

## Appendix – 2

### LIST OF MEMBERS AND STAFF

#### A. MEMBERS

Chairman	J.E. Sahetapy
Secretary	Mardjono Reksodiputro
Member	Frans Hendra Winarta
Member	Mohammad Fajrul Falaakh
Member	Harkristuti Harkrisnowo
Member	Suhadibroto

#### B. STAFF

1. **Secretariat**

Executive Secretary	Yvone Supit
Information Manager	Mujahid A. Latief
	Nurul Akhsani
Media Relations Manager	Bambang Tri Prianto
Special Rapporteur	Aryanti Hoed
Webmaster	Indrawan Djauhari
General Affairs Officers	Yulianti
	Heri Budisantoso
2. **Program Coordination Unit**

Rapporteur Coordinator	Firoz Gaffar
Assistant Rapporteur Sub Commission A	T. Rifqy Thantawi
Assistant Rapporteur Sub Commission B	Rizka Melania
Assistant Rapporteur Sub Commission C	Andi Wahyudin
Assistant Rapporteur Sub Commission D	Miftahul Hakim
Assistant Rapporteur Sub Commission E	Hardian Aprianto
Assistant Rapporteur Sub Commission F	Eric Tampubolon
Secretary	Iranti Widowati
General Affairs Officers	Dwi Suci Novianti
	Saripin
	Deden
3. **Project Supervision Unit**  
(CYBERconsult)

## Appendix – 3

### SUB COMMISSION MEMBERS

#### SUB-COMMISSION A

Program for an improved administration of justice.

##### TEAM MEMBERS

###### Core Team :

- Abdul Hakim G. Nusantara
- Bambang Widjoyanto
- Benyamin Mangkudilaga
- Koenarto \*)
- M.H. Silaban

###### Rapporteur :

- Hamid Chalid

###### Assistant Rapporteur:

- T. Rifqy Thantawi

###### Resource Persons :

- Abdul Rahman Saleh
- Adi Andojo Soetjipto
- Bachtiar Sitanggang
- Daniel Panjaitan
- Ildhal Kasim \*)
- Isnanu Chalid
- Kitty S. Kramadibrata
- R. Dwiyanto Prihartono
- Rita S. Kalibonso
- Timbul Thomas Lubis

Note : \*) = Not yet confirmed

#### SUB-COMMISSION B

Program to build up a rational and modern system administration law.

##### TEAM MEMBERS

###### Core Team :

- B.M. Koentjoro-Jakti
- Faisal Tadjudin
- Mas Achmad Santosa
- Teten Masduki \*)

###### Rapporteur ::

- Humphrey R. Djemat

###### Assistant Rapporteur:

- Rizka Melania

###### Resource Persons :

- Arie S. Hutagalung
- Az Nasution
- Bhenjamin Hoessein
- Ellyana Tanzah
- Harjono Kartohadiprojo
- Hendardi
- Koesnadi Hardjasoemantri
- Munir Achmad
- Myra Maria Hanartani
- Prasasto Sudiyatmiko
- Ratnawati Widjaya \*)
- Retnowulan Sutantio

###### Additional Resource Person :

- Irianto Subiyakto

Note : \*) = Not yet confirmed

### **SUB-COMMISSION C**

Program for an improved legislative role of the DPR

#### **TEAM MEMBERS**

##### **Core Team :**

- Benny Wardhanto \*)
- Bara Hasibuan
- Fikri Assegaf
- Oka Mahendra
- Satya Arinanto

##### **Rapporteur :**

- Chandra Motik Y.D.

##### **Assistant Rapporteur:**

- Andi Wahyuddin

##### **Resource Persons :**

- Farida Chadariya
- Harun Al-Rasjid
- Hikmahanto Juwana
- Martin Hutabarat
- Muchyar Yara
- Pada Nababan
- Ramly Hutabarat \*)
- Sunaryati Hartono
- Valerie J.S. Kriekhoff
- Wahyono Dharmabrata

##### **Additional Resource Persons :**

- Ronny Bako
- Rini Amaluddin
- Tumbu Saraswati
- Zein Bajeber

*Note : \*) = Not yet confirmed*

### **SUB-COMMISSION D**

Program for advanced legal training, testing, and professional discipline.

#### **TEAM MEMBERS**

##### **Core Team :**

- A. Partomuan Pohan
- Felix O. Soebagjo
- H.A.S. Natabaya
- Luhut M.P. Pangaribuan
- Yan Apul Girsang

##### **Rapporteur :**

- Hamud M. Balfas

##### **Assistant Rapporteur:**

- Miftahul Hakim

##### **Resource Persons :**

- Henson
- Indra Sjahnun Lubis
- Indradi Kusuma
- Jan Iwan Dasaputra \*)
- Kartini Muljadi
- Koesbiono Sarmanhadi
- Soedjono
- T. Mulya Lubis
- Tuti Hutagalung
- Tumbu Saraswati

##### **Additional Resource Person :**

- Satjipto Rahardjo

*Note : \*) = Not yet confirmed*

### **SUB-COMMISSION E**

Program for optimizing the role of law in the economic recovery.

#### **TEAM MEMBERS**

##### **Core Team :**

- Erman Radjagukguk
- G.L.S. Kapitan
- Husein Wiriadinata \*)
- Indra Safitri
- Rasjim Wiraatmadja

##### **Rapporteur :**

- Victor Purba

##### **Assistant Rapporteur:**

- Hardian Aprianto

##### **Resource Persons :**

- Zen Umar Purba
- Arief T. Surowidjojo
- Brigitta I. Rahayoe
- Cita Citrawinda P.
- Citrawati Hatman Soekasah
- Fred B.G. Tumbuan
- M. Husseyn Umar
- Pradjoto \*)
- Timur Sukirno
- Waskito Adiribowo

##### **Additional Resource Person :**

- St. Remy Sjahdeini

*Note : \*) = Not yet confirmed*

### **SUB-COMMISSION F**

Program for an integrated criminal justice system

#### **TEAM MEMBERS**

##### **Core Team :**

- Apong Herlina
- Benny K. Harman
- Faruk Muhammad
- Hasanuddin
- Munir

##### **Rapporteur :**

- Irianto Subiyakto

##### **Assistant Rapporteur:**

- Eric Tampubolon

##### **Resource Persons :**

- Adnan Buyung Nasution
- Andi Hamzah
- Awaloedin Djamin
- Indriyanto Senoadji
- Loebby Loqman
- Muladi
- Nursjahbani Katjasungkana
- Rudi Satryo
- Sudjono Ch. Atmonegoro \*)
- Topo Santoso

*Note : \*) = Not yet confirmed*

## **Appendix – 4**

### **PARTICIPANTS DURING PANEL DISCUSSIONS AND PUBLIC HEARINGS**

#### **A. Sub Commission A: May 30, 2000, Hotel Indonesia, Jakarta**

**□ Speakers :**

- |                                 |                 |
|---------------------------------|-----------------|
| 1. Abdul Hakim Garuda Nusantara | 3. Ahwil Luthan |
| 2. Bambang Widjojanto           | 4. M.H. Silaban |

**□ Moderator :**

*Session 1 :* Mardjono Reksodiputro      *Session 2 :* Harkristuti Harkrisnowo

**□ Participants :**

- |   |  |
|---|--|
| 1. Masruhin, FH Undar                       | 8. Bachtiar Sitanggang, Pengacara          |
| 2. Mulyono, FH Unair                        | 9. Suparno, PN Jakarta Barat               |
| 3. Herlambang, FH UNIB                      | 10. Yudana                                 |
| 4. Kompong Payung<br>Parlindungan, FH Unjem | 11. Rifki Syarif, LeIP                     |
| 5. Wawan Setiawan, INI                      | 12. Made, FH Unud                          |
| 6. Moh. Busro, UII Yogyakarta               | 13. Abdul, FH Unsri                        |
| 7. Wik Djatmika, PTIK                       | 14. Sunarno, FH UNS                        |
|   | 15. Rafli Haruh, Harian Media<br>Indonesia |

**□ Rapporteur : Hamid Chalid**

**□ Secretary :**

*Session 1 :*

1. Made Sudiarsih
2. Agus Anwar

*Session 2 :*

1. Robinson Siburian

**B. Sub Commission F: May 30, 2000, Hotel Indonesia, Jakarta**

□ **Speakers :**

- |                    |              |
|--------------------|--------------|
| 1. Wik Djatmiko    | 3. Hasanudin |
| 2. Benny K. Harman |              |

□ **Moderator :**

*Session 1 :* Frans H. Winarta

*Session 2 :* Suhadibroto

□ **Participants :**

- |  |                             |
|--|-----------------------------|
| 1. Topo Santoso, FHUI                  | 4. Abdullah Muang, FH Unjem |
| 2. Rudi Satriyo, FHUI                  | 5. Tumewu Hamdan            |
| 3. Adnan Buyung Nasution,<br>Pengacara | 6. Daniel S. Lev, Pengamat  |

□ **Rapporteur :**

*Session 1 :* Dadang Trisasongko

*Session 2 :* Dadang Trisasongko

□ **Secretary :**

*Session 1 :*

1. Agus Hariadi
2. Mosgan Situmorang

*Session 2 :*

1. Agus Anwar

**C. Sub Commission C: September 6, 2000, Hotel Indonesia, Jakarta**

❑ **Speakers :**

*Session 1 :*

1. Satya Arinanto
2. Ismail Suny
3. Abu Daud Busroh
4. Soewoto
5. A. Fikri Assegaf

*Session 2 :*

1. Jimly Ashidique
2. Bara Hasibuan
3. Martin Hutabarat
4. Roni Bako
5. Soewoto
6. Abu Daud Busroh

❑ **Moderator :**

*Session 1 :* Harkristuti Harkrisnowo

*Session 2 :* Frans Hendra Winarta

❑ **Participants :**

*Session 1 :*

- |                    |                   |
|--------------------|-------------------|
| 1. Sri             | 7. Firdaus        |
| 2. Ahmad Ruslan    | 8. Syarifuddin    |
| 3. Victor Nadapdap | 9. Ardius         |
| 4. Faisal Akbar    | 10. Dahlan Thalib |
| 5. Halim           | 11. Edward        |
| 6. Moniaga         | 12. Fahmi Usman   |

*Session 2 :*

1. Muhammad Idris
2. Tarmidji
3. Taufiqurrahman
4. Yana
5. Farid

❑ **Rapporteur :** Chandra Motik Yusuf Djemat

❑ **Assistant Rapporteur :** Andi Wahyudin

❑ **Secretary :** Irfan Hutagalung

❑ **MC :** Dewi Shinta

**D. Sub Commission E: September 7, 2000, Hotel Indonesia, Jakarta**

□ **Speakers :**

*Session 1 :*

1. GLS Kapitan
2. Indra Safitri
3. Rasjim Wiraatmadja
4. Fred BG Tumbuan
5. Timur Sukirno
6. Erman Radjagukguk

*Session 2 :*

1. GLS Kapitan
2. Indra Safitri
3. Rasjim Wiraatmadja
4. Fred BG Tumbuan
5. Timur Sukirno
6. Erman Radjagukguk
7. Kartini Muljadi

□ **Moderator :**

*Session 1 :* Mardjono Reksodiputro

*Session 2 :* Fajrul Falaakh

□ **Participants :**

*Session 1 :*

1. Deno Kamulus
2. Rauli Zein
3. Sawidji

*Session 2 :*

- |                   |                    |
|-------------------|--------------------|
| 1. Amalia Rooseno | 8. Nurbalis        |
| 2. Jhony          | 9. Anton           |
| 3. Tonny P.       | 10. Bambang Widodo |
| 4. Tasman         | 11. Amrullah Arfan |
| 5. Dewi Astuti    | 12. Satrio         |
| 6. Wahyu          | 13. Ison           |
| 7. Sari           | 14. Erie           |

□ **Rapporteur :** Victor Purba

□ **Assistant Rapporteur :** Hardian Aprianto

□ **Secretary :** Hendriyani P.

□ **MC :** Dewi Shinta



**E. Sub Commission B: September 12, 2000, Hotel Indonesia, Jakarta**

□ **Speakers :**

*Session 1 :*

1. Bhenjamin Hoesein
2. Mas Achmad Santosa
3. Faisal Tadjudin
4. Koesnadi Hardjasoemantri
5. Haryono Kartohadiprodjo
6. Prasasto Sudyatmiko
7. Myra Maria Hanartani

*Session 2 :*

1. AZ Nasution
2. Irianto Subiyakto
3. AA Oka Mahendra
4. Prasasto Sudyatmiko

□ **Moderator :** Harkristuti Harkrisnowo

□ **Participants :**

*Session 1 :*

1. Abdul Rasyid
2. Himawan
3. Iwan Satriawan
4. Wawan Setiawan
5. Frenadin
6. Ambarita
7. Ringo-Ringo
8. Muhammad Hussein

*Session 2 :*

1. Eddy Rumayan
2. Muhammad Abudan
3. Taufik
4. Mayastati
5. Maria Farida
6. Muhjadin
7. Yuslin
8. Ibrahim
9. Dani
10. Rio Tambunan
11. Ambarica

□ **Rapporteur :** Humphrey Djemat

□ **Assistant Rapporteur :** Rizka Melania

□ **Secretary :** Fitriani

□ **MC :** Dewi Shinta

**F. Sub Commission D: September 13, 2000, Hotel Indonesia, Jakarta**

□ **Speakers :**

*Session 1 :*

1. Felix O. Soebagjo
2. A. Partomuan Pohan
3. Wawan Setiawan
4. Sudjono
5. Tuti Hutagalung
6. Yan Apul

*Session 2 :*

1. Victor Nadapdap
2. Indradi Kusuma
3. Wawan Setiawan
4. A. Partomuan Pohan
5. Tuti Hutagalung
6. Tumbu Saraswati

□ **Moderator :**

*Session 1 :* Mardjono Reksodiputro      *Session 2 :* Harkristuti Harkrisnowo

□ **Participants :**

*Session 1 :*

1. Moninca
2. Alam Setia Zein
3. Rachmat Safaat
4. Muchtar
5. Binziad Kadafi
6. Iwan Satriawan

*Session 2 :*

- |                        |                     |
|------------------------|---------------------|
| 1. Abdul rashid Khalid | 10. Atmodjo         |
| 2. Gaspar              | 11. Arif Gosita     |
| 3. Arif Sidharta       | 12. Ridwan Gani     |
| 4. Mujahdin            | 13. Basir           |
| 5. Duluwatan           | 14. Thomas Avianto  |
| 6. Eva Laila Fahriyah  | 15. Ambarica        |
| 7. Arif Wardhana       | 16. Slamet Rahardja |
| 8. Multaza Muntahar    | 17. Muh. Rahmi      |
| 9. Kunthoro Basuki     | Hasibuan            |
| 9. Rini Masu           |                     |

□ **Rapporteur :** Hamud Balfas

□ **Assistant Rapporteur :**

1. Mitahul Hakim
2. Nurul Akhsani

□ **Secretary :** Hendriyani P.

□ **MC :** Dewi Shinta

## Appendix - 5

### LIST OF LAW FACULTIES Involved in the Public Hearings

#### I. State Universities

- 1 University of Andalas (Unand), Padang
- 2 University of Brawijaya (Unbraw), Malang
- 3 University of Cendrawasih (Uncen), Jayapura
- 4 University of Diponegoro (Undip), Semarang
- 5 University of Gadjah Mada (UGM), Yogyakarta
- 6 University of Hasanuddin (Unhas), Makassar
- 7 University of Indonesia (UI), Depok
- 8 University of Jambi (Unjam), Jambi
- 9 University of Jember (Unjem), Jember
- 10 University of Jenderal Soedirman (Unsoed), Purwakarta
- 11 University of Lambung Mangkurat (Unlam), Banjarmasin
- 12 University of Lampung (Unila), Lampung
- 13 University of Mataram (Unram), Mataram
- 14 University of Nuse Cendana (Undana), Kupang
- 15 University of Padjadjaran (Unpad), Bandung
- 16 University of Sam Ratulangi (Unsrat), Manado
- 17 University of Sriwijaya (Unsri), Palembang
- 18 University of Sumatera Utara (USU), Medan
- 19 University of Syah Kuala (Unsyiah), Banda Aceh
- 20 University of Tadulako (Untad), Palu
- 21 University of Tanjungpura (Untan), Pontianak
- 22 University of Udayana (Unud), Denpasar
- 23 University of Bengkulu (Unib), Bengkulu
- 24 University of Sebelas Maret (UNS), Solo
- 25 University of Airlangga (Unair), Surabaya
- 26 University of Pattimura (Unpatti), Ambon

#### II. Private Universities

- 1 Catholic University (Unika) Atmajaya, Jakarta
- 2 Catholic University (Unika) Almajaya, Yogyakarta
- 3 IBLAM Law Institute, Jakarta
- 4 University of 17 Agustus 1945 (Untag), Jakarta
- 5 University of 17 Agustus 1945 (Untag), Semarang
- 6 University of 17 Agustus 1945 (Untag), Surabaya
- 7 University of Abulyatama, Aceh
- 8 University of Bhayangkara Jaya (Ubhara Jaya), Jakarta
- 9 University of Borobudur (Unbor), Jakarta
- 10 University of Bung Hatta (UBH), Padang
- 11 University of Darul Ulum (Undar), Jombang
- 12 University of Djuanda, Bogor
- 13 University of Ibnu Chaldun Bogor (UICB), Bogor
- 14 University of Ibnu Chaldun Jakarta (UICJ), Jakarta
- 15 University of Indonusa Esa Unggul (UIEU), Jakarta
- 16 University of Islam Assyafiyah (UIA), Jakarta
- 17 University of Islam Bandung (Unisba), Bandung
- 18 University of Islam Indonesia (UII), Yogyakarta
- 19 University of Islam Riau (Unri), Pekanbaru
- 20 University of Jayabaya (Unja), Jakarta
- 21 University of Krisnadwipayana (Unkris), Jakarta
- 22 University of Kristen Indonesia (UKI), Jakarta
- 23 University of Kristen Satya Wacana (UKSW), Salatiga
- 24 University of Maharaswati Denpasar (UMD), Denpasar
- 25 University of Merdeka (Ummer), Malang
- 26 University of Muhammadiyah Jakarta (UMJ), Jakarta
- 27 University of Muhammadiyah Bukit-Tinggi (UMB), Padang
- 28 University of Muhammadiyah Jogjakarta (UMJ), Jogjakarta
- 29 University of Muhammadiyah Malang (UMM), Malang
- 30 University of Muhammadiyah Palembang (UMP), Palembang
- 31 University of Muslim Indonesia (UMI), Makassar
- 32 University of Nasional (Unas), Jakarta
- 33 University of Palembang (UP), Palembang
- 34 University of Pancasila (Upancas), Jakarta
- 35 University of Parahiyangan (Unpar), Bandung
- 36 University of Pelita Harapan (UPH), Tangerang
- 37 University of Surabaya (Ubaya), Surabaya
- 38 University of Tarumanegara (Untar), Jakarta
- 39 University of Trisakti (Usakti), Jakarta
- 40 University of YARSI, Jakarta

## Appendix – 6

### BUDGET

In accordance with the Decree of the Minister of Finance No. 0519/KM.3-43/SKOR/2000 dated December 5, 2000 concerning the budget National Law Commission, the National Law Commission received its budget for the year 2000 on December 13, 2000 with details as follow :

#### National Law Commission Budget Activities Year 2000

A. Received (Cash cheque dated December 13, 2000) : Rp. 356.053.150,-

B. Expenses :

1.	Honorarium for Members of the Commission	Rp. 112.500.000,-
2.	Secretariat honorarium	Rp. 5.475.000,-
3.	Office Operational expenses	Rp. 3.498.948,-
4.	Electricity	Rp. 3.017.348,-
5.	Material and equipment	Rp. 891.000,-
6.	Filling cabinet and safe deposit box	Rp. 3.552.000,-
7.	Annual Report	Rp. 28.500.000,-
8.	Honorarium for participants in the sub-commission meetings	Rp. 29.700.000,-
9.	Transportation and meeting snacks	Rp. 14.850.000,-
10.	Photocopies for sub-commission meetings	Rp. 2.127.565,-
11.	Honorarium for the participants of budget meetings	Rp. 600.000,-
12.	Transportation and snack for the participants of budget meetings	Rp. 300.000,-
13.	Transportation	Rp. 499.000,-
14.	General	Rp. 491.000,-

**Total Expenses** Rp. 206.002.361,-

C. Balance Rp. 150.050.789,-  
(Transferred back to the State Cabinet Account on December 22, 2000)

Jakarta, December 31, 2000



**Annual Report 2001**  
**NATIONAL LAW COMMISSION**  
**(DETERMINED TO PROMOTE LAW REFORM IN INDONESIA)**

Jakarta, Desember 2001

Translation and Lay-out by

**CYBERconsult**

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## **Chapter 1**

### **ABRIDGED REPORT**

#### **A. The National Law Commission at a glance**

The National Law Commission was established by the Government of Indonesia (Presidential Decree number 15 of 2000 dated 18 February 2000), for the purpose of assisting the President by providing opinions and advice on various policies in the legal field, and to design a program of comprehensive reform in Indonesian law. The establishment of the National Law Commission represented a response by the Government of Indonesia to the crisis of trust in the law that has assailed Indonesia in tandem with the prolonged economic and political crises that the country has been experiencing.

In order to fulfill its mandate in providing opinions and advice on various policies in the legal field, and designing a program of comprehensive reform in Indonesian law, the National Law Commission has undertaken a series of integrated activities.

In addition to the funding provided for the National Law Commission by overseas donors, the Commission also receives funding from the state budget through the State Secretariat. It has been provided with office space by the Indonesian Bank Restructuring Agency.

The National Law Commission is directed by chairman J.E. Sahetapy, and has five other members, one of whom, Mardjono Reksodiputro, also acts as the Commission's secretary. The other four members of the Commission are Frans H. Winarta, Fajrul Falaakh, Harkristuti Harkrisnowo and Suhadibroto. The Commission is assisted by a number of specialists and experts, and has its offices at Jalan Diponegoro No. 64, Fl. 3 and 4, Jakarta 10310 (see appendices II-A and II-B).

#### **B. Summary of Activities**

During the first quarter, the National Law Commission participated in various activities, including a series of discussions on an integrated justice system. These were organized by a study team working under the auspices of the Supreme Court and also involved a team from the University of Indonesia's School of Law. The said study team was made up of members drawn from all the components involved in the administration of justice in Indonesia.

days and had as their theme: "Reform of the Justice System". A number of Supreme Court justices, academics and legal practitioners participated. The facilitators of the discussions were Prof. Hiram Chodosh (United States) and Justice Albie Sachs (South Africa). In addition, discussions were held with David Petrasek (International Council on Human Rights Policy) on "sector wide planning in legal reform".

With regard to the consolidation of the National Law Commission's program and the necessity of seeking funding, talks were held with various countries and organizations including Australia (embassy representatives), the Netherlands (Centre for International Legal Cooperation), the Asia Foundation, the Partnership for Governance Reform in Indonesia, the Asian Development Bank and the IFES (International Foundation for Election Systems). The National Law Commission also attended meetings that were held to discuss concepts and strategies for the reform of the public prosecution service (a project of the Attorney General's Office and the Asian Development Bank).

During this period, the National Law Commission was successful in securing assistance from the Asia Foundation worth Rp 1,227,249,999, while the budget allocation provided by the State Secretariat was fixed at Rp 796,703,800.

During the second quarter (April - June), the National Law Commission participated in an effort organized by the Government of Indonesia, with foreign assistance, to bring about the strengthening of the economic legal infrastructure. Together with the Government of Indonesia, the Commission also participated in the Partnership for Governance Reform in Indonesia by undertaking a study into corruption in Indonesia.

The National Law Commission has consistently striven to make clear the need for clear legal reform in Indonesia and attempted to expand its role. In this regard, the Commission has provided support for the drafting of a freedom of information bill, which has been promoted by the ICEL.

In order to remain in the vanguard of law reform in Indonesia, the National Law Commission acted as the host in Jakarta for a teleconference and distance learning course that was organized by the World Bank and was participated in by a number of Asian countries (Bangladesh, the Philippines, Indonesia, Sri Lanka and Thailand). The Indonesian participants consisted of Supreme Court justices, members of the House of Representatives (DPR), legal practitioners and academics.

During the second quarter, the National Law Commission also received a visit from a UNHCR representative who was here to assist refugees in Atambua (West Timor).



On June 11, Ms. Ivonne Supit, the National Law Commission's executive secretary, who had been involved with the Commission since its establishment (February 2000), passed away in the MMC Hospital after only one day.

Funding for the National Law Commission worth US\$1,088,901 was secured from the Partnership for Governance Reform in Indonesia (hereinafter referred to as the Partnership).

In the third quarter (**July - September**), work started on the drawing up of a "roadmap" in respect of the reform measures that had already, were in the process of or would be undertaken. The leadership of the Government of Indonesia also changed hands during this quarter from Abdurrahman Wahid to Megawati Sukarnoputri. Initial discussions started on three further core programs (in addition to the existing six), concerning (a) discriminative legislation and gender issues; (b) civil society and the election system; and (c) regional autonomy problems.

The National Law Commission (in line with its collaboration agreement with the Partnership), commenced the search for a National Program Coordinator (NPC) and a Financial Supervisor (FS). In view of the needs of and the challenges faced by the National Law Commission, it was also resolved to seek a Government Relations Coordinator (GRC). With the death of Ms. Ivonne Supit, it also became necessary to headhunt a replacement executive secretary. In addition, the Commission also strengthened its human resources in the fields of media relations and information technology.

The National Law Commission also increased its ability to disseminate information through the National Law Commission Newsletter, which is distributed in legal circles and among those interested in law reform. The Commission also set up a website: <http://www.komisihukum.go.id>, which provides information on the activities of the Commission and other organizations involved in the field of law reform. Members of the public are also able to provide criticism and advice through the website, or via e-mail to: [sekretariat@komisihukum.go.id](mailto:sekretariat@komisihukum.go.id).

Meetings were also held during this quarter for the purpose of increasing collaboration with, among other organizations and projects, the Legal Reform Program (LRP), which is supported by the government of Australia, the IMF Assistance Program for Law Reform (the Commercial Court Steering Committee), which is supported by the government of the Netherlands, and the LabSos study on the Joint Team for the Eradication of Corruption in the Attorney General's Office. Regular meetings were also held with the Donors Group on Judicial Sector Reform, an initiative of the World Bank.

With security of funding already in place for the Working Groups (twenty-one in all), the National Law Commission started to organize a competitive tender for the Working Groups and a Projects Implementation Supervisory Unit (PISU).

In the fourth quarter (**October - December**), the National Law Commission focused its activities on seeking Working Groups. It was planned during the first stage that agreements would be entered into with fifteen Working Groups, and that the agreements with the remaining working groups would be entered into during the second stage (6-15 working groups for the 9 core programs).

A total of 45 law school deans attended a meeting at the start of October between the Department of National Education's Legal Science Discipline Commission (KDIH) and law school deans from the country's state universities (27 schools throughout Indonesia), and private universities (18 schools). At the meeting, the National Law Commission took the opportunity of explaining its work program and its desire to collaborate with Working Groups in the regions. During the Working Group selection and appointment stage, it became apparent that more than half, in fact, were from outside Jakarta. During this period, the Commission also organized Sub-Commission meetings to finalize the terms of reference (TOR) for the core programs and Working Groups.

In October, the white paper for the new Police Bill was made public, and elicited strong responses from various sides, including the National Law Commission. With regard to the September 11 tragedy (the terrorist attacks on the World Trade Center in New York), the National Law Commission had, in fact, issued a formal commentary on the dangers of terrorism in Indonesia (spurred by the assassination of a Supreme Court justice).

With the assistance of funding from the state budget, the National Law Commission also took steps to raise its profile through the internet. For this purpose, a tender was held to seek a private sector company to upgrade the information technology equipment available to the National Law Commission.

Broadly speaking, the development of information technology within the National Law Commission may be differentiated based upon end objective. First, there is the question of improved services to various parties within the National Law Commission itself. The end objective here is to improve the efficiency and effectiveness of activities undertaken by the Commission. The second objective is to improve the quality of the services offered to the general public. The function of information technology here is to act as a tool or medium for conveying the results of the National Law Commission's work to,

and receiving input from, members of the public. The intention is to create two-way communications between the Commission and the public as one manifestation of the Commission's accountability to the public.

The effort to identify Working Groups, which started at the beginning of the fourth quarter, in the end produced around fifty proposals. The selection team had its work cut out for it in choosing the best proposals that were in line with the objectives of the Commission, but in the end twelve Working Group proposals were accepted (out of a planned fifteen). The remaining Working Group proposals will be selected at the start of January 2001, after the end-of-year holidays.

## **Chapter II**

### **PRIORITIES IN 2001 AND SWOT ANALYSIS**

Based upon the National Law Commission's 2000 Annual Report, we can see that the work program for 2001 was broadly as follows:

- (1) in the field of organizational structure and management, to standardize the National Law Commission's structure and draft job descriptions;
- (2) in the field of law reform, to build on the foundations laid down by the 1999 National Law Seminar, the Propenas drafted by the National Planning Board (Bappenas) in 2000, the 'Diagnostic Study on Legal Developments in Indonesia' 1996 / 1997, and the findings of the public hearings held by the National Law Commission in May and September 2000, so as to prepare the TORs and select the Working Groups (see Appendix I-A);
- (3) in the infrastructure field, to prepare for the moving of the secretariat (from Graha Niaga 23<sup>rd</sup> Floor to Jalan Diponegoro 64 3<sup>rd</sup> and 4<sup>th</sup> Floors), the taking on of additional staff and an upgrading of equipment (improving existing information technology capabilities), and the empowerment of the existing Sub-Commissions and the Working Groups to be established in the future.

In carrying out its work program, the National Law Commission based its approach on the two mandates that it had been given, namely (a) to provide legal advice and opinions to the President, and (b) to design a program of law reform. In addition, the National Law Commission also adopted the approach of trying to develop strategic relations with the organs of state (the executive, legislature and judiciary), and with various non-governmental organizations both at home and overseas, particularly those organizations that were involved in the process of Indonesian law reform.

The National Law Commission endeavors at all times to remain independent, and the findings of its studies are intended more as long-term policy papers containing recommendations based upon priorities than as instant solutions to the crisis of confidence in the law and the legal system that is currently assailing Indonesia.

The National Law Commission is fully aware of its own weaknesses and limitations. As a body made up of only six members, the Commission does not pretend to be capable of comprehending and accommodating all of the aspirations for law reform that are currently prevalent in society. In order to overcome these constraints, the Commission has established Sub-Commissions

to serve as sub-steering committees, as well as Working Groups. Accordingly, the National Law Commission is well aware that weaknesses in the area of program and project management will constitute a major constraint on the achievement of its objectives. In addition, improvements are needed in the fields of information technology and the development of collaborative networks so as to support effective program management. In particular, collaboration between the members of the Sub-Commissions needs to be properly managed by the assistant rapporteurs.

The opportunities available are significant. The President has already shown her support for, and interest in, the work of the National Law Commission. Support is also forthcoming from the donor institutions and agencies as they are convinced that if law reform in Indonesia is to become a reality, clear strategies and planning stages will be required that involve the various relevant sectors. The status of the National Law Commission, which although established by the Government of Indonesia continues to guard its independence, also supports the development of collaborative networks with various sectors and interests in Indonesia. In the world at the present time (outside of Indonesia), there is a major debate underway as to the necessity of rethinking the infrastructure of the law, especially as regards a reformed approach in the economic (and trade) realm. This is closely connected with the globalization of the markets for goods and services that is expected to occur during this 21<sup>st</sup> century.

Availing of the strengths and opportunities outlined above requires not only appropriate strategic policies, but also management ability and consolidation. The greatest threat on the horizon could well come from within the National Law Commission itself if it fails to improve its performance and the relations between the various component parts of the National Law Commission. Meanwhile, another threat could come from outside the National Law Commission, namely a loss of trust or confidence in the Commission and the questioning of its benefits. In order to overcome the constraints presented by these weaknesses and threats, the priority for 2001 was to consolidate management in a broad sense and to continue to preserve the National Law Commission's reputation for independence supported by wide-ranging collaborative networks.

In order to anticipate all of the above challenges and opportunities, the National Law Commission drew up a budget plan so as to reflect the programs (both internal and external) that were to be put into effect in 2001.

Nevertheless, the constraints involved in securing funding were insufficiently anticipated with the result that a number of budgeted activities ended up running behind schedule. The funds from the state budget only became

available at the end of the first quarter, while the agreement with the Asia Foundation only came into effect at the start of the second quarter. Meanwhile, delays in finalizing the agreement with the Partnership meant that it did not come on stream until the end of the second quarter. All of these delays obviously impacted negatively on the National Law Commission's work schedule.