

REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS OF THE
REPUBLIC OF INDONESIA NUMBER 4 OF 2021
ON
LEGAL AID SERVICE STANDARDS

BY THE BLESSINGS OF ALMIGHTY GOD

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

- Considering : a. that the state guarantees the constitutional right of every person to obtain legal aid and is responsible for legal aid provision that is carried out in accordance with the principles of justice, equality before the law, transparency, efficiency, effectiveness, and accountability;
- b. that in order to guarantee that legal aid is provided in a high-quality manner and fulfilling the principles as referred to in point a, it is necessary to develop legal aid service standards which are set out in a regulation;
- c. that based on the considerations as referred to in point a and point b, it is necessary to issue a Regulation of the Minister of Law and Human Rights on Legal Aid Service Standards;
- 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 Number 98 of 2013, Supplement to 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 10 of 2015 on Implementing Regulation of 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 2015 Number 816) as amended by Regulation of the Minister of Law and Human Rights Number 63 of 2016 on Amendment to Regulation of the Minister of Law and Human Rights Number 10 of 2015 on Implementing Regulation of Government Regulation Number 42 of 2013 on Requirements and Procedures for Providing Legal Aid and Distributing Legal Aid Funds (State Bulletin of the Republic of Indonesia of 2016 Number 2130);
 7. Regulation of the Minister of Law and Human Rights Number 29 of 2015 on Organization and Work Procedures of the Ministry of Law and Human Rights (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 Regulation of the Minister of Law and Human Rights Number 29 of 2015 on Organization and Work Procedures of the Ministry of Law and Human Rights (State Bulletin of the Republic of Indonesia of 2018 Number 1135);

HAS DECIDED:

To issue : REGULATION OF THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA ON LEGAL AID SERVICE STANDARDS.

Article 1

In this Ministerial Regulation:

1. Legal Aid means a legal service provided free of charge by the Legal Aid Providers to the Legal Aid Recipients.
2. Legal Aid Service Standard (*Standard Layanan Bantuan Hukum*), hereinafter referred to as *Starla Bankum*, means benchmarks used as a guideline in the provision of Legal Aid services.
3. Standard Operating Procedure for Legal Aid Services (*Standar Operasional Pemberian Layanan Bantuan Hukum*), hereinafter referred to as *Stopela Bankum*, means a technical guideline established and enforced by

legal aid providers as an application of legal aid service standards.

4. Legal Aid Provider means a Legal Aid institution or community organizations that provide Legal Aid services under Law Number 16 of 2011 on Legal Aid.
5. Legal Aid Practitioner means an Advocate, Paralegal, Lecturer, and/or Law Faculty Students who are registered with Legal Aid Providers.
6. Legal Aid Administrator means the National Legal Development Agency as a Work Unit of the Ministry of Law and Human Rights, one of its duties and functions is related to the legal aid provision.
7. Legal Aid Recipient means any individual or group of individuals who are poor.
8. Regional Supervisory Committee means a special working unit under the coordination of the regional office of law and human rights, which has the duties and function of supervising, monitoring, and evaluating the implementation of legal aid in the region.
9. Minister means the minister administering government affairs in the field of law and human rights.
10. Head of the Agency means the Head of the National Law Development Agency of the Ministry of Law and Human Rights.

Article 2

- (1) To guarantee the quality of legal aid services, the Minister establishes *Starla Bankum*.
- (2) *Starla Bankum* as referred to in section (1) includes:
 - a. litigation *Starla Bankum*; and
 - b. non-litigation *Starla Bankum*.
- (3) The Minister, through the Head of the Agency, provides guidance on the implementation of *Starla Bankum* as referred to in section (2).

Article 3

- (1) In the context of implementing *Starla Bankum*, Legal Aid Providers have the right to:
 - a. obtain information related to data and documents for the purposes of handling cases from Legal Aid Recipients, the Government, or other Agencies;
 - b. obtain identity documents, proof of residence, and letters of financial hardship from Legal Aid Recipients;
 - c. obtain truthful and complete information regarding the case faced by the Legal Aid Recipient;
 - d. receive copies of documents related to the case and view the originals that are useful in the evidence

- process or to clarify the information provided by the Legal Aid Recipient; and
- e. obtain a legal aid budget sourced from:
 - 1. the state budget;
 - 2. the local budget; or
 - 3. other legitimate funding sources that are non-binding and do not violate the provisions of legislation.
- (2) In the context of implementing *Starla Bankum*, Legal Aid Providers are obligated to:
- a. provide *Starla Bankum* training to Legal Aid Practitioner;
 - b. assess the vulnerability and legal needs of Legal Aid Recipients in relation to the issues they face;
 - c. to provide Legal Aid services in accordance with the provisions of legislation;
 - d. provide easily accessible legal aid information and services;
 - e. not abandon Legal Aid Recipients in the middle of the Legal Aid service provision process;
 - f. not engaging in acts that undermine the integrity of Legal Aid services;
 - g. creating supporting facilities for the implementation of *Starla Bankum*, including:
 - 1. *Stopela Bankum*; and
 - 2. Legal Aid service information (posters, banners, infographics, brochures, pocket books, and the like), and
 - h. resolving complaints regarding legal aid services provided by legal aid providers.

Article 4

- (1) In the context of implementing *Starla Bankum*, Legal Aid Recipients have the right to:
- a. receive information and explanations, both verbally and in writing, regarding the procedures for providing legal aid, *Starla Bankum*, the legal process involved, case developments, rights as a Legal Aid Recipient, and the types of services and service procedures received;
 - b. receive Legal Aid services from the time their application is accepted until the case is closed and/or has permanent legal force in accordance with *Starla Bankum*, the code of ethics for advocates, the competence of Legal Aid Practitioners, and organizational values as long as they do not conflict with the principles of Legal Aid provision;

- c. receive protection of privacy and confidentiality of data, information, and/or statements obtained from Legal Aid Recipients in relation to the case being handled, unless otherwise determined by law;
 - d. be involved, heard, and asked for their consent on every legal step taken in every case process faced;
 - e. assess the Legal Aid services received; and
 - f. file complaints against Legal Aid services provided by Legal Aid Practitioners.
- (2) In the context of implementing *Starla Bankum*, Legal Aid Recipients are obligated to:
- a. be cooperative and communicative in assisting with the handling of cases;
 - b. comply with the rules and regulations stipulated by the Legal Aid Provider; and
 - c. provide data, information, explanations, and copies of documents honestly and completely in relation to the legal issues faced.

Article 5

- (1) Legal Aid Recipients may assess the implementation of *Starla Bankum*.
- (2) The assessment referred to in section (1) is submitted to the Legal Aid Provider and the Legal Aid Administrator.

Article 6

- (1) In the event that the Legal Aid Recipient does not obtain the rights in accordance with the provisions of Law Number 16 of 2011 on Legal Aid, the Legal Aid Recipient has the right to file a complaint against the Legal Aid services provided by the Legal Aid Practitioner.
- (2) The complaint as referred to in section (1) may also be submitted by other interested parties.
- (3) The complaint as referred to in section (1) and section (2) is submitted to:
 - a. the Legal Aid Provider, with a copy to the Regional Supervisory Committee and the Legal Aid Administrator; or
 - b. the Legal Aid Administrator through the Regional Supervisory Committee.
- (4) The Head of the Agency formulates guidelines for handling complaints as referred to in section (3) to be implemented by Legal Aid Providers, Regional Supervisory Committees, and Legal Aid Administrator themselves.
- (5) In the event of a complaint as referred to in section (3) is submitted to the Legal Aid Provider, the Legal Aid Provider is obligated to follow up on such complaints.

- (6) The Legal Aid Provider communicates the results of the complaint handling to the Legal Aid Recipient, the Regional Supervisory Committee, and the Legal Aid Administrator.
- (7) In the event that the Legal Aid Recipient does not accept the results of the complaint handling as referred to in section (6), the Legal Aid Recipient may submit a complaint to the Legal Aid Administrator.

Article 7

- (1) The Minister may impose sanctions for violations of the implementation of *Starla Bankum*.
- (2) The sanctions as referred to in section (1) may be imposed at the following levels:
 - a. minor sanctions;
 - b. moderate sanctions; or
 - c. severe sanctions.
- (3) The minor sanctions as referred to in section (2) point a are imposed in the form of:
 - a. verbal warning; or
 - b. a written warning.
- (4) The minor sanctions as referred to in section (3) are imposed directly by:
 - a. the Legal Aid Administrator to Legal Aid Providers; and/or
 - b. Legal Aid Provider to Legal Aid Practitioner.
- (5) The moderate sanctions as referred to in section (2) point b are imposed directly by:
 - a. the Legal Aid Administrator to Legal Aid Providers, in the form of:
 - 1. cancellation of the implementation of Legal Aid;
 - 2. termination provision of the Legal Aid for the current year; or
 - 3. termination provision of Legal Aid for the following year; and/or
 - b. Legal Aid Providers to Legal Aid Practitioner, in the form of termination or temporary revocation of identity cards, letters of appointment, or other forms of correspondence as membership of Legal Aid Practitioner.
- (6) The severe sanctions as referred to in section (2) point c are imposed directly by:
 - a. The Legal Aid Administrator to the Legal Aid Provider, in the form of:
 - 1. revocation of accreditation status; or
 - 2. downgrading of accreditation status; and/or

- b. Legal Aid Providers to Legal Aid Practitioners, in the form of termination of membership of Legal Aid Practitioners.

Article 8

- (1) Head of the Agency establishes guidelines regarding *Starla Bankum*.
- (2) The guidelines on *Starla Bankum* contain:
 - a. litigation *Starla Bankum*;
 - b. non-litigation *Starla Bankum*; and
 - c. guidance.
- (3) The guidance as referred to in section (2) point c includes assistance, assessment, complaints, and sanctions.

Article 9

- (1) In providing Legal Aid, the Legal Aid Providers develop and implement *Stopela Bankum* based on the guidelines of the Head of the Agency regarding *Starla Bankum* as referred to in Article 8.
- (2) Legal Aid Providers may develop *Stopela Bankum* to accommodate the specific scope of work of Legal Aid Providers.

Article 10

- (1) The Minister, through the Head of the Agency conducts:
 - a. assistance in the preparation of *Stopela Bankum*; and
 - b. enhancement of capacity and implementation of the Head of Agency guidelines on *Starla Bankum*.
- (2) The Minister, in assisting with the preparation of *Stopela Bankum* and increasing capacity for the implementation of the Head of Agency guidelines on *Starla Bankum* as referred to in section (1), may cooperate with government agencies, local governments, and/or other parties in accordance with the provisions of legislation.

Article 11

- (1) The Legal Aid Administrator and/or Regional Supervisory Committee conduct supervision and evaluation of the implementation of *Starla Bankum*.
- (2) The Regional Supervisory Committee submit a report on the results of the supervision and evaluation of the implementation of *Starla Bankum* to the Legal Aid Administrator.
- (3) The submission of reports as referred to in section (2) may be made periodically or at any time if necessary.

Article 12

The guidelines of the Head of the Agency regarding *Starla Bankum* as referred to in Article 8 are established at the time this Ministerial Regulation comes into force.

Article 13

This Ministerial Regulation comes into force 6 (six) 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