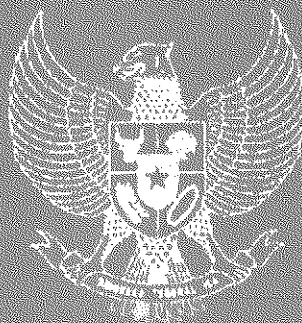
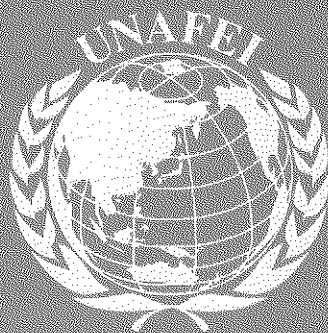


INDONESIA - UNAFEI - JICA JOINT SEMINAR

"Criminal Justice Reform"

18 - 20 December 2002
Jakarta, Indonesia



September 2003

TOKYO, JAPAN

RIS
J R
02-29

**INDONESIA – UNAFEI – JICA
JOINT SEMINAR**

“CRIMINAL JUSTICE REFORM”

**18 – 20 December 2002
Jakarta, Indonesia**



1173738[4]

CONTENTS

CRIMINAL JUSTICE REFORM

Foreword	i
Joint Seminar Schedule	iii
Report by Mr. S. Eratt, <i>Co-Rapporteur, UNAFEI</i>	1
Recommendations	14
Opening Session	17
Address - Prof. Dr. H. Harkrisnowo, <i>Chairperson</i>	19
Address - Mr. Y. Iimura, <i>Ambassador of Japan</i>	20
Address - Mr. M. Kanda, <i>Resident Representative of JICA</i>	22
Address - Mr. Kwik Kian Gie, <i>Minister National Planning Development Agency</i>	24
Keynote Speech - Prof. Dr. R. Atmasasmita, <i>Chairman of the National Law Development Agency</i>	26
Address - K. Sakai, <i>Director of UNAFEI</i>	27
Session One: Effective Administration of the Police	29
Paper - Mr. M. Okabe, <i>Deputy Director, Police Policy Research Center, National Police Academy, Japan</i>	31
Paper - Prof. Dr. S. Rahardjo, <i>UNDIP, Indonesia</i>	41
Paper - Brigjen Pol. Drs. A. Sutadi, <i>Mabes Polri, Indonesia</i>	45
Session Two: Restoring the Integrity of the Criminal Justice System - Elimination of Corruption in the Criminal Justice System.....	51
Paper - Prof. Y. Tachi, <i>UNAFEI</i>	53
Paper - Prof. Dr. Muladi, <i>UNDIP, Indonesia</i>	71
Paper - Mr. Y. S. Sabda, <i>Attorney General's Office, Indonesia</i>	79
Session Three: Reform of the Legal Training System	89
Paper - Prof. T. Akane, <i>UNAFEI</i>	91
Paper - Justice A. R. Saleh, <i>The Supreme Court of the Republic of Indonesia, Indonesia</i>	117
Paper - Prof. Dr. H. Harkrisnowo, <i>Lecturer, Faculty of Law, University of Indonesia, Indonesia</i>	121

Session Four: Judicial Reform	127
Paper - Prof. T. Miura, <i>UNAFEI</i>	129
Paper - Prof. Dr. B. Manan, <i>Chief Justice, Supreme Court, Indonesia</i>	153
Paper - Prof. Dr. R. Atmasasmita, <i>Head of the National Law Reform Agency,</i> <i>Department of Justice and Human Rights, Indonesia</i>	159
Session Five: Reform of the Treatment of Offenders - Community Involvement	163
Paper - Prof. K. Someda, <i>UNAFEI</i>	165
Paper - Mr. A. Suyatno, <i>DG Corrections, Indonesia</i>	177
Paper - Prof. Dr. Tb. Nitibaskara, <i>UI, Indonesia</i>	185
Closing Session	191
Address - Prof. Dr. H. Harkrisnowo, <i>Chairperson, Indonesia</i>	193
Address - Mr. K. Sakai, <i>Director of UNAFEI</i>	194
Address - Ms. L. Komala, <i>BAPPENAS, Indonesia</i>	195
UNAFEI Delegation, Speakers and Participants List	197

FOREWORD

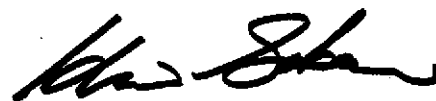
It is my great pleasure and privilege to present this publication of the Indonesia-UNAFEI-JICA Joint Seminar, which was held from 18 to 20 December 2002 in the capital city of Indonesia, Jakarta. It was very fortunate that we were able to hold the Seminar in Indonesia; a land of great natural beauty and diversity.

The main theme of the Seminar was "Criminal Justice Reform". This Seminar was of great importance and especially timely: timely in that Indonesia is in the process of undergoing quite revolutionary social reforms; and important because it is clear that the success of these social reforms could very well depend on their success in reforming their justice system. Japan has recently looked at reforming every aspect of the nation's legal system and it is now implementing the comprehensive recommendations of the Justice System Reform Council. It was our hope that our recent experiences, and the solutions that we are implementing would be valuable in helping Indonesia with its challenges ahead.

The Seminar enabled faculty members of UNAFEI and various criminal justice officials from agencies in every sector of the criminal justice system in Indonesia to collect and exchange information and experiences on the following topics: police administration; corruption; the legal training system; judicial reform; and community involvement in the treatment of offenders. The Seminar gave the Indonesian Government the knowledge and encouragement to proceed with their commitment to improve all stages of its criminal justice process.

The three-day Seminar concluded with the adoption of the final recommendations, the quality of which was a product of the hard work and enthusiasm so admirably dedicated by the participants. It is my sincere wish that the product of the Seminar will not only enhance the Indonesian criminal justice system but also contribute to the needs of the international community in general.

Finally, on behalf of UNAFEI, I would like to express my sincere gratitude to the Government of the Republic of Indonesia, in particular the National Development Planning Agency for its continuous support for and commitment to the realization of this Seminar. My special thanks go to Mr. Sean Eratt (Linguistic Advisor) for his great contribution to producing this publication.



Kunihiko Sakai
UNAFEI, Director

SCHEDULE

INDONESIA - UNAFEI - JICA JOINT SEMINAR 18 - 20 DECEMBER 2002, JAKARTA, INDONESIA

“CRIMINAL JUSTICE REFORM”

Dec. 18	<p>Opening Session</p> <p>Address - Prof. Dr. Harkristuti Harkrisnowo, Chairperson, Indonesia Address - His Excellency, Mr. Yutaka Iimura, Ambassador of Japan Address - Mr. Michio Kanda, Resident Representative JICA, Japan Address - Mr. Kwik Kian Gie, Minister, NPDA, Indonesia Keynote Speech - Prof. Dr. Romli Atmasasmita, NDPA, Indonesia Address - Mr. Kunihiko Sakai, Director, UNAFEI, Japan</p> <p>Session One: Effective Administration of the Police</p> <p>Paper - Mr. Masakatsu Okabe, National Police Academy, Japan Paper - Prof. Dr. Satjipto Rahardjo, UNDIP, Indonesia Paper - Brigjen Pol. Drs. Aryanto Sutadi, Mables Polri, Indonesia</p> <p>Session Two: Restoring the Integrity of the Criminal Justice System - Elimination of Corruption in the Criminal Justice System</p> <p>Paper - Prof. Yuichiro Tachi, UNAFEI, Japan Paper - Prof. Dr. Muladi, University of Indonesia, Indonesia Paper - Mr. Yoseph Suardi Sabda, Attorney-General's Office, Indonesia</p>
Dec. 19	<p>Session Three: Reform of the Legal Training System</p> <p>Paper - Prof. Tomoko Akane, Deputy Director, UNAFEI, Japan Paper - Mr. Abdul Rahman Saleh, Indonesia Paper - Prof. Dr. Harkristuti Harkrisnowo, Indonesia</p> <p>Session Four: Judicial Reform</p> <p>Paper - Prof. Toru Miura, UNAFEI, Japan Paper - Prof. Dr. Bagir Manan, Indonesia Paper - Prof. Dr. Romli Atmasamita, Indonesia</p>

Dec. 20	<p>Session Five: Reform of the Treatment of Offenders - Community Involvement</p> <p>Paper - Prof. Kei Someda, UNAFEI, Japan Paper - Mr. Adi Suyatno, Indonesia Paper - Prof. Dr. Tb. Ronny Rahman Nitibaskara, Indonesia</p> <p>Drafting of Recommendations Prof. Dr. Harkristuti Harkrisnowo, Chairperson, Indonesia</p> <p>Adoption of Recommendations</p> <p>Closing Session</p> <p>Address - Prof. Dr. Harkristuti Harkrisnowo, Chairperson, Indonesia Address - Mr. Kunihiro Sakai, Director of UNAFEI, Japan Address - Ms. Leila Ratna Komala, BAPPENAS, Indonesia</p>
---------	--

Co - Rapporteur's Report

Opening Session

Session One: Effective Administration of the Police

Session Two: Restoring the Integrity of the Criminal Justice System - Elimination of Corruption in the Criminal Justice System

Session Three: Reform of the Legal Training System

Session Four: Judicial Reform

Session Five: Reform of the Treatment of Offenders – Community Involvement

Recommendations

Opening Session

A. Opening Ceremony

The Indonesia - UNAFEI - JICA Joint Seminar on "Criminal Justice Reform" commenced on 18 December 2002 in Jakarta, Indonesia. After the arrival of the distinguished guests and participants, the Seminar began with a brief introduction from Prof. Dr. Harkristuti Harkrisnowo who explained that there were 5 speakers from Japan and 12 speakers from all over Indonesia.

His Excellency Mr. Yutaka Iimura (Ambassador of Japan) expressed his pleasure in opening the Seminar. He stated that Indonesia is in transition and reform in the criminal justice system is the key to reform generally. Japan takes great pride in working together with Indonesia in their criminal justice reform programme. Many people from Japan have been posted in positions with the Indonesian government. Mr. Iimura stated that the desire is to move onto the next stage of reform and this Seminar marks an opportunity to extend this process. While the Japanese speakers had come to share their experiences the hope was that this would not be a one-way street but an exchange of experiences.

Mr. Michio Kanda (Resident Representative of JICA, Japan) expressed his deep appreciation for all organs within the government of Indonesia who have assisted in organizing this Seminar. The speaker explained that he was proud to be able to attend this Seminar where criminal legal reform could be discussed between both Indonesian and Japanese participants. JICA, since January 2002, have been preparing programmes concerned with criminal law reform and particularly in connection with police reform and this Seminar provided further foundations for progress in the reform of the criminal justice system in Indonesia.

Mr. Kwik Kian Gie (Minister, National Development Planning Agency, Indonesia) expressed his deepest appreciation to the government of Japan for initiating and implementing this Seminar. The speaker expected the Seminar to promote networking and cooperation between Japan and Indonesia in the field of criminal justice and criminal law reform. Mr. Kwik highlighted the need for better legal training to be given in Indonesia and he hoped that the speakers would explain the respective systems for training and that the best system for legal training would be adopted.

Prof. Dr. Romli Atmasasmita (National Development Planning Agency, Indonesia) expressed his gratitude to all speakers and guests at the Seminar. It was noted that the criminal justice system in Indonesia faces many difficulties. The object of the Seminar should be to exchange experiences and extend cooperation between Indonesia and Japan. Appreciation was expressed to the agencies within Indonesia and Japan for helping to realize this Seminar.

Mr. Kunihiko Sakai (Director, UNAFEI, Japan) expressed his pleasure to chair the Seminar and his deep gratitude to the government of Indonesia and JICA. UNAFEI was honored to be able to participate in this Seminar with so many high-ranking criminal justice personnel. The legal system provides us with the rule of law that is the basis for a fair society. Many countries are currently undertaking extensive legal reform. The Japanese system has been criticized for having too lengthy a judicial process and Japan is now undergoing the greatest criminal law reform since the Second World War. Mr. Sakai hoped that the Seminar would serve as a cornerstone in developing cooperation between Japan and Indonesia in the field of criminal law reform.

Session One: Effective Administration of the Police

A. Presentations

This session was chaired by Mr. Budi Wicaksono (UNDIP) and there were three presentations. The first paper, entitled "Effective Police Administration: Criminal Investigations in Japan" was delivered by Mr. Masakatsu Okabe (Police Superintendent, Deputy Director, Police Policy Research Center, National Police Academy, Japan). The second paper "Effective Administration of the Police" was presented by Prof. Dr. Satjipto Rahardjo (UNDIP, Indonesia). Brigjen Pol. Drs. Aryanto Sutadi presented the third paper, "Effective Administration of the Police for the Improvement of an Integrated Criminal Justice System."

Mr. Okabe opened by stating that a programme of cooperation between Indonesia and Japan has already started. Advice has been given by Japanese police officers to the Indonesian police for the last two years. This cooperation project has been epoch making and it is hoped that this cooperation will not just be short term. The speaker spoke of how Japan has been facing great change in the number of offences committed and cleared. The situation has deteriorated greatly as the number of offences has dramatically increased yet the number of offences cleared has decreased. The speaker's presentation was divided into two parts - a background to police criminal investigations and the characteristics of police investigations.

Mr. Okabe spoke of the limited legal competence of the Japanese police. In Japan there is what is known as "minute justice" or *seimitsu shiho* - this is the extremely strict consideration of evidence during the trial process and this concept places a great burden on the police in terms of their investigations. The speaker further spoke of the cooperation between citizens and the police that forms the basis of successful police operations in Japan. The police in Japan are entrusted with honestly handling citizen's requests and complaints. He gave examples, however, of recent cases where the police have been heavily criticized for not handling complaints correctly. This has led to certain reforms of the police in Japan such as the establishment of police station councils. Mr. Okabe also spoke about the changing circumstances in Japan such as; the increase in the number of offences, new types of laws (e.g. domestic violence laws), and victim support. In relation to the characteristics of police investigations Mr. Okabe talked of the important role played by high-ranking police officers, the importance of team work in investigations, ad hoc investigation headquarters, mobile investigation groups, emergency deployment orders and advice and guidance to the frontline. He spoke briefly of forensic investigations and also about countermeasures under the new criminal situation (e.g. high-tech crime).

Dr. Rahardjo opened by stating that his analysis of the situation would be more sociological than technical. He welcomed the contribution of the Japanese speakers to bring in a fresh approach to criminal law reform in Indonesia. Indonesia today is in the midst of a grave transition and is in the process of recovery. The police themselves are facing a huge task of reforming themselves. A distinct aspect of police work is to protect and to serve the people which is the essence of the special job known as policing. Since the mid-1960's the POLRI (Indonesian police) have been integrated with the military. Only since 1999 have the POLRI been withdrawn from the military to be given their independence but they must still operate within the shadow of the military. The most important thing in the effective administration of the police in Indonesia is to accelerate the police's independence. Dr. Rahardjo spoke of the different make-up of Indonesia in terms of the urban and rural sectors and how the police must respond to each different sector

appropriately. Finally the mounting incidences of riots were considered by the speaker and the frustrations this causes the police was highlighted.

Mr. Sutadi said that there are two things that strongly influence the Indonesian police - a demand for a civilian police force and a demand for regional autonomy. The separation of POLRI from the military has almost doubled the number of police jobs. POLRI is charged with investigation and must link the criminal court to criminal cases. The speaker spoke of the differences between military and police values and culture. Time is required to change the value system in POLRI but this must take place in the face of high expectations. There is a need to increase the number of investigators and improve professional capability in order to develop POLRI. It is thought that POLRI will divide into two types - uniformed and plain clothed officers. The speaker talked about the new strategy on 'capability maintenance' that has been developed. In addition Mr. Sutadi considered the responses to the idea of regional police and how such a system can work in Indonesia.

B. Discussion

Since 1999 POLRI has been separated from the military. This has occurred at the higher levels but it must happen at all levels in order to be effective. It is hoped that changes can be made from top to bottom. It was noted that there is definitely a lack of police personnel. It was raised from the floor that it is important for the Indonesian police to learn from the Japanese police in their fight against organized crime. Japan suffered a terrorist attack in 1995 in the form of the sarin gas incident in the Tokyo subway system. Indonesia now suffers from terrorism and can learn from the Japanese experience.

Session Two: Restoring the Integrity of the Criminal Justice System - Elimination of Corruption in the Criminal Justice System

A. Presentations

This session was chaired by Mr. Hikmahanto Juwana (University of Indonesia) and there were three presentations. The first paper, entitled, "Restoring the Integrity of the Criminal Justice System - Elimination of Corruption in Criminal Justice" was delivered by Mr. Yuichiro Tachi (Professor, UNAFEI). Mr. Muladi (UNDIP, Indonesia) delivered the second paper which had the same title as the session. The third paper, "Payment of a Compensation Penalty as an Additional Penalty in Corruption Cases" was presented by Mr. Yoseph Suardi Sabda (Attorney- General's Office, Indonesia).

Mr. Tachi stated that the concept of corruption is very wide but that his presentation would focus on criminal corruption cases. In Japan there are a number of investigative agencies such as the police and public prosecutors. Public prosecutors, judges and private attorneys all have to pass the same National Bar Examination in order to practice law. Prosecutorial functions are vested in the Diet but prosecutors are guaranteed independence and the Minister of Justice cannot control a prosecutor directly which is a basic tenet of the rule of law. The police in Japan carry out more than 99% of investigative duties. The police and prosecution are independent from each other but cooperate very closely. In Tokyo, Osaka and Nagoya there are special departments that deal with corruption cases focusing especially on bribery cases. The speaker spoke about how confessions in Japan were obtained by the prosecutor/police establishing a relationship with the suspect. Mr. Tachi went on to speak about some of the corruption scandals that have occurred in Japan since 1954 until the present day. He considered some of the various traditional measures to prevent corruption in Japan including adequate and proper remuneration for public officials.

Dr. Muladi opened by stating that the integrity of the criminal justice system is very important in promoting a civil society. Restoring integrity has been very important in Indonesia since 1998 when Indonesia started its ongoing process of reform. Corruption is one of the four causes of miscarriages of justice. According to the substantive law, corruption has been defined very comprehensively but in terms of the criminal justice system it should be defined as bribery which includes a number of unlawful acts. The integrity of the judiciary as well as the criminal justice system is central to the maintenance of a democratic society. According to the Josephson Institute of Ethics, public service ethics consist of; public service, objective judgment, accountability, democratic leadership and respectability. No corruption is more damaging than corruption among justice and security officials. In terms of discretion judges, police officers, prosecutors and corrections officials must exercise their discretion in a sound, mature and thoughtful way. The speaker gave examples of the types of corruption and how such corruption can arise. He considered a triple-track approach to combating corruption; the preventive approach, the detective approach and the repressive approach. Corruption is now a predicate offence for the purposes of money laundering in Indonesia. A Judicial Commission has now been created and an Anti-Corruption Commission that demonstrates the sound political will of the government to eliminate all kinds of corruption.

Mr. Sabda's presentation focused on payment of a compensation penalty as an additional penalty in corruption cases. Indonesian criminal law recognizes two kinds of penalty; the principal penalty and the additional penalty. An additional penalty should be imposed with a

principal penalty and cannot be imposed separately. There are two problems in relation to a compensation penalty; how should the amount be determined and what are the legal consequences of non-payment or partial payment of the penalty. It has been suggested that 'assets' should not be interpreted literally but as everything that could be or has been enjoyed by the corrupter. As regards non-payment or partial payment Law No. 3 1971 can be applied which states that a substitute punishment can be applied which can be up to 8 months imprisonment. This period of imprisonment does not appear to be long enough and would not be a deterrent in non or partial payment of the penalty. It is recommended that an additional penalty should be life imprisonment or even the death penalty. The law does not require the court to state the length of an additional penalty and a court could actually make the additional penalty more severe than the original penalty. The speaker concluded that there must be psychological pressure to prevent people from committing crimes of corruption and this should be reflected by more severe criminal penalties.

B. Discussion

It was raised that there is a need to find an effective way to stop corruption in Indonesia. Punishment for corruption has been lenient. Law enforcement in Indonesia has been seen to be inconsistent. Preventive control is not supervised properly and such control is very important in combating corruption. It was accepted that the judiciary must remain independent in order to combat corruption. This calls for impartiality without improper pressures. There must be personal immunity against threats; and suspension and removal should be applied in appropriate circumstances. The recruitment system needs a special agency to supervise recruitment. It was felt that the Judicial Commission should now be responsible for the appointment of judges. Efforts must be made to ensure the Anti- Corruption Commission does not fail. Salaries are one of the main factors that prevent corruption and this should be considered carefully by the Indonesian government.

Session Three: Reform of the Legal Training System

A. Presentations

This session was chaired by Mr. Komariah (UNPAD) and there were three presentations. A paper entitled, "Reform of the Legal Training System in Japan" was delivered by Ms. Tomoko Akane (Deputy Director, UNAFEI). The second paper, "Reform of the Legal Training System in Indonesia" was given by Mr. Abdul Rahman Saleh (Supreme Court, Indonesia). Ms. Harkristuti Harkrisnowo (University of Indonesia) gave the third presentation on, "Improving the Legal System through Continuing Legal Education and Training."

Ms. Akane gave a history of the Japanese legal training system. During the Meiji Era (1868-1911) professional exams were put in place for judges and prosecutors as the concept of a legal profession was introduced in Japan. The speaker went on to speak about the current situation of legal training in Japan. There is one National Bar Examination for all lawyers (private attorneys, prosecutors and judges) that is open to everybody but is very competitive - the success rate of candidates taking the examination is under 3 %. In 1985 there were 25,000 applicants but only 500 candidates were successful. The number of legal professionals per person in Japan is extremely small compared to other countries. Ms. Akane spoke about the type of education provided in Universities in Japan. One of the biggest problems in Japan is the small number of legal professionals. The number of professionals is simply insufficient to meet the demands of the public. In June 2001, the Justice System Reform Council submitted a number of recommendations that clearly set the targets to increase the legal population. At the forefront of these recommendations is the establishment of Law Schools that will provide a New National Bar Examination. The speaker concluded by making a number of recommendations for the Indonesian legal training system to consider.

Mr. Saleh recognized that although sound legal training is basic to the foundation of the rule of law such legal training is not adequate in Indonesia. The speaker gave an overview of judicial training in Indonesia. When a person finishes the study of law at a law faculty he/she must sit an exam set by the Department of Justice. A successful applicant may then enter training offered by the Department of Justice that lasts for eight months. After such training a candidate can be accepted for internship in the courts of first instance. The speaker gave figures for the number of judges who underwent training in 2002. He further spoke of reforms that are currently underway in Indonesia.

Dr. Harkrisnowo gave 8 ideals for criminal justice personnel. She spoke about some of the external factors that operate upon the criminal justice system such as the socio-political system. According to the legal system in Indonesia students first take a university degree. There are 28 public law schools and 180 private law schools. Continuing legal education is conducted by various institutions but there is no standardized curriculum, no quality control and no unified nor national examination for all lawyers to enter the legal profession. The funding for legal education in Indonesia is very limited. The speaker proposed a number of actions; the recruitment system should be objective and transparent with clearly defined qualifications, experienced legal professionals should be recruited, a curriculum should be developed on a needs assessment basis and involve both practicing lawyers and academics, adequate course material should be provided to fit the needs of the profession, lecturers should have basic abilities and deliver more than basic information in order to enhance legal reasoning. Since 1995 there have been proposals to

establish one-roof education but this has yet to be achieved.

B. Discussion

The legal training systems of Indonesia and Japan were thoroughly discussed in this session. It was observed that there are significant differences between the systems of Indonesia and Japan regarding recruitment of judges and public prosecutors and continuous education systems thereof.

In Japan, judges and public prosecutors receive higher salaries than other government officials. It was raised that, in Indonesia, they receive insufficient salaries, and this is one of the serious problems that need to be addressed.

Session Four: Judicial Reform

A. Presentations

This session was chaired by Mr. Maru'arar Siahaan (Benkulu High Court, Indonesia) and there were three presentations. The first paper entitled, "Independence, Transparency and Accountability of the Judiciary in Japan" was presented by Mr. Toru Miura (Professor, UNAFEI). The second paper, "Supreme Court Reform and Judicial Independence" was delivered by Mr. Bagir Manan (Chief Justice, Supreme Court, Indonesia). Mr. Romli Atmasamita (BPHN, Indonesia) gave the third presentation, "Judicial Reform: Prospects and Challenges of the Judiciary System in Indonesia."

Mr. Miura spoke of how Japan is currently undergoing a great deal of legal reform. In June 2001 the Justice System Reform Council produced its final report that covered every aspect of the nation's legal system. Independence, transparency and accountability are central themes that have been taken up in the report. The speaker gave a history of the Japanese judicial system since the Meiji Era. He gave an overview of Japan's constitution and the separation of powers between the legislative, the executive and the judiciary. The Japanese court structure was explained; the Supreme Court is the final court of law and below this is the High Court, the District Court and the Summary Court. The Cabinet appoints all judges except the Supreme Court Chief Justice who is appointed by the Emperor. Members of the Justice System Reform Council came from various sections of society in order to try and reflect public sentiment in judicial reform. The recommendations of the Council included; diversification of the sources of supply, re-examination of procedures for the appointment of judges and the personnel system for judges, popular participation in the management of the courts and mutual exchanges between legal professionals. Mr. Miura looked at how the disclosure and furnishing of information by the courts could be promoted. He noted how important public participation in the justice process is and how the Council have made a number of recommendations for increasing public participation such as; the introduction of laypersons in civil, family, and juvenile cases. The Council highlighted how a fair justice system must be one that is speedy.

Chief Justice Manan opened by reaffirming how important the independence of the judiciary is to uphold the rule of law. In reality the Indonesian judicial system is not independent. Reform has been ongoing for almost five years but Act No. 35 of 1999 that aims to eliminate government interference has not yet been implemented. In order to build an independent judiciary the conditions have to be conducive and restructuring will only work in the same way as social reform to make society transparent and responsible to law-abiding society. In restructuring the judicature Chief Justice Manan looked at legal education, lawyers themselves, the bureaucracy, the political parties, the rule of law, and an integrated criminal justice system. Certain parts of the Penal Code have to be reformed. Looking at the judicial process only a small percentage of cases actually get to court as most are settled out of court. The Supreme Court is getting an increasingly large workload of laws to review. There needs to be an awareness that only the people within the judicial system can realize a justice system of integrity. Appropriate training of judges is essential in the effective administrative of justice. Many talk about the corruption of judges but not many speak of the poor salary of judges and there needs to be a balance in the way the media reports about the judiciary.

Dr. Atmasasmita stated that in the last thirty-five years since its independence,

Indonesian legal reform has not been successful. The criminal justice system faces many problems such as a lack of qualified judges, prosecutors and police, low remuneration, lack of a strong commitment and leadership among criminal justice officials and corruption within the courts. Of this, the recruitment process is of prime importance and should be deemed to be at the root of many of the problems. The speaker observed that the efforts of combating corruption within the public and private sector has ended in vain. Looking at the different models of judicial responsibility the speaker considered the separation model to be the correct model to follow in Indonesia. An independent institution such as the Judicial Commission is needed to control and monitor the criminal justice agencies.

B. Discussion

A number of questions were raised about alternative conflict resolution. Not all criminal acts can be solved by mediation but certainly if cases are appropriate then mediation should be used appropriately. In Sumatra there is a pilot project on reconciliation and if this works then judges could become involved and specially trained. Not all persons are in favour of mediation especially lawyers as this reduces their workload and fees.

The working conditions and training for judges was also discussed in this session.

Session Five: Reform of the Treatment of Offenders - Community Involvement

A. Presentations

This session was chaired by Mr. Paulus Hadisuprpto (UNDIP, Indonesia) and there were three presentations. The first presentation, "Community Involvement in the Japanese Criminal Justice System Specifically Focusing upon the Volunteer Probation Officer System in the Community-Based Treatment of Offenders" was given by Mr. Kei Someda (Professor, UNAFEI). The second presentation, with the same title as the session, was given by Mr. Adi Suyatno (Director-General of Corrections, Indonesia). Mr. Ronny Nitibaskara (University of Indonesia) gave the third presentation on, "The Urgent Need to Reform Treatment Towards Corruption Offenders in Indonesia".

Mr. Someda opened by speaking about the long tradition of community involvement in the criminal justice system. He spoke of community involvement in the police in the form of local community crime prevention volunteers and juvenile guidance volunteers. In the Family Court, the Juvenile Friendship Volunteer Association supports juveniles who are under tentative probationary supervision. The Correction Service has the Volunteer Prison Visitor System whereby volunteers visit inmates and provide them with various types of support. The Probation Service has Volunteer Probation Officers (VPOs), Judicial Persons for Rehabilitation Services, Members of Women's Association for Rehabilitation Aid, Members of Big Brothers and Sisters Movement and Cooperative Employers. The speaker spoke extensively about the VPO system in Japan. As of April 2002, there were 48,931 VPOs and the average age was 63.5 years old, almost a quarter of which were women. VPOs' activities fall into two types; rehabilitation aid activities and crime prevention activities. VPOs meet regularly with parolees, obtain support from parents, teachers and cooperative employers and provide urgent assistance such as going to police stations in the middle of the night. The VPO system was acknowledged in statute in Japan in 1939 and the Volunteer Probation Officer Law of 1950 governs the modern VPO system. The problems faced by the VPO system include whether the same level of support can be provided as that by government agencies and the generation gap between officers and probationers. Mr. Someda went on to speak about juridical persons for rehabilitation services, halfway houses and rehabilitation aid associations.

Mr. Suyatno introduced his presentation by speaking generally about the reasons for prisons and the purposes of imprisonment. The primary role of corrections is to restore relationships and to support individuals as autonomous human beings. The speaker talked about the ten correctional principles that guide correctional policy in Indonesia. The primary responsibility of the Correction Service is to successfully return offenders to the community. The speaker identified a number of factors that are fundamental to the work of corrections; related institutions (such as governmental agencies), social organizations (such as non-governmental agencies) and cooperation with third parties (such as potential employers). Currently in Indonesia corrections are concentrating on inmates suffering from drug-related problems and looking at how to implement human rights concepts. There is a problem with overcrowding in prisons in Indonesia. Compared to Japan, Indonesia has very few non-governmental agencies especially in the corrections field. In conclusion Mr. Suyatno spoke of how the keyword to treatment is the community itself that must provide trust, support and a helping hand without which the corrections service cannot succeed.

Dr. Nitibaskara looked at the urgent need to reform treatment towards offenders convicted of corruption cases in Indonesia. The speaker pointed out that severe punishment is not always a deterrent. The concept of the treatment of offenders cannot be separated from the new concepts of crime. There are two factors that are often neglected in penal studies but which should attract particular attention; firstly the actual condition of society and secondly the variety of crimes. While the USA might now be focusing on terrorism, Indonesia is focused on corruption. The key to reformed treatment is severe punishment and non-discrimination.

B. Discussion

It was pointed out that offenders often find it difficult to integrate in the community after prison. Halfway houses are useful and should be implemented in Indonesia as they are in Japan. In addition it was noted that only those that really need treatment are *imprisoned* in Japan. It was noted that Indonesian culture is totally different to that of Japan, it is heterogeneous as opposed to homogeneous. Shame plays a large part in Japanese society but many officials in Indonesia do not feel any shame when practicing corruption.

RECOMMENDATIONS

A. Preamble

Currently in Indonesia there appear to be negative perceptions and public apathy towards the criminal justice system. The fact that this system is unsatisfactory cannot be denied. Discriminative treatment within the legal apparatus, unprotected legal rights of the accused, witnesses and victims, a lengthy and complicated criminal process, corruption in many segments of the legal institutions, as well as sentencing disparity, demonstrate that the criminal justice system has not been successful.

One of the identified causes of these conditions is the non-existence of "an agreed upon objective" by the supporting subsystems within the criminal justice system, including a clear stipulation of the duties and functions of each subsystem. In this context it is quite apparent that the so-called "system" is working somewhat unsystematically, since each subsystem conducts its duties in a fragmented manner.

In order to establish a sound and developed society, we should ensure there is transparency, impartiality and integrity in the criminal justice process. In particular, the integrity of judicial officials is the most important aspect in achieving the trust of the public.

B. Recommendations

1. As state agencies responsible for maintaining the rule of law, criminal justice agencies should have guiding principles applicable to all. The main principles that should be incorporated within the system are: fairness and due process of law, the principle of legality, accountability, transparency, effectiveness and efficiency, and simplicity and expediency.
2. Coordination and cooperation among agencies must be promoted to ensure the just and expeditious administration of justice, thus avoiding the oft-cited conflicting policies, which reduce the quality of the criminal justice system.
3. Sufficient attention should be given to protect the fundamental human rights of persons who fall under the criminal justice system by complying with international instruments including the United Nations standards and norms.
4. As Indonesia is struggling towards a more professional and democratic criminal justice system, each criminal justice agency (the police, the prosecutors office, the judiciary and the correctional agency) should strive towards improving their performance, especially in matters related to management, both human resources and operational management.
5. The participation of the community must be ensured to enhance the performance of the criminal justice system in various ways. The formation of community-based groups would be of great assistance not only for crime prevention-related activities, but also for educating the public at large on criminal justice issues.
6. A strong framework should be established to guarantee the independence of the judiciary. Appropriate mechanisms should be established to ensure every judge is not subject to undue influence, inducements, pressures, threats or interferences, direct or indirect.
7. Every effort should be made to make the courts more reliable, effective and accessible so as to respond properly and speedily to the needs of society.
8. Access to information about justice including statutes and judicial precedents should be actively promoted.
9. Recognizing the importance of securing competent criminal justice professionals, such as

- judges, public prosecutors, practicing lawyers, police officers and so on:
- (i) Candidates to be legal professionals should be provided with broad and adequate legal education at the undergraduate stage and beyond;
 - (ii) A fair and proper procedure for selecting, recruiting and appointing legal professionals should be established;
 - (iii) Legal professionals should be provided with continuing and on-the-job training to improve their professional skill and knowledge in times of rapid development in science and technology, and globalization;
 - (iv) To enhance the promotion of a “one roof” judicial system of education.
10. Investigation and prosecution of corruption should be free from undue political, economic and other improper influences.
 11. An effective control mechanism is required for law enforcement agencies to promote law and justice for the people. There should be an adequate number of professionals, necessary resources and sufficient remuneration. An ethics mechanism including a code of conduct, strict internal and external controls should be established.
 12. The proper and necessary equipment required to operate is imperative since much misbehavior committed by criminal justice personnel is alleged to be a result of a lack of facilities in the respective agencies.
 13. The role of the legislature in promoting the work of the criminal justice system should be emphasized through its law-making process, where public participation is a necessity.
 14. A trustworthy relationship between the police and the public is the basis of effective police administration, especially of effective criminal investigation. So the police should maintain the confidence of the public in various ways such as honestly handling citizens’ requests, responding quickly to citizens’ complaints, providing proper victim protection and support and so on.
 15. Organized investigations and forensic investigations are essential to effective police criminal investigations. To achieve this end, the police should establish an organized investigation system and introduce various scientific techniques such as fingerprint identification, DNA testing and so on.
 16. To promote the reintegration of offenders into society, the enhancement of greater community involvement in the management of corrections and probation services should be encouraged.
 17. The conditions in correctional institutions and services accorded to inmates should be improved to protect the basic human rights and to promote the rehabilitation of offenders.

Prof. Dr. Romli Atmasasmita
General Chairperson

Mr. Kunihiko Sakai
General Chairperson

Prof. Dr. Harkristuti Harkrisnowo
Secretary General

Opening Session

Address – Prof. Dr. H. Harkrisnowo, Chairperson

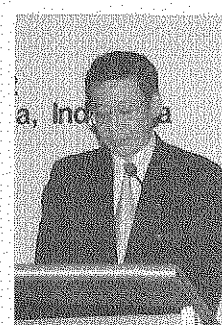
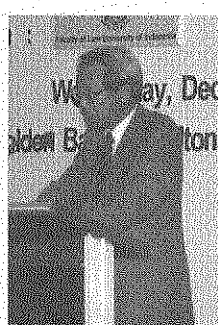
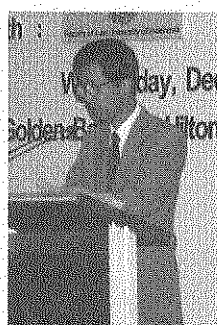
Address – Mr. Y. Iimura, Ambassador of Japan

Address – Mr. M.Kanda, President of JICA

*Address – Mr. Kwik Kian Gie, Minister National Planning
Development Agency*

*Keynote Speech – Prof. Dr. R. Atmasasmita, Chairman of the National
Law Development Agency*

Address – K. Sakai, Director of UNAFEI



Please note that the following papers have not been edited for publication. The opinions expressed therein are those of the author's. They do not necessarily reflect the position of the departments or agencies that they represent.

OPENING ADDRESS

By

Prof. Dr. Harkristuti HARKRISNOWO S.H., M.A. Ph.D.
Chairperson of the Organizing Committee

Your Excellencies Mr. Kwik Kian Gie, Mr. Iimura, Mr. Kanda, Prof. Romli Atmasamita, Mr. Sakai. Distinguished guests, ladies and gentleman. Please allow me to warmly welcome you to this three day seminar. And I would also like to convey my gratitude to you all for coming to this event which is held in a very difficult time because it is held between the Idul Fitri, Christmas and also New Year's Eve. So I have great appreciation for you coming to this event.

This international seminar was initiated by UNAFEI, JICA, BAPPENAS and the Faculty of Law, University of Indonesia. We have invited speakers from both Indonesia and Japan. Five speakers are from Japan while ten speakers are from Indonesia. The participants are from various parts of Indonesia as well as from Jakarta, and we have representatives from the police system, from the prosecutor's office, judges, and lawyers, correctional officers, academics, and also officers from the NGOs. As of mid-night last night we had 162 participants registered at this event.

It is our understanding that the criminal justice system is a very important issue in Indonesia today, because we have many people looking at the system which is alleged to be very unprofessional and possess other weaknesses that harm the performance of the criminal justice system. So today we are going to exchange our views, the Japanese experience as well as the Indonesian experience. To a certain extent, reform can improve the performance of the criminal justice system in Indonesia. And I would like also to extend my gratitude to our speakers and moderators coming from different parts of Indonesia, thus I would like to convey the message that this is not just being conducted and participated in by Jakartan's only.

We do hope that whatever we are going to achieve this will somehow contribute greatly to the development of the criminal justice system of Indonesia especially and also to law reform in Indonesia in general. Thank you.

OPENING ADDRESS

By
Mr. Yutaka HIMURA
Ambassador of Japan

His Excellency Mr. Kwik Kian Gie, Minister National Planning Development Agency of BAPPENAS. Prof. Dr. Romli, the Chairman of the National Law Development Agency. Mr. Kunihiro Sakai, Director of UNAFEI. Mr. Michio Kanda, Resident Representative of JICA, Indonesia Office; Distinguished guests, ladies and gentlemen.

It is my honor to attend this opening ceremony of the International Seminar on Criminal Justice Reform, it is also a great pleasure for the government of Japan to be able to work closely with those who are present here and who are deeply involved in the judicial reforms.

Indonesia is in transition while overcoming the legacy of the past, it has set about to realize a democratic and just society. The judicial reforms play an essential roll in this process. Particularly reforms in the criminal justice system which is the key, as it is the backbone of the state's judicial system, for the protection of its citizens' lives, rights and property. In addition the reconstruction of the national economy, which is a priority, cannot be realized without successful judicial reform. Good governance provides a foundation for stable business transactions, in this sense, it is my belief, that it is no exaggeration to say that the future of this country is at stake. My country, Japan, takes great pride to be able to walk with you closely in this event of Japanese-Indonesian Cooperation for judicial reform. This seminar held by UNAFEI, JICA, BAPPENAS in cooperation with the Faculty of Law University of Indonesia, as you know is the 3rd joint seminar of Japan and Indonesian. Many Indonesians who have been trained at the UNAFEI in Japan have important positions, among others; in the courts, the prosecutor's office and the Ministry of Justice. As to the improvement of the civil police, Japan has its high level officials as advisors of the national police office and a JICA technical cooperation project is being carried out at Bekasi police station.

In January this year, the study team for Indonesian Judicial Reform was sent back to Jakarta by the government of Japan. And subsequently comparative study programs by Japanese and Indonesian legal experts were held in Japan in July. Based upon this we attempted to strengthen the internal cooperation and wish to go to the next stage which is more comprehensive and a collaboration. From this perspective, I believe the seminar today is an important opportunity, which could accelerate the development of the cooperative relationship between the two countries.

Finally, one of the things that we learn from experience is that judicial reform must be conducted, taking into account the country's culture and tradition otherwise it cannot be accepted by the people. In the course of this seminar today, Japanese lectures will show our experiences. My hope is that it will not be a one-way street and rather that the Indonesian side will gain something from these experiences and think about what Indonesian law can gain from elements of the Japanese system and what elements could not easily be incorporated due to cultural differences. The significance of this seminar lies precisely in getting all of us to think about this question. In January this year, the Japanese Prime Minister visited South East Asia and announced that he had based his policy on our situation on the philosophy of "*berpikir bersama*,

berjalan bersama". I'd like to see the Indonesian-Japanese cooperation in judicial reform based on this principle. Thank you very much.

OPENING ADDRESS

By
Mr. Michio KANDA
Resident Representative JICA

His Excellency Mr. Kwik Kian Gie, State Minister, National Planning Development Agency and Chairman of BAPPENAS. His Excellency Mr. Iimura Yutaka, Ambassador of Japan to Indonesia. Prof. Dr. Romli Atmasasmita, the Chairman of the National Law Development Agency, Ministry of Justice and Human Rights. Mr. Sakai Kunihiko, Director of UNAFEI. Distinguished guests, lecturers, participants, ladies and gentlemen.

On behalf of Japan International Cooperation Agency, it is my great pleasure to say a few words at this opening ceremony of the International Seminar on the Criminal Justice System, jointly coordinated by the government of Japan and Indonesia and the government of Japan and UNAFEI through JICA. First of all, I'd like to extend my warmest welcome to all participants of this seminar. At the same time I'd like to express my great appreciation to the official consultants from the BAPPENAS, Supreme Court, Ministry of Justice and Human Rights, and other related organizations of the government of Indonesia. Without their dedication this seminar could not have been so successful.

The purpose of this seminar which is jointly conducted by the BAPPENAS, UNAFEI, JICA, and other related organizations is to provide the participants with an opportunity to exchange opinions and upgrade their knowledge in the field of criminal affairs. I'm proud to attend this seminar to give participants an opportunity to share a pretty obvious concern on criminal affairs and consult with them from a different angle. As all of us know well, legal reform is one of the key issues for social and political stability. At the same time, justice reform will lead to greater investment in Indonesia for economic recovery; especially since the last meeting, we are very concerned with the progress of a variety of legal reforms. Based on such a situation, JICA conducted some ways of supporting the legal reform in January 2002 and through discussion on this latest concern, JICA prepared cooperation programs in 2002. There are several countries in this programme in Japan and joint JICA seminars.

In this connection, I would like very much to show my appreciation for the Director of UNAFEI, Mr. Kunihiko Sakai for implementing this seminar. It goes without saying that JICA has also supported the government of Indonesia for a long time in the field of legal and judicial sectors by accepting Indonesian officials to Japan for training or studies.

I hope that all of us will learn something from the experiences of both sides' lectures, despite the relatively short duration of the program, I'm convinced that the participants will obtain substantial knowledge and experience. The knowledge provided by the seminar however will be most effectively utilized by making modifications to suit it to our relative and current situation.

In conclusion I would like to take this opportunity to express once again my sincere gratitude to all the officials from the government of Indonesia for their wholehearted effort in making this seminar possible.

May I close my address wishing all of you every success, thank you very much.

OPENING ADDRESS

By
Mr. KWIK Kian Gie
Minister National Planning Development Agency

His Excellency Mr. Iimura Yutaka, Ambassador of Japan; Mr. Michio Kanda, the Resident Representative of JICA; Mr. Kunihiko Sakai, Director of UNAFEI, distinguished ladies and gentlemen.

First of all I would like to express my deepest appreciation to the government of Japan and delegates who have initiated the cooperation of this seminar. I would also like to warmly welcome all the participants who have been willing to devote their valuable time by attending this joint seminar on Criminal Justice Reform. The object of this seminar is to have an in depth and thorough review of the judicial reform process in both Indonesian and Japan from the presentations by the competent speakers. This seminar is also aimed at the exchange of information, knowledge and experience especially concerning criminal matters and other related issues. In this regard, it is expected the seminar will promote cooperation, networking and mutual understanding of legal reform between the two countries. This joint seminar is the second seminar held in cooperation with the Japanese government; the first one was in 1992. In my opinion, this is sufficient evidence that both governments understand the importance of information sharing of various issues related to the criminal justice system.

For many years, the Indonesian society has been longing for law enforcement and legal certainty. This will constitute proof of society's distrust toward the current legal system especially law enforcement and the judicial agents. The dignity of those agents has been degraded by reason of their insufficient performance in enforcing and guaranteeing legal order and legal certainty. Abuse of the law and corrupt judges are important factors in deterring investment. The investors would certainly choose a country with better and more reliable enforcement. This unfavorable circumstances can no longer be sustained since Indonesia will shortly be involved in global trade, initially in the year 2003 with the entry into force of the Asia Free Trade Area (AFTA). The AFTA will be a big challenge for Indonesia to observe its legal instruments, preparedness and readiness in absorbing investments.

In conjunction with the topic of the Effective Administration of the Police we will discuss problems faced by the police in handling the ever increasing crime rate especially those connected with transnational organized crime and terrorism. I expect the distinguished speakers from Indonesia and Japan could mutually exchange comprehensive information concerning the preventive and repressive measures in their respective countries. We have noticed that the growth of transnational crime such as smuggling, money laundering, even in children trafficking, terrorism and other organized crime are another impact of globalization. Indonesia has recently been a victim of terrorist acts in Bali; the tragedy has worsened Indonesia's status in the international community. On the subsequent topic, which deals mainly with the measures in combating corruption committed by justice personnel, I expect the speakers will provide an ideal picture and information concerning the effective mechanisms for combating corruption offences thus advancing the integrity of judges, prosecutors and other law enforcement personnel. The third topic concerning reform of legal training and the recruitment system for judges, prosecutors and the police is no less important. It is expected the speakers will explore the strengths and

weaknesses of their respective reform programs, which will provide valuable inputs for further development of the most suitable legal training program for law enforcement agents. The fourth topic on judicial reform will look at measures to create independent and accountable judicial institutions including how to encourage society's involvement in the judicial process. I believe that in the fifth topic on the reform of the treatment of offenders, the respected speakers will provide a model of educating treatment, which is oriented to the resocializing of the offenders after their imprisonment terms. This is based on the principle that every human has a good heart and intention except that sometimes the surrounding circumstances make them commit crimes. From the various topics which will be presented and discussed in this seminar, I'm convinced that we would all agree that law enforcement is one of the keys to establishing social order, certainly and justice which in turn would considerably effect the development of social welfare. I really hope that the recommendations resulting from this seminar will be followed up.

It is important to mention that in the middle of October 2002 we successfully held the second law summit which produced a commitment by the high officials from the law enforcement agencies to force the legal and judicial reform based on Law no. 25/2000 on the National Development Program (PROPENAS). The reforms would cover 5 main fields, the first - legislative reform, second - prosecution reform, third - police reform, fourth - eradication of corruption, collusion and nepotism, and fifth - judicial reform. Therefore I strongly suggest that the follow up of this seminar will be a further commitment resulting from the law summit that will ensure that the legal and judicial reform will run synergically. Last but not least I would like to express my gratitude and appreciation to the steering and organizing committee of the seminar who have given their best efforts to make this seminar a success.

KEYNOTE SPEECH

By

**Prof. Dr. Romli ATMASASMITA, SH. LL. M.
Chairman of the National Law Development Agency**

His Excellency Mr. Jimura Yutaka, Ambassador of Japan; Mr. Michio Kanda, the Resident Representative of JICA; Mr. Kunihiro Sakai, Director of UNAFEI, distinguished ladies and gentlemen.

This is a very important seminar in Indonesia since we know that our Criminal Justice System in Indonesia is not so good and most of the weaknesses lie in the coordination and the synchronization between the agencies. By this seminar we hope that the discussion will be fruitful for both governments since the objective above all others is to exchange information, knowledge and experience between the two countries.

On the topic of effective administration we hope that all the discussion will be directed to the issue on how to enhance the police in combating crimes effectively and efficiently and by the end of the discussion of the first session we hope that we could obtain the recommendations about human resources development, budget planning and the police infrastructure especially in preventing and combating transnational crimes. As regards restoring the integrity of the criminal justice system with the sub-topic on the elimination of corruption in the criminal justice, we hope that it will concentrate on both countries experience. By the end of the discussion hopefully there will be some recommendations about the proposed policy, planning and budgeting in combating and preventing corruption. And on the topic of the reform of the legal training system we hope that they won't concentrate on budgeting issues like as usual, but they will bring new issues such as the judicial education system of the candidates for the criminal justice system. On the topic of judicial reform it is important to raise the issue of how the reform has taken place in this country and also enhancing the machinery of justice in this country. With the last topic reform of the treatment of offenders and community involvement, the issue is about the implementation of the treatment system in this country specifically how to improve community involvement in the system and the important issue of how the treatment system will enhance the prisoners abilities to live like members of society.

OPENING ADDRESS

By
Mr. Kunihiko SAKAI
Director of UNAFEI

His Excellency Mr. Kwik Kian Gie, State Minister, National Planning Development Agency and Chairman of BAPPENAS. His Excellency Mr. Iimura Yutaka, Ambassador of Japan to Indonesia. Mr. Michio Kanda, the Resident Representative of JICA. Prof. Dr. Romli Atmasasmita, the Chairman of the National Law Development Agency. Distinguished guests, lecturers, participants, ladies and gentlemen.

As you may know UNAFEI (United Nations Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders) is truly honored to be able to participate in this historically significant event, with the kind attendance and warm support of so many high ranking criminal justice personnel. Needless to say our society should be based on freedom and fairness without which we cannot expect the healthy development of society or the economy or human being themselves. It is the legal system that provides us with the concept of the rule of law under which all people are treated equally.

As society is becoming more complicated, sophisticated, and global, the concept of the rule of law is gaining in importance. It is no wonder that many countries, including Indonesian and Japan are undertaking extensive judicial system reform. For example the Japanese legal system has been criticized for not being speedy and accessible enough to meet the needs of the people; Justice delayed is justice denied. That is the reason why Japan established a justice system reform council and from the recommendations of the council we are planning drastic reform for the first time since World War II, which we will explain later in this seminar. I understand that Indonesian justice officials are also making untiring efforts to pursue the concept of the rule of law with the ultimate goal of the happiness and the prosperity of the people. This reform requires a lot of aspirations and courage but unless this reform succeeds it will be difficult to have a bright view of the 21st century.

In this joint seminar we will discuss various topics. Each issue should be discussed by every pillar of the criminal justice system in an integrated way, which UNAFEI has long been advocating. In this seminar we'd like to exchange views and experiences and expertise in this important task of judicial system reform. And the last thing I would like to say is that in this seminar we allocate a lot of time for discussion; the door is open for every one for at least one hour. The success of this seminar depends on active participation by all participants. And finally I will be very happy if this seminar helps to nurture the friendly relationship between Indonesia and Japan, and I hope this seminar will start a new era of cooperation in the field of justice for this country. Thank you.