



TACKLING CORRUPTION IN INDONESIA: GOVERNMENT EFFORTS ON CORRUPTION PREVENTION AND ERADICATION

INTERNATIONAL CONFERENCE
“TACKLING CORRUPTION IN ASEAN-LEGISLATION, STRATEGIES AND REGIONAL COOPERATION”
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Outline

1. INDONESIA's CURRENT CONDITION
2. CURRUPTION ISSUE IN THE NAT'L DEV PLAN DOCUMENT
3. GOVERNMENT STRATEGIES
4. WHAT THE DOC SAID ABOUT INT'L COOPERATION?
5. IMPLEMENTATION, MONITORING AND EVALUATION
6. PRESIDENT JOKOWI's LEGAL POLICY PACKAGE
7. WHAT NEXT?

Indonesian Ministry of National Development Planning/ National Development Planning Agency (BAPPENAS)



Under Presidential Regulation No. 55/2012 on National Strategy of Corruption Prevention and Eradication, Bappenas is the leading agency in formulating, monitoring and evaluating the implementation of National Strategy of CPE at national level.



Bappenas then working together with Ministry of Home Affairs in formulating, monitoring and evaluating the implementation of National Strategy of CPE at regional level (province and district level).



Every three months, line ministries and local governments require to submit an electronic report regarding the CPE activities to Bappenas (and Ministry of Home Affairs for local Government)



CURRENT CONDITION

1



1.1. A Dozen of Legislation

Laws

1. Law No. 31/1999 on Corruption Eradication;
2. Law No. 30/2002 on Corruption Eradication Commission;
3. Law No. 7/2006 on the Ratification of UN Convention Against Corruption 2003 (UNCAC);
4. Law No. 13/2006 on Witness and Victim Protection as amended by Law No. 31/2014;
5. Law No. 25/2009 on Public Services;
6. Law No. 8/2010 on Prevention and Eradication of Money Laundering.



Presidential Regulation

- Presidential Regulation No. 55/2012 on National Strategy on Corruption Prevention and Eradication (Long Term 2012-2025 and Medium Term 2012-2014)

Presidential Order/Instruction

1. Presidential Order No. 9/2011 on Actions for Corruption Prevention and Eradication 2011
2. Presidential Order No. 17/2011 on Actions for Corruption Prevention and Eradication 2012
3. Presidential Order No. 1/2013 on Actions for Corruption Prevention and Eradication 2013
4. Presidential Order No. 2/2014 on Actions for Corruption Prevention and Eradication 2014
5. Presidential Order No. 7/2015 on Actions for Corruption Prevention and Eradication 2015
6. Presidential Order No. 10/2016 on Actions for Corruption Prevention and Eradication 2016-2017



1.2. A Number of State and Government Agency*



Corruption Eradication Commission
(KPK)

PENGADILAN TINDAK PIDANA KORUPSI
(TPIKOR)



PENGADILAN TINDAK PIDANA KORUPSI
(TPIKOR)

A Corruption Court



the Financial Transactions Analysis
and Report Centre
(PPATK)



Indonesian Office of
OMBUDSMAN
(ORI)



the Witness & Victim Protection Agency
(LPSK)

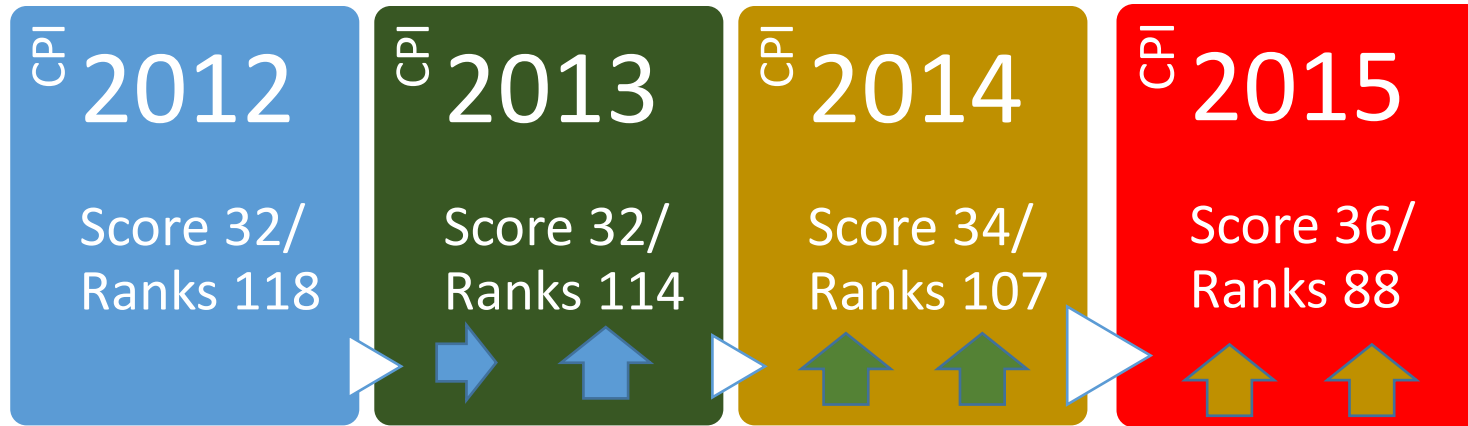


Judicial Commission
(KY)

*we might also add some others law enforcement institution such as **the Attorney's office** and **National Police (POLRI)**

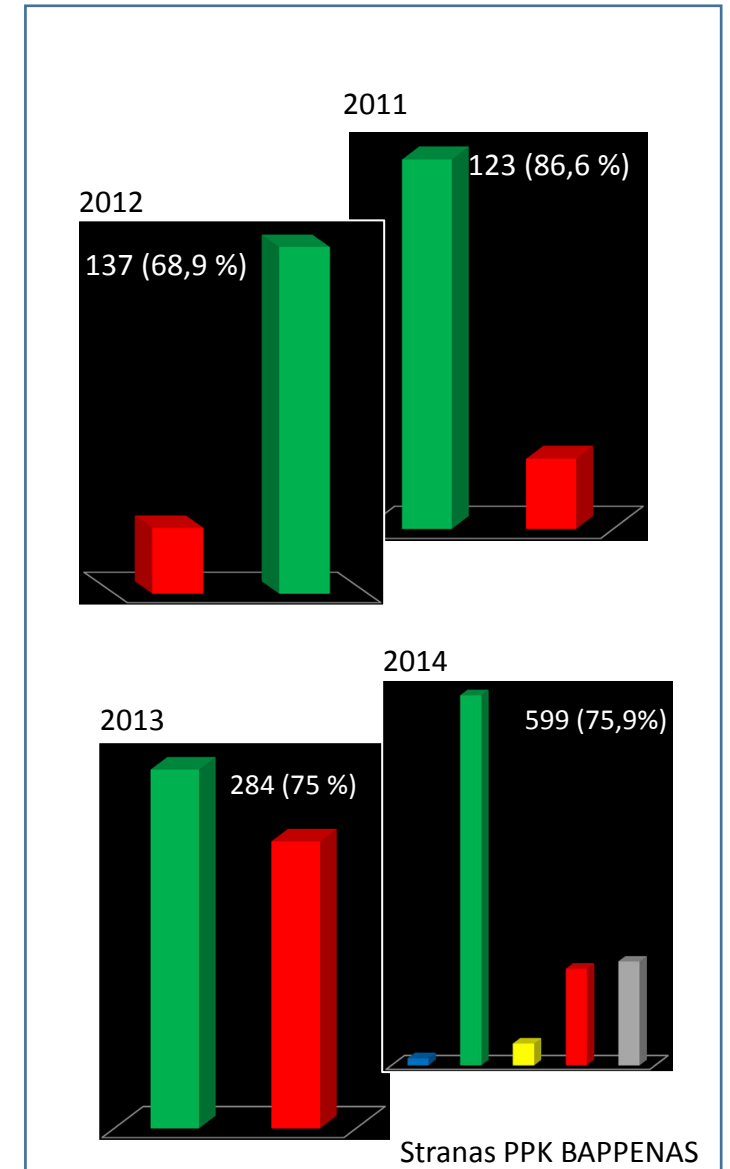


1.4. Current Situation



Transparency International Indonesia, 2016

53% of compatibility Indonesian anti-corruption regulation with UNCAC (2014) due to national legal system.



CORRUPTION ISSUE(S) IN THE NAT'L DEVELOPMENT PLANNING DOCUMENT



2.1. THE NAWA CITA: NINE PRIORITIES AGENDA



On October 2014, Joko Widodo was inaugurated as the seventh president of Indonesia. Jokowi came to power with a national development agenda called Nawa Cita, consisting of nine development priorities.

The Nawa Cita were then translated into the 2015-2019 National Mid-Term Development Plan (RPJMN).



1. Returning the state to its task of protecting all citizens and providing a safe environment;
2. Developing clean, effective, trusted and democratic governance
3. Development of peripheral areas
4. Reforming law enforcement agencies (free from corruption, integrity and trusted)
5. Improve quality of life
6. Increasing productivity and competitiveness
7. Promoting economic independence by developing domestic strategic sectors
8. Overhauling the character of the nation
9. Strengthening the spirit of “unity in diversity” and social reform

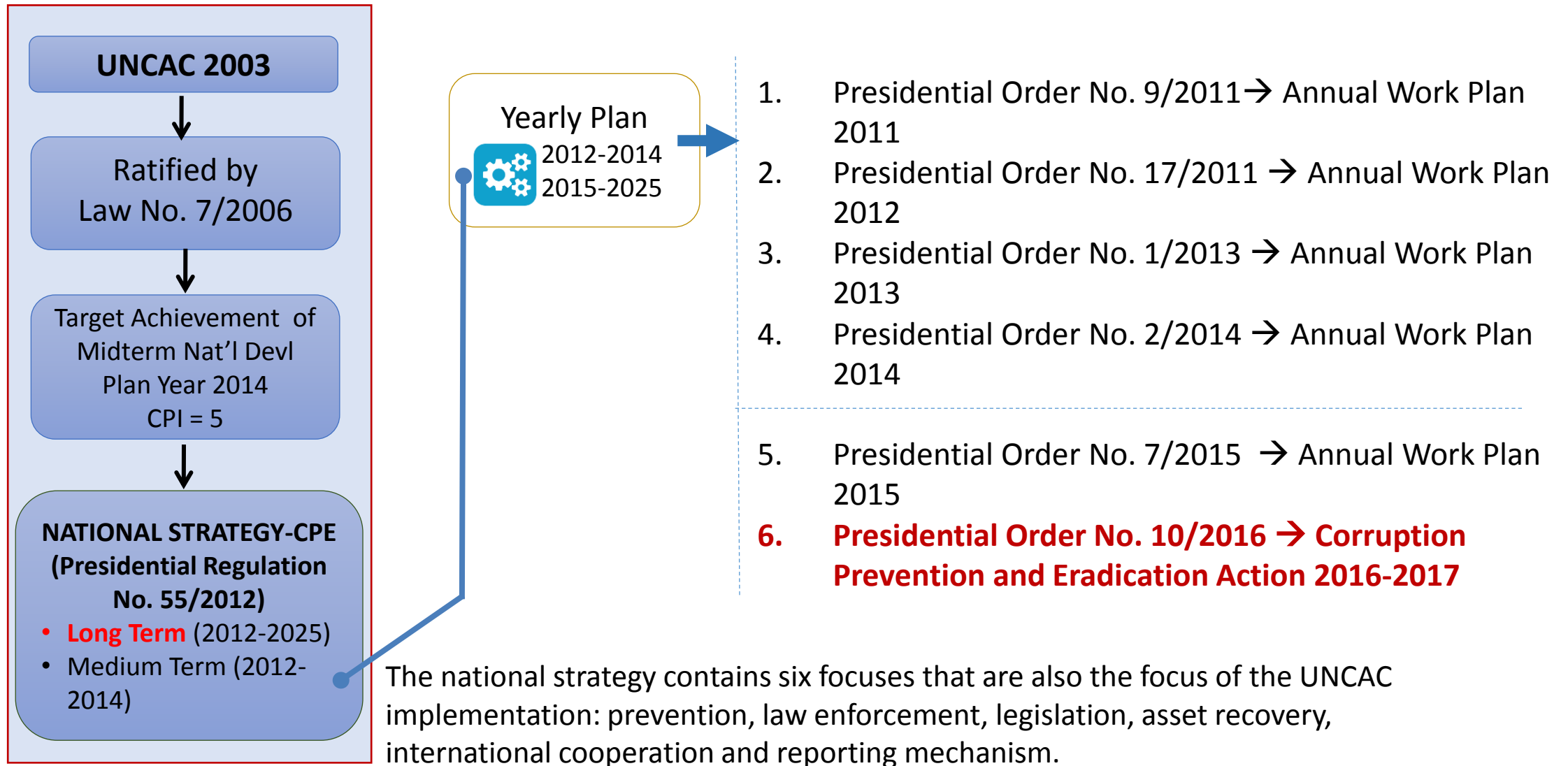
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Chapter 6.4 First Book/Part of RPJMN

- Law and justice  **Corruption (Preventing and Eradicating)**
- Illegal Logging
- Narcotics and drugs
- Land rights
- Women and marginalized groups



2.2. National Strategy on Corruption Prevention and Eradication



2.3. Framework of National Strategy on CPE

1

Long-Term Vision (2012-2025)

Realizing an anti-corruption nation supported by an integrity of cultural values system

2

Medium-Term Vision (2012-2014) Realizing a government that free from corruption supported by a capacity to prevent and eradicate corruption and an integrity of cultural values system

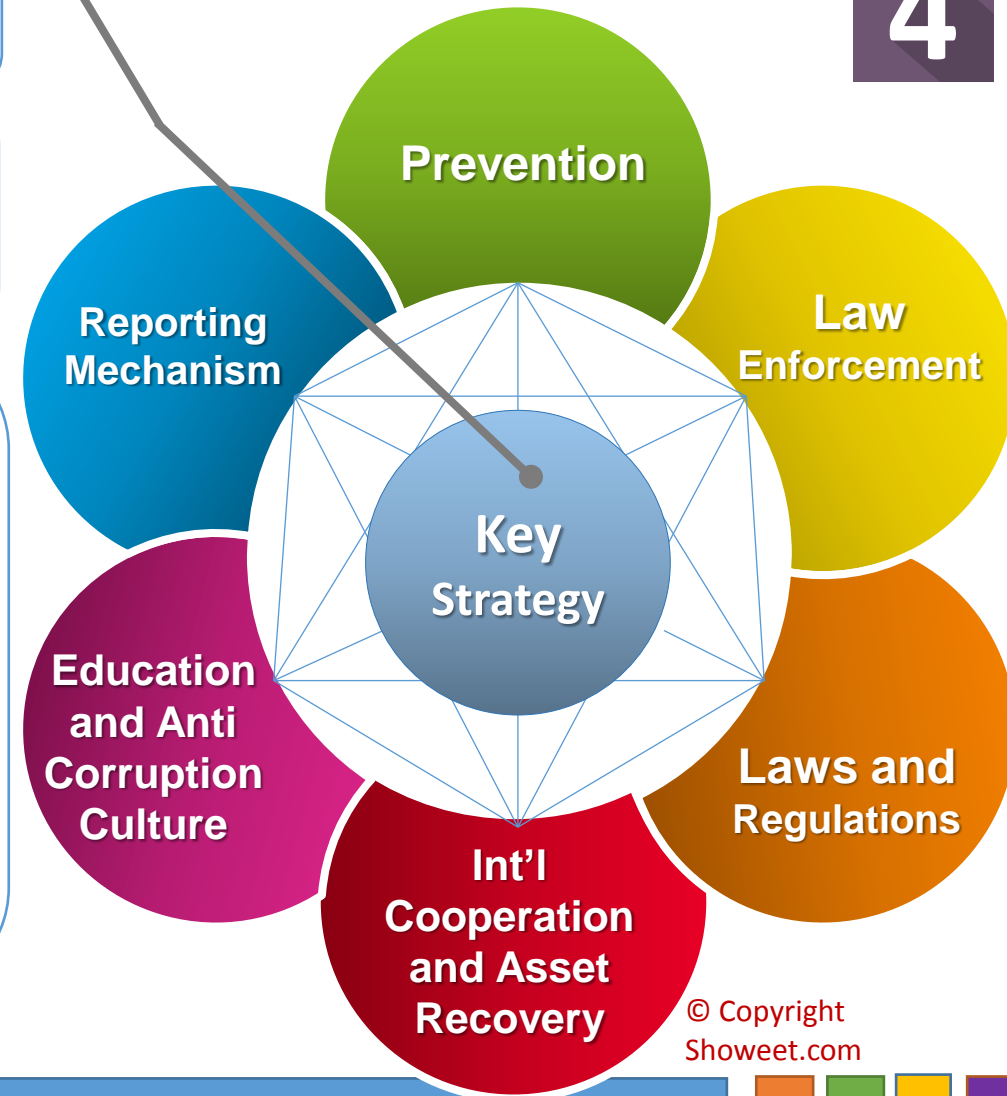
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Missions

1. To build and establish the national integrated system, mechanism and capacity to prevent and eradicate corruption;
2. Reforming the law and regulations to support the implementation of CPE consistently, consolidated, and systematically;
3. To build and consolidate a system and mechanism of corruption assets recovery through effective national and international cooperation;
4. To build and internalize an anti-corruption culture in governance and society;
5. To develop and publicize an integrated report of performances in implementation of National Strategy of CPE

Strategy, priority activities of long-term and medium-term and success indicators

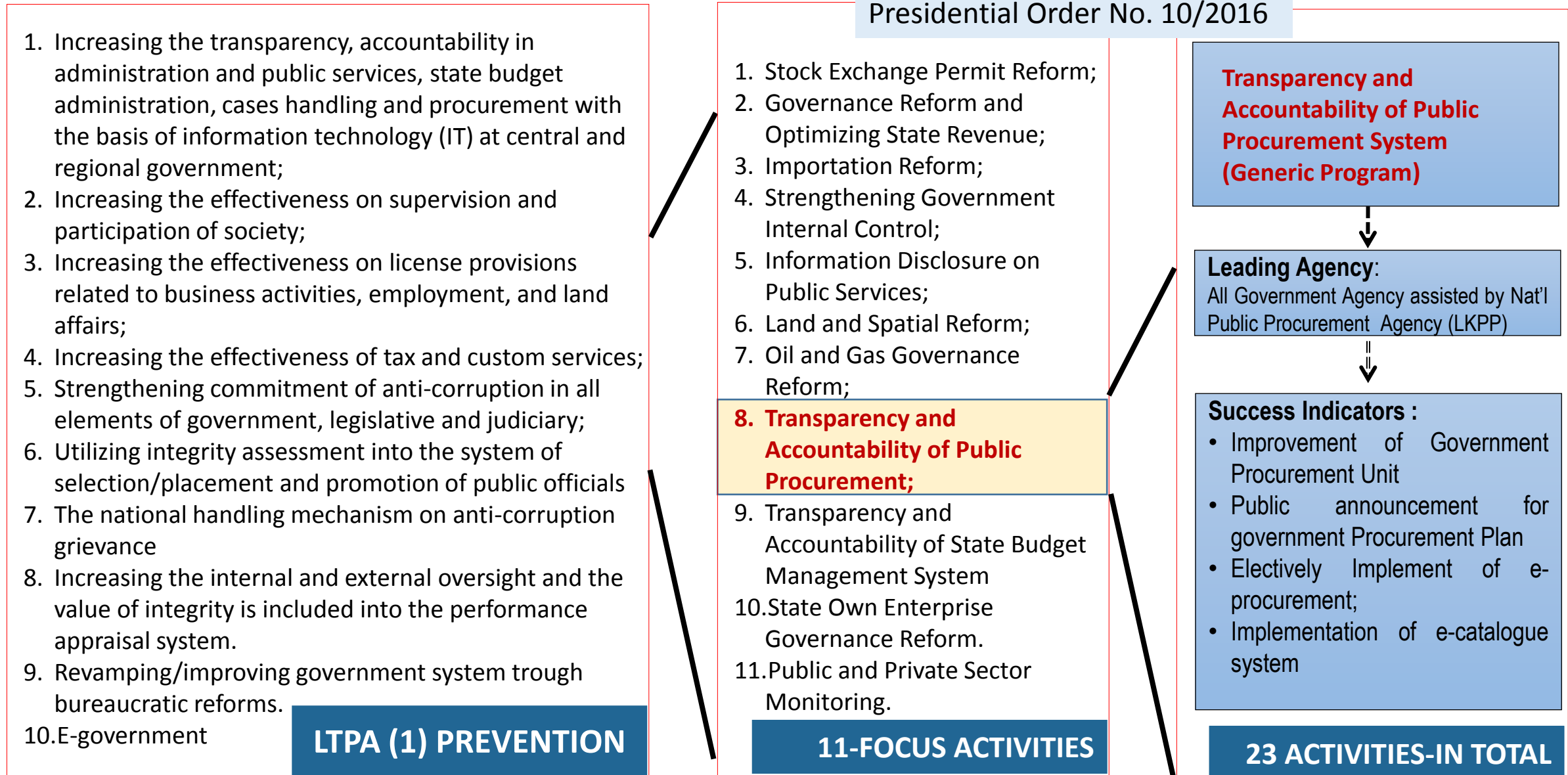
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GOVERNMENT OF INDONESIA'S STRATEGIES



3.1. LONG TERM PRIORITY ACTIVITIES (LTPA) AND HOW ITS APPLIED TO THE AWP (1)



LONG TERM PRIORITY ACTIVITIES AND HOW ITS APPLIED TO THE AWP (2)

1. Strengthening institution and cooperation mechanism among law enforcement agencies in order to optimize law enforcement on corruption;
2. Strengthening the IT-based facilities for coordination among law enforcement agencies in handling cases and judicial process (e-law enforcement);
3. The application of zero tolerance for corruption and legal sanction in all elements of government, legislative, and judiciary.

LTPA (2) LAW ENFORCEMENT

Presidential Order No. 10/2016

1. Law Enforcement Accountability Improvement;
2. **Developing Integrated Law Enforcement Data Base and Strengthening Corruption Eradication Coordination;**
3. Asset Recovery Management Unit Reform

3-FOCUS ACTIVITIES

Acceleration on the Implementation of MOU regarding Integrated Corruption Law Enforcement Data Base

Leading Agency:
Ministry Coordinating for Political, Law and Security Affairs

Success Indicators :
• Implementation of Data Base Integrated Road Map

8 ACTIVITIES-IN TOTAL



3.2. LONG TERM PRIORITY ACTIVITIES: LAWS AND REGULATIONS, ANTI CORRUPTION AND EDUCATION CULTURE, INT'L COOPERATION AND ASSET RECOVERY

1. Harmonization and synchronization of law and regulations with modern law enforcement in criminal justice;
2. Harmonization and synchronization of law and regulations with the implementation of UNCAC and others supporting law;
3. Mapping and revision of law and regulations related to the process of law enforcement;
4. The mechanism of monitoring and evaluation

LTPA (3) LAW AND REGULATION

1. Development of anti-corruption values and postures in society, private sector and government apparatuses in daily activities
2. Development of anti corruption values in education and social activities in order to create the character of nation's integrity
3. Anti corruption campaign
4. Promoting public participation on corruption eradication

LTPA (4) ANTI CORRUPTION AND EDUCATION CULTURE

1. Optimizing the Ministry of Law and Human Rights as a **Central of Authority** in the implementation of Mutual Legal Assistant in asset recovery, international cooperation and extradition;
2. Institutionalize of asset recovery management unit;
3. Training and technical assistant on asset recovery among law enforcement agencies;
4. Dissemination of law and regulations regarding asset recovery to law enforcers;
5. Increasing international cooperation regarding MLA and extradition with other countries

LTPA (5) INT'L COOPERATION AND ASSET RECOVERY







3.3. REPORTING MECHANISM AND PERFORMANCE APPRAISAL ACHIEVEMENT

1. Standardize reporting system on information technology base

2. Implementation of integrated reporting mechanism on corruption prevention and eradication
3. Improving public participation on monitoring and reporting the efforts of corruption prevention and eradication.
4. Surveillance on the implementation of Law No. 14/2008 concerning public disclosure including the verification and clarification on corruption prevention and eradication
5. Developing the access of information concerning the implementation of UNCAC and the corruption prevention and eradication in Indonesia.

LTPA (6) REPORTING MECHANISM

- Achievement targets / outputs include documents, activities, physical evident.
- Category reflected the performance outcomes of the color indicator criteria:
 -  (very satisfactory) : achievement > 100%
 -  (satisfactory) : achievement 75,01 –100%
 -  (need attention) : achievement 50,01 –75%
 -  (disappointing) : achievement 0 –50%
- Verification of performance every check point based on the data / evidence supporting the achievements and field trips are conducted randomly to ensure the validity of the reported outcomes.



3.4. INDICATORS (1)

1

Corruption Perception Index

Data from Transparency International

4

% of Conviction Rate for the corruption cases handled by KPK

2

% of compatibility the Indonesian anticorruption regulations with UNCA

BAPPENAS, Ministry of Justice and Human Rights, and KPK

5

% of Asset return based on court verdict

KPK and Office of Attorney

3

National Integrity Index

Developed by KPK

6

Starting Business Rate

Bappenas from World Bank data

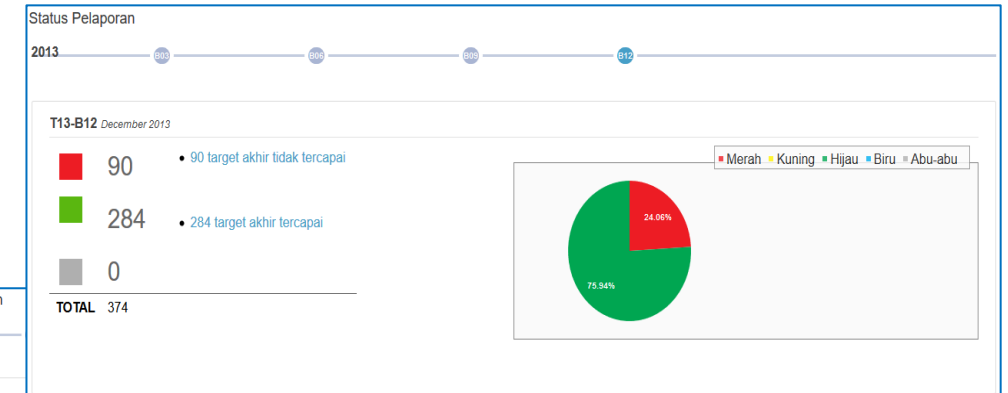
INDICATORS (2)



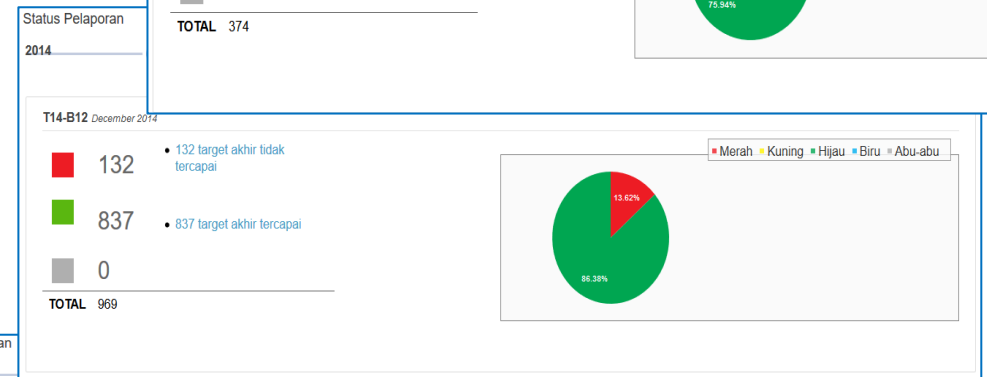
% of compliance in reporting and publication of CPE implementation

Satisfactory index, developed by Bappenas and BPS (Central Statistic Bureau)

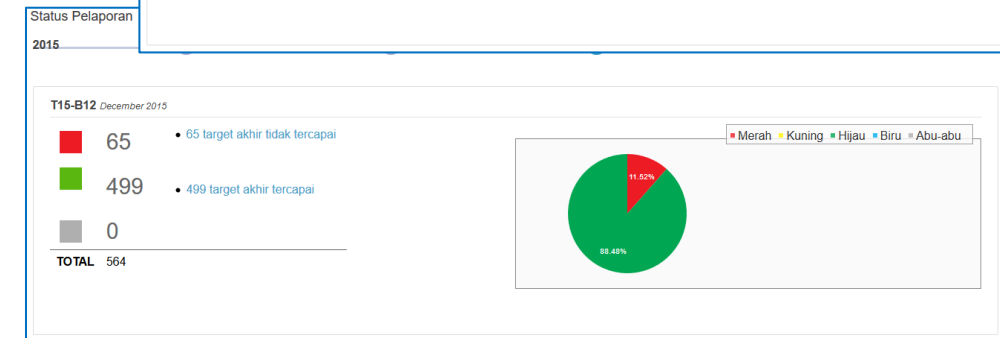
2013



2014



2015

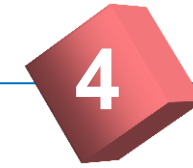


Governance index

Bappenas and others line ministries/agency



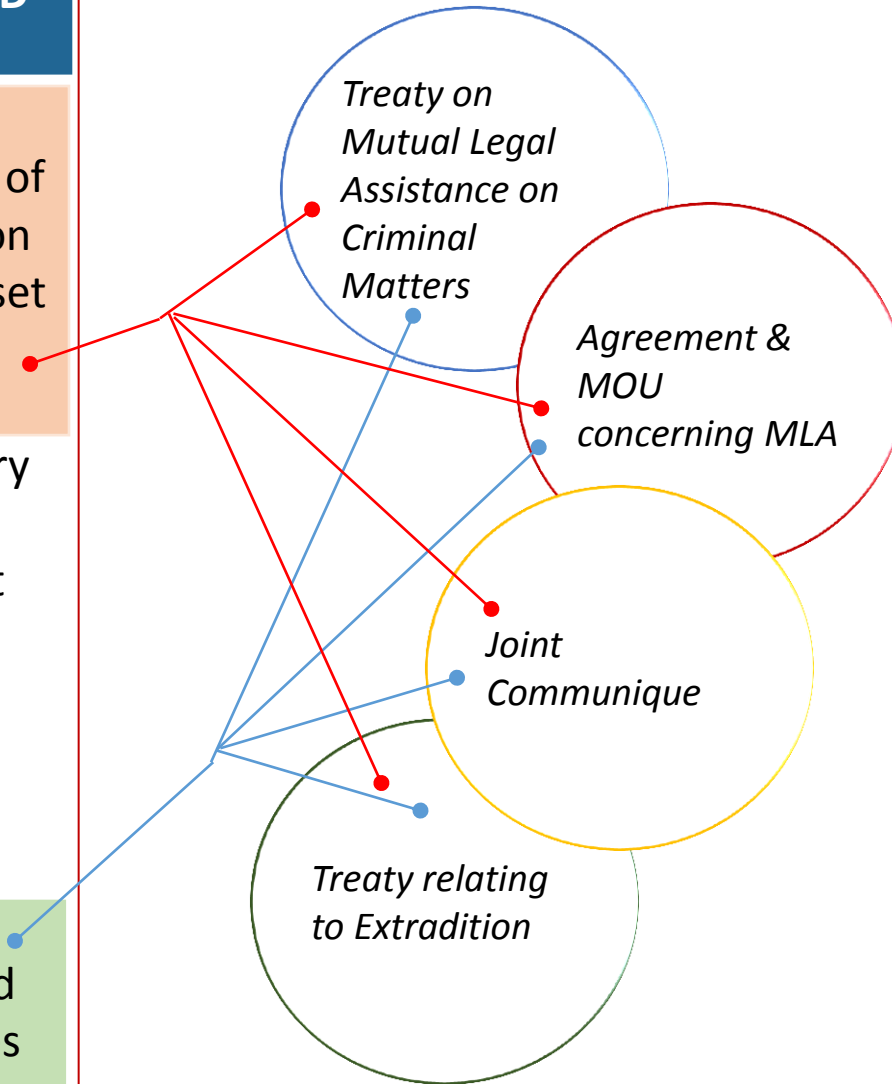
INTERNATIONAL COOPERATION ON COMBATING CORRUPTION



4.1. LONG TERM PRIORITY ACTIVITIES: INT'L COOPERATION AND ASSET RECOVERY

LTPA (5) INT'L COOPERATION AND ASSET RECOVERY

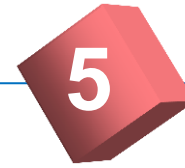
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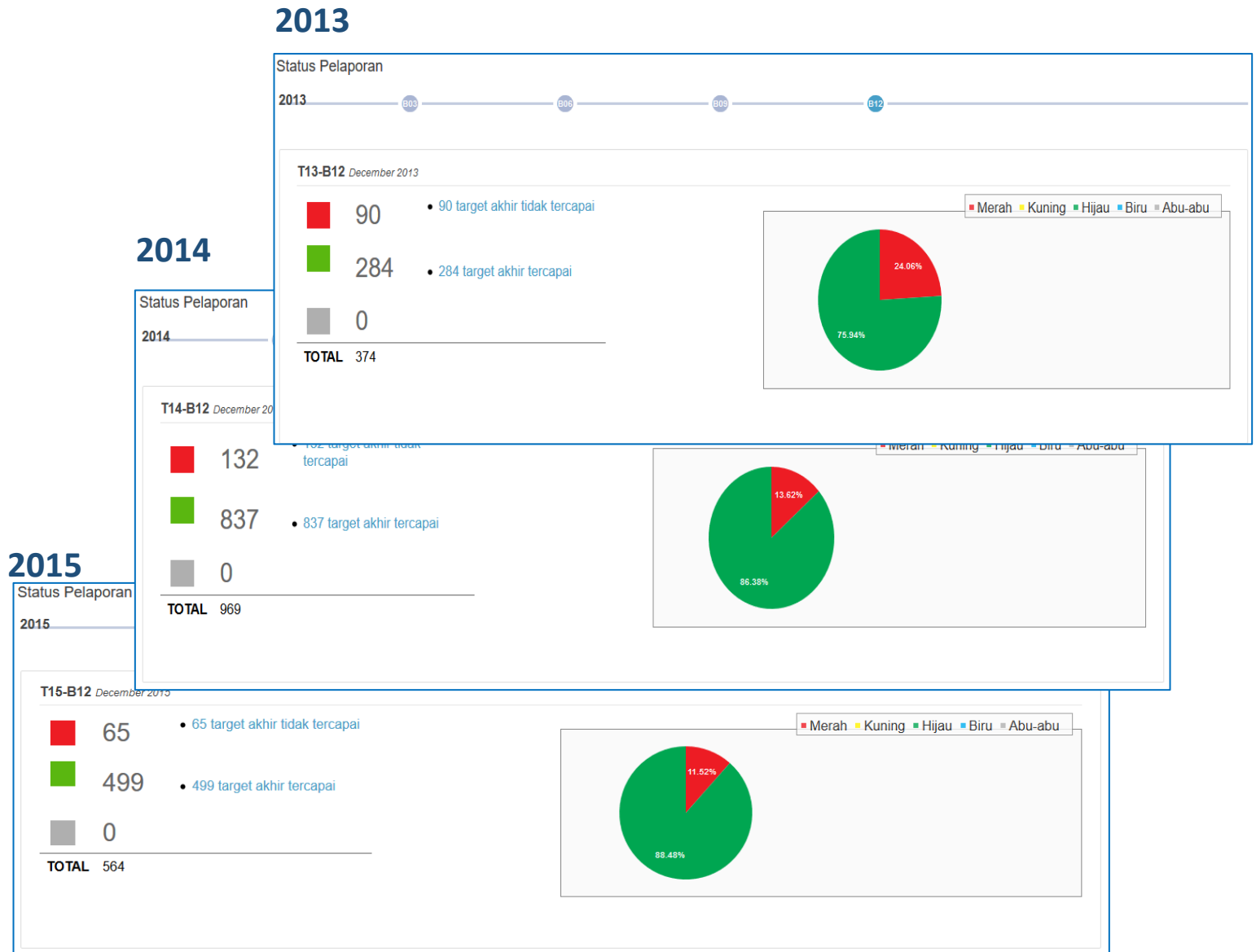
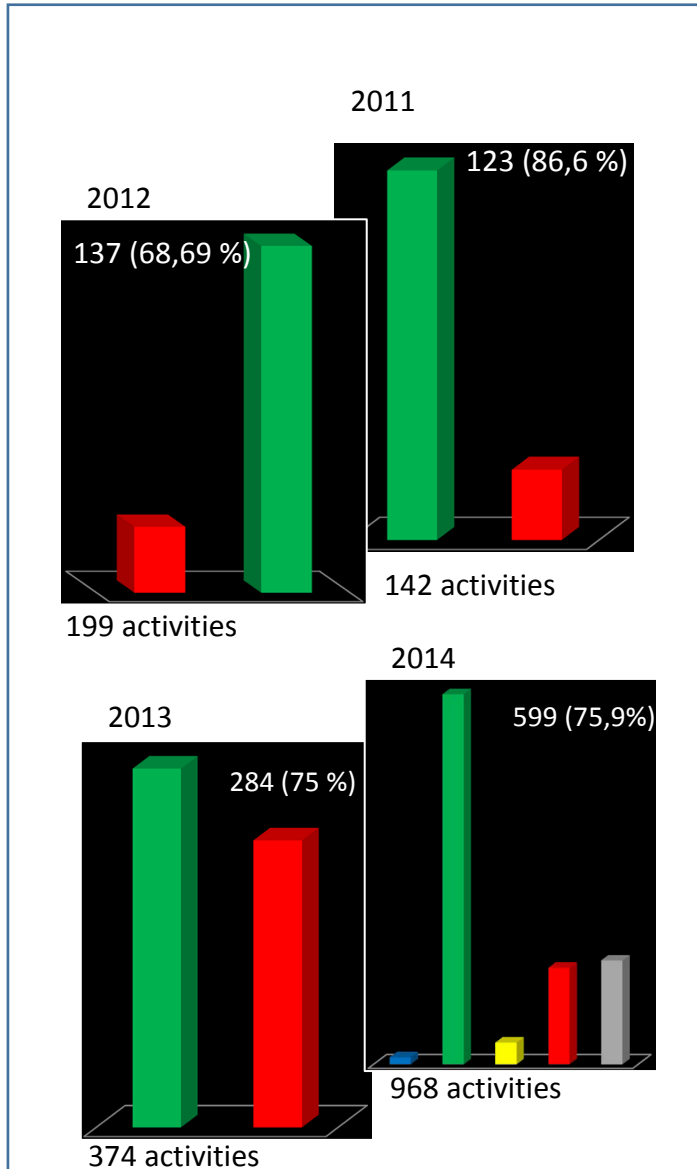
*ASEAN MLA Treaty 1998, Agreement/Treaty/MOU/Joint Communique with Australia, ASEAN Countries, US, Korea, China, Russian, US, etc



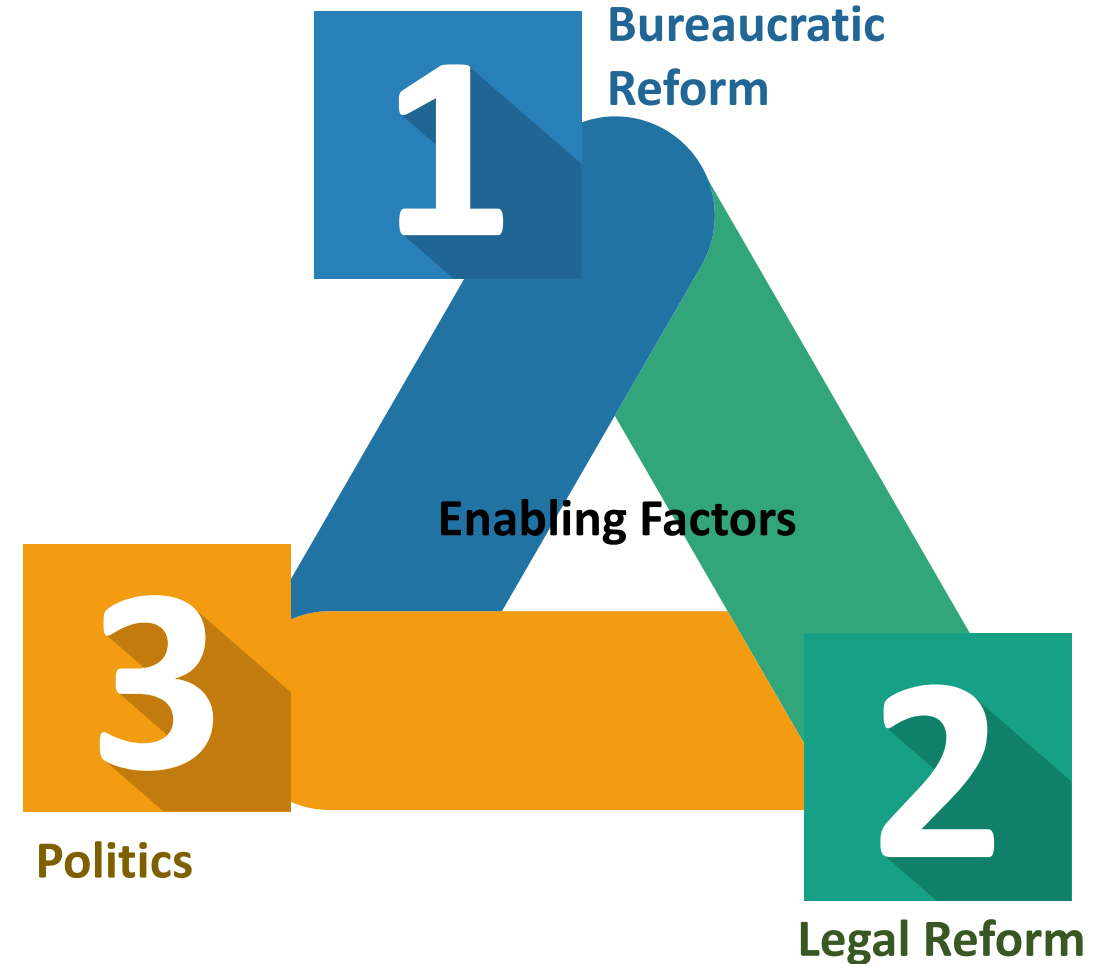
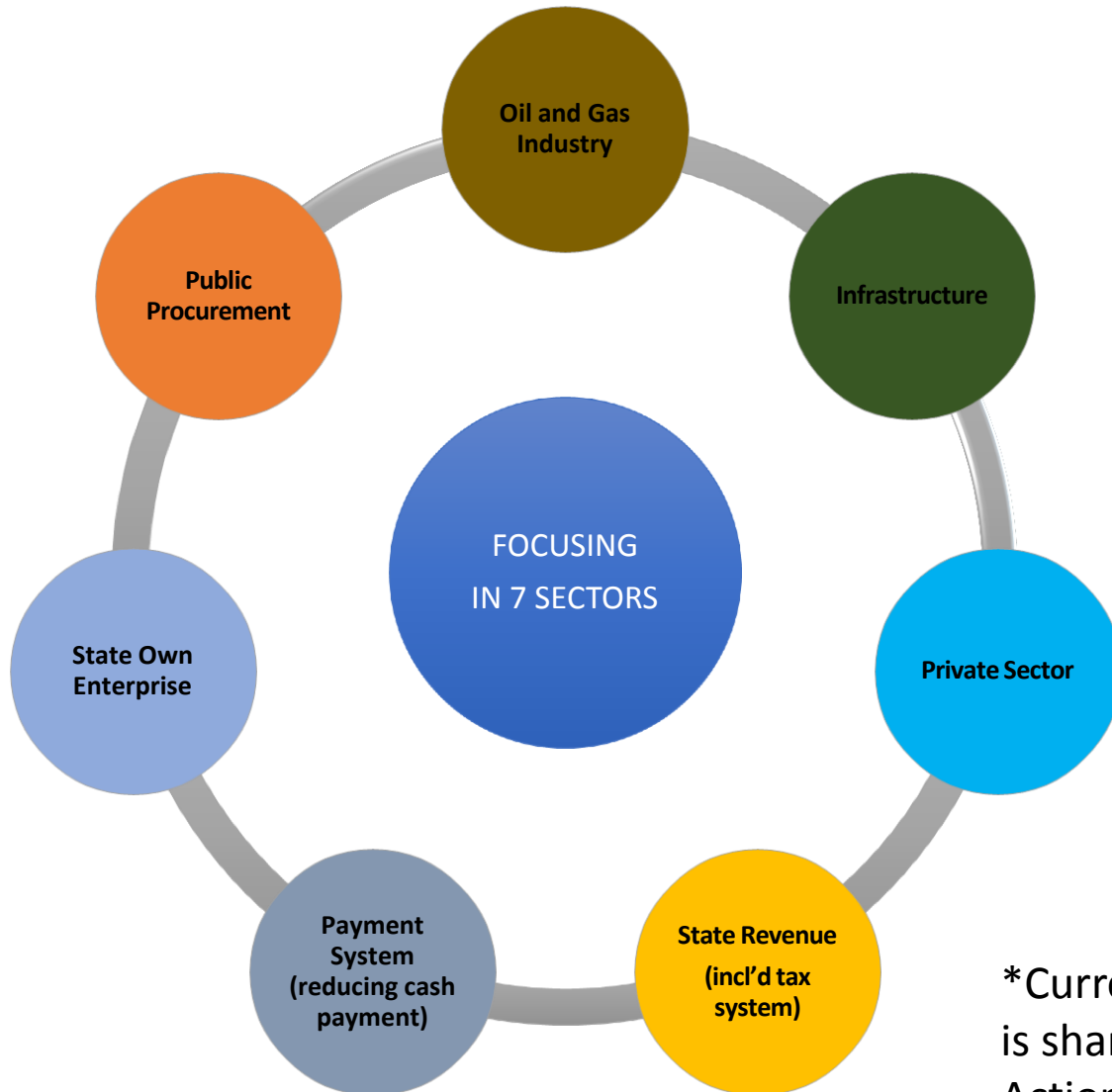
IMPLEMENTATION, MONITORING AND EVALUATION



5.1. REVIEWING THE IMPLEMENTATION OF THE LONG TERM AGENDA: 2012-2015



5.2. SHARPENING THE 2016-2017 ANNUAL ACTIONS



*Currently, Bappenas and Staff of Presidential Office is sharpening the 2016-2017 CPE Actions. The Actions will only consist of 31 activities.

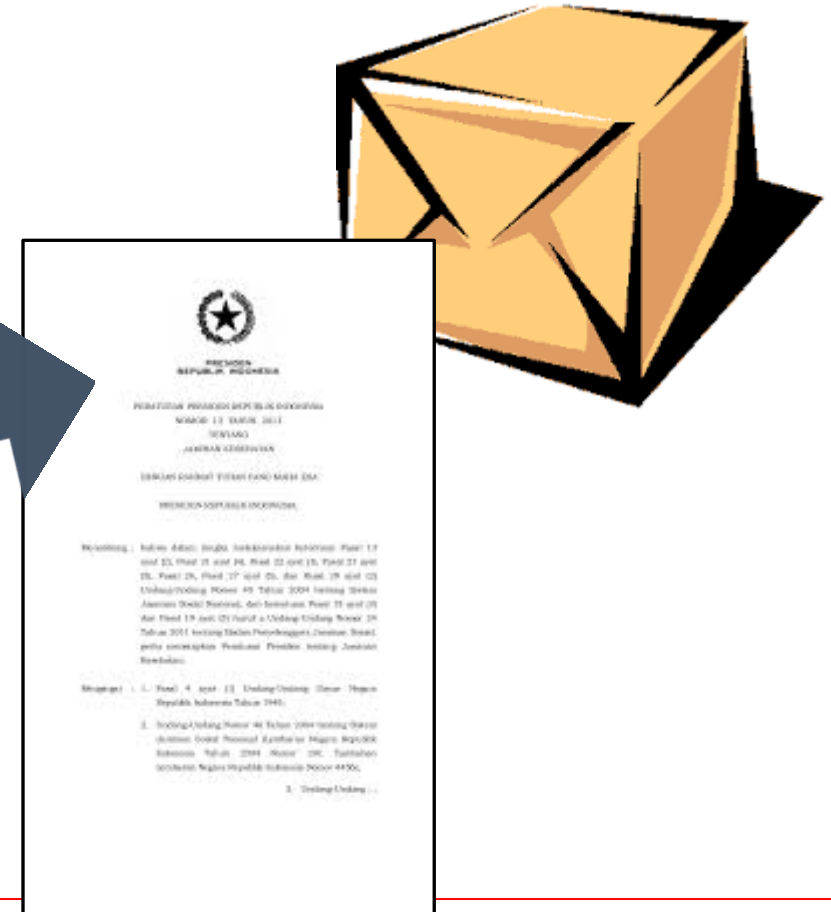


PRESIDENT JOKOWI LEGAL POLICY PACKAGE



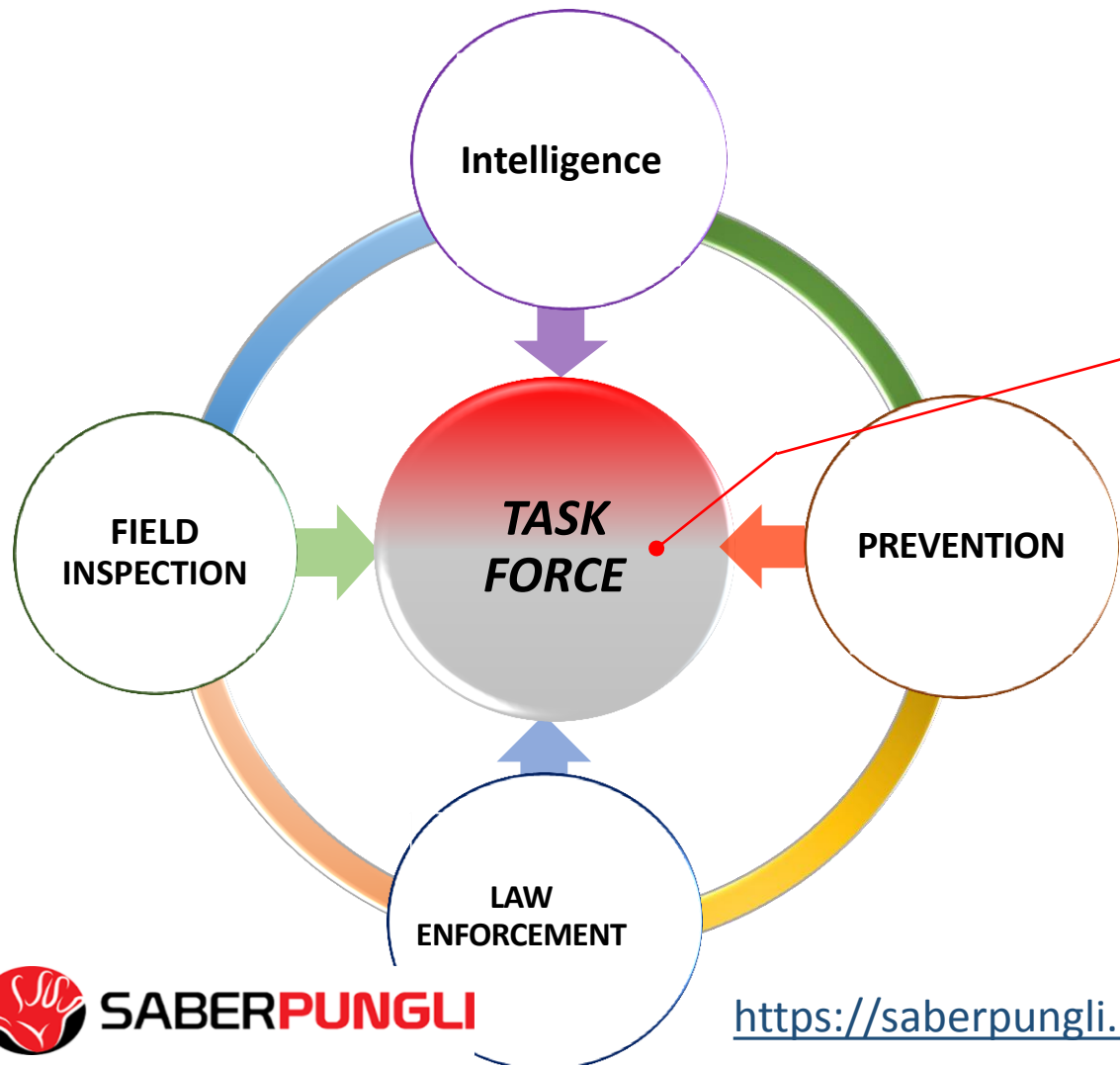
6.1. LEGAL POLICY PACKAGE

- (1) highlighting the public service;
- (2) cracking down on smuggling operations;
- (3) highlighting the penitentiary overcapacity;
- (4) Eradicating the practice of extortion;**
- (5) completion of a case such as the arrangement of regulation, improvement of case management, strengthening of law enforcement officials and human resources and also institutional capacity building and development of legal culture.



Presidential Regulation No. 87/2016 on Task Force for Eradicating Extortion (enacted on 21 Oct 2016)

6.2. TASK FORCE FOR ERADICATING EXTORTION



WHAT NEXT?



7.1. WHAT NEXT?

Nat'l Strategy on CPE

1. GoI need more innovations when derived its national plan to the annual working plan. The actions should be iconic, creative and quickly response to the current situation (not just like a business as usual);
2. The actions also need to be adjustable and adaptable with the direction of the President (for example, how the annual working plan adjust with new policy, such as the legal package policy?);
3. The achievement of the national plan should be transparently reported to the public (and make it easier to read, so the common people might get a change to give suggestions and feed back).

Regional Cooperation

1. There should be a strategic stakeholder forum in ASEAN for knowledge sharing and experiences (consist of representatives from government, private sector, academia and civil society to enhance corruption eradication);
2. As ASEAN has been integrated as a single economic community, there should be:
 - a. one standardize road map regarding Corruption Prevention and Eradication in ASEAN;
 - b. A comprehensive study to harmonize a regulatory framework regarding CPE of each state member of ASEAN.



THANK YOU!