

REGULATION OF THE WITNESS AND VICTIM PROTECTION AGENCY  
OF THE REPUBLIC OF INDONESIA  
NUMBER 2 OF 2020  
ON  
APPLICATION FOR PROTECTION OF WITNESSES AND/OR VICTIMS OF  
CRIMINAL ACTS

BY THE BLESSINGS OF ALMIGHTY GOD

CHAIRPERSON OF THE WITNESS AND VICTIM PROTECTION AGENCY OF  
THE REPUBLIC OF INDONESIA,

- Considering : a. that with the promulgation of Law Number 31 of 2014 on Amendment to Law Number 13 of 2006 on Protection of Witnesses and Victims, it is necessary to re-regulate the procedures of application for protection of witnesses and/or victims of criminal acts;
- b. that based on the considerations as referred to in point a, it is necessary to issue Regulation of the Witness and Victim Protection Agency on Application for Protection of Witnesses and/or Victims of Criminal Acts;
- Observing : 1. Law Number 13 of 2006 on Protection of Witnesses and Victims (State Gazette of the Republic of Indonesia of 2006 Number 64, Supplement to the State Gazette of the Republic of Indonesia 4635), as amended by Law Number 31 of 2014 on Amendment to Law Number 13 of 2006 on Protection of Witnesses and Victims (State Gazette of the Republic of Indonesia of 2014 Number 293, Supplement to the State Gazette of the Republic of Indonesia Number 5602);

2. Government Regulation Number 7 of 2018 on Provision of Compensation, Restitution, and Assistance for Witnesses and Victims (State Gazette of the Republic of Indonesia of 2018 Number 24, Supplement to the State Gazette of the Republic of Indonesia Number 6184);
3. Presidential Regulation Number 60 of 2016 on Secretariat General of the Witness and Victim Protection Agency (State Gazette of the Republic of Indonesia of 2016 Number 134) as amended by Presidential Regulation Number 87 of 2019 on Amendment to Presidential Regulation Number 60 of 2016 on Secretariat General of the Witness and Victim Protection Agency (State Gazette of the Republic of Indonesia of 2019 Number 255);
4. Regulation of the Witness and Victim Protection Agency Number 1 of 2015 on Standards of Services within the Witness and Victim Protection Agency;

HAS DECIDED

To issue : REGULATION OF THE WITNESS AND VICTIM PROTECTION AGENCY ON APPLICATION FOR PROTECTION OF WITNESSES AND/OR VICTIMS OF CRIMINAL ACTS.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Agency Regulation:

1. Witness and Victim Protection Agency (Lembaga Perlindungan Saksi dan Korban), hereinafter abbreviated as LPSK, means an agency with a task and authorization to provide protection and other rights to Witnesses and/or Victims as regulated under Law on Witness and Victim Protection.
2. Witness means an individual who can provide information for the purposes of preliminary investigation, investigation, prosecution, and examination in court regarding a criminal act that he/she heard

himself/herself, saw himself/herself, and/or experienced himself/herself.

3. Victim means an individual who experiences physical, mental and/or economic suffering caused by a criminal act.
4. Applicant means an individual who submits a request for protection to LPSK.
5. Family Member means an individual with direct blood relationship in an up and down lineal and a lateral line up to the third degree, or an individual who has marital relationship, or an individual who is the dependent of a Witness and/or Victim.
6. Associate means an individual who is trusted by the Witness and/or Victim to accompany him/her during the protection application process to conduct counselling, therapy, and advocacy for the strengthening and recovery of the Victim and/or Witness.
7. Leaders of LPSK mean 1 (one) Chairperson concurrently serving as LPSK Member and 6 (six) Vice Chairpersons concurrently serving as LPSK Members who handle certain affairs in accordance with the decision of the LPSK Chairperson.
8. LPSK Officers mean LPSK officials or employees who are assigned to carry out services for receiving and/or reviewing protection applications.
9. Protection means all efforts to fulfil the rights and provide an assistance to provide a sense of safety for Witnesses and/or Victims that are required to be carried out by LPSK or other agencies in accordance with the legislation.
10. Assistance means a service provided for Witnesses and/or Victims by LPSK in the form of medical assistance, as well as psychosocial and psychological rehabilitation assistance.
11. Review means a series of activities, actions carried out by LPSK officers to collect information, statements, data, documents, facts and analysis to conclude the eligibility of a Protection application.

12. Notification Letter of Commencement of Application Review (Surat Pemberitahuan Dimulainya Penelaahan Permohonan), hereinafter abbreviated as SPDPP, means a letter issued by LPSK to the Applicant as a follow-up to the submitted Protection application.
13. Investigation means a series of activities, actions to obtain data and information or statement on a request related to the significance of the information, the level of dangerous threats, the results of the medical or psychological team's analysis, and the track record of criminal acts that have been committed.
14. Emergency Protection means protection provided immediately after the application is submitted which is determined by the LPSK decision or protection for victims of criminal act of terrorism immediately after the incident.
15. LPSK Decision means all decisions stipulated by the Leaders of LPSK, which are taken based on deliberation for consensus or based on the majority of votes.
16. Day means a working day.

## Article 2

This Agency Regulation is intended to provide Protection for Witnesses and/or Victims of Criminal Acts within the Witness and/or Victim Protection Agency.

## Article 3

The provision of Protection as referred to in Article 2 is in the forms of:

- a. obtain Protection for his/her personal safety, Family Members and property, and free from threats related against the testimony that will be, is being, or has been given;
- b. participate in the process of selecting and determining the form of Protection and safety support;
- c. provide information without pressure;
- d. provided with an interpreter;

- e. free from ensnaring questions;
- f. receive information regarding case developments;
- g. receive information regarding court ruling;
- h. receive information in the event that the convict is released;
- i. his/her identity is kept confidential;
- j. receive a new identity;
- k. receive temporary residence;
- l. receive new residence;
- m. receive reimbursement for transportation costs according to needs;
- n. receive legal advice;
- o. receive temporary living expenses assistance until the Protection period ends;
- p. receive assistance;
- q. medical Assistance including funeral costs;
- r. psychological rehabilitation Assistance;
- s. psychosocial rehabilitation Assistance;
- t. compensation Assistance for Family Members in the event that the Victim passed away due to a criminal act of terrorism;
- u. compensation facilitation;
- v. restitution facilitation; and/or
- w. legal Protection.

## CHAPTER II

### PROCEDURES AND REQUIREMENTS FOR SUBMITTING APPLICATIONS

#### Part One

#### General

#### Article 4

- (1) LPSK may provide Protection to Witnesses and/or Victims of Criminal Acts.
- (2) The Protection as referred to in section (1) is provided based on the application.

Part Two  
Procedures for Application for Protection

Article 5

- (1) The Application for Protection as referred to in Article 4 section (2) is made in writing, signed and/or submitted by the Applicant.
- (2) The Applicants as referred to in section (1) consist of:
  - a. Witnesses;
  - b. Victims;
  - c. whistleblowers;
  - d. justice collaborators; or
  - e. expert witnesses.
- (3) In the event that the Applicant is unable to submit an application as referred to in section (2), an application for Protection may be submitted by:
  - a. Family Member;
  - b. Associate and/or attorney;
  - c. law enforcement officers;
  - d. authorized related officials or agencies; or
  - e. guardian, if the Protection application is submitted for a child.

Article 6

- (1) The Application as referred to in Article 5 section (1) contains at least:
  - a. full name of the Applicant;
  - b. telephone number and/or email address;
  - c. domicile address;
  - d. description of the criminal act experienced, threats received by the Applicant, and whether the incident has been reported/handled by law enforcement officers; and/or
  - e. other information related to the application.
- (2) The application as referred to in section (1) is submitted to the Chairperson of LPSK.

#### Article 7

- (1) The Application for Protection as referred to in Article 6 section (3) may be submitted:
  - a. directly; or
  - b. indirectly.
- (2) For Applications submitted directly as referred to in section (1) point a, the Applicant directly present him/herself in the LPSK office.
- (3) Applications submitted indirectly as referred to in section (1) point b are submitted via:
  - a. delivery service;
  - b. facsimile;
  - c. email;
  - d. LPSK official website; or
  - e. mobile phone application.

#### Article 8

- (1) In the event that a Protection application is submitted directly as referred to in Article 7 section (2) by:
  - a. women, pregnant women, and/or breastfeeding mothers;
  - b. children;
  - c. persons with disabilities (special needs);
  - d. persons with vulnerable physical conditions; and/or
  - e. the elderly;LPSK may provide special treatment.
- (2) The providence of special treatment as referred to in section (1) is in the forms of:
  - a. provision of means;
  - b. provision of infrastructure; and/or
  - c. facilitating the submission of applications.

#### Part Three

#### Requirements for Protection Application

#### Article 9

To be able to obtain Protection, the Applicant must fulfil the following requirements:

- a. formal; and
- b. material.

Paragraph 1  
Formal Requirements

Article 10

- (1) The formal requirements as referred to in Article 9 point a, consists of:
  - a. a written application letter;
  - b. a photocopy of identity or Family card;
  - c. an original power of attorney, if the application is submitted through an attorney or Associate;
  - d. a letter of permission from parents or guardians, if the application is related to Protection for children and the application is not submitted by parents or guardians;
  - e. a statement or document from the relevant authorized institution in accordance with the provisions of legislation, which explains the status of Witness, Victim, whistle blower, Witness, justice collaborator, or expert witnesses in a criminal case;
  - f. an official letter from an authorized official if the application is submitted by law enforcement officers and/or authorized institutions; and
  - g. chronology of the description of the criminal act.
- (2) In the event that the residential address is different from the Applicant's domicile, the requirements for a photocopy of the identity card or family card as referred to in section (1) point b may be supplemented with a statement or information on the Applicant's domicile.

Article 11

In the event that the Protection application is submitted by a Family Member, in addition to completing the requirements as referred to in Article 10, the application must be attached with a photocopy of Family card or other document showing a Family relationship with the Applicant.



Paragraph 2  
Material Requirements

Article 12

- (1) The material requirements as referred to in Article 9 point b are in the form of documents or information from the Applicant as:
  - a. a Witness and/or Victim;
  - b. a justice collaborator; and/or
  - c. whistle blower and expert witnesses.
- (2) The documents or information from the Applicant as Witness and/or Victim as referred to in section (1) point a must show:
  - a. the importance of the Applicant's statement;
  - b. the level of threat that endangers the Applicant;
  - c. the analysis results of the medical or psychological team against the Applicant; and
  - d. a track record of criminal acts committed by the Applicant.
- (3) The documents or information from the Applicant as justice collaborator as referred to in section (1) point b must show:
  - a. the disclosed criminal act is a criminal act in a specific case in accordance with the LPSK Decision;
  - b. the importance of the Applicant's statement;
  - c. the Applicant is not the main perpetrator in the criminal act that he/she discloses;
  - d. willingness to return assets obtained from the criminal act committed and stated in a written statement; and
  - e. the existence of a real threat or fear of threats, physical or psychological pressure against the justice collaborator or his/her Family Members if the criminal act is disclosed.
- (4) Documents or information from the Applicant as the whistle blower and expert witnesses as referred to in section (1) point c that show:

- a. the importance of the Applicant's statement; and/or
- b. the level of threat that endangers the Applicant.

#### Article 13

- (1) Documents or information from the results of analysis by the medical or psychological team as referred to in Article 12 section (2) point c are applicable to Applicants who submit application for Assistance.
- (2) Documents or information from the results of analysis by the medical and/or psychological team as referred to in section (1) may be in the forms of:
  - a. a certificate explaining the Applicant's medical condition; and/or
  - b. a certificate explaining the Applicant's psychological condition.
- (3) LPSK may facilitate documents or information that show the results of analysis by the medical and/or psychological team as referred to in section (1) in accordance with the approval of the Leaders of LPSK in charge of application review affairs.

### CHAPTER III

#### APPLICATION REVIEW

##### Part One

##### Examination of Formal Requirements of Application

#### Article 14

- (1) LPSK examines the completeness of the application requirements as referred to in Article 9 within a maximum period of 7 (seven) days as of the date the application is received.
- (2) In the event that the application requirements as referred to in section (1) are incomplete, LPSK may notify the Applicant to complete the application.

#### Article 15

In the event that the Applicant does not complete the requirements as referred to in Article 14, the application is forwarded to a plenary meeting of the Leaders of LPSK to reach a decision.

#### Part Two

#### Examination of Material Requirements of Application

#### Article 16

- (1) In the event that based on the results of the examination as referred to in Article 15 the application is declared complete, LPSK may issue an SPDPP no later than 7 (seven) days as of the date the formal requirements of the application are declared complete.
- (2) The review as referred to in section (1) is aimed to:
  - a. ensure the eligibility of the Applicant to receive Protection; and/or
  - b. determine the form of Protection.
- (3) The review as referred to in section (1) is carried out within a period of 30 (thirty) days from the date the SPDPP is issued.
- (4) If required, the review period as referred to in section (3) may be extended based on the decision of the Leaders of LPSK.

#### Article 17

- (1) Review of the application for Witnesses and/or Victims is conducted to determine:
  - a. the importance of the information provided by the Applicant;
  - b. the form and level of threat that endangers the Applicant;
  - c. the medical and psychological condition of the Applicant; and
  - d. the track record of criminal acts committed by the Applicant.
  - e. the applicant's case of criminal act.

- (2) Review of the application for the justice collaborator is conducted to determine:
  - a. the disclosed criminal act is a criminal act in a specific case in accordance with the LPSK Decision;
  - b. the importance of the Applicant's statement;
  - c. the Applicant is not the main perpetrator in the criminal act that he/she discloses;
  - d. the Applicant's willingness to cooperate with law enforcement in disclosing the case and returning assets obtained from the criminal act he/she committed; and
  - e. the form and level of real threat or concern that there will be a threat, physical or psychological pressure against the Applicant or his/her Family Members.
- (3) Review of the application for the whistle blower and expert witnesses is conducted to determine:
  - a. the importance of the information provided by the Applicant; and
  - b. form and level of threat faced by the Applicant.

#### Article 18

In reviewing the application as referred to in Article 17, LPSK Officers may conduct an investigation and/or Assessment.

#### Article 19

In reviewing the application for medical and/or psychological Assistance, LPSK may involve a medical and/or psychological team.

### CHAPTER IV

#### PREPARATION OF SUMMARY OF APPLICATION FOR PROTECTION

#### Article 20

- (1) Applications for Protection that have been reviewed are submitted in the form of summary of application for Protection.

- (2) Summary of application for Protection as referred to in section (1) is submitted no later than 1 (one) day to the plenary meeting of the Leaders of LPSK.
- (3) The plenary meeting of the Leaders of LPSK as referred to in section (2) is held to reach a decision.

## CHAPTER V EMERGENCY PROTECTION

### Article 21

- (1) In certain cases, LPSK may provide Emergency Protection to Witnesses and/or Victims including their Family Members.
- (2) The Emergency Protection as referred to in section (1) is provided based on the approval of the Leaders of LPSK.

### Article 22

The provision of Emergency Protection to the Applicant and/or Applicant's Family Members as referred to in Article 21 is given with the following considerations:

- a. the existence of a real threat or potential threat that highly endangers the safety and security of the Applicant or his/her Family Members;
- b. the need for a law enforcement process related to the Applicant's statement; and/or
- c. the Applicant requires immediate medical and/or psychological action.

### Article 23

- (1) In case of emergency, LPSK may provide Protection to children who are Witnesses and/or Victims of a criminal act without requiring permission from parents or guardians.
- (2) Permission from parents or guardians as referred to in section (1) is not required in the event of:
  - a. the parents or guardians are suspected of being the perpetrators of a criminal act against the concerned child;

- b. the parent or guardian is suspected of obstructing the concerned child from giving testimony;
  - c. the parent or guardian is incapable of carrying out his/her duties as a parent or guardian;
  - d. the child does not have a parent or guardian; or
  - e. the whereabouts of the child's parent or guardian are unknown.
- (3) The Protection for children as referred to in section (1) does not reduce the LPSK's obligation to request a decree by the Chief Justice of the local District Court.

#### Article 24

- (1) Emergency Protection may be provided after receiving consideration from the Leaders of LPSK.
- (2) The consideration as referred to in section (1) is given after receiving approval from at least 2 (two) Leaders of LPSK.

#### Article 25

- (1) The provision of Emergency Protection as referred to in Article 24 is stipulated by the Leaders of LPSK.
- (2) The Emergency Protection as referred to in section (1) is given for a maximum period of 7 (seven) days since the stipulation.
- (3) The period of Emergency Protection as referred to in section (2) may be extended based on a decision of a plenary meeting of the Leaders of LPSK.
- (4) In the event that the Emergency Protection period or its period extension as referred to in section (2) and section (3) ends, follow-up Protection services will be provided based on the decision of the plenary meeting of the Leaders of LPSK.

## CHAPTER VI PROACTIVE ACTIONS

### Article 26

- (1) In certain cases, LPSK may facilitate the submission of Protection applications for Witnesses and/or Victims through proactive actions.
- (2) The proactive actions as referred to in section (1) are carried out by means of direct investigation after obtaining approval from the Leaders of LPSK in charge of reviewing applications.
- (3) LPSK can provide Protection to Victims immediately after the occurrence of a Criminal Act of Terrorism.

## CHAPTER VII MISCELLANEOUS PROVISION

### Article 27

The requirements and procedures for applications for compensation or restitution for Witnesses and/or Victims are implemented in accordance with the provisions of legislation.

## CHAPTER VIII CLOSING PROVISION

### Article 28

This Agency Regulation comes into force on the date of its promulgation.

In order that every person may know hereof, it is ordered to promulgate this Agency Regulation by its placement in the State Bulletin of the Republic of Indonesia.

Issued in Jakarta  
on 13 March 2020

CHAIRPERSON OF  
THE WITNESS AND VICTIM PROTECTION  
AGENCY OF THE REPUBLIC OF INDONESIA,

signed

HASTO ATMOJO SUROYO

Promulgated in Jakarta  
on 11 June 2020

DIRECTOR GENERAL OF LEGISLATION  
OF THE MINISTRY OF LAW AND HUMAN RIGHTS  
OF THE REPUBLIC OF INDONESIA,

signed

WIDODO EKATJAHJANA

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2020 NUMBER 606

Jakarta, 20 February 2025

Has been translated as an Official Translation  
on behalf of the Minister of Law  
of the Republic of Indonesia  
DIRECTOR GENERAL OF LEGISLATION,

