

WITNESS AND VICTIM PROTECTION AGENCY

COPY

REGULATION OF THE WITNESS AND VICTIM PROTECTION AGENCY OF
THE REPUBLIC OF INDONESIA

NUMBER 7 YEAR 2020

ON

THE PROCEDURES OF SUBMISSION AND REVIEW OF APPLICATIONS FOR
COMPENSATION, MEDICAL ASSISTANCE, OR PSYCHOSOCIAL AND
PSYCHOLOGICAL REHABILITATION FOR VICTIMS OF PAST TERRORISM
CRIMES

BY THE GRACE OF GOD THE ALMIGHTY

THE CHAIRPERSON OF THE WITNESS AND VICTIM PROTECTION AGENCY,

Considering: Whereas, in order to implement the provisions of
Article 44D paragraph (3) and Article 44F
paragraph (3) of the Government Regulation Number
35 Year 2020 on the Amendment to the Government
Regulation Number 7 Year 2018 on Provision of
Compensation, Restitution, and Assistance to
Witnesses and Victims, it is necessary to
stipulate the Regulation of the Witness and Victim
Protection Agency on the Procedures of Submission
and Review of Applications for Compensation,
Medical Assistance, or Psychosocial and
Psychological Rehabilitation for Victims of Past
Terrorist Crimes;

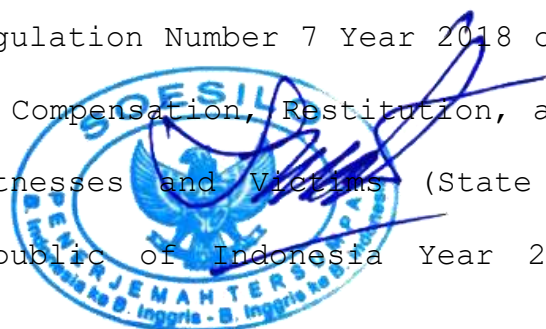
In View of : 1. The Law Number 15 Year 2003 on The Stipulation
of the Government Regulation In Lieu of the Law
Number 1 Year 2002 on The Eradication of
Terrorism Crimes to become The Law (State
Gazette of the Republic of Indonesia Year 2003
Number 45, Supplement to the State Gazette of
the Republic of Indonesia Number 4284) as



amended under The Law Number 5 Year 2018 on the Amendment to The Law Number 15 Year 2003 on the Stipulation of the Government Regulation In Lieu of the Law Number 1 Year 2002 on The Eradication of Terrorism Crimes to become The Law (State Gazette of the Republic of Indonesia Year 2018 Number 92, Supplement to the State Gazette of the Republic of Indonesia Number 6216);

2. The Law Number 13 Year 2006 on the Protection on Witnesses and Victims (State Gazette of the Republic of Indonesia Year 2006 Number 64, Supplement to the State Gazette of the Republic of Indonesia Number 4635), as amended under The Law Number 31 Year 2014 on The Amendment to The Law Number 13 Year 2006 on the Protection on Witnesses and Victims (State Gazette of the Republic of Indonesia Year 2014 Number 293, Supplement to the State Gazette of the Republic of Indonesia Number 5602);

3. The Government Regulation Number 7 Year 2018 on The Providence of Compensation, Restitution, and Assistance to Witnesses and Victims (State Gazette of the Republic of Indonesia Year 2018 Number 24, Supplement to the State Gazette of the Republic of Indonesia Number 6184) as amended under the Government Regulation Number 35 Year 2020 on the Amendment to The Government Regulation Number 7 Year 2018 on the Providence of Compensation, Restitution, and Assistance to Witnesses and Victims (State Gazette of the Republic of Indonesia Year 2020 Number 167,



Supplement to the State Gazette of the Republic
of Indonesia Number 6537);

HEREBY DECIDED:

To stipulate: REGULATION OF THE WITNESS AND VICTIM PROTECTION
INSTITUTION ON THE PROCEDURES OF SUBMISSION AND
REVIEW OF APPLICATIONS FOR COMPENSATION, MEDICAL
ASSISTANCE, OR PSYCHOSOCIAL AND PSYCHOLOGICAL
REHABILITATION FOR VICTIMS OF PAST TERRORISM
CRIMES.

CHAPTER I

GENERAL PROVISIONS

Article 1

In this Regulation of Agency, the following terms shall be
defined as follow:

1. The Witness and Victim Protection Agency, hereinafter
abbreviated as LPSK, is an agency with a task and
authorization to provide protection and other rights to
Witnesses and/or Victims as regulated based on the Law and
Regulations.
2. Victims of Past Terrorism Crimes are direct victims resulting
from Terrorism Crimes that occurred since the enactment of
Government Regulation in Lieu of Law Number 1 Year 2002 on the
Eradication of Terrorism Crimes until the enactment of the Law
Number 5 Year 2018 on the Amendment to the Law Number 15 Year
2003 on the Stipulation of Government Regulation in Lieu of
the Law Number 1 Year 2002 on the Eradication of Terrorism
Crimes into Law who have not received Compensation, medical
assistance, or psychosocial and psychological rehabilitation.
3. Applicant is a Victim of Past Terrorism Crimes, their Family,
heirs, or Attorney who submits application for Compensation,
medical assistance, psychological rehabilitation assistance
and/or psychosocial rehabilitation assistance to the Witness



and Victim Protection Agency.

4. Compensation is compensation provided by the State because the perpetrator is unable to provide full compensation for the losses that become his responsibility.
5. Assistance is a service provided for Witnesses and/or Victims by the Witness and Victim Protection Agency in the form of Medical Assistance and Psychosocial and Psychological Rehabilitation Assistance.
6. Medical Assistance is assistance provided to restore the physical health of victims including the handling of the victim's death, for example, funeral cost.
7. Psychosocial Rehabilitation is all forms of psychological and social assistance services aimed at helping to alleviate, protect, and heal the physical, psychological, social and spiritual conditions of the Victim to enable them to restore their capabilities to perform their social functions properly.
8. Psychological Rehabilitation is assistance provided by a psychologist for victims who suffer from trauma or other mental health problems to heal the victim's mental condition.
9. Family is individuals with direct blood relationship in an up and down lineal and a lateral line up to the third degree, individual who has marital relationship or individual who is the dependent of a witness and/or victim.
10. Day is a working day.

Article 2

Victims of Past Terrorism Crimes have a right to:

- a. Compensation;
- b. Medical Assistance; or
- c. Psychosocial and Psychological Rehabilitation.

CHAPTER II
SUBMISSION OF APPLICATION

Article 3



- (1) To obtain the rights as referred to in Article 2, the Applicant must submit a written application to the Witness and Victim Protection Agency.
- (2) The application as referred to in paragraph (1) is submitted by:
 - a. Victims of Past Terrorism Crimes;
 - b. Family;
 - c. Heirs; or
 - d. their Legal Representative.
- (3) The application can be submitted by way of:
 - a. direct submission; or
 - b. indirect submission.
- (4) Direct application submission as referred to in paragraph (3) letter a is submitted to the application submission officer.
- (5) Indirect application submission as referred to in paragraph (3) letter b is submitted via:
 - a. mail;
 - b. facsimile;
 - c. electronic mail;
 - d. the official website of the Witness and Victim Protection Agency; or
 - e. mobile phone application.

Article 4

- (1) The application as referred to in Article 3 must contain at least:
 - a. identity of the Victim of Past Terrorism Crimes;
 - b. identity of the heir, family, or legal representative, if the application is not submitted by a Victim of Past Terrorism Crimes; and
 - c. a description of the incident in which the act of terrorism occurred.



- (2) The description of the incident as referred to in paragraph (1) letter c may contain:
- a. information on the act of terrorism;
 - b. information on the medical and/or psychological condition of the Victim of Past Terrorism Crimes; and/or
 - c. information on the effects arising from the act of terrorism.
- (3) The description of the incident as referred to in paragraph (2) is attached with supporting documents:
- a. medical resume;
 - b. doctor's certificate;
 - c. photos and documentation related to the condition of the Victim of Past Terrorism Crimes before and after receiving medical treatment; and/or
 - d. statements from witnesses and family members.
- (4) The application as referred to in paragraph (1) is accompanied by:
- a. photocopy of the identity of the Victim of Past Terrorism Crimes;
 - b. photocopy of death certificate, if the Victim of Past Terrorism Crimes passed away;
 - c. photocopy of certificate of family relationship, if the application is submitted by the Family;
 - d. certificate of inheritance made or legalized by an authorized official, if the application is submitted by an heir;
 - e. letter of stipulation of Victim of Past Terrorism Crimes issued by the National Counterterrorism Agency; and
 - f. special power of attorney, if the Compensation application is submitted by the legal representative of the Victim of Past Terrorism Crimes or the legal representative of the family.



- (5) In the event that the photocopy of the identity as referred to in paragraph (4) letter a cannot be fulfilled, the Applicant may complete it with a family card or certificate of the Applicant's domicile.

Article 5

- (1) Applications for compensation, medical assistance, or psychosocial and psychological rehabilitation must be submitted no later than 22 June 2021.
- (2) If the application for compensation, medical assistance, or psychosocial and psychological rehabilitation is submitted by mail, the application as referred to in paragraph (1) shall be calculated based on the Mail stamp.

CHAPTER III

REVIEW OF APPLICATION

Part One

General

Article 6

- (1) the Witness and Victim Protection Agency shall review the application as referred to in Article 4.
- (2) Review of the application as referred to in paragraph (1) shall be carried out in:
- a. administrative manner; and
 - b. substantive manner.

Part Two

Administrative Review

Article 7

The administrative examination as referred to in Article 6 paragraph (2) letter a shall be conducted to:

- a. examine the completeness of the application documents; and
- b. examine other administrative matters as needed.

Article 8

- (1) The administrative review as referred to in Article 7 shall



be conducted within a maximum period of 7 (seven) days as of the date the application is received by the Witness and Victim Protection Agency.

- (2) In the event that the application documents are incomplete, the Witness and Victim Protection Agency shall notify the Applicant in writing to complete the application documents within a maximum period of 14 (fourteen) days as of the date the notification letter is sent to the Applicant.
- (3) In the event that the applicant does not complete the requirements as referred to in paragraph (2), the application shall be forwarded to a plenary meeting of the Leaders of the Witness and Victim Protection Agency to obtain a Decree.

Article 9

In the event that the application as referred to in Article 8 paragraph (3) is declared to be rejected, the application may be resubmitted within the time limit as referred to in Article 5.

Part Three

Substantive Review

Article 10

In the event that the application has been completed, the Witness and Victim Protection Agency shall conduct a substantive review.

Article 11

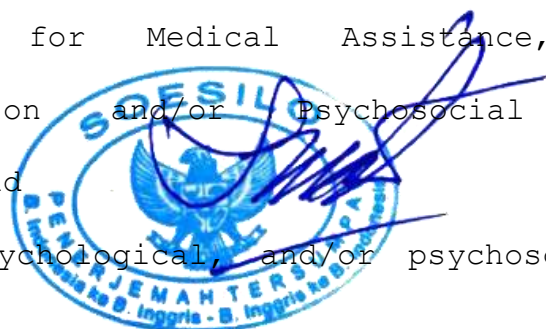
- (1) For the purposes of substantive review for a Compensation application, the Witness and Victim Protection Agency may request statements, information, and/or documents from Victims of Past Terrorism Crimes, their Families, heirs, legal representatives, ministries/institutions, and other related parties.
- (2) Such statements, information, and/or documents as referred to in paragraph (1) shall be used to review:



- a. the cause of death of the Victim of Past Terrorism Crimes, which was the result of an event of a terrorist crime;
- b. the status of the Applicant in relation to the Victim of Past Terrorism Crimes in the event that the application is submitted by his/her Family, heirs or legal representative;
- c. degree of injury suffered by Victims of Past Terrorism Crimes through medical resumes or doctor's certificates as referred to in Article 4 paragraph (3) letter a and letter b; and/or
- d. other required information or statements.

Article 12

- (1) For the purpose of substantive review for applications for Medical Assistance or Psychosocial and Psychological Rehabilitation, the Witness and Victim Protection Agency may request statements, information, and/or documents from Victims of Past Terrorism Crimes, Family, Legal Representatives, ministry/institution, and/or other related parties.
- (2) The statements, information, and/or documents as referred to in paragraph (1) are used to review:
 - a. the status of the Applicant against the Victims of Past Terrorism Crimes in the event that the application is submitted by his/her Family or legal representative;
 - b. the medical, psychological and/or psychosocial conditions suffered by Victims of Past Terrorism Crimes are the result of a terrorist crime event;
 - c. the need for Medical Assistance, Psychological Rehabilitation and/or Psychosocial Rehabilitation services; and
 - d. medical, psychological, and/or psychosocial assistance



services that have been received by Victims of Past Terrorism Crimes, both from the Witness and Victim Protection Agency and other related agencies.

Article 13

In conducting substantive review as referred to in Article 11 and Article 12, the Witness and Victim Protection Agency may conduct investigations.

Article 14

- (1) To assist the implementation of substantive review, the Witness and Victim Protection Agency may form an examination team appointed by the Chairperson of the Witness and Victim Protection Agency.
- (2) The examination team as referred to in paragraph (1) may consist of the following elements:
 - a. the Witness and Victim Protection Agency officers;
 - b. representatives from relevant ministries/institutions as required.
 - c. doctors; and/or
 - d. psychologists.

Article 15

The team as referred to in Article 14 is formed to examine:

- a. the degree of injury;
- b. information on the cause of the victim's death;
- c. information on the cause of the victim's injury;
- d. the victim's medical condition;
- e. the victim's psychological condition; and/or
- f. the victim's psychosocial needs.

Article 16

- (1) The results of the examination for the degree of injury as referred to in Article 15 letter a consist of:
 - a. serious injury;
 - b. moderate injury; or



c. minor injury.

(2) Serious injuries as referred to in paragraph (1) letter a also include Victims who experience severe psychological trauma.

Article 17

The results of the examination of the cause of the Victim's death as referred to in Article 15 letter b consist of:

- a. the cause of the Victim's death immediately after the occurrence of the terrorism crime; or
- b. the cause of the Victim's death after the occurrence of the terrorism crime.

Article 18

The results of the examination of the Victim's medical and psychological condition as referred to in Article 15 letter c and letter d contain:

- a. the medical and/or psychological condition suffered by the Victim of Past Terrorism Crimes is a result of the crime of terrorism; and
- b. recommendations or referrals for medical and/or psychological services required by the Victim.

Article 19

The results of the examination of the Victim's psychosocial needs as referred to in Article 15 letter e contain:

- a. the psychosocial needs of the Victim of Past Terrorism Crimes; and
- b. recommendations or referrals to the relevant ministry/institution.

Article 20

The results of the substantive review are used as the basis for consideration to recommend:

- a. compensation based on the degree of injury of the Victim of Past Terrorism Crimes or death; and/or



b. provision of Medical Assistance or Psychosocial and Psychological Rehabilitation to be provided to Victims of Past Terrorism Crimes.

Article 21

- (1) Substantive review shall be conducted within a maximum period of 30 (thirty) days as of the date the administrative review is completed.
- (2) If within the period as referred to in paragraph (1) the substantive review has not been completed, the substantive review may be extended based on the Decree of the Leaders of the Witness and Victim Protection Agency.

Article 22

The provision of compensation and/or Medical Assistance or Psychosocial and Psychological Rehabilitation shall be stipulated based on the Decree of the Witness and Victim Protection Agency.

CHAPTER IV

OTHER PROVISIONS

Article 23

The procedures for the provision of Compensation, Medical Assistance, Psychosocial and/or Psychological Rehabilitation for Victims of Past Terrorist Crimes shall be implemented in accordance with the provisions of the laws and regulations.

CHAPTER V

CLOSING PROVISIONS

Article 24

These Regulations of the Agency shall come into force on the date of promulgation.

For public cognizance, ordering the promulgation of this Regulation of the Agency shall be published in the State Gazette of the Republic of Indonesia.



Set forth in Jakarta

On 31 August 2020

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

HASTO ATMOJO SUROYO

Promulgated in Jakarta

On 16 September 2020

DIRECTOR GENERAL OF
THE LAW AND REGULATIONS
THE MINISTRY OF JUSTICE OF THE REPUBLIC OF INDONESIA,
Signature

WIDODO EKATJAHJANA

STATE GAZETTE OF THE REPUBLIC OF INDONESIA YEAR 2020 NUMBER
1038

This copy is in conformance with the original
THE CHAIRPERSON OF THE WITNESS AND VICTIM PROTECTION AGENCY
HASTO ATMOJO SUROYO

AFFIDAVIT

I, SOESILO, a Sworn Translator in the Republic of Indonesia, pursuant to the prevailing laws and regulations in the Republic of Indonesia, hereby certify and declare, in accordance with my oath of office, that this document is a true, faithful, and complete translation from Indonesian to English.

Jakarta, December 06th, 2024



SOESILO

Decree of the Minister of Law and Human Rights R.I.
No. AHU-40 AH.03.07.2022, Reg. No. /SOE/12/06/2024

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