of the SC's strategic reform structure will help build SC's organizational capacity and enhance ownership and sustain the continuance of the SUSTAIN's activities when the project winds down.</p>
	2. To what extent has UNDP's project implementation strategy and execution been efficient and	Analyses of SUSTAIN project documents. Interviews with project partners, PMU staff, and other	<p>Progress indicators:</p> <ul style="list-style-type: none"> Improved coordination between different government offices/agencies in the design and implementation of judicial reform Comprehensive government-led donor coordination mechanism is in place for the law enforcement sector Strengthened role of the JRTO in helping the SC to implement its Blueprint of reform

Efficiency: Measures the outputs in relation to the inputs of a	cost-effective?	stakeholders.	<p>Data analysis:</p> <p>Lack of communication and coordination among different bureaus/offices in the MA has been one of the most important challenges for the MA to pursue its reform agendas. There is also some evidence of “silos” within the many functions and bureaus of the SC due to division of labor and specialization.</p> <p>Amidst these problems, SUSTAIN project activities have facilitated the development of communication and coordination between different bureaus/offices in the SC in order to achieve the expected outcome of the SUSTAIN project. This has resulted in efficiency gains and cost savings for the project. Nevertheless, an enhanced system of communication and coordination is needed to give better results.</p> <p>A better coordination between the donors to synchronize their programs, especially those that may be affected by the SUSTAIN, is also needed. For this purpose, a more active role of the JRTO can be instrumental to deliver better outcomes. Unfortunately, there is no evidence that indicates the strengthening of the role of JRTO in the judicial reform processes.</p>
	3. To what extent have project activities been delivered in a timely manner?	Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes. Interviews with project partners, PMU staff, and other stakeholders.	<p>Indicator:</p> <ul style="list-style-type: none"> The extent to which SUSTAIN Project Activities have been delivered in a timely manner. <p>Data analysis:</p> <p>By and large, most activities of the SUSTAIN project were delivered on time, particularly in the areas of digitized case management, training programs, and upgrades in the internal oversight mechanisms (e.g. implementation of the online-based whistleblowing application, SIWAS (<i>Sistem Informasi Pengawasan</i>)).</p> <p>However, there has been problems and delays in implementation, particularly during the first semester of 2018, the late disbursement of fund for the project and uncertainty regarding to funding of Output 4, whose resources were already exhausted, delayed implementation of project activities.</p> <p>Implementation was brought back on track mid-2018 after confirmation of funding, only after deliberation between the UNDP and the EU reached an agreement in October 2018 for an amendment of Contribution Agreement. The break in disbursement of funds resulted in delays of activities scheduled for the third and fourth quarters of 2018.</p>
	4. To what extent has the monitoring and evaluation systems utilized by the UNDP to	Interview with key informants (e.g. SUSTAIN's Project Director and the Monitoring and	<p>Progress indicators:</p> <ul style="list-style-type: none"> Enhanced system of evaluation and monitoring of project activities is in place and implemented. Recommendation based on the results of external court survey is developed and presented to the SC <p>Data analysis:</p>

project activity and the least costly resources possible in order to achieve the desired results.	ensure effective and efficient project management?	Reporting Officer). Review of documents (e.g. Monitoring reports to UNDP, EU and Bappenas and the Project Document)	<p>There is a rigorous monitoring and reporting protocol established for SUSTAIN to ensure regular three-monthly reporting to UNDP and Bappenas and six-monthly reports to the EU. These reports were found to be adequate in providing key results indicators in the four Output Areas of the project.</p> <p>SUSTAIN also facilitated the MA to develop a functional monitoring system for the implementation of SIPP. Moreover, the SUSTAIN facilitated the SC to develop a rigorous method of M&E to assess the implementation and the impacts of the SUSTAIN training programs, especially the leadership training for senior judges.</p> <p>To evaluate the implementation of reform, an external public survey has been conducted by a CSO. Pilot courts also conducted their own surveys to measure the satisfaction of justice seekers to court services. Nevertheless, there has been no clear strategy in utilizing the results of these surveys to improve the critical issues in the court or reform processes.</p>
	5. In as much as the Project mandate was to improve the perception of the Justice system by society, to what extent has the results achieved been publicized?	Interviews with project partners, PMU staff, and other stakeholders. Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes.	<p>Progress indicator:</p> <ul style="list-style-type: none"> Better engagement and communication with CSOs and the public to communicate the outcome of the SUSTAIN project activities. <p>Data analysis:</p> <p>Engagement and communication with CSOs and public to inform the outcomes of SUSTAIN project activities has been rather limited to Jakarta and certain big cities due to the project's reliance on the media and city-based NGOs.</p> <p>This has impeded the dissemination of the judicial reform agendas and activities to the public as widely as possible. At the district court level, communication and engagement with the public has been carried out through website or online information or individually by judges or other court personnel while dealing with members of society. Without neglecting the importance of the method, it could not reach most of the public audience, especially the poor and other vulnerable groups.</p> <p>There is a need for a more systematic communication strategy to reach the public in the entire parts of the country.</p>
Sustainability: Concerned with measuring whether the benefits of an activity are likely to	1. To what extent will financial and economic resources be available to sustain the benefits achieved	Interviews with project partners, PMU staff, and other stakeholders. Analyses of SUSTAIN	<p>Indicators:</p> <ul style="list-style-type: none"> The extent to which the benefits of the SUSTAIN project activities in training program can be sustained by the SC using state budget The extent to which human resources are available at the part of the SC to maintain the benefits of the development of SIWAS, SIKEP and SIPP

continue after the project winds down.	by the project? Are there plans to continue with the work that began with the project?	Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes. FGM on the Sustainability of the Judicial Reforms.	<p>Data analysis:</p> <p>SUSTAIN's training programs has facilitated not only the training of judges and other court personnel but also trainers as well as training modules. This will allow the SC's training center to continue SUSTAIN's training programs. The SUSTAIN project also facilitated the development of IT expertise among the SC staff, who can maintain the achievements made by the SUSTAIN in the development of SIWAS, SIKEP and SIPP.</p> <p>Moreover, the coherence of the SUSTAIN's project activities with the SC's Blueprint of reform allowed the SC to continue the SUSTAIN's training and certification programs using state budget.</p> <p>During the final PSC meeting, as well as the interview with representatives from the MA, the MA leadership was committed to continuing the reform works initiated by the SUSTAIN. Even though the budget for continuing the SUSTAIN project activities may not as big as the one provided by the EU, the MA planned a number of programs to continue the reform agenda.</p> <p>For example, with regards to training program, the MA will enhance its training facilities and infrastructure by building a new training center in Manado to conduct training for judges and other court staffs from the eastern part of Indonesia. The MA will also allocated approximately Rp. 314 billion for the development of e-court.</p> <p>Related to the use of IT, the MA planned to enhance the status of IT division or office into a higher echelon level, so that IT expenditure can have more budget that what was previously allocated. The MA will also allocate money to buy new laptops for judges and other court officers to adapt to the needs created by the implementation of SIPP.</p> <p>The MA also created specific task forces to maintain the implementation of SIPP, SIWAS and SIKEP.</p>
<p>Sustainability:</p> <p>Concerned with measuring whether the benefits of an activity are likely to continue after the project winds down.</p>	2. Will the level of stakeholder's ownership be sufficient to allow for the project benefits to be sustained?	Interviews with project partners, PMU staff, and other stakeholders. FGM on the Sustainability of the Judicial Reforms.	<p>Indicator:</p> <ul style="list-style-type: none"> The extent to which the benefits of SUSTAIN project activities have been institutionalized at the SC's policies and practices. <p>Data analysis:</p> <p>The SUSTAIN has facilitated the incorporation of new ideas in the SC regulations, such as the MA regulation on how to handle cases involving women and children, so that the benefits or progress made by the SUSTAIN can be sustained.</p> <p>The alignment of the of program activities with the reform implementation structure of the MA's Blueprint of reform has enhanced not only the efficiency of the program management but also the sense of ownership within the MA. For instance, managers are willing to maintain or continue the activities by issuing letters of instruction (Surat Keputusan, SK) that regulate who will be in charge of maintaining the benefits of the</p>

Sustainability: Concerned with measuring whether the benefits of an activity are likely to continue after the project winds down.			<p>SUSTAIN project activities.</p> <p>However, this sense of ownership is seen to be uneven at different levels and regions. Besides, as has been indicated above, not all the benefits of SUSTAIN have been institutionalized at the SC. The implementation of the SIKEP is still dependent on the willingness of all the directorates under the MA to integrate their own personnel databases. The new CBHRM will also need the Assessment Center, which is now in still under development.</p>
	3. To what extent are lessons learned being documented by the Project Team on a continual basis and shared with appropriate parties who could learn from the project?	Interviews with project partners, PMU staff, and other stakeholders. Analyses of SUSTAIN Project Document, Donor Reports, UNDP Quarterly Reports, TWC Meeting Minutes. FGM on the Sustainability of the Judicial Reforms.	<p>Progress indicator:</p> <ul style="list-style-type: none"> The extent to which lessons learned from the project activities has been documented and shared with appropriate parties across different levels and units. <p>Data analysis:</p> <p>Many informants at the district court level suggest that they received little information from the SC regarding new regulations and policies enacted by the SC in pursuing judicial reform. Information about the operation or use of new applications was even not readily available for court staff in charge of maintaining these applications.</p> <p>In the meantime, the results of monitoring and reporting activities prepared by the SUSTAIN's monitoring office were shared to the limited number of people, excluding judges and other court personnel at the court district level.</p> <p>This makes it rather difficult for judges and other court personnel in certain courts to build upon the results of reform activities in other courts or adjust themselves to the new regulations, policies and practices if they have to learn them by themselves.</p>
	4. To what extent do UNDP interventions have well-planned exit strategies? What could be done to strengthen the sustainability of the project outcomes?	Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGM on the Sustainability of	<p>Progress indicators:</p> <ul style="list-style-type: none"> The alignment of SUSTAIN program structure –divided into four sectors namely oversight, training, human resources and case management—with the program structure of the SC's Blueprint of reform The development of local IT personal to help maintain the SIPP, SIWAS, SIKEP and other applications. The institutionalization of SUSTAIN's project policies and practices into PERMA's rules and regulation. <p>Data analysis:</p> <p>There are several ways by which SUSTAIN project management attempted to implement its sustainability plan – including the continuous engagement of relevant SC sectors and functions that have a strong stake in and</p>

		the Judicial Reforms.	<p>alignment with the project activities.</p> <p>This includes the development of capable IT personnel and the institutionalization of some important MA rules and regulations.</p> <p>Examples include: the new MA regulations on the discipline of judges (PERMA No #7/-2017), on the responsibility of supervisors for the wrongdoings of their staff (PERMA No. #8/-2017) and on the enforcement of a code of conduct for judges and a new whistle-blowing protocols (PERMA No. #9/-2017).</p> <p>The Chief Justice of MA also issued a decision letter on the implementation of the SIKEP for managing human resources at the SC and all courts under the SC's jurisdictions (SK KMA No. 15/KMA/SK/III/2019).</p> <p>To support the implementation of the SIKAP, a new Assessment Center will be developed at the SC.</p> <p>With regards to IT capacity, the SC planned to expand the IT division within the SC by raising the status of the Head of the IT Division from Echelon II to Echelon III to strengthen its budget and powers.</p>
	5. As the Project objectives was partly to change mentalities, which policies has the Project contributed to establish which will guarantee the sustainability of changes in the stakeholder's mindsets?	Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGM on the Sustainability of the Judicial Reforms.	<p>Indicators:</p> <ul style="list-style-type: none"> • Improved system of case tracking and management is in place and implemented • Enhanced system of internal oversight mechanism (whistle blowing) is in place and implemented. <p>Data analysis:</p> <p>The introduction of on-line whistle blowing system (SIWAS) have cultivated new mindsets among judges, registrars, bailiffs, and other court staffs that courts are now overseen very closely not only by the BAWAS MA (SC's oversight body) but also by court personnel as well as justice seekers and the public.</p> <p>Under the SIWAS application, which allows anonymous reporting, complaints against any wrongdoing or violation of the rules and regulations by judges and court staffs may come from many different sources, even from un-recognized ones.</p> <p>Nevertheless, complaints arose over the way the BAWAS handled the complaints. The centralization of the complaints handling in the hand of the BAWAS has made the process of handling public complaints a little bit longer as the BAWAS assumes some functions previously undertaken by the appellate court (PT or Pengadilan Tinggi).</p> <p>Meanwhile, the implementation of SIPP has brought important changes to the way judges, registrars and bailiffs think about how cases are to be processed and handled. The SIPP improved the supervision of the SC on the performance of lower courts but at the same time the application also allows that chief justices at the first level of courts to strengthen their oversight function.</p>

			<p>Besides, the monitoring system of the SIPP also allows judges, registrars, bailiffs to oversee the work of other judges, registrars, and bailiffs. Under this changing environment, the implementation by the SC of 'One Day Publish' rule, which requires a decision to be published one day after the trial at the latest.</p> <p>It requires judges, registrars, and bailiffs to be more organized and disciplined in handling cases from registration to decision. Nevertheless, it is not so clear how these applications will be updated in the future after the closing of the project.</p>
<p>Impact: Assessment of the effects, positive or negative, intended or not, on stakeholders (including the environment) caused by activities of the project.</p> <p>For this Final Evaluation, impact assessment is focused on <u>four</u> areas: Gender and Vulnerable Groups, Public Consultation, Public Engagement, and Building Integrity & Anti-Corruption.</p>	<p>1. To what extent has the project promoted positive changes in gender equality and the empowerment of women and to protect the rights of the vulnerable groups? Were there any unintended effects?</p>	<p>Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGMs on Public Outreach and Consultations and on Integrity and Anti-Corruption.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • The development of personnel/human resources database disaggregated by sex • The installation of children-friendly courtroom facilities in pilot courts • The development restorative justice system for children and petty crimes in pilot courts <p>Data analysis</p> <p>The various computer applications have democratized the access to court information and complaint channels involving misconduct of judicial officers. Training and sensitization programs have also increase judicial officers' awareness of the special needs of women, children and other vulnerable groups.</p> <p>However, the extent of the empower of these groups to access the enhanced services are unclear, and there is a need for broader roll-out of the training, sensitization, and other programmes to make a sufficient dent in the entrenched practices of patriarchy, exclusion, and discrimination.</p> <p>The implementation of SIKEP allows the development of sex-disaggregated data in personnel information, which paved the way not only for further analysis of gender gap or inequality but also further development of gender-sensitive policies.</p> <p>Nevertheless, the extent to which this development will really bring some improvements in gender equality within the MA is dependent upon the political will of the MA leadership to follow through on the work that began with SUSTAIN.</p> <p>Meanwhile, the development of juvenile courtroom and restorative justice system has helped to protect the interests of vulnerable groups. However, the development of the restorative justice system has been uneven across regions. Once established, the sustainability of the system can be adversely influenced by promotion and mutation of the judges, especially those who champion the reforms.</p> <p>The extent to which the restorative justice can be implemented to protect the rights of children depends not only on the policies of court but also the actions and behaviors of the police and prosecutors, as well as the other actors in the justice system. It will be difficult, or even practically impossible, for judges to pursue</p>

<p>Impact: Assessment of the effects, positive or negative, intended or not, on stakeholders (including the environment) caused by activities of the project.</p> <p>For this Final Evaluation, impact assessment is focused on <u>four</u> areas: Gender and Vulnerable Groups, Public Consultation, Public Engagement, and Building</p>			<p>restorative justice once police or prosecutors have decided to charge the children under certain articles or acts that do not allow the application of restorative justice policies.</p> <p>In some regions, the lack of a juvenile prison also makes it difficult for the courts or the judges to protect incarcerated children from the bad influences of adult criminals.</p>
	<p>2. One of the main objectives of the project mandate was to improve the perception of the Justice system by society and to build public trust in the judiciary, to what extent have the results achieved have been publicized?</p>	<p>Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGMs on Public Outreach and Consultations and on Integrity and Anti-Corruption.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • The level of SC's public engagement with the public, the media and CSOs to communicate the results of the SUSTAIN project activities. • Improvement of public perception indexes toward the judicial system (i.e. Ease of Doing Business Index, Corruption Perception Index, Global Corruption Barometer, World Justice Rule of Law Index, and the compliance rate of wealth reporting by public servants) <p>Data analysis:</p> <p>Apart from the use of brochures, posters, and banners to communicate to the public, there has been efforts to reach the media, academia, and CSOs through public events, forums and special events such as the ceremonies for the release of the annual reports of the Supreme Court.</p> <p>These efforts tend to be focused and concentrated in the center (Java and Jakarta in particular), and more can be done for the outreach in the many pilot courts and related sites. So far the efforts to communicate with the media and public tend to be focused and concentrated in the center (Java and Jakarta in particular), and more can be done for the outreach in the many pilot courts and related sites.</p> <p>While the SUSTAIN has started since the middle of 2014, not until recently has the SC taken serious efforts to engage the public to communicate the results or outcome of the judicial reform undertaken by the MA and SUSTAIN.</p> <p>Under the <i>MARI Bicara</i> ("Supreme Court of the Republic of Indonesia Talks") Program, the SC attempts to reach the public and inform what the SC has done in reforming the judiciary. Nevertheless, the communication was still limited to universities, media people, and Jakarta-based CSOs. Similarly, SUSTAIN's public outreach and communication, while started since before the SC's MARI Bicara program, was also targeted to the same audiences.</p> <p>At the district court level, there was no systematic efforts by the court to communicate the outcome and results of the SUSTAIN project activities in reforming the court. Information or public engagement has been limited to the use of website or banner to inform stakeholders of the new policies and regulations of the SC.</p> <p>To some extent, judges and other court personnel may provide information regarding the progress of judicial reform, but the information was mostly given voluntarily or in an ad-hoc manner. This adversely affected the</p>

<p>Integrity & Anti-Corruption.</p> <p>Impact: Assessment of the effects, positive or negative, intended or not, on stakeholders (including the environment) caused by activities of the project.</p> <p>For this Final Evaluation, impact assessment is focused on <u>four</u> areas: Gender and Vulnerable Groups, Public Consultation, Public Engagement,</p>			<p>extent to which the result of the SUSTAIN project activities have been communicated to the public.</p> <p>Public perception on the progress in reforming the judiciary has been mixed. The survey results showed significant improvement in the measure of “Enforcing Contract” and “Resolving Insolvency” (Ease of Doing Business Index), BUT Indonesia’s rank in the Corruption Perception Index by Transparency International (2018) dropped from 90th in 2017 to 96th in 2018.</p> <p>While the country’s score on Transparency International’s Corruption Perception Index has shown a steady increase, corruption remains a problem in the judiciary. High-profile corruption cases involving the judiciary in 2017 and 2018 has raised questions on the integrity of some judges, spurred by the intense media coverage on the corruption cases.</p> <p>As SIWAS went live in 2016, the number of complaints using the application was still low. Of the 2,464 complaints received by the SC in January – October 2018, only 290 cases (or 11.7%) were channeled through SIWAS. SUSTAIN activities tend to focus on the implementation of the SIWAS applications and the training of BAWAS and local court personnel to interface with it, rather than publicizing the application to the public.</p> <p>In 2018, the project partially addressed this problem by introducing SIWAS application to the public in four areas: Semarang, Denpasar, Ambon, and Banjarmasin. The project invited local media, law students and academics to attend, and it introduced SIWAS to citizens and showed them how to make complaints and track their complaints made through the application.</p> <p>This form of public outreach has not been systematically rolled out in all project areas.</p>
	<p>3. To what extent has there been public consultations during the project implementation to include the needs, interests, and perspectives of stakeholders during the project design processes?</p>	<p>Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGMs on Public Outreach and Consultations and on Integrity and Anti-Corruption.</p>	<p>Indicators:</p> <ul style="list-style-type: none"> • The extent to which public consultation with various stakeholders with a stake in the SIPP has been conducted. • The extent to which the SC consulted the CSOs and public in designing and undertaking judicial reform. <p>Data analysis:</p> <p>Public consultation during the planning of events, and to solicit for feedback and validation of the intended outcomes have been patchy and uneven. This is confirmed in practically every pilot site and project area visited by the Evaluation Team. As the courts are zealous about preserving their independence and there are costs in terms of time and resources involved in consultation, this is given very little attention.</p> <p>Although it is often difficult and costly to involve and consult stakeholders and beneficiary groups, they are often most knowledgeable about the problems and most able to provide feasible and meaningful solutions to</p>

<p>and Building Integrity & Anti-Corruption.</p> <p>Impact: Assessment of the effects, positive or negative, intended or not, on stakeholders (including the environment) caused by activities of the project.</p> <p>For this Final Evaluation, impact assessment is focused on <u>four</u> areas: Gender and Vulnerable Groups, Public Consultation, Public Engagement, and Building Integrity & Anti-Corruption.</p>			<p>the most intractable problems.</p> <p>It is found the SC's engagement with public and CSOs in the design and implementation of SUSTAIN project activities has been limited. Not until in the later stages of the SUSTAIN project did the MA pay serious attention to the suggestions or feedback of the public by pursuing MARI Mendengar ("The Supreme Court of the Republic of Indonesia Listens") program. On 2 July 2019, for instance, the SC listened to the needs and interests of women by organizing a MARI Mendengar event with women CSOs. Nevertheless, just like the MARI Bicara program, the MARI Mendengar program only reached the Jakarta-based CSOs.</p> <p>Down at the district level, no such positive engagement of the public has been conducted. It used to be the case that district court would cooperate with the district government and other regional stakeholders such as the police and attorney to reach out the civil society and the public at large. However, as funding for such activities was no longer provided by the government, and hence the courts could no longer maintain the engagement activities. This deprived the courts of an opportunity to communicate not only with the public but also with the other agencies of the district governments and business organizations.</p>
	4. To what extent has the project implementation and monitoring has involved public consultation?	Interviews with project partners, PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGMs on Public Outreach and Consultations and on Integrity and Anti-Corruption.	<p>Indicator:</p> <ul style="list-style-type: none"> The level of public consultation in monitoring and evaluating the impact of the SUSTAIN training program. <p>Data analysis:</p> <p>Monitoring and evaluation of SUSTAIN project activities have been conducted internally within the court system. In the leadership training programs, for instance, the SUSTAIN facilitated the development of monitoring and evaluation team that would assess the impact of the training and the extent the training participants implemented the action plan made in the end of the training. This involve the use of "action plans."</p> <p>Similarly, the monitoring and evaluation of the SIPP has been also conducted internally within the courts. There was no systematic efforts by the SUSTAIN Team or district courts to involve the CSOs, the media and the public in conducting monitoring and evaluation of SUSTAIN project activities. Really involving CSOs could not only enhance the monitoring of project activities but also leverage on their broad grassroots networks in the community to publicize the programmes and benefits of SUSTAIN.</p> <p>To some extent, SUSTAIN and district courts conducted external surveys to measure the performance of the courts. However, the survey has been concentrated on public satisfaction with court services rather than specifically on the design, outcomes and benefits of SUSTAIN project activities and applications.</p>
	6. To what extent have the project	Interviews with project partners,	Project indicators:

	<p>outcomes helped the MA and the pilot courts in systematically reduce the risks and opportunities for corrupt practices? What factors have contributed to it?</p>	<p>PMU staff, and other stakeholders. Analysis of SUSTAIN Project Document. FGMs on Public Outreach and Consultations and on Integrity and Anti-Corruption.</p>	<ul style="list-style-type: none"> Enhanced system of case registration is in place and implemented in pilot courts Improved compliance system, including sanctions, for wealth reporting of judges and court staffs <p>Data analysis:</p> <p>“The level of corruption and ineffective enforcement remain areas of concern in Indonesia. It is also noteworthy that few Indonesians reported using the court system.” (Indonesia Country Report 2015, World Justice Project, page 22). “Defective investigations, an ineffective correctional system, and violations to due process of law remain areas of concern in Indonesia.” (Indonesia Country Report 2015, World Justice Project, page 24).</p> <p>Corruption remains a problem for the justice system and the people of Indonesia. SUSTAIN has made tremendous inroads into fighting corruption in the courts by radically promoting the transparency of court information and case management, and minimizing the need for public contact and opportunity for the use of bribes to expedite or influence court decisions.</p> <p>The IT-based recruitment, promotion and personnel appraisal, too, have made nepotistic and arbitrary decisions more risky and difficult. So has the broadening of access to public complaints and whistle-blowing mechanisms improved the accountability of the courts.</p> <p>To control corruption, SUSTAIN worked to improve the compliance of judges and court staff with the mandatory annual wealth reporting by judicial officers. The SUSTAIN project activities have also indirectly led courts in the pilot regions to develop a one single case registration system (PTSP, Pelayanan Terpadu Satu Pintu) which reduces the risks and opportunities for corrupt practices by controlling physical encounters between justice seekers and judges. The implementation of the PTSP implied that court can now have more power to control the movement of people in court building. Compared to the past, it is now much more difficult for justice seekers or court visitors to meet with judges and this reduced the opportunities for bribery.</p> <p>Some courts now used a fingerprint-access system to open doors in the court. This practically prevents those who do not have rights or authority to enter the rooms in the court building from entering these rooms. In certain courts, judges now have specific entrances to the trial rooms. All these practically reduced significantly opportunities for justice seekers or court visitors to meet judges and the chances for bribery or adverse influence.</p> <p>Nevertheless, raising public trust to the court as well as corruption control deals not only with reducing opportunities for corruption but more importantly integrity building of judges and other court staffs. More efforts are needed to systematically and broadly inculcate new values of integrity not only in the judges selected for training and leadership development, but also to involve junior judges, bailiffs and court officers at all levels and throughout the entire court system.</p>
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ANNEX IV: PROJECT SITES VISITED AND PERSONS INTERVIEWED

City	List of Persons and Organizations Interviewed or Consulted
Jakarta	EU Delegation to Indonesia and Brunei Darussalam Mr. Charles-Michel Geurts, Deputy Head of Delegation Mr. Hans Farnhammer, Head of Cooperation Ms. Novianty Manurung, Program Manager, Governance (Rule of Law & Justice), Border Management, Civil Society and Local Authorities
	UNDP Jakarta Mr. Christophe Bahuët, Resident Representative Mr. Siprianus Bate Soro, Head of Unit/Team Leader, Democratic Governance & Poverty Reduction Unit (DGPRU)
	SUSTAIN Project Team Mr. Gilles Blanchi, Senior Advisor Mr. Muhammad Husain, Deputy Program Manager Mr. Fatahillah A. Syukur, Oversight Sector Coordinator Mr. Bobby Rahman, Training Program Sector Coordinator Ms. Tyas Purbasari, Human Resource and Organizational Development Sector Officer Mr. Ariyo Bimo, Case Tracking Management Sector Coordinator Mr. Lukman Hakim, Monitoring and Reporting Coordinator
	Supreme Court Mr. Sunarto, Deputy Chief Justice for Non-Judicial Chamber Mr. Joko Upoyo Pribadi, Head of Planning and Organization Bureau/National Project Director
	JRTO Mr. Aria Suyudi, Coordinator Mr. Abdul Rachmat Ariwijaya, Team member Ms. Maudy Pritha Amanda, Team member Mr. Yanani Abiyoso, Team member
	Academician Ms. Wiwiek Awiati, PSC Member and Academic, University of Indonesia
	USAID Mr. Juhani Grossmann, Chief of Party, CEGAH Program

	<p>FGM on Gender and Vulnerable Groups</p> <p>Ms. Fadhilah Fildzah D., Directorate of Law and Regulation of BAPPENAS</p> <p>Mibnasah Rukamah, PEKKA</p> <p>Mukhlisin, BADILAG</p> <p>Rafiuddin, BADILAG</p> <p>Rio Hendra, ECPAT Indonesia</p> <p>Yenny Widjaja, UNDP</p>
	<p>FGM on Sustainability of Judicial Reform</p> <p>Mr. Aditya Kusuma, Tax Court</p> <p>Mr. Amarillya, KPK</p> <p>Mr. Andi Kurniawan, BAWAS</p> <p>Mr. Andreas Marbun, MAPPI UI</p> <p>Mr. Budi Setyawan, Tax Court</p> <p>Mr. Chandra, BADILUM</p> <p>Mr. Fiqhi Hanief A., Planning Bureau</p> <p>Mr. Isa Anshari K., Tax Court</p> <p>Mr. Johanson Ginting, KPK</p> <p>Ms. Lulik Tri Cahyaningrum, DIRBINGANISMINTUN</p> <p>Ms. Rosalia Puspa, BADILUM</p> <p>Ms. Seruni Lissari, JSSP</p> <p>Mr. Teguh Magza, Planning Bureau</p>
	<p>FGM on Corruption Control and Integrity Building</p> <p>Aida Mardatillah, Journalist, Hukum Online</p> <p>Fitrah Mooduto, Online publication coordinator, Hukum Online</p> <p>Johnson R. Ginting, Corruption Eradication Commission</p> <p>Rini Kustiasih, Journalist, Kompas Daily News</p> <p>S. Bintoro, Corruption Eradication Commission</p> <p>Yefni, Oversight Body, the Supreme Court</p>
	<p>FGM on Public Outreach and Public Consultation</p> <p>Aida Mardatillah, Journalist, Hukum Online</p> <p>Fitrah Mooduto, Online publication coordinator, Hukum Online</p> <p>Johnson R. Ginting, Corruption Eradication Commission</p> <p>Rini Kustiasih, Journalist, Kompas Daily News</p>

	<p>S. Bintoro, Corruption Eradication Commission</p> <p>Yefni, Oversight Body, the Supreme Court</p>
Bandung	<p>Bandung District Court</p> <p>Edison Muhammad, Chief Justice</p> <p>Erry Iriawan, Judge</p> <p>Yuli Sinthesa Tristania, Judge</p> <p>Adi Hardi, Court staff</p>
	<p>Bandung State Administrative Court</p> <p>Herry Wibawa, Chief Justice</p> <p>Mr. Muhammad Amiruddin, Court Secretary</p> <p>Mr. Ahmad Zubadri, Registrar</p> <p>Mr. Asep Ahmad Sudrajat, Court Staff</p>
	<p>FGM with judges of Bandung State Administrative Court</p> <p>Ms. Anna L. Tewernussa, Judge</p> <p>Mr. Danan Priambada, Judge</p> <p>Ms. Dewi Asimah, Judge</p> <p>Ms. Julia Saragih, Judge</p> <p>Ms. Novy Dewi Cahyati, Judge</p> <p>Ms. Rialam Sihite, Judge</p>
	<p>Bandung Military Court</p> <p>Ms. Nanik Suwarni, Chief Justice</p>
Kupang	<p>FGM with judges and staffs of Kupang District Court</p> <p>Mr. Teddy Windiartono, Deputy Chief Justice</p> <p>Ms. Fransiska Dari Paula Nino, Judge</p> <p>Ms. Ikrarniekha Elmayawati Fau, Judge</p> <p>Mr. Charles Laud, Secretary</p> <p>Mr. Aloysius W, Head of Personnel Bureau</p> <p>Mr. Anderias Benu, Registrar</p> <p>Mr. Apni S Abolla, Registrar</p> <p>Mr. Daniel W. Sikley, Registrar</p> <p>Ms. Jenny R Kana, Head of General Affairs and Finance</p> <p>Mr. L. Sudisman, Registrar</p>

	Mr. Oktavianus Hendrik, SIWAS administrator Mr. Wiliam Radja, IT staff
	Kupang State Administrative Court Ms. Mariana Ivan Junias, Chief Justice Mr. Prasetyo Wibowo, Judge
	Kupang Religious Court Mr. Bisman, Chief Justice
Manado	Manado District Court Mr. Lukman Bachmid, Chief Justice Mr. Nikson Ladjoma, Secretary Ms. Cleopatra Ishak, Registrar Ms. Elsy Losa, Head of Personnel Bureau Ms. Dety Lera, Secretary of LBH Neomesis
	Manado Religious Court Mr. Mufi Ahmad Baihaqi, Chief Justice
	Manado Military Court Mr. Parluhutan Sagala, Chief Justice Mr. Dendi Sutyoso, Judge Mr. Christian B., IT Officer
Bitung	Bitung District Court Mr. M. Alfi Sahrin Usup, Chief Justice Mr. Dwi Wibowo, IT Officer Ms. Fransisca N.J. Randang, Head of Personnel, Organization and Planning Ms. Ester Trifena Hukubun, General and Finance Officer
Malang	Malang District Court Ms. Nurul Mahdilis, Chief Justice Ms. Byrna Mirasari, Judge
	FGM with Registrars and Bailiffs of Malang District Court Mr. Lalu Putrajab, Registrar Mr. Widyatmoko, Panitera Pengganti Mr. Dhanny Eko Prasetyo, Panitera Pengganti

	<p>Mr. I Nyoman Suanda, Juru Sita Pengganti</p> <p>Mr. Manuel Flavio, Juru Sita Pengganti</p>
	<p>Malang Religious District</p> <p>Mr. Saiful Karim, Chief Justice</p> <p>Mr. A. Rif'an, Deputy Chief Justice</p> <p>Ms. Herlinawati, Registrar</p> <p>Ms. Dewi Khusna, Head of Personnel Bureau</p> <p>Mr. Eris Yudo Hendarto, Panitera Pengganti</p>
Kepanjen	<p>Kepanjen District Court</p> <p>Mr. Safruddin, Judge</p> <p>Mr. Haga Sentosa, Judge</p> <p>Mr. Ari Qurniawan, Judge</p>
	<p>Kepanjen Religious District</p> <p>Mr. M. Mujib, Chief Justice</p> <p>Mr. Mohamad Gozali, Judge</p> <p>Mr. Edi Marsis, Judge</p>
Pontianak	<p>Pontianak District Court</p> <p>Tumpal Sagala, Chief Justice</p> <p>Udjianti, Vice Chief Justice</p> <p>Marlin Simanjuntak, Registrar</p> <p>Yuniar Nelly, Secretary</p>
	<p>FGM with registrar, bailiff and staffs of Pontianak District Court</p> <p>Hery Zuhairi, Registrar</p> <p>Tia Ayu Pramita, Personnel and Organizational Bureau</p> <p>Lusi Nurmadiatun, Court Staff</p> <p>Bertholomius, Bailiff</p>
	<p>Pontianak Religious Court</p> <p>Darmudji, Chief Judge of the Religious Court</p> <p>Ibrahim K., Senior Judge</p>
	<p>Pontianak Military Court</p> <p>Agus Surbakti, Chief Justice</p> <p>Junaidi, Finance Officer</p>

ANNEX V: SUPPORTING DOCUMENTS REVIEWED

SUSTAIN Project documents

1. EU-UNDP Support to the Justice Sector Reform in Indonesia (SUSTAIN): Project Document
2. Minutes of Meeting: Project Appraisal Committee

SUSTAIN Project reports and work plan

3. Assessment Matrix of 2018
4. EU-UNDP Support to the Justice Sector Reform in Indonesia (SUSTAIN): Narrative Interim Report July 2014 – December 2015
5. EU-UNDP Support to the Justice Sector Reform in Indonesia (SUSTAIN): Narrative Interim Report January – September 2016
6. EU-UNDP Support to the Justice Sector Reform in Indonesia (SUSTAIN): Narrative Interim Report October 2016 – December 2017
7. EU-UNDP Support to the Justice Sector Reform in Indonesia (SUSTAIN): Narrative Interim Report January 2018 – December 2018
8. EU-UNDP Support to Justice Reform (SUSTAIN) Project: Six Monthly Report (January 1 – June 3, 2016)
9. EU-UNDP SUSTAIN Project: Six Monthly Report Second Semester of 2016
10. EU-UNDP SUSTAIN Project: Six Monthly Report First Semester of 2017
11. EU-UNDP SUSTAIN Project: Six Monthly Report Second Semester of 2017
12. EU-UNDP SUSTAIN Project: Six Monthly Report (January – June 2018)
13. EU-UNDP SUSTAIN Project: Six Monthly Report (July – December 2018)
14. Mid-Term Evaluation of the EU-UNDP Support to Justice Sector Reform Project in Indonesia (SUSTAIN)
15. Minutes of Meeting SUSTAIN Project Technical Working Group Meeting, Jakarta, October 6th, 2015
16. Minutes of Meeting SUSTAIN Project Technical Working Group Meeting, Jakarta, November 9th, 2015
17. Minutes of Meeting SUSTAIN Project Technical Working Group Meeting, Jakarta, April 8th, 2016
18. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q1 2017: January – March 2017)
19. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q2 2017: April – June 2017)
20. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q3 2017: July – September 2017)
21. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q4 2017: October – December 2017)
22. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q1 2018: January – March 2018)

23. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q2 2018: April – June 2018)
24. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q3 2018: July – September 2018)
25. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q4 2018: October – December 2018)
26. Quarterly Monitoring Report (QMR) – Internal Project Assurance (IPAR) (Q1 2019: January – March 2019)
27. Summary and Results of SUSTAIN Technical Group Meeting, January 9th, 2017
28. The Fifth Technical Working Group Meeting: Minutes of Meeting, Jakarta, September 26th, 2017
29. The Sixth Technical Working Group Meeting: Minutes of Meeting, Jakarta, November 16th, 2017
30. The Seventh Technical Working Group Meeting: Draft Minutes of Meeting, Jakarta, August 1st, 2018
31. The Eight Technical Working Group Meeting: Draft Minutes of Meeting, Jakarta, August 1st, 2018

International organization's reports

32. Bertelsmann Transformation Indices on Indonesia 2012-2018
33. The World Justice Project Country Report on Indonesia 2015
34. The World Justice Project Rule of Law Indices 2014-2018
35. International Framework for Court Excellence, 2013

Indonesian NGOs' reports

36. "Court Public Service Satisfaction Survey", 2013, prepared by the Center for Indonesian Law and Policy Studies (Pusat Studi Hukum dan Kebijakan – PSHK) in cooperation with SC's Oversight Body (BAWAS) with support from the Australia Indonesia Partnership for Justice (AIPJ)
37. "State of Law Index Survey", 2013, conducted by the Indonesian Legal Roundtable (ILR) in collaboration with the Indonesian Survey Institute (Lembaga Survey Indonesia/LSI)
38. "Justice Needs in Indonesia 2014: Problems, Processes and Fairness", carried out by Dutch CSO Hiil in cooperation with the Indonesian Legal Aid Foundation (YLBHI) and supported by the Open Society Justice Initiative
39. "Public Satisfaction Survey on Court Services in Indonesia", 2019, prepared by the Institute for Social and Economic Research, Education and Information (LP3ES) in cooperation with the Supreme Court with support from EU

Academic papers

40. Binzaid Kadafi, "Important Elements of Public Confidence in the Courts: The Indonesian Case", Jentera Law Journal, 25, VII, May-August 2015
41. Gilles Blanchi, "Justice, Transparency and Ethics: The irresistible revolution", 2016

ANNEX VI: ETHICAL CODE OF THE EVALUATION TEAM

1. In accordance with the UNEG norms, standards and ethical guidelines, interviews and FGMs will be conducted in full confidence and anonymity. Confidentiality of research data will be safeguarded throughout the evaluation process. The final evaluation report will not assign specific comments to individuals. Adhering to the principle of informed consent, this evaluation will respect the dignity and diversity of evaluation participants.
2. This evaluation will also adhere to a participatory and consultative approach that respects the interests and views of all partners and participating members, maintaining close consultation with evaluation managers, and engaging a representative segment of the implementing partners and project beneficiaries.
3. The broad-based engagement of project stakeholders aims to ensure the validity and reliability of data through the triangulation of multiple data sources. In line with the interests in transparency, accountability and learning (UNDP Evaluation Guidelines, 2019), the methodological approaches of this Final Evaluation, including the evaluation matrix, interview schedule, and field visits and data, will be clearly documented in an evaluation audit trail for close consultation with UNDP project managers and other key stakeholders.
4. To ensure the credibility of the evaluation results, the evaluation team will adhere to the principles of impartiality and independence in conducting interviews and FGMs as well as in writing the evaluation report. Interviewees and participants to the FGMS are selected carefully based on the relevance of the resource person to the subject of evaluation rather than on the availability of the person. The Evaluation Team will avoid any biases by exercising independent judgments about views and statement of any party.
5. The Evaluation Team fully respects the dignity of the interviewee by respecting local cultures and customs as well as religious beliefs and practices. The Evaluation Team will also keep the disruption caused by the interview at the minimum level. The Evaluation Team will treat interviewees as autonomous individuals, and they are free not to answer any part of the questions or exit/stop the interview as they wish. Consent about the interview is also given to the interviewee at the beginning of the interview.

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