



MCC INDONESIA CONTROL OF CORRUPTION PROJECT:

GENDER ASSESSMENT

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Acronym List

CEDAW	Convention of Elimination of all forms of Discrimination against Women
e-GP	e-Government Procurement
IWAPI	Indonesian Women's Business Association
KPK	Indonesia Corruption Eradication Commission
MCC ICCP	Millennium Challenge Corporation Indonesia Control of Corruption Project
LBH APIK	
NBFI	
PKWJ	Pusat Kajian Wanita & Jender
PPATK	Indonesia Financial Intelligence Unit
VAW	Violence against Women
WID	

I. INTRODUCTION

This analysis of gender impact on the Millennium Challenge Corporation Indonesia Control of Corruption Project (MCC ICCP) was conducted in accordance with the guidelines provided by MCC's Gender Policy (Annex 1) using the recommended Harvard Analytical Framework. The goal is to develop a clear understanding of gender impacts within the objectives of MCC ICCP in order to ensure gender-sensitive project implementation.

The objectives of this assessment are three-fold: assess the potential gender impacts of the project using the Harvard Analytical Framework¹ (Annex 2), identify challenges and highlight opportunities for gender issues in the context of MCC ICCP implementation, and make recommendations about how to strategically integrate gender concerns into project activities. This analysis provides an overview of the gender roles in the judicial and financial sectors. It describes the differences in access and control of knowledge and resources for men and women. It also describes external factors that shape gender relations and provide different opportunities and constraints for both men and women. Finally, the assessment presents recommendations of strategic activities that weave gender considerations into each technical component and throughout the life of the project.

Judicial and financial sector regulations do not overtly discriminate between the sexes. Nevertheless, women have far less opportunity to advance their careers in the judicial and financial sectors, have less access to justice and legal information and credit, and overall lack the support to fulfill their entrepreneurial ambitions. Socially entrenched gender roles and expectations, the pervasive culture of corruption, and systemic marginalization all contribute to this reality of inequality. This assessment elaborates on these findings as related to the specific goals and activities of MCC ICCP.

Detailed interviews, gender statistics, a contact list of those interviewed, and useful gender resources to fulfill the objectives of this project are included in the annexes.

¹ The Harvard Analytical Framework was developed by the Harvard Institute for International Development in collaboration with the WID office of USAID, and based on the WID efficiency approach. A detailed explanation of the framework is included in Annex 2 of this report.

II. HARVARD FRAMEWORK ANALYSIS

A. Gender roles in the judicial system (relevant to Task 1):

1. Activity profile (Tool 1)

There is overwhelmingly higher representation of males than females in judicial seats and other positions of authority in all levels of the court system in Indonesia.

- Female judges make up only one-sixth of the judicial body of 6,700 judges in the country.
- There is even less representation of female judges in the high courts and in decision-making positions. According to a 2004 statistic, no women were represented in the 27 chief provincial level high courts. There are 75 female judges out of a total of 311 high court judges. (See Annex 4) In the Supreme Court, there are only 3 female justices out of a total of 49 judges, with only one in the position of deputy chief justice.

It is perceived that more men hold positions of responsibility than women, and women hold more administrative roles such as secretaries.

- The staff of the Supreme Court is under the authority of the Secretary General, who is responsible for administrative duties, research and development, training, and public relations. There is no sex-disaggregated data on the roles of the Secretary General office of the Supreme Court.

The difference in education levels between male and female employees of the courts ought to be noted; as education level in general indicates the level of responsibility one is given.

- In the entire judicial system, there are eleven civil servants holding PhDs, and two of which are women. In the Supreme Court, there are 109 male Master-level employees and only 21 Master-level educated female employees. At the Bachelor level, women consist of roughly half of the male employees. (See Annex 3) These statistics reflect the general perception that male employees hold more senior and decision making positions than women.
- There is no specific language in the 2003 judicial reform Blueprint that highlights gender concerns. But the Blueprint seeks to correct a system that generally discriminates against women's advancement in the courts.

2. Access and control profile (Tool 2)

No explicit language in the policy manuals of the court system discriminates based on sex/. On paper, men and women have equal opportunities within the court system. However, in practice, men working in the judicial system generally have more access to and control over human and financial resources and career advancement opportunities than their female counterparts.

- The promotion and placement system includes centralized decision-making mechanisms that make it difficult to allow female judges to advance in their career. Women have limited upward mobility from the Regency Level district courts to the provincial high courts and have even more difficulty reaching the Supreme Court, as indicated in earlier statistics.
- Familial obligations have been frequently cited as an important factor in the lack of mobility for female judges.
- Also, the unit in charge of all promotion and placement is centralized in the Supreme Court, which is based in Jakarta. This allows room for corruption in strategic regions. The ad hoc team of 11-12 people addressing transfer and promotion is composed of the Director General of the Court, Supreme Court high officials and high-ranking justices and as a result may not consider gender diversity as important
- The Supreme Court judicial commission recommends candidates for career and non-career justice positions in the Court. Those candidates are interviewed by Commission 3, a 50-member parliamentary commission on law and human rights that holds “Fit and Proper” tests, which are open sessions where the candidates for the Supreme Court justice positions are interviewed. The decisions are made from behind closed doors, and the justifications of the decisions are not publicized.
- The judicial commission is an independent body, outside the control of the judiciary and the legislative bodies, and is composed mostly of men. There is no prescribed standard for the selection of judges. Nor is there a merit-based policy for promotion and placement procedures. This informal procedure allows space for corruption and biased decision making.
- Female members of the parliament are more likely to be placed in “softer” commissions. The highest share of women is at the Health and Population Commission with 25 percent, followed by Religions Affairs, Education, and Culture at 12 percent and Industry and Trade at 9 percent. Though this gender assessment was not able to obtain the number of women legislators who sit on Commission 3, it can be derived from the statistic that the representation is minimal.
- The ILO reported in 2003 that on average, female workers’ earnings were 68 percent of that of male workers. In 2002, GOI stated that 14 percent of female civil servants were in positions of authority, but only 38 percent of all civil servants were women, which meant that only five percent of the civil servants in positions of authority were women.

Access to justice is restricted, for both men and women, by corruption in the court, the lack of information about courts. As men tend to control the finances, they have better opportunities of accessing justice than women.

- The general public has the perception that the justice system is corrupt, from the lowest level clerks to the Supreme Court justices. Bribery is common in the granting of court decisions and in accessing legal information.
- Because men generally control the household finances, they have better access to justice than women.
- Women are generally intimidated by the judicial system because of the general perception that they do not have control over the process and that they lack control over the finances with which to purchase protection and justice.
- Also, the legal system lacks adequate mechanisms to ensure the reporting of criminal cases and access to information on legal rights and legal aid.

The judges in the Supreme Court and lower courts lack gender sensitivity, as reflected in their handling of criminal cases that deal with violence against women.

- In cases involving violence against women, such as rape, the judges ask unethical and insensitive questions that humiliate the victim. In some cases, the victim is sentenced to jail because the crime has “tarnished” the reputation of the perpetrator. This lack of gender sensitivity further isolates women from seeking justice.

Gender issues are not considered during the process of budgeting.

- The GOI allocates funds based on the previous year and not on the needs of individual courts. The Supreme Court only receives a 10 percent increase each year, which is far from adequate. It is difficult to measure the performance in terms of qualitative indicators, as only quantitative statistics are available.
- The government institutions do not understand gender budgeting; allocating funds to gender activities are not a priority. One effective way to get gender issues recognized in the government bureaucracy is to enforce it in the budget. There is no training or emphasis on gender budgeting. Money might be set aside for gender-related activities, but these are a low priority.

3. Influencing factors (Tool 3)

Constraints

Corruption is the most significant constraint on men and women’s career advancement in the court system as well as their access to justice in the legal system.

- Bribery in its various manifestations has propelled careers of judges and court personnel. This practice has created access to some and restrictions for many. Even the Chief Justice of the Supreme Court has allegedly been involved in a corruption scandal.

- In terms of access to justice, corruption is so deeply entrenched that it appears in each level of the justice system. It starts at the enforcer level when the police take bribes in playing favoritism in their reporting. The prosecutors and lawyers, and sometimes the judges, negotiate, from behind close doors, the level of sentencing and its financial benefits to the parties involved. The court clerks also take extra on the side for processing complaints and releasing legal information.
- Further, judges receive honorariums (sometimes in handsome amounts) to speak at engagements and attend meetings and conferences. Therefore, they are perceived to prioritize these events over their judicial obligations.
- In terms of advances in the judicial system, a small group of individuals based in the Supreme Court in Jakarta decides on placement and promotion of judges. The decision-making process is not transparent.
- There is no merit-based standardized system of promotions or placement. This does not allow much space for contesting of decisions and more room for unethical decision making.

Family obligations are paramount in a woman's life in Indonesian society.

- Even though the Guidelines of State Policy states that women have the same rights, obligations, and opportunities as men, women's participation in the development process must not conflict with their role in improving family welfare.
- The Marriage Law designates the man as the head of the household. Family expectations and status in the family setting can limit a woman's ability to advance in her career as a judge because such advancement means moving locations, from the regional to the provincial and the national.

Attitudes toward women in the public sphere and the idea that the legal profession is still a "men's club" pose significant societal barriers.

- Women are underrepresented in law faculties and at the senior levels of the profession.
- Circumstances and the legal culture inhibit women's ability to succeed, particularly women who have primary responsibility for child care and home management.
- The scarcity of female legislators is an important factor in the slow progress of addressing existing gender bias in the legal system. Pro-female legislation is often passed as a result of strong lobbying from women's groups. There is no comprehensive agenda or political will to address gender bias issues.

Lack of access to the judicial system, information on legal rights, and support for the legal aid centers plagues women more than men.

- Both men and women have limited access to justice and can't afford legal services.
- Legal knowledge and awareness of legal rights are limited among men and women.
- Since men control the finances, they have more access to justice than their female counterparts.
- Men are generally more educated than women, especially in the rural areas, and therefore have more access to legal knowledge than their less-educated female counterparts.
- The legal aid centers are insufficiently funded and staffed. There is no political or financial will to keep up the centers; therefore, there is only a five-year statute of limitations for any particular case.

The lack of gender sensitivity and training of the judges (male and female) presents a significant constraint to the administration of justice.

- Judges and other court personnel do not have the requisite knowledge and training, or often sensitivity, to handle cases involving women's issues.
- Unethical and insensitive questions and gender-biased accusations on the part of the presiding judges hamper the administration of justice.
- Also, this breeds fear in victims of approaching the court in the first place.

Opportunities

- Indonesia ratified the Convention of Elimination of all Forms of Discrimination against Women (CEDAW) in 1984. This international convention ought to serve as a guiding legal document for the Supreme Court. There ought to be trainings for all judges on the useful application of this document.
- Women's legal NGOs are working together to advocate for a family court to handle women-related cases. The establishment of a family court would be highly beneficial to the judicial system. As there are conflicting laws in the religious and civil courts, as well as lack of gender sensitive legislation and implementation of laws, a family court would be a place where these issues can be addressed. (the NGOs involved with this issue are listed in Annex 5)
- Per MCC ICCP's objective, a published standard procedure of placement and promotion of judges will give equal opportunity to men and women in the advancement of their careers. Also, it will reduce the stigma that the system is secretive and corrupt. This will also increase the productivity of the judges and court personnel as this will be a merit-based system. The system of honorariums will also have to be closely monitored. There must be a limit to

the number of outside paid events judges can attend and to the amount judges can be paid to attend.

4. Checklist for project-cycle analysis (Tool 4, Recommendations)

General

Establish a gender focal point in the Supreme Court.

- Oversee the reform process and the implementation of the Blue Print, making sure that there is no room for gender bias at each level of implementation.
- Conduct trainings in gender sensitivity for the judicial and law enforcement staff.
- Coordinate efforts with the already established gender focal point of the Attorney General's Office and Ministry of Women's Empowerment.
- Engage in outreach with women's legal NGOs to raise awareness of women's legal rights.

Establish a gender focal point within MCC ICCP that serves as an authoritative voice in monitoring so that gender considerations are being met at each step of the implementation of this project as well as making sure that the recommendations presented in this report are being achieved.

Task 1: Judicial Reforms

Activity 1. Human Resources Management

Activity 1(a). Judicial Ethics

Judicial Ethics training ought to include case-studies related to women's issues, especially cases involving violence against women and un-ethical conduct of the court.

- The un-ethical conduct can be categorized in the Judicial Ethics Code under integrity/impartiality/professionalism.
- This principle has its basis also in CEDAW (article 2) where it states that women ought to receive legal protection on an equal basis with men and be protected against any act of discrimination.

Gender biased judgment is unethical. Judges need to understand what gender bias is, its causes, and its effects. Also, the training ought to highlight the importance of gender sensitivity and how that can be applied to the judges' daily work.

In the judicial ethics code training module where judicial codes of ethics from other countries are reviewed, successful gender sensitive approaches should be identified and used as case studies. Should a U.S. Study Tour be approved, female judges from each level of the court system ought to be equally represented, to the extent possible. Also, during the U.S. tour, judges ought to attend at least one family court proceeding.

While the Supreme Court will nominate the judges to be trained, every opportunity should be taken to ensure female judges are proportionately included as training participants. The MCC ICCP should carefully review training times and venues to ensure there are no inadvertent barriers

Examples of un-ethical conduct with respect to gender

- In cases of rape, the victim (most often women) is seen as at fault. The judge questions her dress and her intentions. This does not only humiliate the victim, it sways the judgment.
- In Violence against Women cases, the victim can be accused of slander because she has brought the perpetrator to court; the victim is then sent to jail instead of the offender.
- In domestic violence cases, the victim can be accused of lying, and the husband's word will stand in court instead of wife's.

Activity 1(b) Wealth Reporting

1. The KPK wealth reporting training module should be modified, taking into account gender differences in wealth reporting, to specifically focus on judges and senior court officials. This will be achieved by working in close collaboration with the Supreme Court and the KPK.

Activity 1(c) Job Descriptions

1. Job descriptions, though free of gender bias, should take into consideration the fact that there are far fewer educated women than men in the system, and this lack of education hampers women's career advancement in the courts.
2. Job descriptions and promotion standards ought to put significant weight on the length and breadth of experience and growth potential of the employee.
3. The staffing assessment should recommend on-the-job trainings that will accelerate career advancement and put women on equal footing with their generally better educated male colleagues.

Activity 1(d) Court Personnel Staffing Assessment

1. During the base-line analysis phase of the court personnel staffing assessment, sex-disaggregated data ought to be collected with regards to roles of the judicial staff. Currently, there are no such data present.
2. Determining the sex-ratio and gender roles of the court will facilitate more effective needs-based intervention and monitoring of gender equality in the courts.

Activity 1(e) Human Resources Management Database

3. The database ought to have a monitoring component that keeps track of sex-disaggregated data in the following illustrative components:
 - Jobs/roles in the court
 - Level of hierarchy
 - Promotion patterns

- Education
 - Experience history
 - Professional trainings
 - Years of service
4. These data ought to be monitored and evaluated regularly.

Activity 2. Budget/Asset Management

1. Needs assessment of gender in the budget should be conducted, making sure that gender programming, such as gender awareness/sensitivity training, men and women's salary increases, and personnel such as gender focal point, are included in appropriate line items.
2. Information about gender budgeting ought to be made available during monitoring budget trainings as well as public information campaigns.

Activity 3. Enhancement of the Transparency of the Court System

Activity 3(a) Publishing Supreme Court Decisions

1. Decisions relating to women's issues ought to be published in a separate link and highlighted in the front page.
2. Since there is no centralized place where advocates and interested parties can go for up-to-date information on rulings of gender-related cases, there needs to be a space where these decisions are compiled for easy general public access.
3. This *Gender Link* will serve as a resources page for all relevant legal documents, legal decisions, monitoring organizations, and legal aid resources for public access.

Activity 3(c), Training of Supreme Court Public Relations Staff

1. The Supreme Court public relations staff and high ranking officers ought to include women in the team. As there are already few women in high-ranking officer positions, there needs to be authoritative voices advocating for gender sensitivity in the public relations of the court, especially when there are clear indications that women are too intimidated to approach the courts.

Activity 3(d), Increase of Public Access to Court Information

2. The Supreme court website include cases and resources related to women's issues, such as
 - Divorce
 - Rape
 - Domestic violence
 - Financial disputes
 - Inheritance
 - Trafficking
 - Legislation on women's issues
 - Resources where interested parties can seek counsel

3. The format and operational systems ought to be accessible for men and women of all educational backgrounds.
4. The court newsletter and information brochures ought to be distributed widely through legal advocacy NGOs, legal aid groups, women's advocacy groups, monitoring groups and think tanks listed in the attached Annex.
5. Each edition of the court newsletter ought to include a section that is directly relevant to gender issues, and provide guidance as to where and how the reader can access legal assistance.
6. Television as well as radio programs, especially community radios, ought to be utilized in the public information campaign. Women's legal rights and access ought to be highlighted with regularity in the programming.
7. The TV dialogue programs can be recorded as sound bits, put on a CD, and distributed throughout the provinces. For instance, the Journal Perempuan has more than 800 distribution points across Indonesia.
8. Public information can also be conducted through village community organizers or representative who serve as the link between the village and the officials (RT/RW).
9. Journalists who are interested in gender issues should be consulted and the mainstream media used to publicize legal information on gender-related topics.

B. Gender roles in the financial sector and procurement (relevant to Tasks 2, 3, 4)

1. Activities profile, control, and access (Tools 1 and 2)

Men are at the center of all financial institutions and control the majority of the wealth.

- Men, as head of household, control the family finances and maintain the role of decision maker.
- Men own businesses of all sizes, from large scale multi-national corporations to small and medium enterprises.

Female-owned businesses dominate the MSME sectors but lack females in leadership and decision-making positions.

- Female-owned businesses represent 60 percent of the 30 million micro, small, and medium enterprises in Indonesia, according to estimates by the State Ministry of Cooperatives and Small and Medium Enterprises.

- The Indonesian Women's Business Association membership database indicates that 85 percent of its nearly 16,000 national members are owners of micro and small enterprises.
- There is increasingly more female representation in commerce and financial institutions such as in the insurance, garment, and cosmetics sectors. But women's leadership in high-level decision-making positions remains scarce.

Businesswomen have problems accessing finance, which may deter them from formalizing their businesses.

- Factors that discourage women from applying for bank loans include high interest rates, complicated procedures, and rigid collateral requirements.

3. Constraints and Opportunities (Tool 3)

Constraints

Societal perceptions restrict women from accessing financial opportunities and undertaking entrepreneur activities.

- A primary constraint concerning women's role and position is the public perception that men should make financial decisions instead of women. Women are expected to prioritize their role as caretakers instead of decision makers.
- Women's financial contributions to family and community and their potential as successful entrepreneurs are often overlooked.

Structural restrictions inhibit women's financial independence.

- Civil Code Article 108 forbids married women from entering into contracts on their own behalf, requiring that they be assisted in formalizing a contract by their husband, either by his presence or permission. However, this article is falling into disuse; recently notaries have begun to draw up contracts for women without their husband's permission.
- Tax regulations do not allow married women to be given a separate tax number; rather, they require women to use their husband's tax number. Married women find it difficult to engage in formal financial activities, like opening a checking account or applying for credit.
- Since married business women cannot file independent tax returns, and since income taxes are progressive, women are likely to have higher marginal tax rates than married men, making their businesses less productive.
- Even though the regulations and acts governing credit in Indonesia do not differentiate between men and women, it is well known that men receive better treatment from credit institutions than women.

- A 1995 Act concerning limited liability companies specifies that two persons are required to incorporate such a company. However, persons may transfer one share to another person “not in joint property.” This effectively excludes either a husband or wife from sharing corporate property, unless they had a prenuptial agreement allowing them to have joint or separate property. This provision has particularly handicapped a wife from taking over a limited liability company from her husband.

Because the bidding is silent, e-Government procurement does not explicitly discriminate on the basis of sex of the vendor. But bidders have unequal access to the e-Government procurement resources and qualifications; therefore, the smaller/disadvantaged bidder does not have an equal chance at winning. Also, because of social biases relegating women to the private sphere, there is less support and fewer opportunities for women entrepreneurs.

- e-Government procurement is supposed to empower SMEs and curb corruption. This is reflected in the Indonesia requirement that if a large company wins a certain value of contract, the selected winner will have to form alliances with SMEs.
- There is no mechanism to monitor this requirement, and therefore it is rarely enforced.
- In practice, e-procurement has limited competition, the process favors big companies, and SMEs lack the infrastructure and resources to compete with the large players.
- Restrictions for bidding are not enforced on big companies, though there is a guideline that states procurement of 1 million Rupiahs must go to SMEs.

Opportunities

- MCC ICCP will propose that GOI ought to follow the standards of multi-lateral donors, e.g.. WB & ADB, to establish clear guidelines of procurement and bidding. This will minimize bias toward large companies and empower SMEs, the majority of which are owned by women.
- MCC ICCP will promote advertisement of the procurement online as well as in newspapers and hard copy mediums to reach the maximum number of bidders, including women-owned enterprises.
- MCC ICCP will recommend formalizing the process of procurement. There are contradictions in the Capris 80, where there are no restrictions for the large companies to bid when procurement of less than 1 million Rupiah is reserved for SMEs. These contradictions are prone to discriminatory practices.
- Public information awareness targets business associations and civil society monitoring organizations.

4. Checklist for project-cycle analysis (Tool 4, Recommendations)

Task 2: Enhancing the Capacity of the Indonesia Financial Intelligence Unit (PPATK).

Activity 1. Education Campaign

1. The “Know Your Customer” education campaign reaches out to female-owned NBFIs such as women insurance and stock brokers. The TV program about protecting Indonesia against money laundering (reff: ICCP Work Plan) ought to address relevant gender issues.
2. The Indonesian Women’s Business Association should be used to reach targeted women audiences.

Task 3: Enhancing the Capability of the Indonesia Corruption Eradication Commission (KPK):

Activity 3(a). Expansion of Analysis and supplemental of Past Data Collected by Transparency International (TI)

1. The baseline data ought to include women-owned businesses.
2. Determine whether any female entrepreneurs or financial services providers are participating in corrupt activities in the process of obtaining or providing credit.

Activity 3(b). Expansion of 2008 Indonesia Corruption Perception Index (CPI)

1. The perception of corruption analysis should cover a significant percentage of women-owned businesses across Indonesia. As women-owned businesses are more vulnerable to discrimination and fall victim to corruption, questions to women’s businesses ought to include inquiries that are tailored to their experiences with corruption.
2. There ought to be sex-disaggregated data for the analysis, if possible.
3. Gender sensitive questionnaires should be used to ensure that corruption perpetuated by males and females is captured in the surveys for the corruption perception and bribery indices.

Task 4. Electronic Government Procurement (e-GP)

Activity 2. Data Collection/Monitoring Mechanism in Support of e-GP Satellite Centers

1. Data collection ought to assess whether SMEs and women are facing discrimination and determine the prevalence of single-source procurements.

Activity 3. Public Awareness Campaign in Support of e-GP Satellite Centers

1. A public awareness campaign (TV, radio, print) should be launched to actively engage local female entrepreneurs associations and IWAPI in the e-GP satellite centers in the dissemination of campaign materials.
2. Training seminars should be conducted for female entrepreneurs and teach them to how to bid on government procurement opportunities.

Annex 1: MCC Gender Policy

<http://www.mcc.gov/countries/tools/2007/policy-2007-gender.pdf>

Annex 2: Harvard Analytical Framework

The Harvard Analytical Framework is also called the Gender Roles Framework or Gender Analysis Framework. The framework is developed by the Harvard Institute for International development in collaboration with the WID office of USAID, and based on the WID efficiency approach.

Aims of the Harvard framework

- Demonstrate an economic rationale for investing in women as well as men
- Assist planners in designing more efficient projects and improve overall productivity
- Emphasize the importance of better information as the basis for meeting the efficiency/equity goal
- Map the work of men and women in the community and highlight the key differences

Features

The Harvard framework consists of a matrix for collecting data at the micro level. It has four interrelated components:

- *Activity Profile*: This tool identifies all relevant productive and reproductive tasks and answers the question, Who does what?
- *Access and Control Profile*: This tool identifies the resources people use to carry out the tasks identified in the Activity Profile.
- *Influencing Factors*: This tool chart notes those factors that influence the differences in the gender division of labor, access, and control, as listed in the two Profiles.
- *Checklist for Project-Cycle Analysis*: This tool is designed to examine a project from a gender perspective, using gender-disaggregated data and capturing the different effects of social change on men and women.

The framework also contains a series of checklists consisting of key questions to ask at each stage of the project cycle: identification, design, implementation, and evaluation.

Annex 3: Sex-Disaggregated Education Data for Court Personnel

Laporan Tahunan Mahkamah Agung Republic Indonesia 2006 (Indonesian Supreme Court Annual Report 2006), pgs. 42-43

Sex-disaggregated data on education levels of the court personnel in four courts (Administrative, Military, Civil, and Religious) and the Supreme Court.

Notes:

Mahkamah Agung: Supreme Court
 Peradilan Umum: General/Civil Court
 Peradilan Agama: Religious Court
 Peradilan TUN: Administrative Court
 Peradilan Militer: Military Court

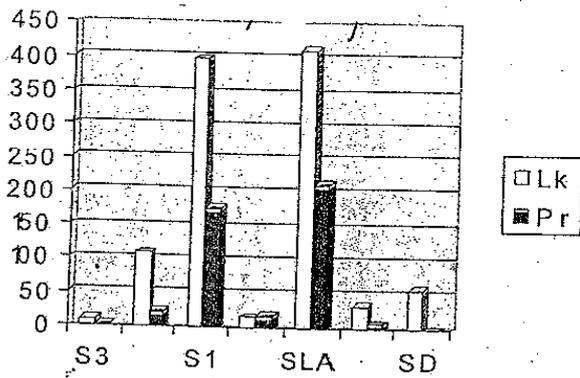
Lakilaki (L): Men
 Perempuan (P): Women

Levels of education:
 S3=PhD; S2=Master; S1=Bachelor; D3=Diploma; SLA=High school; SLP=Junior High school; SD=Elementary

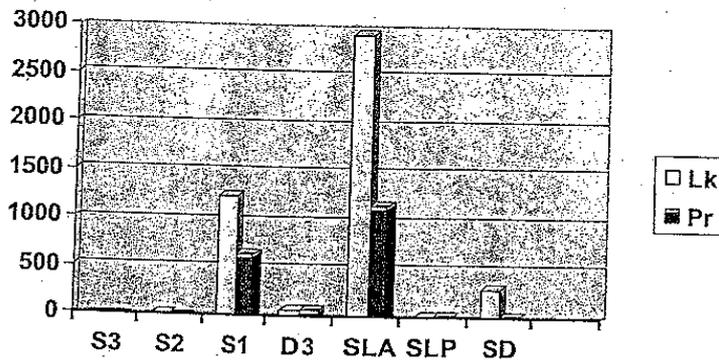
Rekapitulasi Jumlah Pegawai Negeri Sipil berdasarkan Pendidikan dan Gender per Februari 2007:

No.	Unit Kerja	S3		S2		S1		D3		SLA		SLP		SD
		L	P	L	P	L	P	L	P	L	P	L	P	L
1	Mahkamah Agung	9	2	109	21	397	177	16	17	412	213	34	7	58
2	Peradilan Umum	-	-	12	-	1235	655	82	80	2917	1152	26	8	296
3	Peradilan Agama	-	-	14	6	828	475	27	11	478	294	20	4	14
4	Peradilan TUN	-	-	-	-	176	106	18	20	152	115	5	10	1
5	Peradilan Militer	-	-	-	-	5	4	-	-	112	56	9	1	7

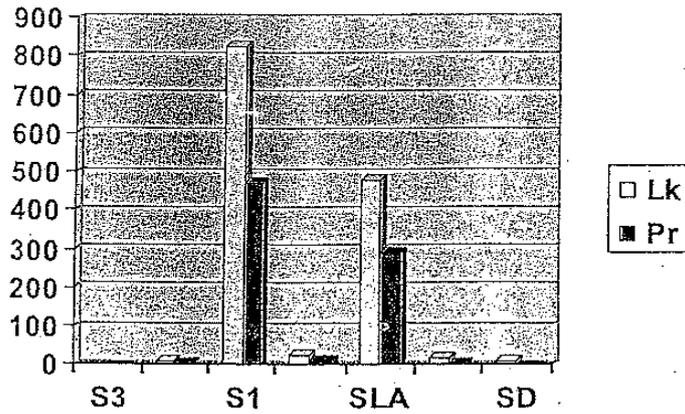
Jumlah hakim dan pegawai Mahkamah Agung lainnya berdasarkan Gender dan Latar Belakang Pendidikan



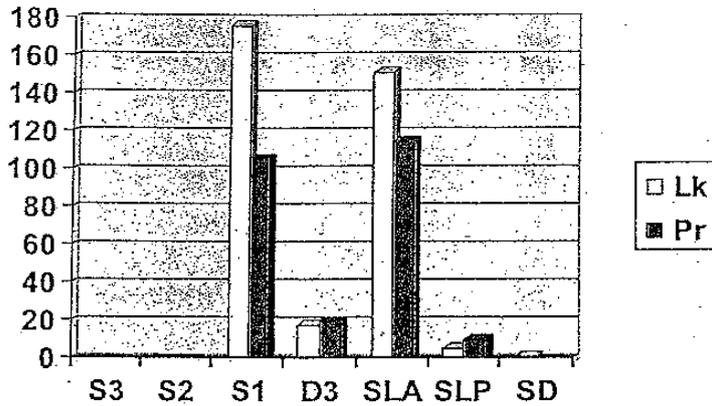
Jumlah hakim dan pegawai Peradilan Umum lainnya berdasarkan Gender dan Latar Belakang Pendidikan



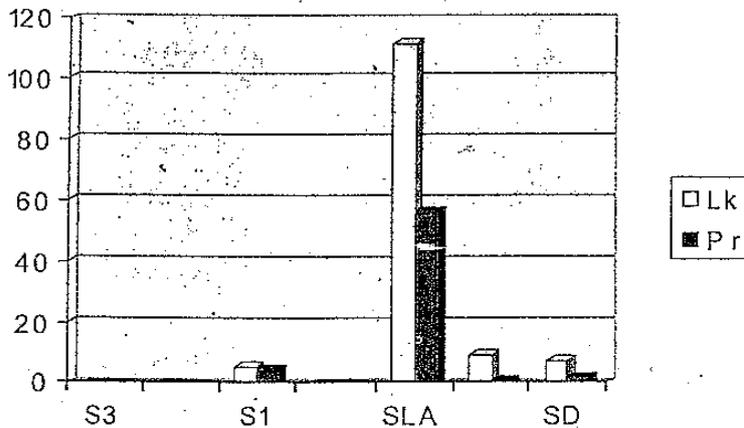
Jumlah hakim dan pegawai Peradilan Agama lainnya berdasarkan Gender dan Latar Belakang Pendidikan



Jumlah hakim dan pegawai Peradilan TUN lainnya berdasarkan Gender dan Latar Belakang Pendidikan



Jumlah hakim dan pegawai Peradilan Militer lainnya berdasarkan Gender dan Latar Belakang Pendidikan



Annex 4: Sex-Disaggregated Data on Women in the Courts

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No	Tempat Tugas/ Jabatan	Pria	Perempuan	Jumlah
1.	Ketua Pengadilan Tinggi	27	0	27
2.	Wakil Ketua Pengadilan Tinggi	24	0	24
3.	Hakim Pengadilan Tinggi	236	75	311
4.	Hakim Yustisial pada Pengadilan Tinggi	18	4	22
5.	Ketua Pengadilan Negeri	260	22	282
6.	Wakil Ketua Pengadilan Negeri	215	10	225
7.	Hakim Pengadilan Negeri	1502	360	1862
	Jumlah	2282	471	2753

Jumlah Hakim Pada Peradilan Tata Usaha Negara Seluruh Indonesia

No	Pengadilan Tinggi TUN	Jumlah PTUN	Jumlah Hakim	Jenis Kelamin	
				P	L
1.	Jakarta	6	41	25	6
2.	Medan	8	52	40	12
3.	Makassar	6	45	41	4
4.	Surabaya	6	44	35	9
	Jumlah	26	182	151	31

Annex 5: Gender Advocates and Contact Information

1. Komnas Perempuan: National Commission on Violence Against Women
2. LBH APIK: women's legal aid clinic; also monitors VAW cases, nationwide, 12 branches
3. Derap waraptari: develops curriculum and trains police in gender sensitivity
4. Pusat Kajian Wanita & Jender (PKWJ): women's center in the faculty of law of the University of Indonesia
5. Indonesian Women's Coalition for Justice and Democracy (KPI): local chapters (W. Sumatra & Jakarta) established gender budget advocacy/monitoring groups
6. Mita Perempuan: NGO accompanies women to court
7. Angreni: Gender Unit in the General Prosecutor's Office
8. Urban Poor Consortium: provides legal aid to the poor in Jakarta
9. Ibu Mooryati Soedibyo, a senator representing Jakarta who is interested in gender budgeting and training
10. Andriani Nurdin, influential judge in Jakarta district court and wrote on gender relations in the courts
11. International association of Women Judges

Contacts of Interviewees

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Annex 6: Interview Notes

Mr. Dondy Sentya, E-Government Procurement Expert, MCC ICCP (May 9, 2007)

Capris 80-conventional regulation: The 2003 government initiated a presidential decree to enact additional features to the e-procurement tender. E-procurement aims to minimize the contact between the government and the vendors. Also, the procurement cost is lower because it requires less man power and bureaucracy, and is paperless. These incentives encourage the government institutions to publicize their procurement schedules, and as a measure to increase transparency.

Depending on the value of procurement, it is mandatory to publish the announcement in nationwide newspapers.

BAPPENAS (NAPSE) =national e-procurement system, website:
<http://www.pengadaannasional-bappenas.go.id/eproc/app>

The vendor must register in order to use the system. There are verifications of documents and standard procedures before the application is granted and one is registered to use the system.

Pre- and Post-qualification systems: Qualifications only look at the financial, institutional, administrative capabilities of the vendors and not the SOW of the procurement. Bidders are assessed and the qualified lowest bidder is given the procurement.

CAPRIS 80 lays out the technical procedures of bidding and assessing.

There is no full e-procurement yet, only semi e-procurement, which means there is no competition online, only taking what would be on paper and making it electronic.

There are three phases of rolling out the fully functioning e-procurement system in Indonesia:

Phase 1 — simple semi-procurement, which is where Indonesia is now. At this stage, only services (i.e. cleaning services) and small value goods (i.e. radars and pencils) are procured. There is no online competition or payment.

Phase 2 — more complicated and large-scale procurements (i.e. civil works)

Phase 3 (expected by 2012) — full procurement with competition and reverse auction

There are no legal framework or umbrella guidelines to carry out e-procurement; there are only sectoral regulations.

Each bidder can only submit one bid.

E-procurement is supposed to empower SMEs and curb corruption.

- Requirement: if a company wins a certain value of contract, the selected winner will have to form alliances with SMEs. But implementation of that requirement is not monitored.

- **KPK:** 70 percent of corruption derives from procurement activities. They follow the source of money. E-procurement is intended to reduce the opportunities for deviations, thereby indirectly curbing corruption. It is a more cost-effective and transparent system.

In practice: e-procurement actually has limited competition as the process favors big companies; SMEs do not have the infrastructure to compete with the larger players.

There are no restrictions for bidding by big companies. Though there is a guideline that says procurement of 1 million rupiahs (or 100,000 USD) must go to SMEs, this is not enforced.

Recommendation from Dondy: government ought to follow the standards of multi-lateral donors, i.e. WB & ADB, to establish clear guidelines of procurement and bidding. Also, advertise the procurement online as well as in newspapers and hard copy so as to reach the maximum bidders.

Public awareness targets:

Business associations: awareness of these procurements

Civil society organizations: monitoring of procurement, transparency, corruption monitoring

Gender interventions:

1. Engage women's trade organizations (i.e. Indonesian Women's Business Association, IWAPI) in raising awareness of women-owned businesses regarding e-procurement opportunities.
2. Female-owned businesses represent 60 percent of MSMEs in Indonesia; this is significant statistic to fully engage SMEs in the bidding process.
3. Capacity building activities of SMEs, trainings on how to access, what procedures to follow, and what are the winning qualities of these e-procurements.
4. Because the bidding is silent, e-procurement does not explicitly discriminate on the basis of sex of the vendor. But bidders have unequal access to the e-procurement resources and qualifications; therefore, the smaller/disadvantaged bidder doesn't have an equal chance at winning. Also, because of social biases relegating women to the private sphere, there is less support and opportunities for women entrepreneurs.
5. Formalize the process. There are contradictions in the Capris 80, such as there are no restrictions for the large companies to bid when procurement of less than 1 million rupiah is reserved for SMEs. These contradictions are prone to abuse.

Ms. (Dr.) Sulistyowati Irianto, Head, Center for Women and Gender's Studies and Convention Watch Working Group, University of Indonesia (May 11, 2007)

1. There are no family courts; the religious courts have jurisdiction over familial matters, although there is the civil Marriage Law.
2. Obstacles for women under the marriage law:
 - Domestic violence is classified as conflict or disharmony in the family, not criminalized

3. Domestic Violence Act 2004
4. The center organized dialogue between judges and women's groups. The judges lack gender perspective.
 - For example, when a wife is abused by the husband, the husband would accuse her of lying, and his word will stand in court and hers won't.
 - Similar with rape cases, the rape victim (most often women) is seen as at fault; the police questions their dress, if they enjoyed it — a humiliating inquisition
 - VAW cases, the victim can be accused of slander and she will go to jail instead of the perpetrator
 - In 1999, the center provided gender sensitive training for judges and police
5. Because of taboo, stereotyping, lack of access to information, women do not go to the police or the court to report abuse cases
6. Victims would first go to legal aid/women's NGOs instead of going to police.
7. LB-APIK Nation-wide, 12 branches, to provide legal aid, women's shelter and hotlines for domestic violence
8. There are legal aid divisions in each faculty of law
9. The center has conducted workshops in 25 cities, from Papua to Sumatra, invited teachers from each city, and now has 80 gender programs in 25 faculties of law. Gender subjects are both independent courses and integrated into the curriculum
10. The center has trained 5,000 attorneys and judges in the past five years
11. The steps of legal profession
 - Complete courses and exams from the faculty of law
 - The exam is prepared by the Supreme Court (SC) and the Lawyers' Union
 - There is a 25 percent passing rate of the exams
 - Most people go to the corporate firms as lawyers
 - Those who want to be judges are self-selected, volunteer
 - There is a nine-month training course for judges after the SC exam
 - Newly trained judges are sent to the provincial district courts based on demand (though that can be subjective)
12. It's difficult for female judges to move up the ranks to the SC because of familial obligations that ties them to the provinces
13. Promotions are granted by a team of 11-12 in the SC. They consist of high ranking justices and SC officials
14. SC justices are approved by the parliament
15. Main obstacle for access to court: corruption. Men and women do not go to the court. Payment for decisions varies. In cases of DV, it's taboo for women, who don't want to enrage their husband or disturb harmony in family, and therefore do not go to the court. Even when they seek help in legal aid NGOs and proceed to court, the victims drop the cases
16. Solution: establishment of a Family Court, where judges and attorneys are trained and obligated to proceed with gender perspectives
17. Obstacle to the establishment of family court: need to have amendment to the judicial system, which needs to be passed by parliament. This is a very difficult task as gender issues are not high priority and religion courts are seen as the space where domestic issues are resolved
18. The EU (and AUSAID?) is funding an Integrated Criminal Justice System. A collaborative program between:
 - PKWJ (Moot Court)
 - LBH APIK (legal aid)

- Derap waraptari (training of police curriculum)
 - Komnas Perempuan: advocacy with high rank SCs, prosecutors
19. The SC judges must be tested by legislative members (mostly men, not knowledgeable of women's issues. Only 11 percent of legislative seats are held by women)
 20. In the courts, most women work as secretaries
 21. Female police officers are only 3 percent of the total law enforcement; there is a quota of only 500 women officers allowed to join the force.
 22. In the case of women-related criminal issues, i.e., DV, VAW, women officers are called to handle these issues
 23. Not all women officers are trained in gender sensitivity
 24. In the military, there are quotas on women, and women are relegated to logistics and admin
 25. Dr. Irianto suggests that there should be a gender focal point in the SC
 26. There is a gender focal point in the general attorney's office, which collaborates in conducting trainings, deals with trafficking cases, etc.
 27. Inheritance: women are not considered inheritors. SC decisions favor women. 9 out of 10 cases are ruled in favor of women's appeals in inheritance cases
 28. Judicial commission is an independent body, outside of the legislative and judiciary control, but is appointed by the president with approval from the parliament
 29. Total number of male judges: 5,113
Total number of female judges: 1,086

Ms. Sri Wiyanti Eddyono, Commissioner, Herlyna and Husna Mulya, Coordinator division of Legal Reform, Komnas Perempuan (National Commission on VAW) (May 14th, 2007)

1. The commission works on VAW on the law/policy level
 - Right to justice
 - Reparation
 - Right to truth
2. The legal system lacks adequate mechanisms and there is no support for
 - Reporting of criminal cases, i.e., VAW
 - How to get information on legal rights and legal aid
 - Economic and psychological services facilities
3. Komnas supports a woman desk police program to train gender sensitivity in VAW cases
4. Legal Aid can only be accessed up to 5 years because of inadequate funding
 - There is no financial support from the government for legal aid centers
 - It rests mostly on the pro-bono lawyer's work, even at that, there's no financial support with pro-bono work as it is in other countries
 - No foreign assistance in legal aid because most of the funding is bi-lateral, it goes to the government and doesn't trickle down to the NGO levels
 - Legal aid is also seen as a competitor of the police and not an ally. The police actively sway the victim not to go to legal aid centers
5. Corruption is so entrenched, it is at each level of the pursuit for justice. It begins from the very beginning: women have to pay the police in order for them to hear

- their cases. But since the husband controls the money in the family, the husband will “out-bid” the wife in access to justice
6. Lack of information and corruption at each level (pay for information): police, lawyers, judges, court bureaucrats
 7. Women are generally intimidated by the judicial system, and it is difficult to defend herself and lack control of finances to buy protection
 8. Needs based intervention, such as paralegal trainings that empowers women
 9. It is imperative to support the civil society monitoring groups in order to have sustainable support to the victims
 - Support in the forms of funding
 - Institutional capacity building
 - Training
 10. Obstacles at the SC
 - Awareness of judges in gender-related issues
 - DV is not regarded with sensitivity (examples of DV cases where the victims actually go to jail)
 - Victims have no assistance in the court
 - Judges do not want to attend trainings
 - Information is not published on the internet or easily accessible
 11. Work with journalists to train them how to use the mainstream media to publicize legal information
 12. Access to information are through
 - Neighbors, community organizers
 - RT/RW (community organizers/informal leaders) link between the village and the officials
 13. Integrate gender perspective in criminal law, advocacy in each step of the process
 14. Amend the system of legal aid: lessen intimidations, how government respond to needs, and advocacy level

Mr. Wayne Sharpe, Country Director, Internews in Indonesia (May 14, 2007)

1. Access to information:
 - TV is the highest consumed mass media (82 percent of the total population)
 - The second is radio (38 percent of total population)
 - The Internet is one of the least popular ways of obtaining information (there are only 20 million Internet connections)
 - Newspaper readership is high as there’s high literacy
 - Village level elders
 - Billboards are good sources of information
 - RT/RW (person appointed to bring information to the local level)
2. Radio is sometimes the only source of information in the rural areas; there is a high ownership of radios and radios are widely used
3. National radio service is reached in all the inhabited islands in the country
4. National TV service in reached in 12,000 islands
5. Because of decentralization, the radio is localized (this is contested by his colleagues who are saying that the mass commercial media has been buying out syndicated shows in the local markets)

6. There is support for independent media, core group of radio stations, trainings in broadcasting.
7. Broadcast law, like the MCC is in force. Media censorship is minimal
8. Community radio stations are very popular; they are run by the community, have daily broadcasts of issues within the community, and are the most flexible of mediums. Can operate on a small stipend.
9. National radio programs: voice of our Nation is broadcasted to 209 radio stations. Themes include: the effect of decentralization, how people are meeting the challenges.
10. Starting in 1999, Internews, in partnership with YJP, a women's NGO, launched Indonesia's first national women's radio program "Suara Perempuan" or "Woman's Voice." Had a listenership of 18 million+ people and several journalists have won awards for their work. Local call-in shows were developed around national weekly programs giving women all over the country the opportunity to speak and voice their concerns in public forums
11. The main obstacle of decentralization policy: no resources, no money.
12. There's an all-female radio station in Aceh: Catalina does women's affairs program, even dealing with the Shariah law
13. In java, there is a balance between male and female in the media industry, and it is Wayne's perception that there are quite a few women in senior level positions in the industry (his colleagues suggests that it's because these women's husbands are in high-level positions)
14. The media is free and gender issues are not taboo, though can raise a lot of debate when it comes to gender and religion
15. Student activist in the media, social justice issues are widely accepted
16. There is a draft of freedom of information act that's still in the works and has yet to be passed
17. The parliamentarians and government officials do not talk to the media. There is a mistrust/misunderstandings mainly due to lack of communication with one another, lack of interaction. With more dialogue, this can be overcome.

Mr. Eric Sasono, Senior Program Manager; Mr. M. Bahrul Wijaksana, Program officer; Mr. Dyah Agustine, Program officer, Internews Indonesia (May 14, 2007)

1. Indonesian media is highly influenced by industries, very commercial
2. It takes seven years in Jakarta Radio to get seven minutes of airtime
3. Radio are more aware of issues and have more sense of social responsibility than TV
4. Radio in local areas has more "good programs": raising awareness of human/women's rights. But lacks resources
5. The media is strong in organization and weak in influencing policy
6. Process in policy making is not participatory
7. It's hard for women to influence policy because of the lack of awareness of the parliament.
8. Solution: grassroots NGOs work with village heads to encourage women's issues and revise village codes to be more gender sensitive
9. Women play large roles in the economic sphere but not in politics
10. Men control the wealth

11. Reluctance to put social issues on the air, rather, lean towards commercial because of funding
12. Local TV produced by the universities, and local governments are not popular, people are more interested in commercial television
13. Community radio, low-powered radios with coverage of 2 kms are popular
 - run by volunteers and by Fans Club contributions
 - 500 radio stations, burgeoning
 - More diverse than mainstream media
 - More in tune with local issues
 - Pressure government transparency
 - Good in remote areas
 - Flexible, effective, and efficient
 - Sensitive with culture, take and give situation
 - CIBA (Civic Education Budget Transparency Advocacy) uses community radio to advocate for gender budgeting in W& N Sumatra. Gender issues and engage participation of whole community
14. Independent outlets are supported by Internews
15. Radio 688-largest independent radio network (200 networks): national news in audio format: covers environment, health, government transparency
16. Making a good package is most important, otherwise, waste of money
17. Derap Warapsari-police women advocating more training of the police in women's issues
18. Women in media: access to decision making process is limited. There is less than 10% women involved in decision making level in the media industry.

Ms. Egi Sutjiati, Court Finance and Budget Expert, MCC ICCP (May 15, 2007)

1. The GOI for the procedure of budgeting, it's a modification from the old one, from a line item budget to performance based budgeting: performance vs. input budget. It has yet to be completed roll out to the ministries
2. The issue of gender is not included in the budget
3. For the SC: GOI will allocate funds based on the previous year and not need-based
4. SC only receives 10 percent increase each year, it's far from adequate
5. The budget does not take in the "big picture" of what's needed, rather, it is reactionary and depending on the priorities of the time
6. Difficult to measure the performance in terms of qualitative indicators, only on quantitative statistics (not asking the who)
7. Data is not digitalized, it's only on paper and the quality of information is questionable: there are no tools to trace the record, automation
8. The government institutions does not understand gender budgeting. Allocating funds to gender is not a priority
9. 4 senators in Jakarta, 1 woman (Ibu Mooryati Soedibyoy) is interested in gender budgeting and training, but lacks the resources.
10. The difficulty is that gender issues are only rhetorical and no actions

Ms. Judhi Kristantini, Court HR Management Expert, MCC ICCP (May 15, 2007)

1. There is no distinction between men and women in the SC with regards to roles

2. Significantly more men than women who are key/powerful people in the SC
3. Conventional role for women in indo. Are dedicated time in the family
4. Case assignment is random and depending on case load
5. The courts in the regions are more sensitive to gender issues than the SC
6. Job Descriptions:
 - Value in the job, contribution to the team and performance evaluation
 - Describe the activities that they do, contributions into the job
 - Compare the job descriptions at the same level, and compare with bench marking which results in salary recommendations
 - Recommend implementation plan to the SC HR
 - Qualifications: education, experience, expertise, areas of responsibility, competency, technical and leadership budget and finance management
7. Career Development Path:
 - Moving from one position to the next depending on merit, availability
 - Should not get promoted unless standards are met
 - If judges do not submit their wealth reports, they cannot get promoted
8. Staffing Assessment
 - How many personnel needed to make effective court operation
 - Linked with salary recommendations
 - Implementation plan
 - M& E System
 - Equal opportunity for everyone, the basis of the measurement is about performance , merit promotion is the key and transparency
9. The assessment and implementation plan is submitted to the head of bureau of general administration and to the chief justice
10. The bureau head has the responsibility of implementation and monitoring
11. The sex-disaggregated data is confidential information, the SC does not release that (if it is ever made)
12. Salary recommendations are the carrot of reform, though it is highly sensitive and difficult to change the corrupt habits & sources of income (i.e. meetings are ways to make money, honorarium)

Mr. Rifqi Assegaff, Director, LeIP, Indonesian Institute for Independent Judiciary (May 15, 2007)

1. Gave the gender vs. education statistics in the SC, religious, admin, and general courts
2. There is a maximum of 51 judges in the SC and no more than 10 female judges
3. One deputy justice is a woman, that's the highest rank of a woman in the judicial system
4. There's no gender language in the Blue Print
5. Legally speaking, women and men are equal in the court, there's no gender bias in the recruitment process
6. There are 1,300 women judges and 4,000 male judges
7. There is an Ad Hoc team (11-12) that deals with transfer and promotion: it composes of Director General of the court, SC high officials, SC justices, and high ranking officials
8. There are no standards published for the decision making process

9. If there's legitimate reason for data from the SC, there are ways to obtain it, but it's not open to the general public
10. There is allocated budget for gender programming, but does not know how it's spent. Every court's annual report has indicated gender activities
11. Attitudes is a big issues, sexual harassment is not discussed, a non-issue
12. Substantive issues on gender are in the religious court. Unethical questions.
13. Battle is in the court leadership, there's no strong female leadership. 'cause are lack of opportunities for women
14. Women judges have a yearly meeting on the national level
15. Women justices in the SC talk about gender issues (Ibu Mariana?)

Ms. Adriana Venny, Director, Journal Perempuan, Indonesian Women's Journal
(May 16, 2007)

1. Because of decentralization policy, districts are free to make local regulations, which holds up in the SC and can be damaging to women's rights
2. SC cannot undermine CEDAW
3. The stereotype in the media of women are: good, submissive, bad, evil, domestic workers
4. Even though VAW is in the media, there's no information of where to access the information on VAW
5. The strongest media form is television and community radio
6. The journal has radio programming in 180 villages, even in backward areas
7. Gender issues: DV, reproductive health, women in politics and local gender issues
8. Offers practical solutions and information to women
9. Weekly program: one CD once a month and give it to the local partners
10. Listeners: men and women listen, receptive, participate in call in shows, house wives, vegetable sellers in the market, information on access to microcredit.
11. The court in Indonesia is not accessible when there's problem, go to village elders, NGOs and religious leaders
12. NGOs accompany women to court so that they won't be cheated
13. Most village leaders are men, also, usually religious leaders
14. Policy level is where the opportunity lies
15. Regulation in gender mainstreaming
16. No sexual harassment law, it dirties someone's name and the victim can go to jail
17. There's no transparency in cases, local parliament is also very corrupt

Mr. Kenneth Barden, Senior Anti-Corruption Advisor; Andrew Pentland, Anti-corruption IT Advisor, MCC ICCP (May 16, 2007)

1. PPATK: to raise the public awareness of customers. Targets:
 - government staff regulators
 - non-bank financial institutions (capital markets, pension funds, money transfer agents, insurance)
 - customers
 - general public
2. Using talk shows, news, etc.
3. On-line reporting capacity
4. KPK: court monitoring: 5 pieces of monitoring equipment
5. Corruption perception index: working on surveys with Transparency International

6. Public awareness perception awareness
7. MBFI: women as insurance agents and stock brokers
8. MBFI's are indirectly access to credit
9. Store fronts for money laundering
10. Have to report marital status in most occasions

Mr. Laode M. Syarif, Education and Training Specialist, MCC ICCP (May 16, 2007)

1. Develop curriculum judicial ethics, TOS
 - international aspect of corruption
 - comparative
 - Indonesian code of conduct
2. Overlook the contracts of KPK
3. Training of all 6000 judges (district court and higher court, not SC judges)
4. Invitation of US judges to talk about Judicial ethics for SC judges
5. Comparative study US vs. SC re. judicial ethics
6. Chief justice will decide who will go for the training, based on our recommendation
7. The trainings will emphasis of participatory and case studies
 - all Indonesian judges will participate
 - certificate are important in promotions
8. There are lot of training on DV, the "hot" gender topic
9. Judicial ethics are:
 - integrity
 - impartiality
 - professionalism
 - acceptable/unacceptable behaviors
 - honesty
 - responsibility of judges
 - discipline
 - humbleness

Ms. Bivitri Susanti, Executive Director, PSHK (Centre for Indonesian Law and Policy Studies) (May 22, 2007)

1. The HR system makes it difficult to allow women judges to move up because of the centralized decision making mechanism for promotions and placement.
2. Women are "stuck" in the provincial levels and because of entrenched powerful familial obligations, it is difficult for them to move from one position to next within the courts system
3. The unit that is in charge of all promotion and placement are in the SC is based in Jakarta, therefore, making room for corruption in the form of bribery to be placed in strategic regions
4. The reform team is supervised by SC judges and day-to-day activities are managed by a group of 3. monitor the progress of the blue print
5. Working groups are setup to deal with specific issues: i.e. transparency
6. Case management system: there's no capacity to handle , case records are not complete, there's no digitalized system to keep track of cases

7. There's 13,000 backlogged cases
8. Access: CEDAW monitoring group
9. Judges have very minimal gender perspective: lacks sensitivity in the courts, especially dealing with VAW, rape, etc. victims are not protected, rather, humiliated in open court sessions
10. There's no limitations in what cases can be brought to the SC, i.e. traffic violations
11. There are 49 justices and only 3 women justices in the SC
12. The non-career justices: selected by the parliament from are from the outside judicial system, i.e. academics
13. Court staff consist of: secretary general of the SC that handles administrative staff, research and development , training, public relations
14. As of April 2004: of the 27 chief of provincial level high court, 0 were women
15. There are 311 total judges in the high court, 75 are women
16. Levels of the court: (regency level: district court; provincial level: high court, SC)
17. Opportunities: develop gender awareness of the judges.
18. Biggest challenge to the implementation of the judicial reform is politics. There lacks political buy in in the executive branch
19. Therefore, reform is slow, and no political support, i.e. lack of budget and facilities
20. Reducing requirement for women to be place in remote areas
21. Lack of women in the institution, mindset, priority of the husband's wishes
22. There's no merit based system now for promotion
23. Commission 3 appoints justices to the SC: parliament commission on law and human rights (50 members) hold Fit and Proper Tests: open sessions to interview candidates, and decisions are made from behind doors and justifications are not publicized. Judicial commission (elected by the parliament): recommend candidates for justices and select non-career judges.