Australia's Support to the Government of Indonesia

Tim Bantuan Tata Kelola Pemerintahan (TBTKP)

Independent Progress Review

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Abbreviations

APSC	Australian Public Service Commission
ANZSOG	Australian and New Zealand School of Governance
AusAID	Australian Agency for International Development
BAPPENAS	Badan Perencanaan dan Pembangunan Nasional – National Planning and Development Agency
CSO	Civil Society Organisation
GIZ	Deutsche Gesellschaft für Internationale Zusammenarbeit – German Society for International Cooperation
GOA	Government of Australia
GOI	Government of Indonesia
INSPIRE	Inisiatif Nasional di Sektor Publik untuk Inovasi dan Reformasi – National Initiative in Innovation and Reform of the Public Sector
IPR	Independent Progress Review
KEMITRAAN	The Partnership for Governance Reform
KEMENPAN&RB	Ministry of State Apparatus and Bureaucratic Reform
KPK	Komisi Pemberantasan Korupsi, the Corruption Eradication Commision.
KPRBN	Komite Pengarah Reformasi Birokrasi Nasional, the Committee for Guiding National Bureaucratic Reform
LKKP	Policy Institute for Procurement of Goods / Services
MOF	Ministry of Finance
МОНА	Ministry of Home Affairs
RIR	Rakor Integrasi Reformasi – Reform Integration Coordinating Committee
RPJMN	Rencana Pembangunan Jangka Menengah Nasional, the National Mid Term Plan
SPAN	Sistem Perbendaharan dan Anggaran Negara - National Treasury and Budgeting System
STRANAS	National Anti-corruption Strategy
ТВТКР	Tim Bantuan Tata Kelola Pemerintahan - Governance Support Team to the Vice President's Office
TRBN	Tim Reformasi Birokrasi Nasional, Team for National Bureaucratic Reform
TI	Tim Independen, the Independent Team
TQA	Tim Quality Assurance, the Quality Assurance Team
UKP4	Presidential Work Unit for Development Monitoring and Control
UNDP	United Nations Development Programme
USAID	United States Agency for International Development
UC	University of Canberra
VPO	Vice President's Office
WB	World Bank

Executive Summary

Following a request from the Indonesian Vice President to the Australian Ambassador in early 2010 AusAID provided assistance (\$2.75m over 18 months) to the Vice-President's Office (VPO) to support whole-of-government bureaucracy reform. The assistance included the deployment a Governance Assistance Team or Tim Bantuan Tata Kelola Pemerintahan (TBTKP) to provide strategic planning advice to members of the Council for Guiding Bureaucratic Reform on changing systems and frameworks of government. The assistance was also intended to support AusAID to gain a deeper understanding of bureaucratic reform in Indonesia. The TBTKP activity commenced in May 2011 and is due to finish in September 2012.

AusAID commissioned a two person team to conduct an Independent Progress Review (IPR) of the TBTKP assistance in January 2011. The IPR team focused on the eight questions set by AusAID in the TOR and designed a subsidiary set of questions that guided the document reviews and stakeholder consultations.

The IPR team found that the objectives of Australia's support are highly relevant to the needs of the Government of Indonesia (GOI) and the Government of Australia (GOA) and that the TBTKP was also highly consistent with the Paris Declaration (2005). Bureaucratic reform is specified as the GOI's number one priority. An efficient and effective bureaucracy is necessary to support improvements in government service delivery, accountability and in fighting corruption. All AusAID project activities and the achievement of millennium development goals in Indonesia will materially benefit from a better functioning GOI bureaucracy.

An important unwritten objective of AusAID's response was to learn more about bureaucratic reform in Indonesia. The TBTKP is fulfilling that objective and has positioned AusAID well to participate in subsequent bureaucratic reform activities should it wish to do so.

The assistance to TBTKP was provided through an AusAID grant. This aid modality was used primarily in order to respond quickly to a request from the Vice President's Office. AusAID responsiveness was highly appreciated by the VPO. However, since the VPO was unable to receive and acquit AusAID funds, the grant was channelled through an Indonesian civil society organisation, Kemitraan, which was appointed as the Implementing Partner. The IPR team is of the view that the risks of TBTKP approach were underappreciated and the desire of AusAID to be responsive to the Vice President's request and to support bureaucratic reform resulted in AusAID paying less attention to risk than was prudent.

AusAID attempted to execute a subsidiary agreement with the GOI but these efforts were abandoned with the consent of the GOI when it could not be done in a timely fashion. AusAID's expectations for the utilisation and accountability of grant funds were therefore never clearly delineated to the GOI and in the absence of such advice the VPO believed it had the freedom and flexibility to manage the TBTKP activities in accordance with perceived needs. This led to important deviations from the Activity Proposal on which the grant funding was based and exposed AusAID to potential, but fortunately unrealised accountability, implementation, and reputational risks. While the

TBTKP has, under VPO instruction, pursued some activities different to those in the Activity Proposal, and did not pursue others, they have nonetheless made useful contributions to GOI bureaucratic reform and AusAID's objective for the assistance was not compromised.

The support to TBTKP is widely and strongly appreciated by the GOI and by other stakeholders. The team members have been involved in a wide range of advisory activities in a short period of time. Several of these activities appear to be highly significant to bureaucratic reform including:

- working with the Ministry of Finance and the Ministry of Home Affairs to harmonise conflicting regulations – Law 33 (Fiscal Balancing) and Law 32 (Local Government).
- facilitating the development of the National Anti-Corruption Strategy (STRANAS) with significant involvement of civil society organisations.
- responding quickly to support the new Vice-Minister KemenPAN&RB to "reform the reformer".
- facilitating an interdepartmental proposal on integrated financial reforms.
- providing technical inputs to the parliamentary initiated law on civil service reform and reducing resistance to the law within KemenPAN&RB..

GOI ownership of the activity is strong and generally bureaucratic reform is being led by the GOI itself. TBTKP acts in response to tasks assigned by the VPO. Its primary modality is advice and the GOI is under no obligation to accept that advice or act upon it. However, as described above TBTKP has made a number of important contributions. The outcomes of the activities that the TBTKP advisers have been working on are likely to be maintained since they involve things such as harmonised laws and national strategies. A number of support activities, which it is worth noting in passing were part of the original Activity Proposal, are all designed to further support sustainability. These include: a bureaucratic reform website; a book on bureaucratic reform; and the establishment of a community of bureaucratic reform researchers¹.

The IPR team was generally impressed with the Implementing Partner, Kemitraan's seriousness and the sense of purpose it displayed. The number and capability of staff assigned to TBTKP appeared to be adequate for administrative support, however, indications of weaknesses in financial management and monitoring and evaluation was observed. Although clearly not AusAID's intention, the implementation agreement has placed Kemitraan in a difficult position. They are responsible for implementing the Activity Proposal but have in reality limited control over the TBTKP team. With the benefit of hindsight, the IPR team questioned whether an implementing agency was needed at all. On the other hand, the IPR team noted that Kemitraan's key strengths, in particular its ability to engage a variety of stakeholders including CSOs and the public, were not specified in the implementation agreement, and are not currently being utilised.

The Australian Public Service Commission (APSC) has worked closely with the TBTKP team and are highly appreciative of the team's support and advice. The APSC has been engaged with the Government of Indonesia since 2006 under successive funding grants from AusAID's Governance

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¹ The latter has not yet been realised but is in development.

Partnership Facility. During the life of TBTKP, APSC have implemented three strategic policy dialogue activities, which have each focused on supporting GOI bureaucratic reform in some way. APSC has effectively managed the in-Australia component of these activities while TBTKP has been largely responsible for in-Indonesia arrangements. The University of Canberra (UC) has a close relationship with the APSC and they share information about their respective activities. Although UC has closely followed TBTKP activities, its involvement to date has been limited although this is likely to change in the future through efforts to establish a community of bureaucratic reform researchers under TBTKP and UC patronage. The APSC and UC activities are not funded by TBTKP but appear to be highly complementary.

Given that the original Activity Proposal is not being implemented as designed and that the was no attempt to update AusAID on planned activities through an inception plan or revised design document the IPR team considered whether it should recommend terminating the TBTKP. The IPR team concluded that: 1) since the political consequences of terminating support were likely to be negative; 2) TBTKP has only a few more months to run; 3) that much of the project funds have already been dispersed; 4) that the TBTKP assistance is highly appreciated by the GOI; and 5) that most importantly the TBTKP team is doing useful work to support bureaucratic reform consistent with the original objective, it would not to make such a recommendation. The IPR team also recognised that the TBTKP was satisfying AusAID's learning objectives and that given the rapidly evolving context, this is very important.

The IPR team have identified three possible directions for further AusAID support. The first is to support an extension of the current activity until 2014. The IPR team does not support an extension in its current form but nonetheless recognises that, if basic preconditions are met, some ongoing adviser support to the VPO may be appropriate. The second is support to KemenPAN&BR to reform itself. The IPR team believes that AusAID should consider this but is not in a position to suggest what form this should take. As a first step the IPR team believes that arrangements for continued adviser support to the Vice Minister KemenPAN&RB is warranted beyond September 2012. The third is to support bureaucratic reform at the regional level. The IPR team believes this is the area where AusAID support could be most productively focused in the longer term but at present the GOI does not have a clear plan for addressing this level of reform so AusAID support at this stage would likely be premature. These issues will be considered separately by an AusAID Sector Analysis but the IPR team believes while AusAID should be sympathetic to requests for further assistance we also believe that support should be phased, tied to specific reform activities, and only increased in response to evidence of continued progress.

1. Introduction

Following a request from the Indonesian Vice President to the Australian Ambassador in early 2010 AusAID provided assistance (\$2.75m over 18 months) to the Vice-President's Office (VPO) to support whole-of-government bureaucracy reform. The assistance included the deployment a Governance Assistance Team or Tim Bantuan Tata Kelola Pemerintahan (TBTKP). The TBTKP activity commenced in May 2011 and is due to finish in September 2012.

The objective of this assistance is to provide policy advice to the Vice President in leading whole-of-government bureaucratic reform and to provide strategic planning advice to members of the Council for Guiding Bureaucratic Reform on changing systems and frameworks of government. The assistance was also intended to support AusAID to gain a deeper understanding of bureaucratic reform in Indonesia.

AusAID is considering whether, or not, to provide further assistance to support bureaucratic reform in Indonesia. AusAID commissioned a two person team to conduct an Independent Progress Review (IPR) of the TBTKP assistance in January 2011. The IPR Team was tasked to review and evaluate the progress of TBTKP including assessing effectiveness and efficiency of the program, and its impact and lessons learned. A copy of the IPR team's Terms of Reference is attached as *Annex 1*.

The Review Team was asked to focus on the following questions:

- Has AusAID assistance to TBTKP been successful as a catalyst in the bureaucratic reform sector in Indonesia? Did any changes occur that this program contributed to and how?
- Were the objectives of Australia's support to TBTKP relevant to the needs of Government of Indonesia and Government of Australia?
- What was the contribution by APSC and University of Canberra relevant? Did the support take into account other AusAID support in the sector? And if not, should it have?
- What lessons from AusAID support to TBTKP could be applied to designing future activities in bureaucratic reform sector?
- Was the appropriate modality used i.e. grant mechanism?
- Were the risks achieving the objectives of our support to TBTKP appropriately identified and managed?
- Did the implementing partner provide appropriate support? What were it strengths and weaknesses?
- Did beneficiaries have sufficient ownership, capacity and resources to maintain the activity outcomes after Australian Government funding has ceased? If not, why?

In addition the team was asked to provide any further comments on the future directions for AusAID's support for bureaucracy reform. These comments will be further considered by a separately commissioned Sector Analysis which will develop a concept note outlining options for ongoing support.

The IPR team consisted of a Monitoring and Evaluation Specialist, Simon Payne, and a Specialist on Indonesian Bureaucratic Reform, Abdul Gaffar Karim. This report details the findings of the IPR

team following a desk study and in-country consultations conducted in January 2011. The review was limited to these two modes of information gathering and conclusions reflect the team's synthesis of those inputs and its own expert judgement. The primary user of the IPR Report is intended to be AusAID although it is understood that results will be shared with the Government of Indonesia (GOI), Australian Department of Foreign Affairs and Trade, the implementing partner, and if necessary other donors and the Australian and Indonesian public.

2. Background and Context

Bureaucratic reform has been one of main objectives of Indonesian political reform in the last decade. The Indonesian bureaucracy is very large in size, with a close to 5 million state officials in the whole country and suffers from a number of problems, including:

- Institutions and regulations. There are too many state institutions in Indonesia, creating problems of coordination amongst them. These institutions are governed by laws and regulations that are often contradictory to each other. Law 32/2004 (Local Government) and Law 33/2004 (Fiscal Balancing) has been good examples of very closely related yet conflicting regulations.
- Human resources. The quality of human resources in the state institutions are relatively low,
 when compared to those in private sectors, and when compared to what is actually required to
 maintain an effective bureaucracy. Major contributing factors are the weakness of the human
 resource planning, recruitment systems, promotion processes, staff development plans, and
 performance management processes.
- **Controls.** There are a multitude of regulations, but too little enforcement. The lack of effective control has led to the problems of corruption, collusion and nepotism.
- Public services. Despite the fact that minimum standards for public services for the public
 sectors have been formulated, the quality of public services in the country is still lower than
 expected. There have been some significant improvements, but a number of factors including
 remoteness and budget limitations have prevented the GOI from meeting the minimum
 standards in some essential public services (such as health and education).

Understandably, bureaucratic reform has been a prominent political issue continuously discussed by successive Indonesian governments. However, the National Mid-term Plan (RPJMN) 2010-2014 elevated bureaucratic reform and good governance to be the government's top concern out of a list of ten priorities.

Bureaucratic reform has the following goals:

- · clean government that is free from corruption and nepotism.
- enhanced public services.
- Improved human resource capacity.

These goals were formulated in the late 1990s, resulting in the formation of some state auxiliary agencies including the Corruption Eradication Commision (*Komisi Pemberantasan Korupsi*, KPK) and the Ombudsman Commission but progress on real reform has been slow.

In 2010, the GOI began to demonstrate more serious efforts including the assignment to the Vice President of responsibility for accelerating the improvements in educational system, poverty reduction, and bureaucratic reform which has effectively ministries under the coordination of the VPO in these matters.

The Committee for Guiding National Bureaucratic Reform (KPRBN) and the Team for National Bureaucratic Reform (TRBN) were established. KPRBN is headed by the Vice President, responsible to the President. TRBN is headed by Ministry of State Apparatus and Bureaucratic Reform (KemenPAN&RB), is responsible to the Head of KPRB. These two institutions work at national, macro level, and are expected to lead the bureacratic reform by setting up the national reference, strategy and design for the bureaucratic reform. In doing so, they are supprted by the Tim Independen (TI) and the Tim Quality Assurance, (TQA). However, it was not until the cabinet reshuffle one year later, that these institutions were able to perform their duties in a satisfactory manner. A new Minister of of State Apparatus and Bureaucratic Reform was appointed, and a Vice Minister position was created with Professor Eko Pasojo, a member of the TI, appointed to the role. This new team has been progressively accelerating action on bureaucratic reform despite considerable resistance and inertia from some in the state bureaucracy.

Against this background the TBTKP can be understood as a buffer resource that is able to assist these organisations and in particular the VPO to help address bureaucratic reform priorities and overcome inertia.

3. Methodology and Limitations

The assistance to the Vice President's Office was only eight months into implementation at the time of the IPR. There was little objective evidence in the form of milestone reports or monitoring and evaluation data available, the IPR team therefore focused on the eight questions set by AusAID in the TOR and designed a subsidiary set of questions that guided the document reviews and stakeholder consultations. These were:

- Are the objectives clear and are they relevant?
- Have outcomes and indicators been clearly identified and is a system in place to monitor progress against indicators?
- Are activities on track relative to plans?
- What is the internal and external assessment of the quality of those activities?
- In what way have plans been modified in light of experience?
- What has been the role, relevance and appropriateness of the APSC and the University of Canberra involvement?
- In light of experience is the level of support sufficient and appropriate to achieve the desired outcomes?
- What progress has been made with regard to the achievement of outcomes?
- To what extent has the AusAID assistance contributed to this achievement?

- Are the outcomes sustainable?
- Has there been adequate consideration of the risks and challenges?
- Is project reporting sufficient to monitor further achievements and to capture implementation lessons?

Prior to field work the IPR team familiarised itself with the Activity Proposal (*Technical Proposal Strategic Assistance to the Office of the Vice-President on Initiatives for Public Sector Reform* (INSPIRE)) and other key background documents including the *Bureaucratic Reform Grand Design and the Road Map* and the Government *of Indonesia's Medium Term Development Plan 2010* – 2014.

The IPR team then conducted consultations between 9 January and 19 January in Jakarta with informed stakeholders including other donors, Government of Indonesia agencies, and experts active in the area of bureaucratic reform in Indonesia. A list of people consulted is provided in *Annex 2*.

Kemitraan and TBTKP were instrumental in setting up the meetings and adjusting the schedule as requested by the IPR team. It was initially expected that the IPR team would conduct a series of working meetings with the TBTKP team to review progress and to explore key aspects of the Activity Proposal, in particular the Logframe and the Risk Matrix. As it quickly became apparent that Activity Proposal was not being followed in detail, these latter sessions were no longer considered relevant, nevertheless, the IPR team did meet with all members of the TBTKP team both as a group and individually to discuss activities and achievements.

Unfortunately, it was not possible to schedule a meeting with any members of the Tim Quality Assurance and only a limited discussion with the German Society for International Cooperation (GIZ), a significant donor, occurred due to the illness of the key respondent. In all other respects meetings covered the full range of stakeholders and provided a useful balance of perspectives on the work of TBTKP and bureaucratic reform in Indonesia in general.

After return to Australia, the Team Leader met with representatives of the Australian Public Service Commission in Australia and the Bureaucratic Reform Specialist met with an additional member of the Tim Independen in Indonesia.

During the field work phase, the IPR team was provided with copies of a selection of project briefing notes and policy advice memos produced by the TBTKP team. They were also provided with a copy of a Report prepared for AusAID by the TBTKP Team Leader on the *State of bureaucratic reform in Indonesia*. This was reportedly intended as the first in a series of 3 monthly reports. The IPR team was told that a second such report was in the last stages of finalisation and would soon be submitted to AusAID but the IPR team did not see this second report.

The IPR team met with AusAID several times during the field work phase of the assignment including receiving an initial briefing at the commencement of the fieldwork, a mid-assignment consultation at which the IPR team presented their initial findings and sought clarification on a few issues and a

presentation of an aide memoire at the conclusion of the field work phase. A copy of the Aide Memoire is attached as *Annex 3*.

4. Findings

This section sets out IPR team findings in relation to the specific questions identified in the team's Terms of Reference.

Were the objectives of Australia's support to TBTKP relevant to the needs of Government of Indonesia and Government of Australia?

The principal objective of this assistance is to provide policy advice to the Vice President in leading whole-of-government bureaucratic reform and to provide strategic planning advice to members of the Council for Guiding Bureaucratic Reform on changing systems and frameworks of government.

Since bureaucratic reform has been elevated to be the GOI's number one priority in the National Mid-term Plan and since the request from assistance came from the Vice President's office it must be concluded that this objective is relevant to the needs of the GOI. An efficient and effective bureaucracy is necessary to support improvements in government service delivery, accountability and in fighting corruption. All AusAID project activities and the achievement of millennium development goals in Indonesia will materially benefit from a better functioning GOI bureaucracy therefore the assistance to TBTKP is also clearly aligned to the needs of the Australian Government.

The assistance was also intended to support AusAID to gain a deeper understanding of bureaucratic reform in Indonesia. By placing advisers at the centre of whole-of-government reform efforts AusAID was in a strong position to learn about policy developments and develop a nuanced understanding of the progress being made and the obstacles limiting progress.

The assistance to TBTKP is also consistent with the Paris Declaration (2005) principles which commit AusAID to strengthening partner countries' national development strategies and associated operational frameworks while using partner countries own systems and institutions and allowing partner countries to exercise leadership and take the lead in coordinating aid at all levels.

Was the appropriate modality used i.e. grant mechanism?

The IPR team recognises that AusAID's decision to support the TBTKP was based on a direct request from the Vice President to the Australian Ambassador. It is understood that the decision to utilise a grant mechanism was taken primarily because of the desire to respond quickly. Discussions with the Deputy for Governance in the VPO confirmed both that the need to commence activities quickly was emphasised by the VPO and that they are highly appreciative of AusAID's ability to meet this need.

The choice of a grant mechanism was a significant factor in the recruitment of Kemitraan as implementing partner. AusAID needed a conduit to channel funds for activities as it was not possible for the Vice President's Office to directly receive the funding within the GOI budget processes in a timely fashion. AusAID has worked with Kemitraan in the past and is interested in continuing to support its development as an effective implementation partner. It was therefore decided that it

would be appropriate for Kemitraan responsible for receiving and expensing the grant funds, based on implementation of the original Activity Proposal.

AusAID drafted and attempted to have a subsidiary agreement with the GOI signed but this ran into protocol difficulties. There was initially confusion over who could sign the agreement on behalf of the GOI and then when the Head of the Presidential Work Unit for Development Monitoring and Control (UKP4) that he was willing to sign the agreement, it became apparent that this could not be done without a further Presidential authority. Given the desire to commence implementation, and following legal advice from AusAID Canberra, it was decided, with the concurrence of the GOI, to proceed without a subsidiary agreement.

In the absence of a subsidiary agreement, it is the IPR team's view based on subsequent events, that AusAID's expectations for the utilisation and accountability of grant funds were not sufficiently explained to the VPO. This and the fact that the assistance was provided as a grant probably reinforced the perspective of the VPO that project activities were under its direct control.

The VPO moved quickly to appoint an adviser team. The team was selected directly by the Deputy for Governance without the involvement of Kemitraan and apparently without observing normal selection processes. Again the necessity of acting quickly was given for as the reason for this approach. Despite reportedly objecting to this, Kemitraan was instructed by the VPO to contract the team members selected.

The original Activity Proposal on which the grant was based was substantially abandoned by the VPO and the TBTKP team soon after the TBTKP team commenced work. There appear to be some legitimate reasons why this was done but the practical result was that the Deputy for Governance tasked the TBTKP team to commence working on other more immediate priorities. It does not appear that there any attempt to communicate a revised strategy to AusAID was made by the VPO, the TBTKP team or Kemitraan. Although the Activity Proposal had listed an Inception Plan as its first milestone, no Inception Plan was ever produced.

For its part, the reporting requirements in the AusAID/Kemitraan agreement specified only an Annual Report due in May 2012 and a Completion Report. The requirement for an Inception Plan was not part of their responsibilities but was assumed to be something that the TBTKP team would produce. According to the Kemitraan Project Manager assigned to the TBTKP, he did express his concern about the Activity Proposal not being implemented but was told that the TBTKP works for the VPO and that "realities were different in the field".

The TBTKP deviated significantly from the Activity Proposal without reference to AusAID and that the TBTKP team was acting on other priorities assigned by the VPO exposed AusAID to potentially serious accountability, implementation, and reputational risks. Fortunately these risks have not materialised principally because both the TBTKP and the VPO have been genuinely and contentiously addressing tasks related to bureaucratic reform. It is the view of the IPR team, that this exposure to risks is not so much a consequence of the TBTKP assistance utilising a grant mechanism, as it relates to AusAID inadequately specifying its performance expectations clearly and

putting in place adequate accountability mechanisms, such as the requirement for an Inception Plan from Kemitraan, when the grant was approved.

Given that significant parts of the original Activity Proposal were not being implemented and that there was no attempt to update AusAID on planned activities through an inception plan or revised design document, the IPR team considered whether it should recommend terminating the TBTKP. The IPR team concluded that: 1) since the political consequences of terminating support were likely to be negative; 2) TBTKP has only a few more months to run; 3) that much of the project funds have already been dispersed; 4) that the TBTKP assistance is highly appreciated by the GOI; and 5) that most importantly the TBTKP team is doing useful work to support bureaucratic reform consistent with the original objective, it would not to make such a recommendation. The IPR team also recognised that the TBTKP was contributing to AusAID's understanding of bureaucratic reform and that given the rapidly evolving context, this is very important.

Has AusAID assistance to TBTKP been successful as a catalyst in the bureaucratic reform sector in Indonesia? Did any changes occur that this program contributed to and how?

The support to TBTKP is widely and strongly appreciated by the GOI and by other stakeholders. Although some criticisms were expressed, the general view was that the TBTKP team members are knowledgeable, experienced and have made a useful contribution to bureaucratic reform in the short time TBTKP has been operating.

It would not be true to say that the TBTKP is a catalyst in the bureaucratic reform sector, in the sense of it being a trigger for bureaucratic reform. Rather TBTKP has occupied a problem solving and facilitating role in response to issues as they have emerged. The flexibility the TBTKP team has to address emerging challenges is a key strength of their approach. However, as several GOI stakeholders stressed, it is important the TBTKP team is not seen to be leading reform but rather is seen to be supporting reforms that the GOI itself has identified.

The team members have been involved in a wide range of advisory activities in a short period of time. Several of these activities appear to be highly significant to bureaucratic reform including:

- working with the Ministry of Finance and the Ministry of Home Affairs to harmonise
 conflicting regulations Law 33 (Fiscal Balancing) and Law 32 (Local Government Reform).
 These two laws are central to extending bureaucratic reform in the regions. Using the
 authority of the VPO the team was able to assist the two ministries resolve a number of the
 major conflicts.
- facilitating the development of the National Anti-Corruption Strategy (STRANAS) with significant involvement of civil society organisations. The TBTKP were able to help bring together government including the VPO and CSOs, to develop the STRANAS. Although the STRANAS itself is not new the 2012 STRANAS has elevated the role of CSOs and is thought to have influenced the President to invite anti-corruption organisations and activists to a forum on the issue on 25 January 2012.

- responding quickly to support the new Vice-Minister KemenPAN&RB to "reform the
 reformer". Two TBTKP advisers have been assigned full time to the Vice Minister's Office
 and a third has recently been recruited to assist part-time with the law on civil service reform.
- facilitating an interdepartmental proposal on integrated financial reforms. This work followson from the APSC workshop on change management. An Reform Integration Coordinating
 Committee RIR comprised of senior bureaucrats from key agencies were identified by the
 VPO to participate in that workshop and have been assigned the task of developing a
 proposal on integrated reform. The proposal being developed centres on integrating
 planning and budgeting based around the Ministry of Finance's computerised National
 Treasury and Budgeting System (SPAN).
- providing technical inputs to the parliamentary initiated law on civil service reform and reducing resistance to the law within KemenPAN&RB. This is the first legislation initiated by the Indonesian parliament and concerns, among other things a merit promotion system for public servants. It has the potential to radically improve public service efficiency. A short-term adviser was engaged to review and comment on the law while a second short-term adviser was assigned to help resolve objections raised by KemenPAN&RB.

It should not be implied from the above examples that TBTKP has been solely responsible for each of these activities, or that outcomes are solely attributable to the TBTKP assistance. Nevertheless, it is clear that TBTKP has been engaged in a number of worthwhile activities of direct relevance to bureaucratic reform.

In addition to advice, the Project has commenced a number of other lower level activities to develop engagement in Bureaucratic Reform. It is worth noting that each of these were specified in the Activity Proposal. The Project has a useful website at www.inspire-web.or.id which contains a range of information about reform topics in Bahasa Indonesia and has a blog contributed to by TBTKP team members, Assistant Deputies of the Vice President's Office and others. The website is hosted by the Vice President's Office. The Team are also in the final stages of publishing a book on bureaucratic reform which is intended to be offered for sale to the public through commercial booksellers. An initiative to create a network of researchers working on bureaucratic reform involving UC has been discussed and apparently is close to being launched.

One criticism lodged against TBTKP by several stakeholders was that they are unfocused in their activities. This is discussed further below but it should be acknowledged here that there did not appear to be an overarching strategy to the TBTKP team's activities. They responded to tasks set by the VPO and this has meant that on occasion they were addressing issues that, in the opinion of the IPR team, were not central to national bureaucratic reform. The IPR team does not believe that this is typical of TBTKP's activities but is nevertheless an issue to be managed.

Did the implementing partner provide appropriate support? What were it strengths and weaknesses?

The Partnership for Governance Reform (Kemitraan) was established in March 2000 as a United Nations Development Programme (UNDP) project designed to help Indonesia realize good governance at all levels of government. Kemitraan became an independent legal entity in 2003. Since then, the Partnership has grown into a prominent Indonesian-managed organisation that works closely with government agencies, CSOs, the private sector, and international development partners in Indonesia to bring about reform at both the national and local levels. AusAID has worked with Kemitraan over a number of years and is interested in continuing to support the organisation which was a major factor in choosing to work with them on the TBTKP initiative.

The agreement with AusAID is based around implementing the original Activity Proposal and actually nominates Kemitraan as the grant recipient. It specifies that Kemitraan must advise AusAID immediately of any delays or difficulties in implementing the activity. It specifies that Kemitraan must maintain a sound administrative and financial system and that it must undertake any procurement in accordance with Australian Commonwealth Procurement Guidelines. Reporting requirements are limited to a five page Annual Report and a Completion Report together with financial acquittals. Although the IPR team understands that a major reason for working with Kemitraan was its strengths in governance, and in particular, its abilities to engage CSOs and the private sector in government reform, these strengths are not mentioned in the agreement and there is no specific requirement to utilise them.

The IPR team met with the project management team assigned to the TBTKP, senior Kemitraan staff including the cluster manager responsible for TBTKP and administrative staff responsible for procurement, adviser mobilisation and monitoring and evaluation. The number and capability of staff assigned to TBTKP appeared to be adequate for administrative support. However, some criticisms were expressed of Kemitraan's financial management capabilities. As a cross-check the IPR team asked for a summary report of expenditure. The report was requested on three separate occasions before finally being forwarded through AusAID. What was actually provided was not a summary expenditure report but a log of individual items of expenditure. The IPR team is not in a position to comment on the adequacy or otherwise of Kemitraan's financial management systems except to note that this experience tended to support the criticisms made.

The IPR team also formed the view that, although Kemitraan professes to have appropriate monitoring and evaluation systems, and in fact does have internal M&E expertise, the reality is that these resources are stretched thin across the 29 activities Kemitraan is managing. A practical consequence of this was that the M&E system failed to identify that TBTKP was no longer delivering many of the contracted activities or meeting the milestones specified in the Activity Proposal.

Notwithstanding the above, the IPR team were generally impressed with Kemitraan's seriousness and sense of purpose displayed and believe that the organisation is worthy of AusAIDs continued engagement and support. Although clearly not AusAID's intention, the implementation agreement placed Kemitraan in a difficult position. They are responsible for implementing the Activity Proposal but have in reality limited control over the TBTKP team. Kemitraan has ostensibly been engaged as

a project manager but the real implementation power rests with the VPO who determines priorities and activities with Kemitraan left to make administrative arrangements.

With the benefit of hindsight, and given the way the TBTKP team is now working directly to the VPO, it could be questioned whether an implementing agency was needed at all. An alternative could have been to contract advisers individually and task them to work for the Deputy of Governance in the VPO. This potentially would have given AusAID more control over the activities of these advisers and access to periodic reports on their activities, although it may also have given rise to increased sensitivity about political interference by donors.

The key strengths that Kemitraan brings to bureaucratic reform is its own experience in the sector and its ability to engage a variety of stakeholders including CSOs and the public. These strengths are currently not being utilised. However, the IPR team noted that it is likely that there will be unexpended funds under the grant. The implementing agreement specifies that if there are any savings, Kemitraan and the VPO should together propose reallocation of remaining funds to other activities promoting government reforms. It appears that this would be a good opportunity to make better use of Kemitraan's abilities.

What was the contribution by APSC and University of Canberra relevant? Did the support take into account other AusAID support in the sector? And if not, should it have?

The APSC has been engaged with the Government of Indonesia since 2006 under successive funding grants from AusAID's Governance Partnership Facility. Since 2011, their involvement has moved more from direct technical assistance to a more strategic relationship. They have worked closely with the TBTKP team and are highly appreciative of the team's support and advice. In conjunction with TBTKP they have conducted one strategic level dialogue in Australia with delegates from a range of GOI ministries travelling to Australia. The Australian Public Service Commission has also visited Indonesia and conducted a range of consultations including giving one public lecture for TBTKP. However, the most significant involvement has been designing and implementing a workshop for Reform Integration Coordinating Committee (RIR) members on change management. The workshop included presentations by the APSC commissioner, academics from the ANU and University of Canberra and private sector presenters.

The University of Canberra (UC) is a member of the Australian and New Zealand School of Governance (ANZSOG) and hosts that organisation's Institute for Governance. Its purpose is to build on interdisciplinary research and professional development in governance to deepen theory and improve practice for the benefit of scholars and practitioners in Australia and internationally. UC has a close relationship with the APSC and they share information about their respective activities. Following on directly from the APSC strategic dialogue in Australia, UC ran its own self-funded forum which showcased the research of their Indonesian and PhD and Masters students to the GOI delegates. Although UC has closely followed TBTKP activities its involvement to date has been limited but this is likely to change in the future because of plans to establish a community of bureaucratic reform researchers under TBTKP and UC patronage.

Neither the APSC nor UC activities have been funded by TBTKP although the project has collaborated with both organisations to support and leverage off their activities. These partnerships appear to be effective and have resulted in valuable synergies. The APSC in particular is forthright in their praise of the TBTKP team and acknowledge that having access to the team's perspectives, opinions and contacts has greatly facilitated their activities. In the case of the RIR workshop run by APSC and funded under the Government Partnership Facility, TBTKP (through the Vice President's Office) were instrumental in identifying participants, facilitating their travel to Australia and coordinating their activities on return. For its part, TBTKP has leveraged the APSC program by providing ongoing support to the RIR to help them produce a report on integrated reform for the Vice President's Office.

Did beneficiaries have sufficient ownership, capacity and resources to maintain the activity outcomes after Australian Government funding has ceased? If not, why?

GOI ownership of the activity is strong and generally bureaucratic reform is being led by the GOI itself. TBTKP acts in response to tasks assigned by the VPO. Its primary modality is advice and the GOI is under no obligation to accept that advice or act upon it. However, as described above TBTKP has made a number of important contributions in the short period that it has been operating. The outcomes of the activities that the TBTKP advisers have been working on are likely to be maintained since they involve things such as harmonised laws and national strategies. A number of support activities including a bureaucratic reform website, a book on bureaucratic reform and the intention to establish a community of bureaucratic reform researchers are all designed to further support sustainability.

TBTKP inputs are of finite duration but although the current activity is designed to conclude in September 2012 the case for further donor support to the GOI for bureaucratic reform is likely to be strong. This may include further support to the VPO, KemenPAN&RB or other agencies. It needs to be acknowledged that the key reason for the original request for support was precisely because the VPO lacked sufficient resources to carry out the TBTKP activities on its own. While it is now in a stronger position with the appointment of two Assistant Deputies for Governance the TBTKP advisers are playing a role in meeting the current shortfall in capacity. Whether there will be a continuing shortfall in the future depends on whether the VPO maintains a role in promoting bureaucratic reform and on its ability to recruit further staff to support its own activities. Since bureaucratic reform is the governments nominated number one priority it is to be expected that the VPO should continue to build its internal capacity if it is to retain responsibilities in this area.

A similar observation pertains to the Vice Minister's Office at KememPAN&RB. The office is new and the Vice Minister currently lacks resources. This shortfall in capacity is now being supplemented by GIZ and through two members of the TBTKP team who have been assigned there. Over time it should be expected that the Vice Minister should build his own support team but in the interim period the donor support is necessary if momentum on reform is to be advanced.

Were the risks achieving the objectives of our support to TBTKP appropriately identified and managed?

The IPR team is of the view that the risks of TBTKP approach were underappreciated and the desire of AusAID to be responsive to the Vice President's request and to support bureaucratic reform resulted in AusAID paying less attention to risk than was prudent. The original Activity Proposal contained a notional risk matrix but the risks in it are not well defined and, given that they were developed by the agency to be supported, warranted closer attention.

The most fundamental risk which has occurred, and was not identified in the risk matrix, is that the operating environment bureaucratic reform has proven to be highly dynamic and required a significant change of approach from that originally envisaged. This has been managed through the TBTKP team's ability to respond flexibly to emerging priorities as determined by the VPO. The VPO is highly appreciative of this ability and AusAID's willingness to allow changes.

A related risk is that, given the direct control over the TBTKP team by the VPO was the possibility that the TBTKP team could be diverted to activities not directly related to bureaucratic reform. This was actually a criticism that was levelled at TBTKP from several sources. The IPR team concluded that while this had proven not to be a major problem it was clear that there were some TBTKP activities that were not high priority bureaucratic reform activities. It was felt that the team was in need some form of filtering protocol to help both it, and the VPO, determine which activities should be undertaken. In general, the team should only be involved in activities that promote a national approach to bureaucratic reform and should avoid activities that seek to strengthen the governance of particular agencies.

There was a risk that AusAID's involvement in bureaucratic reform could be interpreted as foreign meddling in domestic concerns. In particular, the presence of some foreign advisers on the TBTKP is particularly sensitive. Concerns about the team's operational style were expressed from several quarters and there is no doubt that some of this is legitimate and may, on occasion, have complicated relationships and the undermined the activity implementation. There is clearly room, for example, better information sharing in the Vice President's Office. However, the IPR team consider that resistance to reform will inevitably result in some conflicts and the expatriate advisers, in particular, are easy targets for criticsm. To some extent AusAID needs to accept this risk, while seeking to minimise it, if it wishes to be engaged in bureaucratic reform.

Gender Equality and Cross Cutting Issues

Gender equality was not expressly addressed through the Activity Proposal and is not a substantive feature of the activities that the TBTKP has so far been involved in. It was noted that the adviser team includes two women and that a third, who was originally part of the team was appointed as an Assistant Deputy for Governance in the VPO. It was also noted that promotion of merit promotion as part of bureaucratic reform was likely to be a net benefit to women in the public service.

5. Lessons learned

After several years of limited progress the implementing environment for bureaucratic reform has recently proven to be very dynamic. The rapidly changing environment argues in favour of AusAID supporting flexible delivery mode that can quickly adjust to changing circumstances.

The TBTKP team have been undertaking much useful work and the adviser model utilised has proven to be flexible and responsive. The recent assignment of TBTKP advisers to support the new Vice Minister KemenPAN&RB is evidence of this responsiveness.

With flexibility, there is a commensurate need to keep AusAID fully informed of program activities and changes. More regular reporting from the team to AusAID is required for accountability purposes and so that AusAID can make informed decisions about ongoing funding.

There are legitimate sensitivities arising from the level of access the TBTKP team has to the inner workings of GOI agencies. It is important that an appropriate balance is struck between respecting these sensitivities and meeting AusAID's accountability and program management requirements.

In AusAID's desire to be responsive to the Vice President's request for immediate assistance AusAID did not clearly enough delineate its expectations for performance and reporting. In the absence of a subsidiary agreement with the GOI some other form of written advice was desirable.

While the Implementing Partner had formal legal responsibility for activity implementation practical control rested with the VPO. This has placed the Implementing Partner in a difficult position while paradoxically the Implementing Partner's key strengths are not being well-utilised. Alternative mechanisms for contracting advisers should be explored for any follow-on activities.

6. Possible Future Directions for AusAID Assistance to Bureaucratic Reform.

Bureaucratic Reform has been nominated as the Government of Indonesia's top priority and is essential if genuine improvements to government service delivery and accountability are to be made. The elevation of responsibility to the Vice President's Office, after a lack of progress in recent years, and recent senior level staffing changes are indications the Government is taking the issue increasingly seriously, however, resistance to reform is strong and progress is likely to continue to be difficult. Donors can play an important role in supporting reformers but there is only a narrow window leading up to the 2014 elections for such support to take place. While the IPR team believes that AusAID should be sympathetic to requests for further assistance we also believe that support should be phased, tied to specific reform activities, and only increased in response to evidence of continued progress. Possible future directions for AusAID support include:

 Support an extension of the current activity to 2014. The TBTKP is due to conclude in September 2012 and coincides with the retirement of the current Deputy of Governance. While bureaucratic reform will remain a GOI priority there is no guarantee that the new Deputy of Governance will be as well placed to coordinate a team of advisers as the current Deputy has done. Moreover, it is likely that as bureaucratic reform picks up speed the focus of activity will shift from the Vice President's Office to KemenPAN&RB.

The IPR team does not support an extension of the current project in its current form but recognises that there may still be scope for a small number of advisers to be attached to the Vice President's Office if it 1) maintains a strong role in bureaucratic reform and 2) appoints a new Deputy of Governance with a similar commitment to reform as the current incumbent. If advisers are to be appointed it is suggested that they should be contracted independently and that office support should be provided by the Vice President's Office as a counterpart commitment.

- 2. Support a program of assistance to KemenPAN&RB. Ministerial and senior management changes at KemenPAN&RB suggest that it is now better placed to undertake its bureaucratic reform role. Particularly encouraging are efforts underway in the Ministry to reform itself. The Ministry is currently identifying the areas that it would like donor support and it is understood that support from AusAID would be welcome. The IPR team believes that AusAID should consider a new program of assistance to KemenPAN&RB but is not in a position to suggest what form this should take. As a first step the IPR team believes that arrangements for continued adviser support to the Vice Minister KemenPAN&RB is warranted after September 2012.
- 3. Support to bureaucratic reform at the regional level. The IPR team did not give a great deal of attention to this issue since it is not currently part of TBTKP's principal activities, however, the team is of the view that this is the most serious challenge in bureaucratic reform and the one that will ultimately yield the most benefits to Indonesia. As yet appear to be a clear pathway forward to address bureaucratic reform at the regional level. Up to now the Ministry of Home Affairs has been the lead agency in this area but in the future it is likely that BAPPENAS, the Ministry of Finance and KemenPAN&RB will have more significant roles. The IPR team believes it is too early for AusAID to consider supporting regional level reform until an agreed reform approach has emerged; however, this is the area where AusAID support could probably most productively be targeted in the longer term.

Terms of Reference

Independent Progress Review of Australia's Support to Government of Indonesia's Tim Bantuan Tata Kelola Pemerintahan (TBTKP)

1. Background

AusAID has recently provided assistance (\$2.75m over 18 months) to the Vice-President's Office whole-of-government bureaucracy reform program Governance Assistance Team or Tim Bantuan Tata Kelola Pemerintahan (TBTKP). This is the first bureaucratic reform program that has been elevated at the Vice President office to deal with the ineffectiveness of individual ministry in carrying out whole of government initiative on reform efforts.

Australia's assistance to TBTKP commenced in May 2011 and is due to finish in September 2012. The objective of this assistance is to provide policy advice to the Vice President in leading whole-of-government bureaucratic reform and to provide strategic planning advice to members of the Council for Guiding Bureaucratic Reform on changing systems and frameworks of government. The assistance was also aimed to gain deeper understanding of what bureaucracy is all about. The current understanding was that all bureaucratic reform efforts was supposed to be implemented through the Grand design and Road Map but it was understood that this initiative is mostly about increasing remuneration within ministries and that it is limited to document process.

AusAID will continue support in bureaucratic reform. We are keen to build upon the achievements of TBTKP and explore the options for continued support in this area. In addition to this review, we will conduct a Sector Analysis and develop a concept note outlining options for an ongoing and larger support in bureaucratic reform.

2. Objectives of the assignment

The objectives of this assignment are to review and evaluate the progress of TBTKP including assessing effectiveness and efficiency of the program, and its impact and lessons learned.

The primary user of the Independent Progress Review will be AusAID. AusAID will share the Independent Progress Review with the Government of Indonesia, Australian Department of Foreign Affairs and Trade, the implementing partner, and if necessary other donors and the Australian and Indonesian public.

3. Scope of the assignment

The Review Team should independently assess the program focussing on the specific questions listed below:

- Has our assistance to TBTKP been successful as a catalyst in the bureaucratic reform sector in Indonesia? Did any changes occur that this program contributed to and how?
- Were the objectives of Australia's support to TBTKP relevant to the needs of Government of Indonesia and Government of Australia?
- What was the contribution by APSC and University of Canberra relevant? Did the support take into account other AusAID support in the sector? And if not, should it have?
- What lessons from our support to TBTKP could be applied to designing future activities in bureaucratic reform sector?
- Was the appropriate modality used i.e. grant mechanism?
- Were the risks achieving the objectives of our support to TBTKP appropriately identified and managed?
- Did the implementing partner provide appropriate support? What were it strengths and weaknesses?
- Did beneficiaries have sufficient ownership, capacity and resources to maintain the activity outcomes after Australian Government funding has ceased? If not, why?
- Provide any additional comments on future directions for AusAID's support for bureaucracy reform.

4. Methodology

The Team Leader will be in charge of developing the methodology in consultation with AusAID. However, in general, the methodology should refer to international standard best practice and at least include following approaches/activities:

- A desk study to assess relevant program documentation including partner's progress reports and other relevant activity reports.
- Interviews with relevant stakeholders which may include, but not be limited to:
 - TBTKP Management Team and Lead Advisors
 - o AusAID Bureaucratic Reform Team in Jakarta and Canberra
 - Vice President Office
 - o DFAT Jakarta
 - o Relevant Gol agencies: BAPPENAS, KemenpAN and Reformasi Birokrasi,
 - o Donors and multilateral agencies: World Bank, UNDP, USAID, GTZ (GIT)
 - Prominent national experts and organisations working in Bureaucratic Reform sector: Indonesia Centre for Legal and Policy Reform (PSHK), Transparency International Indonesia, Indonesia Corruption Watch
 - o Relevant Australian stakeholders: APSC, University of Canberra

5. Duration and Phasing

The Review will commence in the first week of January 2012 and be completed no later than the end of March 2012.

Expected phasing of the assignment is as follows:

- The Team Leader will submit a methodology and evaluation plan to AusAID at the outset of the evaluation process. The evaluation plan will include:
 - o outline of evaluation approach
 - o detailed evaluation questions based on this terms of reference
 - the methods that will be employed to gather information to answer each evaluation question, including identifying key respondents to be consulted
 - o guidance on scheduling to enable AusAID to develop the itinerary
 - o clear division of responsibilities among team members.

- If necessary, the Team Leader will conduct consultations with relevant officials in Australia.
- The Team will familiarise themselves with all relevant documentation provided by AusAID as detailed in Section 9 Key Documents below and advise AusAID of any additional documents or information required prior to the in-country-visit.
- The Team will participate in an AusAID briefing session at the start of the in-country mission and to discuss background, issues and priorities for the evaluation and the proposed methodology and evaluation plan.
- The Team will conduct in-country mission. This includes meetings and consultation in Jakarta as well as opportunity for the Team to work together to process and discuss findings before the completion of the mission.
- Before leaving Jakarta, the Team will develop and present Aide Memoire to AusAID Jakarta, implementing partner and partnership agencies to obtain feed-back. The presentation to AusAID and other stakeholders will be held together or separately depending on the sensitivity of findings.
- The Team will process the evaluation data and prepare the draft Independent Progress Review Report.
- The Team will submit the final Independent Progress Review Report incorporating comments from AusAID and other key stakeholders.

Total estimated consultant input is maximum 26 days for Team Leader and 19 days for members. The indicative timeline is in Attachment 1.

6. Personnel specification

The Independent Progress Review Team will comprise three members – an International M&E Expert, a National Bureaucratic Reform Expert and an AusAID representative who should possess the following skills and experience:

International M&E Expert (Team Leader)

- Advanced qualifications in monitoring and evaluation and research methods.
- Strong analytical and report writing skills.
- Extensive experience in facilitating discussions, meetings or workshops preferably on issues related to governance and bureaucracy reform.
- Excellent communication skills, particularly in a cross-cultural setting, together with the ability to clearly explain M&E principles and facilitate the articulation of program outcomes and objectives.
- Demonstrated experience in conducting evaluations for the democratic governance and/or bureaucratic reform

National Bureaucratic Reform Expert (Member)

- Strong background in Indonesia's bureaucratic reform, public administration and public service delivery.
- Working knowledge of the institutional systems and processes as well as civil society's engagement and efforts around Indonesia's bureaucratic reform, public administration and public service delivery
- Understanding and knowledge of the Indonesian government priorities in bureaucratic reform as outlined in the RPJMN 2010-2014.
- Experience in participating in reviews of international donor assistance.
- Ability to communicate effectively in written and spoken English.

7. Roles and responsibilities of team members

The Team Leader will be responsible for overall management and direction of the team, with responsibility for report delivery and for taking a lead in consultations with key stakeholders. She/he will be in charge of developing an evaluation plan and methodology prior to the in-country mission and formulating recommendations for AusAID and key stakeholders to inform the long-term elections program.

The National Bureaucratic Reform Expert will be responsible for providing input on the Indonesia's bureaucratic reform sector including public administration and public service delivery and providing input as directed by the Team Leader.

The AusAID representative will ensure that the review addresses AusAID evaluation requirements and take direction from the Team Leader on attendance at meetings with stakeholders, particularly where the performance of AusAID will be discussed. The AusAID representative will feed back learning from the evaluation to the broader democratic governance program and for the management of the long-term elections program.

8. Reporting

AusAID requires that all reporting be clear, concise and useful. Indicative delivery timeframes are as follows:

- Methodology and Evaluation Plan of Independent Progress Review no more than 2 pages submitted electronically to AusAID prior to the initial meeting with AusAID on 20 December 2011.
- Aide Memoire no more than 5 pages on key findings during the mission and presented to AusAID – submitted prior to completion in-country visit on 20 January 2012
- Draft Independent Progress Review Report should not exceed 25 pages excluding the
 annexes written in clear and concise English, submitted electronically no more than ten days
 after completion of in-country visit (by 27 January 2012). AusAID will respond to the
 Independent Progress Review Team by 10 February 2012.
- Final Independent Progress Review Report should not exceed 25 pages excluding the annexes written in clear and concise English, submitted electronically by 14 February 2012 addressing comments from AusAID together with consolidate comments from key stakeholders.

9. Key documents

- TBTKP Activity proposal and Activity Proposal
- Government of Indonesia's Medium Term Development Plan 2010 2014
- Bureaucratic Reform Grand Design and the Road Map
- Inception report and three monthly reports of the support

Summary of Activities undertaken by TBTKP

Apart from the discussions with relevant respondents (both in- and outside the TBTKP) the IPR team was also supplied with written materials by the TBTKP. As the TBTKP team leader repeatedly emphasized the confidentiality of some of the team activities, the IPR team assumes that the printed materials are selections of the materials that TBTKP produced and submitted directly to the VPO. Nevertheless, these printed materials have given an overall understanding to the IPR team regarding the activities undertaken by TBTKP.

The printed materials comprise four types of document:

1. Weekly reports

The weekly reports were written by the TBTKP team member. They provide an account of the team activities in the previous week, and planning for the following week. Activities recorded in the weekly reports were mostly meetings and discussions. The weekly report is the primary method of keeping an accurate record of the team members' activities and planning. A more detailed report on the activities is to be found in the monthly reports.

2. Monthly reports

The monthly reports were made by each individual TBTKP team members, containing more in-depth accounts of the team activities. In these reports, the team members map out details of their activities (including the date and the hours), followed by descriptions of the activities and a brief analysis of them. The reports highlight outputs (and sometimes predicted outcomes) of the activities, together with recommendations. With the monthly reports, the TBTKP team member also submitted attendance sheets, detailing the working days and hours in the previous month.

3. Briefing memo

The briefing memos (dated from August 2011 to January 2012) contain a relatively detailed account on the TBTKP activities (usually meetings and discussions) and were mostly submitted to Bpk Eddy Purwanto by the TBTKP team members. Some briefing memos were submitted to other parties (such as AusAID staff and the TBTKP acting team leader). Typically, a briefing memo starts with a description on the activities undertaken and the parties involved. It then analyses the achievement of the activities, and maps out the issues identified during and/or in the aftermath of those activities. The memos are concluded by some recommendations regarding the issues addressed in the meetings and discussions.

4. Policy memo

The policy memos had similar structure with the briefing memos, but the addressed issues regarding policy formulation, implementation, or amendment. The memos were usually submitted by the TBTKP team members to Bpk Eddy Purwanto or Bpk Eko Prasojo; however,

the IPR team also noted a policy memo written by Bpk Eddy Purwanto for the Vice President. The policy memos that the IPR team reviewed were dated from March to December 2011.

The printed material, particularly the briefing and policy memos, show that the TBTKP has participated in a considerable number of meetings and discussions, analysed a number of policy drafts and implementation, and provided regular reports to Eddy Purwanto and other relevant parties. Some of these activities were directly relevant to TBTKP main duty as advisor to the Vice President, while others were indirectly related. Activities reported in these materials include:

1. Bureaucratic reform in the Kemenpan & RB

The TBTKP reported working closely with the Independent Team (TI) of the National Bureaucratic Reform (RBN) in reforming the Kemenpan & RB. The reform included the formulation of the ministry roadmap, improvement in the recruitment system, and downsizing of the bureaucracy in the ministry. Two TBTKP team members have been assigned to work directly with the Deputy Minister of PAN & RB.

2. Rakor Integrasi Reformasi

The *Rakor Reformasi* was an ad hoc committee, established to work on the integration of Indonesian bureaucratic reform, financial management reform and planning reform. *Rakor reformasi*, initiated in August 2011, pushed the relevant institutions to support the whole-of-government vision of the Vice President. The Rakor team visited Canberra as part of the Australia-Indonesia Dialogue program. The TBTKP team followed up the meeting by supplying the RIR with some inputs, including to enhance its sense of urgency by paying attention to the data available, and to integrate bureaucratic reform with financial reform efforts, anti-corruption, open government partnership, and so forth. As part of this activity, TBTKP hosted the visit of the Australian Public Service Commissioner, Steve Sedgwick to Jakarta in December 2011. During this visit, Sedgwick gave speeches in the public lecture and roundtable discussion.

3. Dissemination

The dissemination activities included book and website launch, series of FGDs and roundtable discussions, and series of Public Lectures. The FGDs responded to actual issues regarding bureaucratic reform, including the state budget reform. The public lectures invited high-profile speaker to deliver various issues regarding the bureaucratic reform. The materials delivered were mostly based on the speaker experience in doing actual political reform.

4. Meetings with donors

As part of the support of the bureaucratic reform programs, the TBTKP undertook a series of meeting with potential donors. The meetings were intended to bring the donors and Indonesian government units together to sit down and discuss the problems and opportunities in bureaucratic reforms. The meetings also indentified a number of managerial problems in implementing programs supported by international donors, including the financial and reporting issues.

5. Facilitating the STRANAS

STRANAS is the National Anti-Corruption Strategy. The TBTKP team member played significant role since the latest formulation of STRANAS. TBTKP also liaised the STRANAS team and some relevant government institutions (such as Bappenas and KemenPAN & RB) to the Vice President regarding the anti-corruption strategy.

6. Law drafting/implementation

Through the VPO and/or KemenPAN & RB, TBTKP involved in the drafting and/or review of a number of laws and regulations, including:

- Draft law on government accountability.
 (The team considered that government accountability has been regulated by several law, and did not need further specific regulation)
- Drafting revision on laws 32/2004 on local government and 33/2004 on fiscal balance. (The team suggest that the government pay more attention to the quality of the draft revision, particularly on inter-government cooperation, service delivery, government innovation, government accountability, fund transfers, and so on).
- Draft law on civil service act.
 (The team gave some inputs on specific issues such as the role of civil service commission, and recruitment and career system)
- Draft law on government administration.
 (The team assessed that the draft was high standard, and gave some suggestions including that the draft should elaborate more on implementing regulations)
- Draft law on procurement.
 (The team recommended that Bpk Eddy Purwanto arrange focus group discussions to identify the degree of the possibility of deadlock in the drafting of the law)
- Revision of law 25/2009 on public services.
 (The team recommended that the law be revised or even repealed because of, among other reasons, its redundancy with other laws).

Annex 3

List of People Consulted

AusAID and Department of Foreign Affairs

Dr Elizabeth St. George, First Secretary, Democratic Governance

Bpk Saiful Syahman Doeana, Unit Manager, Democratic Governance

Ade Gani, Program Manager, Democratic Governance Unit

Dwiagus Stepantro, Performance and Quality Unit

Lukas Adhyaksi, Performance and Quality Unit

Elly Lawson, Economic Counsellor, Australian Embassy in Jakarta

Vice President's Office

Bpk Eddy Purwanto, Deputy for Governance

Ibu Nuraida Mokhsen, Assistant Deputy for Governance

Bpk Togar Arifin Silaban, Assistant Deputy for Public Service

Implementing Partner - KEMITRAAN

Dr Wicaksono Sarosa, Executive Director

Bpk Budi Santoso, Operations Director

Bpk Agung Djojosoekarto, Chief of Cluster Public Service Governance

Bpk Rudarto Sumarwono, Project Manager, TBTKP

Bpk Ruri Adi Haryanto, GS and HR Officer

Bpk Paulus Diartoko, Program Monitoring and Evaluation Unit

Government of Indonesia

Prof. Eko Prasojo, Vice Minister, Ministry of Administrative Reform

Bpk Ismail Mohammad, Deputy of Program, Ministry of Administrative Reform

Bpk Maliki Heru Santosa, Inspector General, Ministry of Home Affairs

Bpk Max Pohan, Deputy Minister for Regional Development and Local Autonomy Affairs

Dr Ir. Bima Haria Wibisana, Deputy, Monitoring and Evaluation and Information System Development, Policy Institute for Procurement of Goods / Services (LKPP)

TBTKP

Bpk Owen Podger, Acting Team Leader and Governance Adviser

Bpk Mike Jones, Public Policy Adviser

Ibu Maggy Horhoruw, Institutional Adviser

Bpk Rohsapto Mardjuki, Strategic Management Adviser

Ibu Yuni Budiastuti, Capacity Building and Ethical Adviser

Gatot Widyayanto, Change Management Specialist

Mark Kilner, Short Term Adviser RUU ASN.

Other Stakeholders

Ibu Natalia Soebagio, Secretary of Independent Team National Bureaucracy Reform

Ibu Shanti L Poesposoetjipto, Independent Team National Bureaucracy Reform

Prof. Sofian Effendi, Independent Team National Bureaucracy Reform

Dr Miles Toder, Deputy Director, USAID Indonesia

Bpk Erwin Ariadharma, Senior Public Sector Management Specialist, World Bank

Bp Amien Sunaryadi, Senior Operations Officer, Governance and Anti Corruption, World Bank

Ibu Eneng Fathonah, Program Manager, Deutsche Gesellschaft für Internationale Zusammenarbeit

Sherryn Bellis, Director International, Client Engagement Group, Australian Public Service Commission

Dr Julie Padanyi-Ryan, Assistant Director International, Client Engagement Group, Australian Public Service Commission

Independent Progress Review of Australia's Support to the Government of Indonesia's Tim Bantuan Tata Kelola Pemerintahan

Aide Memoire

20 January 2012

Background

Commencing in May 2011, AusAID provided assistance (\$2.75m over 18 months) to the Vice-President's Office whole-of-government bureaucracy reform program Governance Assistance Team or *Tim Bantuan Tata Kelola Pemerintahan* (TBTKP). AusAID is considering continuing support bureaucratic reform and therefore wishes to build upon any achievements of TBTKP and explore the options for continued support in this area.

AusAID commissioned an Independent Progress Review (IPR) to assess the effectiveness and efficiency of the program, and its impact and lessons learned. The Terms of Reference for the IPR, prepared by AusAID, set out eight questions that the IPR sought to answer while also providing any additional comments on future directions for AusAID's support for bureaucratic reform.

Consultation process

The IPR was primarily conducted through 1) a review relevant program documentation including partner's progress reports and other relevant activity reports, and 2) consultations with informed stakeholders including other donors, Government of Indonesia (GOI) agencies, and experts active in the area of bureaucratic reform in Indonesia. There was no possibility to consider other more objective indicators of project achievement because of the early stage of implementation and substantial changes to planned project activities.

Consultations occurred between 9 January and 18 January and included: AusAID; the TBTKP team; the Vice Presidents Office; other stakeholders engaged in bureaucratic reform including KemenPAN&RB, the Tim Independen (TI), members of the Reform Intergration Coordinating Committee (RIR); other donors; and the implementing partner Kemitraan. The IPR team was unable to meet members of the Team Quality Assurance and had only limited discussions with GIZ who have an important program in KemenPAN&RB.

Observations and Key Findings

Key points from consultations with the Implementing Partner - Kemitraan

- Kemitraan has signed an implementing agreement with AusAID. The agreement obligates
 the partnership to implement the original Activity Proposal. Project reporting is not onerous
 and is limited to a five page, annual progress report and a brief completion report. These
 reports are not yet due.
- Kemitraan is experienced in governance projects and is running a range of other project activities for other donors. According to senior management they have spare implementation capacity.
- Staffing provided to support the TBTKP team appears of a sufficient level and appropriate capability, in addition to which, Kemitraan has a range of back-office project management support including for recruitment, mobilisation, payroll, procurement and financial

- management. A Project Manager has been assigned to the TBTKP team and a senior Kemitraan staff member has a supervisory role.
- Criticism was expressed about Kemitraan's financial management system. As a cross-check,
 the team asked to see a summary report of project expenditure. Apart from day-to-day
 project management needs, the Implementing Partner would need to be able to track
 expenditure in order to draw down funding from AusAID under the agreement. Despite three
 requests no financial report was provided to the team which seemed to confirm the criticism.
- The IPR team was generally impressed with the seriousness with which Kemitraan
 approached its duties and the systems it had in place to support the project. However, a poor
 relationship between the Kemitraan Project Manager and the TBTKP Acting Team Leader
 was noted.

Key points from consultations with the Vice President's Office

- The Deputy for Governance was responsible for the original request to AusAID for assistance which was then transmitted through the Indonesian Vice President to the Australian Ambassador.
- The Deputy for Governance personally selected the TBTKP members. Two members of the
 original TBTKP team were subsequently appointed as Assistant Deputies in the Vice
 President's Office. Not surprisingly the Team is therefore regarded as well qualified and
 appropriate.
- The Deputy for Governance is the key decision-maker as to the activities that the TBTKP team undertake. Decisions are made in response to emerging needs. The need for flexibility and responsiveness was emphasised. Legal harmonisation has been the most pressing area.
- The responsiveness of AusAID in meeting the Vice President's request and the willingness to allow grant activities to be managed flexibly is appreciated. The fact that advisers are not burdened with onerous monthly reporting, which the Deputy for Governance would need to check before submission, was particularly stressed.
- While acknowledging the capabilities of the Team, Assistant Deputies, expressed concern about a lack of appreciation amongst TBTKP team members of proper protocols when communicating with the Vice President's Office and with other government departments. They were also concerned that they were not being kept fully informed of the Team's activities.

Key points from consultations with other GOI stakeholders in Bureaucratic Reform

- Generally, the expertise of the team members is well recognised and much of their advice appreciated. However, there was a perception raised by several parties, that the TBTKP has lacked focus and that they had been involved in some activities not necessarily directly related to Bureaucratic Reform.
- There was also a perception that the Team has sometimes lacked sensitivity and did not fully
 appreciate the context they were operating in. Some respondents criticised the expatriate
 advisers of being too keen to drive the reform agenda rather than simply being supportive of
 it.
- Relationships with Team Independent appear to have broken down completely with Team Independent discontinuing regular meetings which they felt were not producing any practical outcomes.
- The public lecture series was seen as a useful initiative but one that may be better managed outside of the Vice Presidents Office. It was felt that this might not be the most strategic use

- of TBTKP time and that the public lectures² could be better managed by KemenPAN&RB or by an organisation like Kemitraan.
- The Reform Integration Coordinating Committee (RIR) Rakor Integrasisi Reformasi were highly appreciative of the training program on change management conducted in Canberra but felt this did not sufficiently address issues of reform integration across departments. RIR has been tasked with producing a report to the Vice President on how reform can be integrated across departments. They have focused on integrating planning processes into the Ministry of Finance's financial management system (SPAN). The RIR has not yet finalised its report and probably will not before March.
- Changes in KemenPAN&RB give hope that genuine reform is now underway. The
 appointment of a new Minister and the creation of a Vice Minister position are significant and
 both individuals have strongly signalled their intention to push forward with reform and as a
 priority to reform KemenPAN&RB itself. The flexibility of TBTKP to be able to assign two fulltime and one part-time advisers to the KemenPAN&RB Vice-Minister's Office is highly
 appreciated and demonstrates responsiveness to emerging needs.

Key points from consultations with TBTKP Team

- The team members have been involved in a wide range of advisory activities in a short period of time. Several of these activities appear to be highly significant to bureaucratic reform including:
 - working with the Ministry of Finance and the Ministry of Home Affairs to harmonise conflicting regulations – Law 33 (Fiscal Balancing) and Law 32 (Local Government Reform).
 - facilitating the development of the National Anti-Corruption Strategy (STRANAS) with significant involvement of civil society organisations.
 - responding quickly to support the new Vice-Minister KemenPAN&RB to "reform the reformer".
 - facilitating an interdepartmental proposal on integrated financial reforms.
 - providing technical inputs to the parliamentary initiated law on civil service reform and reducing resistance to the law within KemenPAN&RB..
- There is no overarching strategy to the Team's activities. Rather they respond as tasked by the Deputy for Governance. Some of the TBTKP's activities seem only tangentially related to supporting the national bureaucratic reform agenda such as assisting the Ministry of Foreign Affairs to undertake an organisational needs assessment.
- The TBTKP team is aware of criticisms about its operational style but are not particularly
 concerned about these criticisms. In a related observation, the IPR team noted that the
 TBTKP team does not actually function as a team but rather as a group of individual advisers.
- There is confusion about the terms INSPIRE and TBTKP. INSPIRE is the name of the
 original initiative which AusAID agreed to fund. Outside of the TBTKP team the term
 INSPIRE has the most currency and the Team are usually referred to as the INSPIRE Team.
- In addition to advice, the Project has commenced a number of other low-level activities to
 develop engagement in Bureaucratic Reform. The Project has a useful website at
 www.inspire-web.or.id which contains a range of information about reform topics in Bahasa
 Indonesia and has a blog contributed to by TBTKP team members, Assistant Deputies of the

² The term public lecture is in fact a misnomer arising from an issue of translation from Indonesian to English. The lectures were not intended to be open to the public but are designed to help build a community of reformers.

Vice President's Office and others. The website is hosted by the Vice President's Office. The Team are also in the final stages of publishing a book on bureaucratic reform which is intended to be offered for sale to the public through commercial booksellers. An initiative to create a network of researchers working on bureaucratic reform has been discussed and apparently is close to being launched.

 The APSC policy dialogue, under funding from the Government Partnership Fund appears to be being coordinated by the Project and is being leveraged to support project activities such as the integrated financial reform activity.

Key points from consultations with donors (USAID, GIZ, WB).

• There is considerable donor interest in supporting Bureacratic Reform. All parties consulted were aware that this was a challenging area in which little progress has been made to date, and that it has also proven difficult in other countries. On the other hand, all donors consulted indicated that they were encouraged by recent changes, in particular, the appointment of a new Minister and Vice Minister in KemenPAN&RB and felt that this was something that should be supported. Exactly what form support should take was not clear from any donor.

Overall mission assessment

The IPR team recognises that AusAID's decision to support the TBTKP was based on a direct request from the Vice President to the Australian Ambassador and required a rapid response. An important unwritten objective of AusAID's response was to learn more about bureaucratic reform in Indonesia. The TBTKP is fulfilling that objective and has positioned AusAID well to participate in subsequent bureaucratic reform activities should it wish to do so.

The support to TBTKP is widely and strongly appreciated by the GOI and by other stakeholders. Although some criticisms were expressed, the general view is that the TBTKP team members are knowledgeable, experienced and have made a useful contribution to bureaucratic reform in the short time TBTKP has been operating.

The program has not been implemented in accordance with the Activity Proposal. Indeed the Activity Proposal is now essentially irrelevant. This is principally because events quickly overtook the design. The operating context continues to be very dynamic. However, no attempt was made to update the plan, produce an inception report or to communicate a revised strategy to AusAID.

No Agreement was put in place with GOI that clearly delineated AusAID's expectations or specified any outputs or reporting. A subsidiary agreement was discussed but not implemented because of protocol considerations over who could sign the agreement from the GOI side. An annual report and a Completion Report are specified in the AusAID – Implementing Agency Agreement but neither is required at this point. There is no requirement for regular progress reporting to AusAID. Despite this, TBTKP has provided one three-monthly State of Bureaucratic Reform Report and is currently (according to their advice) preparing the second report in this series.

TBTKP produces regular briefing memos to the Deputy for Governance and various policy briefing memo's related to the Team's activities. TBTKP is concerned with the sensitivity of some of this advice and considers it necessary to restrict access to these memos. It is understood the memos have not been provided to AusAID, however, a selection was provided to the IPR team for review. The IPR team acknowledges the sensitivity of some of this material but believes that it should routinely be shared with AusAID in the form of either confidential memo's or, for the most sensitive matters, in the form of confidential verbal briefings.

In the absence of an agreement with the GOI specifying AusAID expectations, the Deputy for Governance believes he has the freedom to direct the grant activities according to perceived needs. The fact that the TBTKP team work directly to the Deputy reinforces this perception. The Deputy emphasises the need for maximum flexibility in a rapidly changing context and the need to minimise reporting burdens. There is considerable merit to this argument and it is clear that the TBTKP team

has been undertaking much useful work. However, this approach exposes AusAID to potentially serious implementation and reputational risk and has led to a situation where that the allocated project funds have not been utilised for the originally agreed activities. While team responsiveness and flexibility is commendable, there is a commensurate need to keep AusAID fully informed of program activities and changes.

Kemitraan are in a very difficult position. They have been contracted to be responsible for delivering a program that they have virtually no control over. They had no role in selection of the team and have little involvement the delivery of program activities. Nevertheless it is appropriate that AusAID continues to work with Kemitraan and to assist in the development of their capabilities. In particular, Kemitraan is potentially well placed to support some of the original project objectives such as engaging civil society and the general public in bureaucratic reform. As the grant funding is likely to be significantly under-expended this option should be explored further. There is provision in the Implementing Agency agreement for Kemitraan to utilise unexpended funding for additional bureaucratic reform activities.

It could not have been foreseen at commencement, but given the way team members now work under direction of the Deputy of Governance, it needs to be questioned whether an implementing agency is needed at all. An alternative might have been to contract the advisers directly to through AusAID and task them to work for the Deputy of Governance.

There is no doubt that some of the criticism of the team's operational style is legitimate and may on occasion have complicated relationships and the undermined the activity implementation. There is clearly room for better information sharing in the Vice President's Office. However, the IPR team consider that resistance to reform will inevitably result in some conflicts and the expatriate advisers, in particular, are easy targets for those who wish to oppose reform.

It is clear that some TBTKP activities are not high priority bureaucratic reform activities and that the team needs some form of filtering protocol to help it determine which activities to support. In general, the team should only be involved in activities that promote a national approach to bureaucratic reform and should avoid activities that seek to strengthen the governance of particular agencies.

Given that the original Activity Proposal is not being implemented and that the was no attempt to update AusAID on planned activities through an inception plan or revised Activity Proposal the IPR team considered whether it should recommend terminating the TBTKP. The IPR team concluded that 1) since the political consequences of terminating support were likely to be negative; 2) TBTKP has only a few more months to run; 3) that much of the project funds have already been dispersed; and 4) that most importantly the TBTKP team is doing useful work to support bureaucratic reform, it would not to make such a recommendation. The IPR team also recognised that the TBTKP was satisfying AusAID's learning objectives and that given the rapidly evolving context, this is very important.

Possible Future Directions for AusAID Assistance to Bureaucratic Reform.

Bureaucratic Reform has been nominated as the Government of Indonesia's top priority and is essential if genuine improvements to government service delivery and accountability are to be made. The elevation of responsibility to the Vice President's Office, after a lack of progress in recent years, and recent senior level staffing changes are indications the Government is taking the issue increasingly seriously, however, resistance to reform is strong and progress is likely to continue to be difficult. Donors can play an important role in supporting reformers but there is only a narrow window leading up to the 2014 elections for such support to take place. Possible future directions for AusAID support include:

1. Support an extension of the current activity to 2014. The current activity is due to conclude in September 2012 and coincides with the retirement of the current Deputy of Governance. While bureaucratic reform will remain a GOI priority there is no guarantee that the new Deputy of Governance will be as well placed to coordinate a team of advisers as the current Deputy has done. Moreover, it is likely that as bureaucratic reform picks up speed the focus of activity will

shift from the Vice President's Office to KemenPAN&RB. The IPR team does not support an extension of the current project in its current form. However, the IPR team recognises that there may still be scope for a small number of advisers to be attached to the Vice President's Office if it 1) maintains a strong role in bureaucratic reform and 2) appoints a new Deputy of Governance with a similar commitment to reform as the current incumbent. If advisers are to be appointed it is suggested that they should be contracted directly by AusAID and that office support should be provided by the Vice President's Office as a counterpart commitment.

- 2. Support a program of assistance to KemenPAN&RB. Ministerial and senior management changes at KemenPAN&RB suggest that it is now better placed to undertake its bureaucratic reform role seriously. Particularly encouraging are efforts underway in the Ministry to reform itself. The Ministry is currently identifying the areas that it would like donor support and it is understood that support from AusAID would be welcome. The IPR team believes that AusAID should consider a new program of assistance to KemenPAN&RB but is not in a position to suggest what form this should take. The IPR team believes that AusAID should adopt a low-level approach initially and gradually increase support if progress is made. As a first step the IPR team believes that arrangements for continued adviser support to the Vice Minister KemenPAN&RB is warranted after September 2012.
- 3. Support to bureaucratic reform at the regional level. This is the most serious challenge in bureaucratic reform and there does not yet appear to be a clear pathway forward to address it. Up to now the Ministry of Home Affairs is the lead agency in this area but in the future it is likely that BAPPENAS, the Ministry of Finance and KemenPAN&RB will have more significant roles. The IPR team believes it is too early for AusAID to consider supporting regional level reform until an agreed reform approach emerges, however, this is the area where AusAID support could most productively be targeted in the longer term.

Next Steps

The Team Leader will also undertake consultations with the APSC in Canberra in the week beginning 23 January. The IPR team will produce a brief report of the mission which will be submitted to AusAID on 30 January 2012.

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