

The Supreme Court of the Republic of Indonesia
Speech for Pre-Consultative Group on Indonesia, the 14th Meeting
Jakarta, 19 January 2005

His Excellency Ambassadors

The Honorable Coordinating Minister for Politics, Law and Security

The Coordinating Minister for Economy

The Coordinating Minister for Social Welfare

Ministers of Indonesian Unity Cabinet

Representatives of donor states and institutions

Distinguished Ladies and Gentlemen,

Good morning, Praise God the Almighty for His blessing so that this pre-CGI forum can be held today. I also invite all of you to ask Him to give strength to those that survives the calamity in Aceh and North Sumatra as well as other regions and may he bless us with empathy and generosity to help those in need.

It is an honor for me to address this forum to inform you on updates relating to judicial reform and anti-corruption. However, I feel obliged to start on Aceh and North Sumatra. As you are aware, the tsunami disaster has inflicted damage on all sectors, including the judiciary. We are still finalizing damage assessments in respect to infrastructure and personnel.

Nevertheless, our preliminary assessments indicate significant damage to both judicial infrastructure and personnel. Some courthouses are destroyed, while others though appear to be intact they may suffer some structural damage. Many judicial personnel or their immediate family and relatives have either perished, missing or are currently displaced.

Despite deploying all necessary relief efforts, the court urges all parties to commence an integrated discussion to produce strategy and policy on legal and judicial rehabilitation in due course to anticipate of conflicts and disputes that may occur in order to preserving law and order. The Supreme Court is now taking certain short-term strategies and actions in response to this disaster pending a comprehensive damage assessment. The court is preparing some directives, namely: (i) to relocate judicial activities from damaged court houses to surviving ones; and (ii) in response to vacancies, to permit one judge to preside over the cases. The court is willing to work with other legal institutions in this endeavor without prejudicing the distinct nature of the court as adjudicator.

Distinguished Ladies and Gentlemen,

As expressed by the Chief Justice in the previous CGI meeting, the Supreme Court has taken steps to implement recommendations of the Supreme Court blueprints. Last year the court has established a judicial reform team comprising of the court leadership, officers and civil society representations, assisted by a permanent office staffed by consultants. This team is tasked to accelerate implementation of blueprint recommendations as well as coordinate reform efforts relevant to the court/judiciary. The court through the team has formulated priority programs in the following five areas: (i) reducing backlog of cases; (ii) accelerating the one-roof-system implementation and strengthening the judges' quality and integrity; (iii) restoring the public confidence through disciplining judges; (iv) publishing decisions and improvement of court information system; and (v) improve judges' welfare and court budget. The team has also created consultation forums, including with members of donor community to ensure programs are in line with the court's priorities.

As a result of the transfer of administrative, financial and supervision of judicial institutions from the Ministry of Justice, the Supreme Court must now deal with wide ranging and crosscutting issues. In order to carry out its tasks, the court

appreciates assistance in priorities area above in form of technical assistance or best practices in variety of areas, infrastructure support, capacity building such as education and training use of information technology in improving management and accountability. Nevertheless, the court would like to ensure that these assistances also involve local expertise so as to ensure sustainability.

A number of activities have been conducted to improve the court's performance, among others, improving cases management to reduce the backlog of cases, capacity building for judges and supporting staffs, development of judicial training center building, improvement of judges supervision and other activities based on recommendations of the Supreme Court Blueprint.

Distinguished Ladies and Gentlemen,

In conjunction to the anti-corruption agenda, the court through the Steering Committee for Commercial Court and the Anti-Corruption Court has produced the Blueprint of the Anti Corruption Court after intensive discussions and debates.

Law No. 30 of 2002 on the Anti Corruption Commission mandated the establishment of the Anti Corruption Court as settlement of corruption cases should be managed differently from the ordinary mechanism in the general court system. In addition, the establishment of specialized court is intended as shortcut in improving the deficiencies of the general court system, such as quality and integrity of judges, lack of accountability and so forth.

As newly established court, the Anti-corruption Court needs a set of policies to build a firm foundation as well as to develop the institution to function optimally. The blueprint consists of priority steps related to organization and institutional support, improving professionalism of judges and the court supporting staffs, the procedural laws, administration process and the accountability and transparency of the court.

Designed to hear corruption cases handled by the Anti Corruption Commission, recently the Anti-corruption Court has commenced its proceedings on alleged corruption in a procurement of military equipment in its new premises separate from the general courts.

Several Blueprint-based activities has been implemented such as the training for judges and prosecutors to be corruption specialist, recruitment of the ad-hoc judges, the preparing the manual on the Anti-corruption Court administration in company with training for the Anti-corruption Court supporting staffs.

Other than improving the professionalism of judges and court's supporting staffs, the Supreme Court has also continuously strengthen both internal and external oversight for judges' behavior and the court institutional performance. In addition, the Supreme Court has also tried to improve the public accountability system and court transparency, which is currently initiated by the direct coverage of trial process in the Anti Corruption Court. Such effort deemed as important to regain the public trust on the judiciary.

Distinguished Ladies and Gentlemen,

The overall legal reform and anti corruption effort will not succeed if conducted solitarily by the Supreme Court. Consequently, the integrated criminal justice system will be increasingly important so that Supreme Court, the Attorney General Office, the National Police and the correctional institutions can work together optimally. The recommendations of the 3rd Law Summit, which has been adopted by the Supreme Court in its priorities, needs to be carried out consistently through the government's medium term development planning and well-prioritized strategies.

As I have mentioned before, the funding of the reform programs has become an essential factor. The annual budget for the Supreme Court has never met the actual

needs of the court. As an illustration, the court is only allocated 20% of its proposed budget for 2005. We understand that government budget is currently very limited; nevertheless, as the Government prioritizes law enforcement and judiciary, we expect this to be reflected in the budget allocation. We expect the same from the donor communities having the same priorities.

In conclusion, the Supreme Court welcomes any cooperation with donor countries in legal and judicial reform and anti corruption sectors, as we are certain this will not interfere impartiality of judicial institutions. Nevertheless, we hope that such assistance is line with the court's priorities and needs.

Thank you for your attention and we look forward to working with you.

On behalf of the Supreme Court

Deputy Chief Justice,

Paulus Effendie Lotulung