

REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA
NUMBER 3 OF 2021

ON
PARALEGALS IN LEGAL AID PROVISION

BY THE BLESSING OF ALMIGHTY GOD

MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

- Considering : a. that every person is entitled to recognition, guarantees, protection, and fair legal certainty, as well as equal treatment before the law, including those who are economically disadvantaged, in order to ensure access to justice and that their rights are duly recognized, guaranteed, and protected in a fair manner
- b. that the provision of legal aid has not yet reached all segments of Indonesian society due to limitations in the number of legal aid providers, thereby necessitating the role of paralegals to enhance the scope and delivery of legal aid services;
- c. that Regulation of the Minister of Law and Human Rights Number 1 of 2018 on Paralegals in Legal Aid Provision is no longer in line with the legal developments and the needs of the society, and therefore needs to be replaced;
- d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue a Regulation of the Minister of Law and Human Rights on Paralegals in Legal Aid Provision;
- Observing : 1. Article 17 section (3) of the 1945 Constitution of the Republic of Indonesia;
2. Law Number 39 of 2008 on State Ministries (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
3. Law Number 16 of 2011 on Legal Aid (State Gazette of the Republic of Indonesia of 2011 Number 104, Supplement to the State Gazette of the Republic of Indonesia Number 5248);
4. Government Regulation Number 42 of 2013 on Requirements and Procedures for Providing Legal Aid and Distributing Legal Aid Funds (State Gazette of the Republic of Indonesia of 2013 Number 98, Supplement to the State Gazette of the Republic of Indonesia Number 5421);
5. Presidential Regulation Number 44 of 2015 on Ministry of Law and Human Rights (State Gazette of the Republic of Indonesia of 2015 Number 84);

6. Regulation of the Minister of Law and Human Rights Number 29 of 2015 on Organization and Work Procedure of the Ministry of Law and Human Rights of the Republic of Indonesia (State Bulletin of the Republic of Indonesia of 2015 Number 1473) as amended several times, last by Regulation of the Minister of Law and Human Rights Number 24 of 2018 on Third Amendment to the Regulation of the Minister of Law and Human Rights Number 29 of 2015 on Organization and Work Procedure of the Ministry of Law and Human Rights of the Republic of Indonesia (State Bulletin of the Republic of Indonesia Of 2018 Number 1135);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS ON PARALEGALS IN LEGAL AID PROVISION

CHAPTER I GENERAL PROVISIONS

Article 1

In this Ministerial Regulation:

1. Legal Aid means legal services provided free of charge by Legal Aid Providers to Legal Aid Recipients.
2. Legal Aid Provider means a legal aid institution or community organization that provides Legal Aid services based on Law Number 16 of 2011 on Legal Aid.
3. Legal Aid Recipient means any individual or group of individuals who are poor.
4. Legal Aid Administrator means the National Legal Development Agency as a Work Unit of the Ministry of Law and Human Rights, which one of its duties and functions is related to the legal aid provision.
5. Paralegal means any person from the community, society, or Legal Aid Provider who has undergone paralegal training, is not an advocate, and does not independently represent Legal Aid Recipients in court.
6. Recognition means the acknowledgment of Paralegals who have played a role and contributed to the provision of Legal Aid, in the form of a certificate as a Paralegal who has the necessary competencies.
7. Competency Recognition means recognition from the National Law Development Agency in the form of a certificate of competency for Legal Aid Provider Paralegal who have undergone and passed Paralegal training.
8. Minister means the minister administering government affairs in the field of law and human rights.
9. National Law Development Agency (Badan Pembinaan Hukum Nasional), hereinafter abbreviated as BPHN, means the main unit that carries out duties, functions, and authorities in the field of national law development at the Ministry of Law and Human Rights.
10. Head of the Agency means the Head of the BPHN of the Ministry of Law and Human Rights.

Article 2

Regulations in this Ministerial Regulation apply to Paralegals who are members of Legal Aid Providers.

CHAPTER II
RIGHTS, OBLIGATION, AND REQUIREMENTS

Article 3

- (1) In providing Legal Aid, Paralegals have the right to:
 - a. receive capacity building related to the Legal Aid provision; and
 - b. receive guarantees of legal protection, security, and safety in providing Legal Aid.
- (2) In providing Legal Aid, Paralegals are obligated to carry out Legal Aid and legal services based on assignments from Legal Aid Providers in accordance with the provisions of legislation and legal aid service standards.

Article 4

For being recruited as a Paralegal, the following requirements must be met:

- a. be an Indonesian citizen;
- b. at least 18 (eighteen) years of age;
- c. able to read and write;
- d. not a member of the Defence Forces Indonesia, Indonesian National Police, or Civil Service; and
- e. meet other requirements specified by the Legal Aid Provider and do not conflict with legislation.

CHAPTER III
COMPETENCY AND PARALEGAL TRAINING

Article 5

- (1) Paralegals providing Legal Aid must have competencies that include:
 - a. the ability to understand basic law, regional conditions, and interest groups in society;
 - b. the ability to empower society in fighting for human rights and other rights protected by law; and
 - c. the skills to advocate for the society in the form of defense and support for the society.
- (2) To obtain the competencies as referred to in section (1), Paralegals are obligated to attend education and training organized by Legal Aid Providers.
- (3) Legal Aid Providers submit a Competency Recognition application to the BPHN, attaching:
 - a. a report on the Paralegal's education and training; and
 - b. an actualization report containing the plans, implementation, and results of the work carried out by the Paralegal, signed by the advocate as mentor and the chairperson/director of the Legal Aid Provider.

Article 6

- (1) The education and training as referred to in Article 5 section (2) are organized by the Legal Aid Provider and may be carried out in collaboration with:
 - a. higher education institutions;
 - b. central and local government agencies; and/or
 - c. non-governmental organizations.
- (2) The education and training providers as referred to in section (1) form a committee tasked with preparing the implementation of education and training.
- (3) The education and training as referred to in section (2) may be carried out by the committee after obtaining approval from the BPHN.
- (4) The education and training committee submit a report to the BPHN after the completion of the education and training.

Article 7

- (1) Legal Aid Providers may recruit Paralegals who have completed education and training organized by other institutions, provided that such education and training is in accordance with the competencies and/or curriculum established by the Head of the Agency.
- (2) Paralegal education and training organized by other institutions as referred to in section (1) must cooperate with Legal Aid Providers in the region.

Article 8

- (1) The Paralegal education and training as referred to in Article 6 and Article 7 are organized referring to the Paralegal education and training guidelines established by the Head of the Agency.
- (2) The organizers of education and training as referred to in Article 6 and Article 7 may develop Paralegal curriculum materials in the form of advanced training to accommodate regional characteristics and the specific scope of work of Legal Aid Providers.
- (3) In developing the Paralegal education and training curriculum materials as referred to in section (2), education and training providers may consult with the BPHN.

CHAPTER IV PARALEGAL EMPOWERMENT

Article 9

Legal Aid Providers may involve Paralegals who have the competence to provide Legal Aid.

Article 10

In addition to providing Legal Aid as referred to in Article 9, Legal Aid Providers may assign Paralegals who have the competence to provide legal services in the form of:

- a. advocacy for regional policies at the rural /urban village level up to the provincial level;

- b. assisting programs or activities managed by ministries, non-ministerial government agencies, provincial governments, regency/municipal governments, or village governments; and/or
- c. collaborating with legal counsellors to form and/or foster legally aware family groups.

Article 11

- (1) Paralegals in carrying out the duties as referred to in Article 9 and Article 10 are obligated to show a valid identity card and/or assignment letter.
- (2) The identity card as referred to in section (1) is valid for a maximum of 3 (three) years and may be extended or evaluated by the Legal Aid Provider.
- (3) The assignment letter as referred to in section (1) is only valid while the Paralegal is performing the duties assigned by the Legal Aid Provider.

CHAPTER V SUPERVISION AND EVALUATION

Article 12

- (1) The Legal Aid Providers supervise and evaluate the performance of Paralegals in Legal Aid provision.
- (2) The Legal Aid Provider are obligated to submit a report on the results of the supervision and evaluation of the Paralegal to the BPHN.
- (3) The submission of reports as referred to in section (2) may be done periodically or at any time if necessary.

CHAPTER VI RECOGNITION

Article 13

- (1) The BPHN issues a letter of Recognition within 6 (six) months from the effective date of this Ministerial Regulation to Paralegals who:
 - a. are registered in the Legal Aid Database Information System but have not yet undergone Paralegal education and training; or
 - b. are not yet registered in the Legal Aid Database Information System but have completed Paralegal education and training.
- (2) Paralegal education and training as referred to in section(1) are evidenced by a letter of approval for the implementation of education and training from the BPHN.
- (3) The application for Recognition as referred to in section (1) is submitted by the Legal Aid Provider to the BPHN, attaching:
 - a. a profile of the Paralegal, including:
 - 1. full name accompanied by a photocopy of the resident identity card;
 - 2. a list of experience in providing Legal Aid; and
 - 3. educational background with attached diploma, and

- b. a letter of recommendation from the Legal Aid Provider.

CHAPTER VII FUNDING

Funding that is required for implementation of this Ministerial Regulation is borne by:

- a. the state budget;
- b. the local budget; or
- c. other legitimate and non-binding sources of funding in accordance with the provisions of legislation.

Article 15

At the time this Ministerial Regulation comes into force, Regulation of the Minister of Law and Human Rights Number 1 of 2018 on Paralegals in Legal Aid Provision (State Bulletin of the Republic of Indonesia of 2018 Number 182) is repealed and declared ineffective.

Article 16

This Ministerial Regulation comes into force six (6) months as of the date of its promulgation.

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

Issued in Jakarta
on 29 January 2021

MINISTER OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA,

signed

YASONNA H LAOLY

Promulgated in Jakarta
on 3 February 2021

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

signed

WIDODO EKATJAHYANA

Jakarta, 25 September 2025
Has been translated as an Official Translation
on behalf of Minister of Law
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



DHAHANA PUTRA