

REGULATION OF THE OMBUDSMAN OF THE REPUBLIC OF INDONESIA
NUMBER 55 OF 2022

ON

COOPERATION GUIDELINES WITHIN THE OMBUDSMAN OF THE
REPUBLIC OF INDONESIA

BY THE BLESSINGS OF ALMIGHTY GOD

CHAIRPERSON OF THE OMBUDSMAN OF THE REPUBLIC OF INDONESIA,

- Considering :
- a. that in order to have coordination and cooperation with state institutions or other government agencies as well as social institutions and individuals in accordance with the mandate of Article 7 point e of Law Number 37 of 2008 on the Ombudsman of the Republic of Indonesia;
 - b. that in order to support the optimization of the supervision of the implementation of public services, cooperation with various parties, both domestic and foreign, is required;
 - c. that in order to provide uniformity in form, format, and content of cooperation, as well as to provide a reference at the stages of planning, preparation, implementation, monitoring and evaluation, it is necessary to have cooperation guidelines;
 - d. that based on the considerations as referred to in point a, point b, and point c, it is necessary to issue an Ombudsman Regulation on Cooperation Guidelines within the Ombudsman of the Republic of Indonesia;
- Observing :
1. Law Number 37 of 2008 on Ombudsman of the Republic of Indonesia (State Gazette of the Republic of

- Indonesia of 2008 Number 139, Supplement to the State Gazette of the Republic of Indonesia Number 4899);
2. Law Number 25 of 2009 on Public Services (State Gazette of the Republic of Indonesia of 2009 Number 112, Supplement to the State Gazette of the Republic of Indonesia Number 5038);
 3. Government Regulation Number 21 of 2011 on Formation, Structure, and Work Procedure of the Representatives of the Ombudsman of the Republic of Indonesia in the Regions (State Gazette of the Republic of Indonesia of 2011 Number 42, Supplement to the State Gazette of the Republic of Indonesia Number 5207) as amended by Government Regulation Number 48 of 2017 on Amendment to Government Regulation Number 21 of 2011 on Formation, Structure, and Work Procedures of the Representatives of the Ombudsman of the Republic of Indonesia in the Regions (State Gazette of the Republic of Indonesia of 2017 Number 246, Supplement to the State Gazette of the Republic of Indonesia Number 6143);
 4. Government Regulation Number 28 of 2018 on Regional Cooperation (State Gazette of the Republic of Indonesia of 2018 Number 97, Supplement to the State Gazette of the Republic of Indonesia Number 6219);
 5. Presidential Regulation Number 20 of 2009 on Secretariat General of the Ombudsman of the Republic of Indonesia as amended by Presidential Regulation Number 108 of 2017 on Amendment to Presidential Regulation Number 20 of 2009 on Secretariat General of the Ombudsman of the Republic of Indonesia (State Gazette of the Republic of Indonesia of 2017 Number 247);
 6. Ombudsman Regulation Number 43 of 2020 on Organization and Work Procedures for the Assistantship of the Ombudsman of the Republic of Indonesia (State Bulletin of the Republic of Indonesia of 2020 Number 644);

HAS DECIDED:

To Issue : OMBUDSMAN REGULATION ON COOPERATION GUIDELINES WITHIN THE OMBUDSMAN OF THE REPUBLIC OF INDONESIA.

CHAPTER I
GENERAL PROVISIONS

Article 1

In this Ombudsman Regulation:

1. Ombudsman of the Republic of Indonesia, hereinafter referred to as Ombudsman, means a state institution that has the authority to oversee the implementation of public services, organized by state and government administrators including those organized by State-Owned Enterprises, Local-Owned Enterprises, and State-Owned Legal Entities as well as private entities or individuals assigned of organizing certain public services, some or all of which are sourced from the state budget and/or local budget.
2. Agreement Document means an official document that contains a joint agreement on something that binds the parties to carry out a mutually agreed action or legal action.
3. Cooperation means an agreement between the Ombudsman and one or more parties, both domestic and foreign abroad.
4. Preliminary Cooperation means Cooperation whose content contains moral ties and main matters which will then be cooperated.
5. Technical Cooperation means Cooperation whose content contains technical descriptions of the implementation of certain agreed fields and legally binding for the parties therein.
6. Partners mean parties that cooperate with the Ombudsman.
7. Work Units mean work units in the Ombudsman Assistantship, work units in the Secretariat General of the Ombudsman, and Representatives of the Ombudsman in the regions.
8. Proposing Unit means a Work Unit that proposes the holding of Cooperation.

CHAPTER II
TYPES OF COOPERATION

Article 2

Types of Cooperation within the Ombudsman consist of:

- a. Domestic Cooperation; and
- b. Foreign Cooperation.

Article 3

- (1) Forms of Domestic Cooperation as referred to in Article 2 point a consist of:
 - a. Preliminary Cooperation; and/or
 - b. Technical Cooperation.
- (2) Preliminary Cooperation as referred to in section (1) point a is stated in the form of memorandum of understanding or other terms agreed upon with the prospective Partners.
- (3) Technical Cooperation as referred to in section (1) point b is stated in the form of Cooperation agreement or other terms agreed upon with the prospective Partners.

Article 4

Parties that can be considered as prospective Partners in Domestic Cooperation consist of:

- a. Ministries;
- b. Institutions;
- c. Local Governments;
- d. State-Owned Enterprises;
- e. Local Governments - Owned Enterprises;
- f. business entities/legal entities;
- g. higher education institutions;
- h. media;
- i. professional organizations;
- j. civil society organizations; and/or
- k. individual.

Article 5

- (1) Forms of Foreign Cooperation as referred to in Article 2 point b consist of:
 - a. bilateral Cooperation;
 - b. regional Cooperation; and
 - c. multilateral Cooperation.
- (2) Foreign Cooperation is stated in the form of Memorandum of Understanding or other terms agreed with the prospective Partners.

Article 6

Parties that can be considered as prospective Partners for Foreign Cooperation consist of:

- a. government institutions/state institutions;
- b. international organizations and bodies;
- c. higher education institutions; and/or
- d. donor agencies registered in Indonesia in accordance with legislation.

CHAPTER III

FIELDS OF COOPERATION

Article 7

- (1) Fields that can be cooperated for Domestic Cooperation or Foreign Cooperation consist of:
 - a. maladministration prevention;
 - b. acceleration of resolution of complaints;
 - c. human resource development;
 - d. socialization and dissemination;
 - e. information exchange;
 - f. grant;
 - g. organizing education, research, and community services;
 - h. the formation of *sahabat* Ombudsman community; and/or
 - i. development of policy.
- (2) In addition to the field of Cooperation as referred to in section (1) the Ombudsman and prospective Partners

may agree on other fields by taking the provisions of legislation into account. the provisions of legislation.

CHAPTER IV FORMATION OF COOPERATION

Article 8

- (1) Cooperation Proposals for Cooperation from the Proposing Unit are submitted submit with official notes to the Work Unit in charge of the Cooperation facilitation function.
- (2) The official note as referred to in section (1) is submitted by attaching the Cooperation Proposal Form as listed in Annex point A which is an integral part of this Ombudsman Regulation.
- (3) The delivery of the official note and Cooperation Proposal Form as referred to in section (2) is reported to the Ombudsman Member in charge at the Proposing Unit.

Article 9

- (1) The Work Unit in charge of the Cooperation facilitation function prepares a list of Cooperation plans based on the proposals received from the Proposing Unit.
- (2) The list of Cooperation plans as referred to in section (1) is submitted to the Chairperson of the Ombudsman through Ombudsman Member in charge in the Work Unit in the field of Cooperation facilitation function to be approved at the Plenary Meeting.
- (3) The list of Cooperation plans that have been decided upon in the plenary meeting is determined by Decision of the Chairperson of Ombudsman.
- (4) Determination of the Cooperation plan list as referred to in section (3) is made at the end of each current annual budget to be implemented in the following annual budget.

Article 10

- (1) The Cooperation Plan that has been determined is followed up by the Proposing Unit in coordination with the Work Unit in charge of the Cooperation facilitation function through the following stages:
 - a. Exploration;
 - b. Negotiation;

- c. Preparation of draft Agreement Document; and
 - d. Signing.
- (2) In the event that there is a Cooperation proposed after the list of Cooperation plans has been determined, the Proposal Unit submits the proposal to the Work Unit in charge of the Cooperation facilitation function by attaching the Cooperation Proposal Form as listed in Annex point A of this Ombudsman Regulation.
 - (3) The Cooperation Proposal Form as referred to in section (2) is submitted to the Chairperson of the Ombudsman for approval at the Plenary Meeting.
 - (4) The Cooperation Proposal Form which has been approved by the Plenary Meeting will be followed up based on the stages as referred to in section (1).

Article 11

- (1) Exploration as referred to in Article 10 section (1) point a is carried out by the Proposing Unit to submit/receive Cooperation offers to/from prospective Partners.
- (2) In carrying out the exploration as referred to in section (1) the Proposing Unit involves a Work Unit in charge of the Cooperation facilitation function.
- (3) Exploration as referred to in section (1) is carried out by on-site meetings, online meetings, and/or official correspondence.

Article 12

- (1) Negotiation as referred to in Article 10 section (1) point b is carried out by the Proposal Unit and prospective Partners at least 1 (one) time facilitated by the Work Unit in charge of the Cooperation facilitation function.
- (2) Implementation of negotiation as referred to in section (1) at least agrees on:
 - a. field of Cooperation;
 - b. financing; and
 - c. period.
- (3) The results of the agreement as referred to in section (2) are set forth in the draft Agreement Document.

Article 13

- (1) Preparation of draft Agreement Document as referred to in Article 10 section (1) point c is carried out by the

Proposal Unit in coordination with the Work Unit in charge of the Cooperation facilitation function.

- (2) The draft Agreement Document that has been compiled is discussed by the Proposal Unit with prospective Partners carried out at least 1 (one) time facilitated by the Work Unit in charge of the Cooperation facilitation function.

Article 14

- (1) The preparation of draft Agreement Document of Domestic Cooperation is made by complying with the systematics of at least:
 - a. title;
 - b. statement of time and place of signing;
 - c. *comparatie* ;
 - d. the parties;
 - e. premise/recital;
 - f. legal basis;
 - g. agreement of the parties;
 - h. material content; and
 - i. closing.
- (2) The material content as referred to in section (1) point h in the Preliminary Cooperation contains at least the following provisions:
 - a. purposes and goals;
 - b. scopes;
 - c. implementation;
 - d. period and extension;
 - e. termination of Cooperation;
 - f. confidentiality;
 - g. correspondences;
 - h. financing;
 - i. monitoring and evaluation;
 - j. dispute resolution; and
 - k. addendum.
- (3) The material content as referred to in section (1) point h in Technical Cooperation contains at least the following provisions:

- a. general provisions;
- b. purposes and objectives;
- c. scopes;
- d. implementation;
- e. rights and obligations;
- f. period and extension;
- g. termination of Cooperation;
- h. confidentiality;
- i. correspondences;
- j. financing;
- k. monitoring and evaluation;
- l. dispute resolution;
- m. addendum; and
- n. force majeure.

Article 15

- (1) Domestic Cooperation may be agreed for a minimum period of 1 (one) year and a maximum of 5 (five) years.
- (2) In the event that the Technical Cooperation is a follow-up and an integral part of the Preliminary Cooperation, the longest period of Technical Cooperation cannot exceed the period of the Preliminary Cooperation being followed up.

Article 16

- (1) In the event that the Ombudsman and/or Partners express their intention to terminate Domestic Cooperation before the agreed period, coordination is carried out to discuss preparations for termination.
- (2) In the event that the Preliminary Cooperation and/or Technical Cooperation will be terminated before the period ends, the duties and responsibilities of the Ombudsman and/or Partners will be completed first based on an agreement.
- (3) Completion of duties and responsibilities as referred to in section (2) is carried out within the completion period agreed by the Ombudsman and Partners.

Article 17

The confidentiality provisions for Domestic Cooperation as referred to in Article 14 section (2) point f contain a general

statement regarding confidentiality used to ensure the implementation of the principle of confidentiality in the implementation of the functions, duties, and authority of the Ombudsman and Partners.

Article 18

Correspondence provisions as referred to in Article 14 section (2) point g and section (3) point i contain at least:

- a. information regarding liaison officers;
- b. address;
- c. phone number; and
- d. e-mail address.

Article 19

- (1) Changes of the material contents of Domestic Cooperation can only be made by mutual agreement between the Ombudsman and Partners.
- (2) The changes of material content as referred to in section (1) are stated in an addendum which is an integral part of the Agreement Document of Domestic Cooperation.

Article 20

- (1) In the event of force majeure such as natural disasters, riots, fires, and other things that are beyond the control of the Ombudsman and/or Partners that occur within the national or local scope in the area where the Cooperation is implemented, activities that are part of the implementation of Cooperation can be suspended temporarily.
- (2) The Ombudsman and/or prospective Partners deliver notifications of temporary suspension due to force majeure as referred to in section (1) as soon as conditions for notification are deemed possible.

Article 21

- (1) Agreement Document of Foreign Cooperation are made in Indonesian and foreign languages.
- (2) The foreign language as referred to in section (1) can be in the form of a foreign language which is the national language of the country where the Partner is domiciled and/or other agreed foreign languages.
- (3) Agreement Document of Foreign Cooperation as referred to in section (2), for both the original and the

authentic copy, has the same legal force and is binding for the Ombudsman and Partners.

- (4) Translation of Agreement Document of Foreign Cooperation is coordinated by the Work Unit in charge of Cooperation facilitation function.
- (5) The systematics of Agreement Documents on Foreign Cooperation is prepared based on the agreement of the Ombudsman and prospective Partners.

Article 22

The formation of Foreign Cooperation is carried out in accordance with the provisions of the legislation regulating International Agreements.

Article 23

- (1) Foreign Cooperation can be agreed for a minimum period of 1 (one) year and a maximum of 5 (five) years.
- (2) At the time the Foreign Cooperation is about to end, the Ombudsman and Partners coordinate to discuss plans for extending or terminating the Foreign Cooperation.

Article 24

- (1) The Agreement Document that has been prepared and has gone through the stages of negotiation and discussion is subject to final examination prior to the signing stage.
- (2) The final examination of the Agreement Document as referred to in section (1) is carried out by giving initials to the Draft Agreement Document by the Ombudsman Member in charge in the Work Unit in the field of Cooperation facilitation function.

Article 25

- (1) Agreement Document of Preliminary Cooperation is signed by the Chairperson of the Ombudsman and the top leader of the Partner.
- (2) The signing as referred to in section (1) may be delegated to the appointed Ombudsman Member.

Article 26

- (1) The Agreement Document of Technical Cooperation is signed by the Ombudsman Members, the Secretary

General, or the Head of Representative according to their respective duties, functions and authority.

- (2) The signing as referred to in section (1), may be delegated through a mandate to the appointed official.

Article 27

Agreement Document of Foreign Cooperation is signed by the Chairperson of the Ombudsman and the top leader of the Partner.

Article 28

The signing as referred to in Article 25 to Article 27 may be carried out digitally in accordance with the provisions of legislation.

CHAPTER V

MONITORING AND EVALUATION

Article 29

- (1) Monitoring and evaluation of Cooperation aims to:
 - a. identify follow-up actions from the cooperation areas; and
 - b. identify constraints of the implementation and the solutions to be taken.
- (2) Monitoring and evaluation of Cooperation as referred to in section (2) is carried out by Work Unit in charge of Cooperation facilitation functions by involving Work Units related to the substance of Cooperation.
- (3) Monitoring of Cooperation is carried out at least 2 (two) times in 1 (one) year using the Cooperation Monitoring Working Paper as listed in Annex point B which is an integral part of this Ombudsman Regulation.
- (4) Evaluation of Cooperation is carried out at least 1 (one) time in 1 (one) year using the Cooperation Evaluation Working Paper as listed in Annex point C which is an integral part of this Ombudsman Regulation.
- (5) The results of the monitoring and evaluation of Cooperation as referred to in section (3) and section (4) are submitted to the Chairperson of the Ombudsman to be decided for the follow-up in a Plenary Meeting.

CHAPTER VI
COOPERATION FINANCING

Article 30

- (1) All costs incurred in connection with the formation and implementation of Cooperation are financed using sources of financing agreed by the Ombudsman and Partners.
- (2) The sources of financing as referred to in section (1) includes:
 - a. State Budget;
 - b. Partner's budget; and/or
 - c. other sources of financing that are not binding and in accordance with the provisions of legislation.
- (3) The implementation and accountability for using the budget as referred to in section (2) is carried out in accordance with the provisions of legislation.

CHAPTER VII
CLOSING PROVISION

Article 31

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

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

Issued in Jakarta
28 September 2022

CHAIRPERSON OF
THE OMBUDSMAN OF THE
REPUBLIC OF INDONESIA,
signed
MOKHAMMAD NAJIH

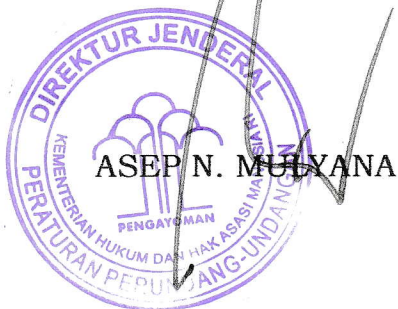
Promulgated in Jakarta
on 30 September 2022

MINISTRY OF LAW AND HUMAN RIGHTS
OF THE REPUBLIC OF INDONESIA

signed
YASONNA H. LAOLY

STATE BULLETIN OF THE REPUBLIC OF INDONESIA OF 2022 NUMBER
1003

Jakarta, 15 December 2023
Has been translated as an Official Translation
on behalf of Minister of Law and Human Rights
of the Republic of Indonesia
DIRECTOR GENERAL OF LEGISLATION,



ANNEX
REGULATION OF THE
OMBUDSMAN OF THE REPUBLIC
OF INDONESIA NUMBER 55 OF
2022 ON COOPERATION
GUIDELINES WITHIN THE
OMBUDSMAN OF THE REPUBLIC
OF INDONESIA



COOPERATION PROPOSAL FORM

Filing Date : _____

Work Unit/Representative of the Proposer : _____

Ombudsman in Charge 1 : _____

Ombudsman in Charge 2 : _____

Related Ombudsman in Charge : _____

OVERVIEW OF PROPOSED COOPERATION

Types of Cooperation : () Domestic Cooperation () Foreign Cooperation

Forms of Cooperation : () Preliminary Cooperation/ () Technical Cooperation/ Memorandum of Understanding

Cooperation Agreement

Cooperation Partners : _____

Scope of Cooperation : _____

Benefits of Cooperation : _____



CONTACT PERSON/PIC

COOPERATION PARTNERS

Name :
 Position :
 Phone Number :
 E-mail :

WORK UNIT/REPRESENTATIVE OF THE PROPOSER

Name :
 Position :
 Phone Number :
 E-mail :

FOLLOW-UP

Plenary Agreement : Approved/Disapproved*)
 Plenary notes :

Jakarta,2022
 Known by,

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A. COOPERATION EVALUATION WORKING PAPER

1. FOR PARTNERS

**QUESTIONNAIRE ON MONITORING AND EVALUATION OF THE
IMPLEMENTATION OF COOPERATION BETWEEN THE
OMBUDSMAN OF THE REPUBLIC OF INDONESIA AND
DOMESTIC COOPERATION PARTNERS**

This questionnaire is submitted in order to determine the quality/quantity of the implementation of cooperation carried out by the Work Unit/Ombudsman Representative Office of the Republic of Indonesia

A. Identity of Respondent

Name :
Position :
Institution :
E-mail :
Phone Number :

B. This questionnaire is submitted in order to determine the quality/quantity of the implementation of cooperation carried out by the Work Unit/Ombudsman Representative Office of the Republic of Indonesia. The assessment is carried out based on parameters:

1. Strongly Disagree
2. Disagree
3. Neutral
4. Agree
5. Strongly Agree

Please put a sign (√) to the most appropriate answer according to you:

No.	INDICATOR	ASSESSMENT				
		1	2	3	4	5
1.	Ease to communicate with the Ombudsman cooperation Units					
2.	The implementation of activities of understand and respond to the implementation of cooperation					
3.	Human Resources involved in the implementation of cooperation in accordance with their competence					
4.	The implementation of cooperation achieves the set goals					
5.	The cooperation implemented with the Ombudsman has benefits					

Thank you for your contribution in filling out the questionnaire.

2. For Work Units within the Ombudsman

QUESTIONNAIRE ON MONITORING AND EVALUATION OF THE IMPLEMENTATION OF COOPERATION BETWEEN THE OMBUDSMAN OF THE REPUBLIC OF INDONESIA AND DOMESTIC COOPERATION PARTNERS

This questionnaire is submitted in order to determine the quality/quantity of the implementation of cooperation carried out by the Work Unit/Ombudsman Representative Office of the Republic of Indonesia

A. Identity of Respondent

Name :
Position :
Work Unit/Representative :
E-mail :
Phone Number :

B. This questionnaire is submitted in order to determine the quality/quantity of the implementation of cooperation carried out by the Work Unit/Ombudsman Representative Office of the Republic of Indonesia. The assessment is carried out based on parameters:

1. Strongly Disagree
2. Disagree
3. Neutral
4. Agree
5. Strongly Agree

Please put a sign (√) to the most appropriate answer according to you:

No.	INDICATOR	ASSESSMENT				
		1	2	3	4	5
1.	Ease to communicate with the cooperation Units of the Partners					
2.	The implementor of activities of the Partners understand and give respond to the implementation of cooperation					
3.	Human Resources involved in the implementation of cooperation in accordance with their competence					
4.	The implementation of cooperation achieves the set goals					
5.	The cooperation implemented with the Partners has benefits					

Thank you for your contribution in filling out the questionnaire.

CHAIRPERSON OF THE OMBUDSMAN OF THE REPUBLIC OF INDONESIA,

Signed

MOKHAMMAD NAJIH