

**COMBATING HUMAN TRAFFICKING
IN INDONESIA
THROUGH LAW ENFORCEMENT:**

**AN EVALUATION REPORT ON
IOM PROJECT
SUPPORTED BY NZAID**

SUBMITTED BY

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SCN-CREST

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COMBATING HUMAN TRAFFICKING IN INDONESIA THROUGH LAW ENFORCEMENT: FINAL EXTERNAL EVALUATION REPORT

I. INTRODUCTION

A. The Project

This external evaluation concerns a project funded by the New Zealand Agency for International Development (NZAID) and executed by the International Organization for Migration (IOM) in partnership with the Indonesia National Police (INP), the Ministry of Justice and Human Rights, the Supreme Court of Indonesia, the Coordinating Ministry of People's Welfare, and the State Ministry for Women's Empowerment. The project's main objective was to combat human trafficking through law enforcement and was carried out in three phases:

- Phase I (March 1 – July 30, 2004) focusing primarily on police investigators in the integrated criminal justice system in Indonesia,
- Phase II (October 1, 2004 – September 30, 2005) focusing on police investigators and prosecutors, and
- Phase III (January 1, 2006 – December 31, 2006) reaching out to judges in addition to police investigators and prosecutors.

The overall goal of the project was to strengthen the capacity of law enforcement agencies in combating human trafficking.

The specific objectives included (a) increasing the awareness and knowledge of the police, prosecutors and judges on human trafficking; (b) increasing the number of human trafficking cases that are both investigated and eventually prosecuted and convicted; (c) promoting collaboration and cooperation among the law enforcement agencies in key provinces when investigating and prosecuting trafficking cases.

B. The External Evaluation

This evaluation serves as a final external evaluation to examine lessons learned from the project. The objectives of the

evaluation as stipulated in the Terms of Reference (see **Annex 1**) included assessing:

- The relevance of the project (the pertinence of project objectives to the need of the situation, the need of the target groups and beneficiaries);
- The performance of the project (its effectiveness, efficiency and timeliness);
- The success of the project (its impact and sustainability).

II. METHODOLOGY

The methods used in this evaluation to attain the above mentioned objectives consist of four techniques: Documentary Study; Interviews; Focused Group Discussion (FGD) and Small Surveys. The subjects dealt with in each technique are basically the same, i.e. questions derived from the basic questions related to the three main objectives to be assessed in this evaluation. The application of the various techniques to different categories of respondents is a way to ensure the validity of the findings through triangulation.

A. Documentary Study

The documents examined during the evaluation include the proposals of each phase, the final reports of Phase I and Phase II, the summary of all activities prepared by the staff of the project, the *Guidelines for the Investigation and Prosecution of Human Trafficking Cases and the Treatment of Victims during Law Enforcement*, and the training modules.

B. Interviews

The interviews were carried out based on the list of key personnel from each law enforcement agency related to the implementation of the project prepared by the project management. Most of the proposed interviewees in the list were interviewed, though some were not able to meet the evaluators due to their time constraints. The number of interviewees totals 19 persons. The list of the interviewees is attached to this report (see **Annex 2**).

C. Focused Group Discussion

The FGDs were carried out with four groups of police officers that had been trained by the project (in Surabaya, Batam and Jakarta), four groups of prosecutors that had been trained in the three cities, and one group of judges. The number of participants of each agency is 25 investigators, 26 prosecutors and 8 judges. The list of participants is attached to this report (see **Annex 2**)

D. Small Survey

The small survey was used to illustrate quantitatively the result of the interviews and the FGDs. The respondents of the survey are the same as the participants of the FGD. The total number of the respondents is 58. The subjects to be assessed in the survey and the result can be seen further in **Annex 3**.

III. THE RELEVANCE OF THE PROJECT

A. Responding to the crime situation

Human Trafficking is rampant in Indonesia. However, the number of investigated human trafficking cases is very low compared to the number of victims identified by IOM. When the project began in 2004, the United States Department of State (USDOS) rated Indonesia in dealing with human trafficking as Tier II, whereby the USDOS noted that there are not a significant number of cases investigated and prosecuted. Hence, the objective of the project to increase the number of cases investigated and eventually prosecuted was relevant to the situation.

B. Responding to the situation of the law enforcement agencies

Human trafficking is a serious, violent and insidious crime. This crime is also a crime type like no other, because the concept is a relatively new creation that brings together a range of old and relatively new criminal activities under one roof. Understanding the character of the crimes and the role of law enforcement agencies in the integrated justice system is very important.

Interviews with key persons in Unit III of the INP and the taskforce for Trans National Organized Crimes (TNOG) in the Attorney General's Office (AGO) showed that the Indonesia law enforcement agencies, including the judges, prosecutors and police, had very limited knowledge about the crime of trafficking at the time the Project began in 2004. Additionally, there was no specific training within the body of the law enforcement agencies to fill the lack of knowledge amongst them. In the policy stage, trafficking was treated like an ordinary crime, and the victims were often treated like criminals. Based on these considerations, the evaluation shows that IOM's project to strengthen law enforcement agencies as an avenue to combat human trafficking was relevant to the needs of the law enforcement agencies.

C. Responding to the situation of the target groups

At the time the project began in 2004, an Anti Trafficking National Plan had been in place, but there was no specific anti trafficking law. Since there was no specific law to prohibit the crime of trafficking, the law enforcement agencies, especially police and prosecutors, failed to investigate and prosecute the traffickers. The failure happened because of lack of coordination and misinterpretation of the existing laws. Therefore, the effort of the project to compile all laws that can be used to investigate, prosecute and eventually convict the traffickers was considered as relevant to the need of the target groups, i.e. the police investigators, the prosecutors and the judges.

D. Responding to the needs of the victims

Since March 2005, IOM has assisted more than 2,000 victims of trafficking through their victim assistance program, funded by the United States Government. That total does not represent the exact number of victims of trafficking since they are largely invisible and often afraid to file cases. These victims are often called the "unpeople" of this world - a massive but mostly voiceless "underclass" of people. The effort to increase the number of cases handled fit into the needs of these beneficiaries of the project.

E. Overall relevancy

The interviews with the key persons in each of the law enforcement agencies shows clearly the relevance of the project

to the criminal situation, the need of the law enforcement agencies, and shows that the need of the investigators, prosecutors and the judges in Indonesia is quite high. The assessment of the alumni of the trainings organized by the project also confirms the fact. The overall average score on the overall relevance of the project is 4.6 in the scale of 1 to 5. (Police officers score is 4.7, attorneys 4.6, and judges 4.6.). See further ***Annex 3***.

IV. THE PERFORMANCE OF THE PROJECT

A. Attainment of the objectives

This project had three specific objectives as mentioned above: to raise awareness of human trafficking among the police officers, the prosecutors and the judges; to increase the numbers of trafficking cases investigated by the police and eventually prosecuted by the Attorney General's Office, and convicted by the judiciary; and to promote collaborations and cooperation among police, prosecutors and judges, in key provinces in Indonesia when they are investigating and prosecuting trafficking cases.

- With regard to the first objective, the evaluation shows that before participating in the IOM training, police, prosecutors and judges had very limited knowledge about trafficking, as well as the element of crimes of trafficking. They had never heard about international instruments that regulate human trafficking. The training has strongly increased their knowledge of trafficking including understanding the element of crimes properly as stated in the Palermo Convention. Additionally the law enforcement agencies now clearly understand *victim protection oriented* justice so that they do not treat the victims as criminals. The result of the small survey can illustrate the increase of awareness and understanding of the alumni of trainings organized by the project. The average score is 4.1 in the scale of 1 to 5. Police officers score 4.3, Prosecutors 4,0 and Judges 4.1. See further ***Annex 3***.
- This project also increased the number of trafficking cases to be prosecuted. The evaluation shows that in the year 2006 alone, in Kalimantan Barat Police have investigated

60 cases, in Jawa Barat 30 cases and in Cengkareng they have investigated 14 cases. The small survey among 58 alumni of the trainings can also illustrate the increase in the number of trafficking cases handled. Before the intervention, the respondents reported that they had handled 16 trafficking cases, while after the intervention of the project they had handled 39 trafficking cases. The exact increase of trafficking cases handled by the police, prosecutors and judges caused by the intervention of the project, however, is difficult to be traced. One of the reasons is that the INP was not able to provide accurate baseline data, and another reason is that the culture of using data as a tool of work especially combating the crime of trafficking is not institutionalized in the law enforcement institutions.

- The project has also promoted collaboration between law enforcement officials, especially between police officers as investigators and the prosecutors. Police and prosecutors who participated in the joint training have had the opportunity to build agreed interpretation upon the relevant articles of the existing law. Some of the alumni bring home not only the knowledge but also a strong network which may help them handle trafficking cases in the duty areas. The evaluation shows that there is collaboration between police and prosecutors since the beginning of investigation. This situation surely quickens the process of investigation, as well as the issuance of the so called P21 (letter needed for the case to proceed to prosecution phase). The result of the intervention of the project in enhancing the collaboration is evident within the results of the small survey. The average score given by them in regard with the increase in better coordination among the law enforcement agencies is 4.2 in the scale of 1 to 5. The police officers give the score of 4.4, the prosecutors 4.1, while the judges 4.0. Key persons in the AGO's TNOc Taskforce confirm that members of taskforce and members of Unit III in INP's Criminal Investigation Bureau have greater coordination after participating in the project.
- The program has achieved the objectives in a sense that the increase of knowledge among the law enforcement agencies has increased their capacity to investigate,

prosecute and punish the traffickers. However the massive turnover within the body of criminal justice systems often interrupts the stream of empowerment as well as the strong network amongst them. This is to point out that when a trained police officer, prosecutor, or judge has to leave the station of duty to be placed in a new location, the person may lose the opportunity to handle trafficking cases because he or she was placed in a different division. Hence the dissemination of the Guidelines Book to the wider range of the police, prosecutors and judges will maintain the stream of empowerment.

B. The Strategies Chosen

The strategies chosen to realize the above mentioned objectives mainly consisted of (a) training police officers, prosecutors and judges; (b) development of guidelines for investigators and prosecutors in handling trafficking cases; (c) development of curriculum and modules to investigate trafficking cases for police and prosecutors training institutions. Those strategies are basically oriented to the law enforcement officers. Additional activities added to the strategies were (d) providing a legal assistance fund for victims of trafficking in an effort to increase victim protection and (e) actively reviewing the draft Anti-Trafficking Law and providing comments including draft model language for the Bill.

- Training strategy included (a) separate training for police officers, prosecutors and for judges to raise the awareness and increase the understanding of human trafficking among the participants; (b) joint training of investigators and prosecutors to develop coordination and collaboration in handling trafficking cases; (c) training of trainers for each law enforcement agency to guarantee that trainings will be able to be carried on in the future. The respondents' scores from the small survey illustrate the results of the intervention strategy. The overall average score for the influence of the intervention in the daily practice of each party is 4.2 (Police officers 4.5, Prosecutors 4.0 and Judges 4.1).
- The development of *Guidelines for the Investigation and Prosecution of Human Trafficking Cases and the Treatment of Victims during Law Enforcement Proceedings* was

regarded by almost all interviewees as a very important contribution of the project. It helps the investigators and prosecutors in identifying the various legal articles that can be used in handling cases of human trafficking. The Guidelines book is user friendly and designed carefully for practitioners. It has different color-code tabs for quick access to different legal provisions and articles. The police, prosecutors and judges commented that by using the *Guidelines*, they better understand how different legal provisions are interrelated to each other when they handle trafficking cases. The scores given by the respondents of the small survey in regard to the usefulness of the Guidelines show the appreciation. The overall average score is 4.2. The police officers give the score of 4.4, the prosecutors 4.2, while the judges 4.0.

- The development of curriculum, materials and modules for educational and training institutions of each law enforcement agency together with the training of trainers are to ensure that further socialization of the knowledge and skill in investigating and prosecuting of human trafficking crimes can be carried out. This measure is regarded as an appropriate strategy to enhance the sustainability of the result of the project since this will widen the range of targeted groups and increase the multiplier effect.
- The IOM project created a legal assistance fund for 200 victims of trafficking in its Phase III. Until March 2007, 70 victims had utilized this fund. This legal assistance fund for victims of trafficking is a proactive strategy to ensure the increase of cases to be brought to justice. Key persons within the INP confirm that this measure has a strong impact to the process of investigation and prosecution. The head of Unit III mentioned, before IOM intervention, police and prosecutors had many difficulties in securing the victims participation during the judiciary process.
- All of the above mentioned strategies are regarded as appropriate measures to achieve the objectives of the project, but most of the interviewees were of the opinion that an explicit law on human trafficking is needed to ensure effective law enforcement. At this time these interviews took place, the law on Anti Trafficking had not

yet been signed by the President. It was just signed on April 21, 2007. The score given by the respondents of the small survey shows that the intervention of the project does reduce the constraints they face in their work but not as significant as expected, since they still need a specific law on human trafficking. The overall average score given on the reduction of constraints is 3.0 in the scale of 1 to 5. The police officers give the score of 3.0, the prosecutors 3.5 and the judge 2.5.

- Based on the fact that a specific law on human trafficking was highly needed, the project has taken the appropriate additional activity to contribute to this effort through reviewing the draft anti trafficking law prepared by the Government and to provide comments including draft model language for the law. IOM has issued a position paper to ensure that the international principles of victim protection, international standard definitions, as well as the elements of the crime of trafficking are integrated into the law. The law had been targeted to be promulgated in 2007, and in fact it has been promulgated by Parliament some days ago, on 21 March 2007 as ***Undang-undang tentang Pemberantasan Tindak Pidana Perdagangan Orang***. Most of the comments and ideas proposed by IOM are incorporated in the new anti trafficking law.
- Another implicit strategy of the intervention was the effort to reach a wider audience than the direct beneficiaries of the project. In addition to the dissemination of the Guidelines and the development of curriculum and modules for the regular training institutions of the law enforcement agencies, the participants of the trainings organized by the project are expected to disseminate what they have learned to their colleagues. Regarding the latter, the score given by the respondents of the small survey can illustrate the achievement. The overall average score in this matter is 3.8. Police officers give the score of 3.9, the prosecutors 3.8 and the judges 3.6.

C. The Feasibility of Implementing Activities

The detailed activities to implement the above mentioned strategies were well planned in terms of time and effectiveness to attain the set objectives.

- All the activities at the beginning of each phase have been loosely planned in terms of time by months. This opened the possibility of adjusting the exact week and date to the situational need.
- Detailed activities chosen to implement the strategies were relatively easy to formulate since the strategies are already quite concrete.
- In general all the activities planned were realized in time. The project was also able to allot time for unplanned but important activities such as reviewing and providing comments on the draft anti-trafficking law.

D. The quality of the inputs provided

The interviewees and the participants of the FGD carried out during this evaluation had no complaints about the quality of technical support provided by IOM, the project management, and the administrative and financial management. Some of them, however, recommended that IOM to provide the participants of the activities organized by IOM with enough time for preparation. A sudden invitation such as the invitation to participate in FGDs organized during the evaluation is considered not giving the invitees enough time for preparation. However, this situation must be understood more as a result of long and complex bureaucracy within the law enforcement agencies. The management of the project cannot send invitations directly to the persons. The invitations have to be through the respective agencies, so the delay was due to the agencies themselves and not IOM.

Another complaint was the very strict rule of IOM to request written and legal receipts for all expenditures, as sometimes it is impossible to get them, for instance in the case of 'ojek' or simple taxi. In this case the project management tried to solve it through providing an acceptable receipt form to be filled in by the participants.

E. The quality of operational arrangement

IOM and INP operational arrangements were carried out through Unit III of the INP's Criminal Investigation Bureau and the Personnel Division. A key person in unit III confirms that during the duration of the project, IOM and INP have built a rich and mutual working relationship. Further, he admitted that the low

level of bureaucracy in the IOM and their quick response behavior has helped him to balance constraints caused by complex bureaucracy within the INP institution.

With AGO, the operational arrangement was carried out by the head of TNOC taskforce and also the head of the AGO's training center. Both of them confirm that there has been a very good working relationship with IOM during the implementation of the project.

With the Supreme Court, the operational arrangements seemed to be not as smooth as with the above mentioned agencies. It is most likely because the Supreme Court has not finished with the rearrangement of its educational institution since its separation from the Ministry of Justice and Human Rights in 2006. One of the constraints in the operational arrangement with the Supreme Court mentioned by the IOM project management is the difficulty to arrange training of trainers for the judges. The status of trainer in Supreme Court is so high that it is only possible to be carried out by senior judges that are often too busy with their court cases to set aside time to be trained.

V. Impact and Sustainability

A. Change in the law enforcement agencies awareness about Human Trafficking

The law enforcement agencies that have benefited from the trainings have changed their perception about the crimes of trafficking, from ordinary and petty crimes into serious crimes. The Task force has been formulated in the body of the office of the prosecutor general as well as in the police offices. This action reflects the changing of the paradigm in which they treated the crime of trafficking.

B. Change in the behaviors of the law enforcers

The evaluation shows that the most important impact that occurred after the training was conducted was the changing behavior amongst them, particularly in the way they view and treat the victims of trafficking. The alumni of the trainings organized by the project admitted that before they participated

the training, victims of trafficking were treated only as witnesses that help the judiciary process.

C. Change in the educational and training institutions

There have been efforts to ensure the lasting impact of this project. The IOM strategy in conducting training of trainers and providing printed modules and guidelines will surely contribute to the lasting impact. The modules integrate the international standards and principles of trafficking law as well as the procedures of victim protection. To ensure the integration of the knowledge and skills, the modules also include the local situation and context.

The IOM training materials and modules have been replicated and used as the main training resources in the Police educational institutions. Human trafficking is now one of the major topics in the police specialization course. The materials and the modules have also been used in the regular educational program for future prosecutors, though it is still regarded as additional training provided on Saturdays. Additionally, the curriculum is now used as one of the specific topic in the specialization course of the prosecutors. In other words, the police and prosecutors have started to institutionalize human trafficking within their educational institutions and in house training centers. The judges, however, have not yet adopted the curriculum in their educational and training institutions, though the Supreme Court highly appreciates the effort of the project to compile articles of various existing laws related to the human trafficking crime, and requests more copies to distribute to the local courts.

D. Increased number of trafficking cases handled

There is no exact number to reflect the increase of investigations and prosecutions of trafficking cases during the period of the project, because the INP has no accurate and reliable data. But as shown above, some data can be used to illustrate the increase of the human trafficking cases handled by the investigators, prosecutors and judges. The most exact number is from the list of victims that have utilized the legal assistant fund, i.e. 70 persons during the phase III of the project.

E. The link between the project and other initiatives

The project has strong linkages with the IOM's parallel victim protection program supported by the US Government. In effort to provide protection for the victims during the process of investigation and prosecution, IOM places victims with their consent in safe shelters and provides them with different kinds of reintegration assistance. Key persons in Unit III of INP's Criminal Investigation Bureau confirmed that the police in regional office were very much reliant on IOM's shelters because they have well trained staffs to handle victims of trafficking. Most of the victims placed in the shelter were empowered and encouraged to seek justice.

As part of the project, IOM designed a trafficking database for INP to assist officers in tracking the number of trafficking cases investigated. The model of database is incorporated into the Transnational Organized Crimes' database in the Transnational Crime Center (TNCC) at the INP headquarters that is supported by the Australian Government.

The IOM Counter Trafficking Project has inserted the human trafficking materials into the human rights and community policing course book that is under a parallel IOM Police Reform Project, funded by the EC and the Government of the Netherlands. The staff of IOM's NZAID Project also taught human trafficking to the INP members under Police Reform Project.

Finally, IOM had close cooperation with the Asia Regional Cooperation to Prevent People Trafficking (ARCPPT). The IOM training consultant was sent for training with ARCPPT as part of this project. Investigative training for INP had been carried out by the ARCPPT, while IOM's role was to facilitate participation of relevant officials, and arrange the logistics and travel for the participants and the trainings.

F. The contribution to the draft of anti-trafficking law

The effort to review and to provide comments including draft model language for the anti trafficking law prepared by the Parliament and the Government of Indonesia, although it was not included in the project proposal, seems to have had a tremendous and sustainable impact. Notably, almost all of the concerns addressed by IOM were adopted into the new anti

trafficking law. This is to be regarded as the most long lasting impact of the project.

VI. CONCLUSIONS AND RECOMMENDATIONS

A. Conclusions

Based on the observations through the different techniques used in this evaluation such as documentary study, interviews, focused group discussion (FGD) and small surveys, the evaluators come to the following conclusions:

- The project's purposes are relevant in terms of the estimated high incidences of human trafficking crimes in Indonesia, lack of awareness and knowledge on the part of the law enforcement agencies, lack of awareness, knowledge and skill of the investigators, prosecutors and judges in dealing with cases of human trafficking, and lack of funds to file cases to court on behalf of victims.
- The project has attained the overall objectives to: strengthen law enforcement agencies in handling cases of human trafficking; increase awareness and knowledge of law enforcers; increase trafficking cases investigated and prosecuted; and increase coordination and cooperation between law enforcers in key areas.
- The project has been successful in ensuring the impact and sustainability of the project objectives through provision of materials, development of curriculum and modules, and the training of trainers. The most successful aspect has been the effort to incorporate international standards, definitions and regulations within the new Anti Trafficking law. This step was not originally anticipated in the proposal.
- The less successful efforts of the project have been limited to the assistance in developing a reliable database of trafficking cases at the INP, and the training of trainers and incorporation of the curriculum and modules in the educational and training institutions of the Supreme Court.

B. Recommendations

Based on the above observations and conclusions, the evaluators would like to present the following recommendations for future programming related to human trafficking:

- To attain a more lasting impact, further support should be provided for efforts to further integrate human trafficking training into the regular education and massive in-house training of each law enforcement agency
- Continue efforts to incorporate the human trafficking subject in the police academy and law schools as they are institutions where investigators, prosecutors and judges are educated in the discipline of law.
- The law enforcement agencies should be assisted in developing case database and case monitoring system to ensure the availability of accurate and reliable data regarding trafficking cases investigated, prosecuted and handled in court.
- Further support should be provided for joint training of law enforcement agencies and immigration officers to develop a better understanding of the new anti trafficking law, the element of crimes, and the strategy to implement the law.
- Efforts to integrate the new anti trafficking law into the existing *Guidelines for the Investigation and Prosecution of Human Trafficking Cases and the Treatment of Victims during Law Enforcement* should be promoted and supported.
- The Government of Indonesia should be encouraged and supported to conduct massive socialization of the new anti-trafficking law.
- The Government should be encouraged to allocate the needed funds for investigation and victim protection.
- The involvement of university study centers in promoting a new concept such as human trafficking should be encouraged.
- In designing further projects to promote new concepts and new laws, such as human trafficking, the management should always continue to involve units in each institution responsible for developing and socializing new concept for the whole organization.

Jakarta, 23 April 2007

Wiladi Budiharga
Antarini P. Arna



IOM International Organization for Migration
OIM Organisation Internationale pour les Migrations
OIM Organización Internacional para las Migraciones

Annex 1

TERMS OF REFERENCE

Final Project External Evaluation

Combating Human Trafficking Through Law Enforcement: Phases I, II and III (March 2004–March 2007)

1. Background of the programme

From March 2004 to March 2007, IOM implemented a three phased project, “Combating Human Trafficking Through Law Enforcement.” The project’s overall objective is to increase awareness and build the capacity primarily of police and prosecutors so as to ultimately increase the number of trafficking cases actually investigated and prosecuted. Expected results of the 36 month project included increased awareness about human trafficking among the criminal justice agencies, and particularly, the police and prosecutors. During the last year, IOM began working with the judiciary with the objective of raising their general awareness about trafficking in persons. Expected results also included production of useful resource materials for the police and prosecutors and development of human trafficking materials and curriculum for police and prosecutors training institutions. Significantly, IOM together with the Police and Prosecutors developed *Guidelines for the Investigation and Prosecution of Human Trafficking Cases and the Treatment of Victims During Law Enforcement Proceedings*. During the last six months, IOM also actively reviewed the draft Anti-Trafficking Law that is being considered by Parliament. IOM’s legal team of experts provided extensive comments on the various provision, included suggested language that should be used.

To date, the project focused on four main activities: (i) raising basic awareness and capacity among police, prosecutors, and judges through targeted trainings in four high risk trafficking areas (Jakarta, Surabaya, Batam and Pontianak) (ii) organizing joint technical training between police and prosecutors in select areas in an effort to improve coordination and (iii) development of training materials and curriculum that can be used for police and prosecutors training institutions; and (iv) linking victim assistance program and law enforcement program. All activities were conducted with the ultimate goal of increasing investigation and prosecutions of trafficking cases. Although not originally envisioned in the project document, IOM also spent a significant amount of time reviewing the draft Anti-trafficking law and provided detailed comments to all relevant government agencies as well as each member of parliament that was a member of the special committee (PANSUS VIII).

2. Objectives of the evaluation

The objective is to evaluate the relevance, performance and success of the three year program, in order to potentially expand the scope of the project.

- *Relevance*: Evaluation of the pertinence of project objectives and purposes, in relation with the development impact of the project, target groups, indirect and direct beneficiaries;
- *Performance*: Evaluation of project’s *effectiveness* (to what extent has the project produced its desired results); evaluation of project *efficiency* (to what degree have resources been optimized during the project implementation and has the project achieved a satisfactory level of cost-effectiveness); *timeliness* (appropriateness of activities’ planning);

- **Success:** Evaluation of the project impact and sustainability (impact of the action, contribution to capacity building and vocational training, ability of target groups to self-sustain their skills without external funding).

In particular, the evaluation is intended to:

1. Assess the degree to which the project has been able to achieve component-specific objectives and identify areas of concern that impede the achievement of the objectives;
2. Analyze the strategies and approaches employed in the implementation of planned activities in each component so far;
3. Assess the feasibility of implementing activities in the context of the agreed timeframe and budget and in light of the project objectives;
4. Assess the quality of the inputs provided (technical support, project management, including but not limited to administrative and financial management), operational arrangement (partnership between IOM and INP, AGO and Judiciary), activities undertaken, and outputs produced (trainees, training modules, resource materials, reports, etc); and
5. Based on the findings outline lessons learned and provide comprehensive recommendations for the improvement of the systems/approaches established in the first half of the project with a view to enhancing the strategies for the remaining implementation period.

More specifically, the evaluation will look into the following:

- To what extent do the CT training activities and materials have a sustainable impact on the working methods and behavior of police officers, prosecutors and judges?
- To what extent have the trafficking materials and resources materials (such as the *Guidelines for the Investigation and Prosecution of Human Trafficking Cases* been institutionalized within the INP and the AGO?
- To what extent has there been an increase in investigations and prosecutions of trafficking cases?
- To what extent have the police and prosecutors employed a victim-centered approach during the investigation and prosecution?
- What role has IOM had in ensuring a lasting impact?
- To what extent are the results achieved clear and well-defined?
- To what extent has the planning been acted upon?
- To what extent have the program and its component been coordinated with other initiatives in the field of Counter-trafficking? For example, to what extent is there a link between law enforcement programs and victim assistance programs
- How to increase the impact of the programme both in short and long terms?

3. Methodology

Evaluation Team

The evaluation will be undertaken by two independent experts, appointed by IOM and NZAID. IOM will facilitate the selection process and provide administrative and logistics support to the Evaluation Team.

The Evaluation Experts will have to have multidisciplinary background and expertise, as well as be either familiar with project management or involved in similar or any capacity building project. Furthermore, good knowledge and background on Indonesian police/security/justice sector reform, media, CSOs, NGOs will be an asset. All members are expected to have a good rapport with the Indonesian civil society and the National Police (POLRI), Attorney General's Office and the Supreme Court, and speak Indonesian.

Activities

The Evaluation Team will conduct a qualitative and quantitative assessment of the project's progress to date through extensive deskwork and fieldwork. Specific activities to be undertaken by the Evaluation Team to meet the objectives of the evaluation will be determined by the Team, in close consultation with IOM and NZAID. Activities will include, but may not be limited to, the following:

- a) Review of all documents and publications relating to the programme; including working documents; progress updates and reports; minutes; training curricula; etc; and other relevant external documentation;
- b) Conduct interviews and/or focus group discussions with IOM senior management, program implementation team and other internal and external stakeholders directly and indirectly involved as implementing partners (Head of Unit III at POLRI; Head of Specialized Taskforce on Terrorism and Transnational Crime at AGO; members of Supreme Court; officers, prosecutors and judges who received training);
- c) Conduct interviews and/or focus group discussions with beneficiaries (participants to the trainings);
- d) Conduct field visits.

Presentation of Results and Report

The output of the evaluation will be a comprehensive draft report outlining the methodology pursued and main findings of the evaluation, including lessons learned and recommendations for future projects. The findings of the evaluation will be presented by the Team to IOM and the donor, NZAID who will be provided with the draft report and Aide Memoir for their review and input. Based upon IOM's and NZAID's feedback, the Team will revise the report and submit the final evaluation report. The final report will be prepared in English and in Bahasa Indonesia.

4. Resources and timing

Timeframe:

February 1- 21: Conduct Evaluation

April 13: Draft Report Due

April 23: Final Evaluation Report Due

ANNEX 2

LIST OF RESPONDENTS

I. Persons Interviewed

A. Project Management

1. Kristin Dadey --- Project Manager
2. Irawati Harsono --- Project Consultant
3. Damianus --- Project Consultant
4. Dyah Wuryandini --- Project Secretary

B. Indonesian National Police

1. Kombes Polisi Drs. Anton Charlian --- Unit III Bareskrim
2. Kombes Polisi Drs. Bambang Poernomosidi – Unit III Bareskrim
3. AKBP Drs. W. Tommy W, Ssos, Msi --- Sespim
4. AKBP Nelson Purba --- Sespim
5. AKBP Drs.Fajaruddin, Ssos, Sik, Msi---Unit III Bareskrim
6. AKP Mulyawati Syam, Sik—Unit III Bareskrim

C. Attorney General Office

1. Thomson Siagian, SH --- Taskforce TNOC
2. Anggraeni, SH
3. Sarastuti Laksmi Wardhani, SH, CN
4. Eko Siwi Irianti, SH --- Taskforce TNOC
5. Farchan Sunyoto M, SH, LLM --- Training Center
6. Wisnu Subroto, SH--- Training Center
7. Shinta Sasanti, SH--- Training Center

D. Supreme Court

1. Martini Marja, SH
2. Dra. Alia Al Hasna, SH, MH--- Training Center

II. FGD Participants

A. Investigators

1. Iptu Herlina – Renakta Polda Jatim
2. Bripda Linartiwi – Renakta Polda Jatim
3. Aiptu Ekowati – RPK Polres Sidoarjo
4. Ipda Suprih Lestari - Sat II/Pidana Ekonomi Polda Jatim
5. Aiptu Suwarni – RPK Polresta Surabaya Timur
6. AKP Gatot Hariyanto – Kapolsekta Asem Rowo

7. Aiptu Nurwaya – RPK Polresta Surabaya Selatan
8. Aipda Yuni S – RPK Polresta Surabaya Selatan
9. Briпка Sukadi – Taud Polresta KPPP Tanjung Perak
10. AKP Siswo Yuwono, BPM,SH,S.Ik – Polda Metro Jaya
11. AKP Taufik Hidayat, S.Ik -- Polres Bandara Soekarno Hatta
12. Kopol Hengky, S.Ik – Polda Banten
13. AKP Budhi Batara P, S.Ik – Polda Banten
14. AKP Andree Ghama P, SH, S.Ik – Polda Jabar
15. AKP Ferry Irawan, S.Ik ---Polda Jabar
16. Kopol Slamet Uliandi, S.Ik ---Polda Jabar
17. Kopol Krishadi Permadi, S.Ik ---Polda Jatim TOT
18. AKP Sanudin, SH --- Pusdikreskrim TOT
19. AIPDA Zaitun –Polda Jabar
20. AIPTU Sugiyanto --- Polda Jabar
21. AKP Fatmah Noer---Bareskrim Polri
22. AKP Khatarina Ekorini Indriati ---Bareskrim Polri
23. Briпка Iis Yeni Ida N ---Polda Jabar
24. IPDA Ma'mun Murod, SIP ----Polda Jabar
25. IPDA Muhammad ---Polda Jabar

*) Invalid since the person has not participated in one of the training organized by the project.

B. Prosecutors

1. Sri Hartoyi, SH --- Kejangung RI
2. Bimo Budihartono, SH --- Kejari Purwodadi
3. Hadiyanto Bajuri, SH --- Pusdiklat Kejaksaan RI-TOT 2006
4. Ahmad Sidik, SH
5. Arif Budiman, SH
6. Elly Supaeni, SH
7. H.MD.Hermawan,SH
8. Hermansyah, SH
9. Yaya Teja Sumaya, SH
10. Agus Khairuddin, SH
11. Evi Hasibuan, SH
12. Ismedi, SH
13. Kasminarwati, SH
14. Mahayu Dian S, SH
15. Normalina, SH
16. Titin Herawati Utara, SH
17. Budi Harsoyo, SH --- Kejari Tulungagung
18. Diah Yuliastuti, SH, MH --- Kejati Jatim

19. Edi Handojo, SH --- Kejari Tanjungperak
20. Endang Suprpti, SH --- Kejari Pacitan
21. Fajar Indah Dwi P. SH --- Kejari Malang
22. Sabetania RP, SH, MH --- Kejari Sidoarjo
23. Saptana Setyabudi, SH --- Kejari Kepanjen
24. Sudarso, SH --- Kejari Jombang
25. Suhardono, SH --- Kejari Madiun
26. Tatik Herawati, SH, MHum --- Kejari Kediri

C. Judges

1. Arief D, SH, MH – Puslitbang MA RI
2. Barita Saragih, SH, LLM – PN Semarang
3. Diah Sulastri Dewi, SH, MH – PN Bandung
4. Endang Wahyu Utami, SH --- MA RI
5. Gatot Suharnoto, SH ---PN Jakarta Selatan
6. Kartini Pardosi, SH, Dra --- Pusdiklat MA RI
7. Martini Marja, SH, MH --- PN Jakarta Pusat
8. Ridwan Ramli, SH --- PN Jakarta Pusat

III. Small Survey Respondents

The respondents of the Small Survey are the same as the participants of FGD.

Annex 3

Number of Respondents

Police officers: 25 persons (one is invalid)

Attorneys: 26 persons

Judges: 8 persons

Total number of respondents: 58 persons

Subjects of Evaluation

1. Whether the training organized by the project is able to develop and increase the awareness and the knowledge of the participants in regard with the human trafficking crime;
2. Whether the training is influencing the practice of the participants as investigators, prosecutors or judges;
3. Whether the participants have been socializing the awareness and the knowledge they received in the training to their colleagues;
4. How useful is the *Guidelines for the Investigation and Prosecution of Human Trafficking Cases and the Treatment of Victims during Law Enforcement Proceedings* for the implementation of the task as investigator, prosecutor or judge;
5. How far the trainings and the *Guidelines* are able to reduce constraints in the implementation of the respective task;
6. How far the training can help the participant to enhance the coordination with other law enforcers;
7. How is the overall relevance of the project to the situation of Indonesia;
8. a. Whether the participant has had experience in dealing with trafficking case before the training? How many times?
b. Whether the participant has had experience in dealing with trafficking case after the training? How many times?

Average Score on Subjects of Evaluation

Lowest Score: 1

Highest Score: 5

| Topic | Police Officers | Prosecutors | Judges | Average |
|-------------------------------------|------------------------|--------------------|---------------|----------------|
| Increase in knowledge and awareness | 4,3 | 4,0 | 4,1 | 4,1 |
| Influence in practice | 4,5 | 4,0 | 4,1 | 4,2 |
| Socialization | 3,9 | 3,8 | 3,6 | 3,8 |
| Usefulness of Guidelines | 4,4 | 4,2 | 4,0 | 4,2 |
| Decrease in constraints | 3,0 | 3,5 | 2,5 | 3,0 |
| Increase in coordination | 4,4 | 4,1 | 4,0 | 4,2 |
| Overall relevance | 4,7 | 4,6 | 4,6 | 4,6 |

Number of Trafficking Cases Handled

| Time | Police Officers | Prosecutors | Judges | Total |
|----------------------------|------------------------|--------------------|---------------|--------------|
| Before Intervention | 10 | 3 | 3 | 16 |
| After Intervention | 33 | 5 | 1 | 39 |