

Amendment #1:

TERMS OF REFERENCE

**Preparation Visit to Government Officials in Tulungagung, Blitar, Malang, 2-3 August 2018
&
Integrated Training on the Prevention of Corruption
Class #4, Malang, 4 – 6 September 2018**

This amendment aims to accommodate the changes in the Approved TOR on Integrated Certification Training for the Prevention of Corruption, Class #4, Malang, 4 - 6 September 2018 that has been approved on 22 July 2018.

The points of amendment are as follows:

1. The dates of implementation in 4 – 6 September 2018 is amended to 3 – 5 September 2018 to accommodate the upcoming Public Discussion in Law Faculty of Brawijaya that will be conducted on 6 September 2018, this will allow SUSTAIN's personnel not to be split in two teams to conduct the activity.
TORs for the Public Discussion will be provided separately.
2. Additional participants are requested from Malang Municipality, Districts of Blitar and Tulung Agung, therefore the participants number is amended from fifty (55) to sixty five (65). This additional participation will result in a moderate increase of the budget that will not exceed 10% from the total budget recorded in the AWP.

The other points in the proposal including objective and trainers remain the same.

Thank you.

Prepared by:



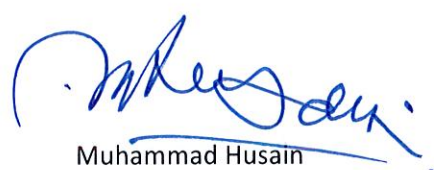
Bobby Rahman
Sector Coordinator – Judicial Training

Cleared by:



Gilles Blanchi
Senior Advisor

Approved by:



Muhammad Husain
Deputy Project Manager

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Preparation Visit to Government Officials in Tulungagung, Blitar, Malang, 2-3 August 2018

&

Integrated Training on the Prevention of Corruption

Class #4, Malang, 4 – 6 September 2018

1. Background

Support for Reform of the Justice Sector in Indonesia (SUSTAIN) is a 5-year project with the overall objective of enhancing public trust in the judicial system through support to the Government of Indonesia in strengthening the rule of law. The specific objective is to increase the transparency, integrity and accountability of the judiciary and the quality of justice services delivered to the people. The project is implemented under the framework of the UNDP Country Programme Action Plan (CPAP), and applies the National Implementation Modality (NIM) with the Supreme Court designated as the Implementing Partner. UNDP provides Country Office Support Services to support the Supreme Court in implementing the project and producing all the expected results. UNDP is responsible for: (i) the identification and recruitment of project and programme personnel, (ii) procurement of goods and services, (iii) the administration of donor financial contributions; and (iv) other support services required to deliver the outputs.

This programme accordingly provides technical supports to the Supreme Court with the aim of achieving strategic results that are directly linked to the Blueprints for reform of the Supreme Court. More specifically, SUSTAIN focuses on four sectors: internal and external oversight of the judiciary, enhanced skills and knowledge of judges and court staff, improved human resource organization and management policies and enhanced case management system designed to increase transparency, quality of case data and decisions and timeliness of case handling.

SUSTAIN project is mandated to support the Supreme Court Training Centre, as clearly stated in the Project Document, Activity Result 2.2: Capacity of SC's Training Centre increased to develop and implement certification training programme. Amongst the activities under SUSTAIN's objective is the mandate to deliver Anti-corruption Certification Training for judges. However, recent developments have shown that the anti-corruption certification program will be implemented by another project called CEGAH (USAID-funded project). Hence the focus of SUSTAIN shifted to a prevention approach, by improving anti-corruption awareness prevention in pilot areas. It will be conducted in cooperation with the Corruption Eradication Commission (KPK) and other relevant institutions.

The materials for the above purpose were developed by conducting a series of meetings, brainstorming and FGDs with the institutions and organizations dealing with anti-corruption efforts such as KPK and CSOs (such as ICW, Transparency International Indonesia) and other formal law enforcement agencies combatting corruption. Subsequent to the delivery of Class #1 of the Integrated Training on the Prevention of Corruption, 23-25 October 2017 in Manado, the Class #2 in Medan, 7-9 November 2017, the class #3 in Tanjung Pinang on the same substance 24-26 April 2018.

The next training will be held in Malang. The selection of Malang including some surrounding districts is mainly based on 2 reasons: i) Malang is part of SUSTAIN pilot courts; ii) the risks and potentials of corruption have recently increased in these areas, as indicated by the arrests by KPK on the heads of district/mayors of Jombang, Malang, Batu, Blitar, Tulungagung, and 19 parliament members of Malang

city during 2017-2018. SUSTAIN's intervention in anti-corruption activity in this area is therefore most timely and relevant to show the commitments from EU-UNDP and the Supreme Court in supporting anti-corruption agendas.

2. Objective of the joint training:

- To prevent corruption in working units (for provincial apparatus in Malang and surrounding districts that have recently been affected by corruption).

3. Venue, Date, Participants, Trainers and Agenda

A courtesy visit by SUSTAIN Training Sector Coordinator and Sector Officer will be conducted to the local government leaders in Tulungagung regency, Blitar regency, Malang (municipality) and East Java Province in Surabaya. The 2-days visit (excluding traveling days) is scheduled for 2-3 August 2018.

Training venue: Malang (Hotel TBA)

Date: Tuesday-Thursday, 4-6 September 2018, trainers and SUSTAIN will check in on Monday, 3 September, check-out on Friday, 7 September 2018.

55 participants will be invited from the provincial and district levels in the Province of East Java, particularly municipality of Malang and the surrounding local government, as follows:

No	Instansi	Prov Jatim 861	Pemerintah Kota/Kabupaten					Total
			Kab. Blitar	Kab.Tulu ng Agung	Kepanjen	Kota Malang	Kab Malang	
1	Pemerintah Provinsi Jawa Timur	3						3
2	Pemerintah Kota/Kabupaten		78	78		1020	78	31
3	CSO (TBA)	1				1		2
4	Polisi	1	1	1	1	1	1	6
5	Jaksa	1	1	1	1	1	1	6
6	Hakim	1	1	1	2	2		7
								55

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34 local trans

SUSTAIN members:

No	Name	Title/Institution
1	Gilles Blanchi / Muhammad Husain	Senior Advisor / DPM
2	Bobby Rahman	Sector Coordinator - Judicial Training
3	Bernadeta Yuni Hariyanti	Sector Officer - Judicial Training
4	Devy Nazwir	Project Assistant
5	Jason Ponto	IC for Judicial Training Sector

Officials:

No	Name	Title/Institution
1	Agus Subroto, SH., MHum.	Kapusdiklat Teknis - Balitbang Diklat Kumdil
2	Hesti Pandanwangi, SH., LL.M.	Director of Law and Regulation – BAPPENAS
3	Liaison officer - Provincial government (TBA)	East Java Provincial Government
4	Liaison officer - Provincial government (TBA)	Malang Municipality
5	Novianty Manurung	EU Delegation Representative

Trainers:

No	Name	Title/Institution
1	Pahala Simanjuntak, SH., MH.	Pusdiklat Teknis MA-RI
2	Prof. Dr. Lilik Mulyadi, SH., MH.	Puslitbang MA – RI
3	Dr. Artha Theresia Silalahi, SH., MH.	High Court Judge - Palembang
4	Dr. Albertina Ho, SH., MH.	High Court Judge – Medan
5	Elyta Ginting, SH., LL.M.	Pusdiklat Teknis MA-RI
6	Kombes (Pol) Arief Adiharsa, S.Ik., M.T.C.P	Indonesia National Police
7	Kompol Ahmad Yusuf Affandi	Indonesia National Police
8	Director of Prosecutor	Attorney General's Office
9	Agus Sunaryanto	ICW
10	TBC	KPK
11	Amien Sunaryadi	Chief of SKK MIGAS
12	Yudi Handono, S.H. M.H	Attorney General's Office
13	Amir Akbar NQ	Attorney General's Office

Agenda:

Malang, 4 – 6 September 2018

Time (Day and Date)	Topic	Hours	Lead Trainers
Tuesday 4/9/2018			
08.00 – 08.45	Opening		Speeches from, BAPPENAS, Sekkota Malang, EU and UNDP
08.45 – 10.15	Building Learning Commitment and pre-test	2	Pahala Simanjuntak,SH.,MH.
10.15 – 10.30	Coffee Break		
10.30 – 12.00	UNCAC (General Assembly Resolution 58/4 of 31 October 2003) selected chapters: a. Preventive Measures b. Criminalization and Law Enforcements c. International Cooperation d. Asset Recovery	2	Police
12.00 – 13.00	ISHOMA		
13.00 – 14.30	National Strategy on Anti-Corruption	2	BAPPENAS (TBC)
14.30 – 15.00	Coffee Break		
15.00 – 16.30	Criminal perspective inside government administration: a. Cross-cutting between criminal and administrative conduct b. Abuse of power and wrongful act in government administration.	2	1. Prof. Dr. Lilik Mulyadi,SH.,MH. 2. Dr. Albertina Ho.,SH.,MH 3. Dr. Artha Theresia Silalahi SH.,MH.
Wednesday 5/9/2018			
08.00 – 08.30	Review of Day 1		
08.30 – 10.00	Potentials of corruption and tips of preventions in the government's procurement process	2	1. ICW 2. KPK 3. Pahala Simanjuntak, SH., MH. 4. Elyta Ginting, SH., LL.M.
10.00 – 10.30	Coffee Break		
10.30 – 12.00	Introduction on the Team of Guardian and Security of government and Development (TP4)	2	Dr. Undang Mugopal (AGO)
12.00 – 13.00	ISHOMA		
13.00 – 16.30	License procedures a. Requirements b. SOP c. Patterns of corruption Case studies in North Sulawesi: a. Tourism and property sector including hotels b. Fish-canning industry	4	1. Police 2. ICW
15.15 – 15.45	Coffee Break		
15.45 – 16.30	Cont'd		

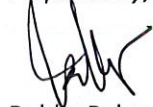
Time (Day and Date)	Topic	Hours	Lead Trainers
Thursday 6/9/2018			
08.00 – 08.30	Review of day 2		
08.30 – 10.00	Gratification	2	Directorate of Gratification of KPK
10.00 – 10.30	Coffee Break		
10.30 – 12.00	Repression that can be the basis of prevention of corruption a. Principles of prevention b. Best Practice / Success Story of repression c. Changes of system and mindset on individual and organizational basis.	2	1. KPK 2. AGO
12.00 – 13.00	ISHOMA		
13.00 – 14.30	International and national initiatives on the prevention of corruption a. Integrity zone b. Bureaucracy reform		1. ICW
14.30 – 15.15	Action Plan	2	
15.15 – 15.45	Coffee Break		
15.45 – 16.30	a. Post-test b. Evaluation c. Closing		

Logistics Arrangements:

- Classroom for 80 participants
- Accommodation for 23 rooms (single occupancy)
- Accommodation for 15 rooms (shared occupancy)
- Meals: breakfast, lunch and two coffee breaks
- 2 laptops, Printers
- 2 LCD Project with wide screen
- Camera, Banner, Basic medications.

Budget: AWP#: 2.2.1: USD 27,000 (details will be provided by PA)

Prepared by,



Bobby Rahman

Sector Coordinator - Judicial Training

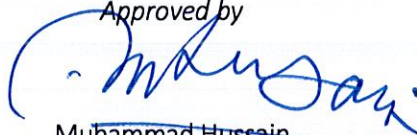
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Senior Advisor

Approved by



Muhammad Hussain

Deputy Project Manager