

Legal Aid and Pro Bono Reveal Differences in the Implementation of Indonesian Law

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ABSTRACT

This study aims to examine the fundamental differences between legal aid and pro bono in the Indonesian legal system and identify challenges that hinder their effective implementation. Using normative legal research methods with a statutory and comparative approach, data are analyzed from various legal documents, scientific literature, and relevant regulations. The results show that legal aid, which is funded by the state and strictly regulated, differs fundamentally from pro bono, which is voluntary and funded by lawyers or law firms. These differences include funding sources, regulatory basis, and service scope. This study also uncovers challenges such as unequal distribution of services, limited resources, and role ambiguity among legal aid providers. The novelty of this study lies in emphasizing the urgency of establishing clear regulations and systematic role allocation to expand access to justice, particularly for vulnerable groups. These findings are recommended as a basis for consideration in legal aid policy reform in Indonesia.

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INTRODUCTION

Legal aid is a crucial element in upholding justice and protecting human rights. It plays a crucial role in ensuring access to justice for the public, especially the less fortunate. Immanuel Kant once said, "Justice must be upheld though the heavens fall (Nurmansyah et al., 2023)." This statement underscores the urgency and importance of legal aid in the Indonesian legal system. The right to legal aid is a constitutional right for every citizen. The principle of "justice for all" is echoed in Article 28D paragraph 1 of the 1945 Constitution, affirming the people's right to legal aid as a gateway to justice. Based on this principle, it is emphasized that legal aid reaches all people without exception, no longer just for a select few, but is a fundamental right for all humanity.

In Indonesia, legal aid can be divided into two main categories: legal aid and pro bono. Legal aid is legal services provided by the government or non-governmental organizations funded by the state or donors, focusing on urgent criminal, civil, and human rights cases. Conversely, pro bono is voluntary legal services provided by advocates or law firms free of charge, based on an ethical and professional commitment to supporting access to justice for all levels of society. While both share the same goal of providing legal aid, there are fundamental differences in their concepts, purposes, and implementation mechanisms. Understanding these differences is even more crucial given the widespread misunderstanding among the public and legal practitioners regarding the two terms.

Misunderstandings between legal aid and pro bono often stem from the common perception that both services are free forms of legal assistance. Many people assume the terms can be used interchangeably without realizing the fundamental differences in structure, funding sources, and service delivery. As a result, people in need of legal assistance may be unsure where to turn for assistance tailored to their needs. For example, those who qualify for legal aid may instead seek pro bono lawyers, whose availability is more limited. A clear understanding of the differences between legal aid and pro bono is crucial to ensuring that appropriate legal assistance is accessible to those in need.

In line with this, the results of MaPPI's (2019) research indicate an overlap in the understanding and implementation of legal aid and pro bono. Many respondents, who are advocates, were unable to differentiate between the legal basis and the technical procedures for implementing legal aid and pro bono. On the one hand, this is understandable given the similarity in the definitions in each law. The regulated definitions are still unclear, with the definitions of the subject, the act, and the recipient in the Legal Aid Law and the Advocates Law, as well as related government regulations, tending to be similar. As a result, many advocates equate legal aid with pro bono (Prawira, 2024).

Several previous studies have highlighted the importance of legal aid in various aspects. For example, a study by Prawira (2024) discussed the legal challenges of pro bono practice by advocates. Another study by Fauzi & Ningtyas (2018) examined the optimization of legal aid provision to ensure access to law and justice for the poor. Furthermore, a study by Achmad (2015) emphasized the crucial role of law students in implementing legal aid. While many previous studies have discussed legal aid and pro bono separately, studies that specifically examine the differences and implications of both within the Indonesian legal system remain very limited.

This study aims to fill this gap in the literature by offering a novelty through a comparative approach. This approach aims to outline the differences between legal aid and pro bono and identify the legal challenges in their implementation in Indonesia. This comparative approach aims not only to gain a deeper understanding of both concepts but also to explore how the differences between legal aid and pro bono may impact access to justice in Indonesia.

This research has several limitations to consider. First, this study is normative and library-based, meaning the data used comes from secondary sources such as laws and regulations, scientific journals, and legal literature. This limitation directs the research to theoretical aspects and does not involve empirical data. Second, the analysis is limited to the legal context in Indonesia without comparing it with practices in other countries. This limitation may reduce the generalizability of the research findings, but it still provides a sharper focus on the issues raised.

The primary objective of this research is to explain the differences between legal aid and pro bono in the Indonesian legal system and to identify and analyze the legal challenges and obstacles in implementing both forms of legal aid. By achieving these objectives, it is hoped that this research will help improve existing regulations and encourage the creation of a fairer and more effective legal aid system.

METHOD

This study uses a normative legal research method that prioritizes a descriptive statutory and comparative approach to obtain a comprehensive, detailed, and accurate picture of the research object. This approach was chosen because it allows for in-depth exploration and analysis of relevant legal regulations, as well as to compare existing regulations with the aim of identifying gaps, advantages, or shortcomings in their implementation, particularly regarding legal aid. Data were collected through a literature review that included books, journals, reports, laws and regulations, and digital sources from the internet.

The data collected included legislative documents such as Laws, Government Regulations, Supreme Court Circulars, the Advocate Code of Ethics, Advocate Organization Regulations regarding free legal aid, as well as reports from Advocate Organizations and Legal Aid Centers. The data analysis technique used was descriptive qualitative analysis. The data obtained were systematically described, identified, and interpreted to find patterns and relationships relevant to the research objectives, as well as to evaluate existing regulations in the context of legal aid in Indonesia.

RESULTS AND DISCUSSION

The Difference Between Legal Aid and Pro Bono in the Indonesian Legal System

The concept of legal aid in Indonesia differs significantly from that in several other countries, particularly in the distinction between legal aid and pro bono. While in some countries, the distinction is not clearly defined, in Indonesia, it is clearly defined both in law and in practice. Understanding this distinction is crucial not only for legal practitioners but also for the general public to ensure effective access to justice for those in need.

Legal aid is a legal service provided to individuals or groups who are financially unable to access the courts or other legal services. It is regulated by Law No. 16 of 2011 concerning Legal Aid and funded through the state budget. The term "legal aid" comes from English, meaning "legal assistance." Legal aid itself means free or inexpensive legal services provided to those who cannot afford to pay the full price. It aims to ensure that the basic legal rights of the poor are protected and enforced fairly (Suhayati, 2016).

On the other hand, pro bono, or free legal aid, is work completed by an advocate without asking for payment, or in other words, done free of charge (Dictionary, 2024). Meanwhile, if referring to the KBBI (Big Indonesian Dictionary), pro bono is legal aid provided free of charge to someone involved in a legal case, but the person cannot afford the services of an advocate themselves (D. P. Nasional, 2008). The term pro bono comes from Latin, meaning "for the public interest," regulated by Law Number 18 of 2003 concerning Advocates, aims to increase access to justice and help the less fortunate.

The importance of distinguishing between legal aid and pro bono is evident in the funding and implementation of both types of legal aid. Funding for state-funded legal aid is a key element in ensuring access to justice for the financially disadvantaged. Funds for legal aid generally come from the State Budget (APBN) and Regional Budgets (APBD), and can be supplemented by other funding sources, such as grants, assistance from international organizations, public donations, or other

legitimate and non-binding contributions. The Ministry of Law and Human Rights (Kemenkumham), through the National Legal Development Agency (BPHN), manages these funds and distributes them to accredited Legal Aid Institutions (LBH). These funds are used for various needs, including honoraria for advocates handling cases of legal aid recipients, LBH operational costs, such as administration, provision of facilities and infrastructure, and financing for advocacy activities, legal counseling, and other legal assistance.

Pro bono, on the other hand, does not receive funding from the state budget. This service is entirely voluntary and funded by advocates or law firms willing to provide their time and expertise free of charge to clients in need. Pro bono services can be implemented through individual advocate initiatives or through pro bono programs organized by professional advocate organizations. The focus can vary greatly, depending on the needs of the cases at hand, including cases that require expedited and specific handling outside of formal court proceedings. It should be noted that legal assistance provided by advocates through LBH (Legal Legal Aid Institute), accredited community organizations, or Posbakum (State Legal Aid Post) is not considered pro bono, nor is it considered pro bono for advocates who provide legal assistance funded by CSR (Corporate Social Responsibility).

Legal aid and pro bono both offer free or no-cost legal services, but they differ in the definition of "free" or "free of charge." While legal aid services are provided free of charge, recipients are often expected to cover some operational costs, such as administrative fees, document copying, and transportation. This means that even if the primary legal service is free, there are additional costs that recipients must cover.

In contrast, in pro bono services, the term "free" truly means completely free, with no costs charged to the legal aid recipient. When providing pro bono services, the advocate in question is expected to cover these other costs. In fact, Peradi Regulation No. 1 of 2010 expressly prohibits advocates providing pro bono services from accepting funds for any purpose from indigent justice seekers. Therefore, all costs, both legal and operational, are borne by the advocate or law firm providing the pro bono services.

The scope of services is also a crucial difference between legal aid and pro bono. Legal aid is designed to meet the legal needs of individuals or groups who are financially disadvantaged. The scope of legal aid services is generally limited to certain types of cases, provided that the legal aid recipient meets the legally established criteria for financial incapacity. The process of applying for legal aid through legal aid involves strict administrative procedures, including verification of the recipient's financial status and approval by an authorized Legal Aid Institution. This means that legal aid recipients must provide proof of financial incapacity, such as payslips, tax returns, or other proof of income, to ensure they are eligible for these services.

In contrast, pro bono offers a more flexible range of services. These services are not limited to poor individuals or groups, but can also include those facing special or marginalized situations, such as women, children, migrant workers, asylum seekers, indigenous peoples, victims of serious human rights violations, people with special needs, and minority communities (e.g., due to their religious beliefs, ethnicity/race, or sexual orientation). In other words, pro bono services can be provided to people who are socio-politically disadvantaged. There are no strict administrative requirements like those for legal aid, as these services are more

determined by the voluntary commitment of lawyers or law firms to provide access to justice for vulnerable or underserved groups. The pro bono application process is often done through personal recommendations or networks, with direct approval from advocates or law firms willing to take on the case.

Pro bono is more dynamic and flexible than legal aid. Advocates or law firms offering pro bono services can tailor their legal assistance to the needs of their clients and the broader community, without having to adhere to restrictions imposed by the state or legal aid organizations. In contrast, legal aid has specific budgetary and policy constraints that must be adhered to, which can limit the type and amount of services that can be provided.

In terms of the types of cases handled, legal aid typically focuses on cases related to individuals' fundamental rights, such as criminal, civil, and administrative cases. These cases involve situations that directly impact the recipients' daily lives, such as defense in criminal cases, land disputes, divorces, domestic violence, or employment cases involving workers' rights. The primary goal of handling these cases is to protect the fundamental rights of poor individuals who lack the financial means to independently afford legal services. Therefore, legal aid focuses on cases with significant legal implications and often involve urgent interests or the need for prompt and effective legal protection.

In contrast, pro bono services provided by lawyers or law firms on a voluntary basis can cover a wide range of cases that legal aid might not be able to address. This includes broader issues, such as environmental issues, human rights, minority rights, public policy, and legal reform. Pro bono services often focus on cases requiring specialized advocacy or extra attention that might not receive the full support of state-funded legal aid. For example, pro bono lawyers might represent communities impacted by industrial pollution, defend minority groups facing discrimination, or advocate for the rights of migrant workers. Thus, while legal aid tends to operate within a strict regulatory framework and is limited to specific cases governed by law, pro bono offers greater flexibility in addressing a wide range of legal issues requiring support and advocacy, including those with the potential to change public policy or strengthen the rights of vulnerable and often overlooked communities.

In terms of accountability and transparency, government-funded legal aid institutions have strict obligations to ensure that allocated public funds are used appropriately and effectively in accordance with the legal aid's stated objectives. Legal Aid Institutions (LBH) receiving these funds must prepare financial and operational reports that are regularly audited by independent auditors or state oversight bodies, such as the Supreme Audit Agency (BPK), to ensure that the use of funds complies with applicable regulations and achieves established targets. This oversight mechanism includes monitoring various aspects, from the implementation of legal aid programs to compliance with established standards and procedures, to ensure accountability in the use of public funds. Furthermore, LBHs are also required to report on achievements and obstacles encountered in implementing legal aid to the Ministry of Law and Human Rights (Kemenkumham) as part of an ongoing evaluation process.

On the other hand, pro bono programs, while also involving internal reporting of legal aid activities, have no formal obligation to report their activities to the government. The level of transparency in pro bono programs depends largely on the internal policies of the law firm or attorney involved. Law firms operating pro bono

programs may publish annual reports or other documents detailing their activities for reputational purposes or to garner support from the public and clients, but there is no legal requirement for this external reporting. Thus, while legal aid is subject to strict and transparent public oversight mechanisms, pro bono programs are more flexible and dependent on the internal initiatives and policies of the legal service provider.

The clear distinction between legal aid and pro bono can be identified through the regulations governing them. Legal aid in Indonesia is strictly regulated by various laws and regulations that affirm the state's responsibility to provide legal assistance to the underprivileged. These include Law No. 16 of 2011 concerning Legal Aid, which establishes the right of underprivileged citizens to legal aid, and Law No. 48 of 2009 concerning Judicial Power, which ensures access to justice for all citizens. Furthermore, there is Government Regulation No. 42 of 2013 concerning the Requirements and Procedures for Providing Legal Aid and Distributing Legal Aid Funds, which regulates the mechanism for distributing legal aid funds from the government to legal aid institutions. The standards for legal aid services are stipulated in Ministerial Regulation Number 4 of 2021, and the guidelines for the provision of legal aid by the courts are stipulated in Supreme Court Circular Letter Number 10 of 2010. Verification and accreditation of legal aid institutions are stipulated in Ministerial Regulation Number 3 of 2013, while the amount of honorarium and operational costs for providing legal aid are stipulated in Ministerial Decree of Law and Human Rights Number M.HH-01.HN.03.03 of 2021.

On the other hand, pro bono legal aid places greater emphasis on the moral and ethical responsibility of advocates to provide legal aid free of charge. Pro bono is governed by several different regulations. These include Law Number 18 of 2003 concerning Advocates, which stipulates the obligation of advocates to provide free legal aid to those who cannot afford it.

Government Regulation of the Republic of Indonesia Number 83 of 2008 regulates the requirements and procedures for providing free legal aid, while Regulation of the Indonesian Advocates Association Number 1 of 2010 provides technical guidance for advocates in carrying out their pro bono obligations. Thus, through these regulatory differences, it is clear that legal aid places more emphasis on the role of the state through the procedures and funds provided, while pro bono focuses more on the individual initiative of advocates in carrying out their moral and ethical responsibilities.



Figure 1. Regulations Regarding Legal Aid and Pro Bono in Indonesia

The difference between legal aid and pro bono can also be seen in Constitutional Court Decision Number 88/PUU-X/2012. In this decision, the Constitutional Court explained that legal aid or legal assistance regulated in Law Number 16 of 2011 is different from free legal aid or pro bono regulated in Law Number 18 of 2003. Although different, these two types of legal aid complement each other to meet the diverse legal needs in society. A good understanding of the differences and characteristics of each is crucial to ensure that these two concepts can be utilized effectively by the public and legal practitioners to support fair and equitable law enforcement for all.

Challenges in Implementing Legal Aid and Pro Bono in Indonesia

Through legal aid and pro bono legal assistance, efforts to provide legal aid services to the less fortunate are realized. While both mechanisms have the noble goal of ensuring that justice is accessible to all, their implementation on the ground faces various complex challenges. The following describes the various challenges

faced in implementing legal aid and pro bono legal assistance in Indonesia, and how these challenges impact the effectiveness of legal aid provision for the community:

1. Uneven Distribution of Services

According to research conducted by the Indonesian Judicial Research Society (IJRS), 52% of Indonesians are unaware of the existence of legal aid provided by the government. This indicates a significant information gap regarding legal aid programs. Yet, as of 2022, the Ministry of Law and Human Rights had accredited and registered 619 legal aid providers, including Legal Aid Institutions (LBH) and community organizations (B. P. H. Nasional & RI, 2020).

By 2024, every province in Indonesia will have a Legal Aid Organization (OBH), better known as a Legal Aid Institute (LBH), registered with the Ministry of Law and Human Rights. However, the distribution of OBHs across provinces remains uneven. Some regions in Indonesia have significantly more OBHs than others. This disparity results in unequal access to legal aid, with regions with a higher concentration of OBHs tending to have easier and faster access to legal aid services, while regions with fewer OBHs struggle to obtain adequate legal assistance.

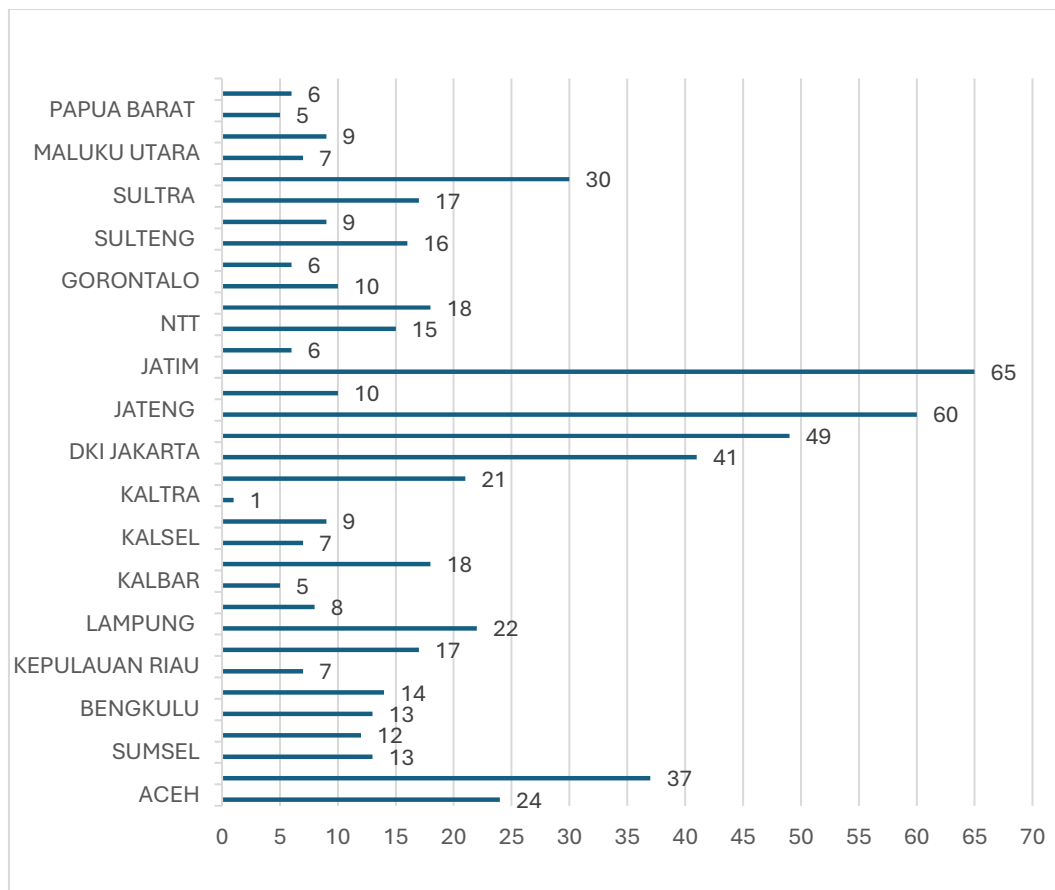


Figure 2. Distribution of Accredited OBH 2024

The uneven distribution of legal aid providers in Indonesia is a significant issue impacting access to justice. Although there are over 600 registered legal aid

organizations (OBH) across Indonesia, their distribution tends to be concentrated on the island of Java. Regions such as East Java, Central Java, and Jakarta have a high concentration of OBHs, while areas outside Java, such as North Kalimantan, West Kalimantan, and West Papua, experience limited access to legal aid services. Factors contributing to this inequality include limited resources in remote areas, a lack of public awareness of legal rights, and variations in government support and regulations.

2. Limited Funds and Resources

Research conducted by (Ichsan et al., 2022; Rezeki & NPM, n.d.) consistently shows that one of the main factors hindering the implementation of legal aid in Indonesia is limited funding. Rezeki & NPM (2017) highlighted limited funding as a major obstacle to the implementation of legal aid. His research emphasized that in addition to insufficient funding, the lack of infrastructure and human resource support in various legal aid organizations (OBH) also hampers the effectiveness of legal aid programs. Iftri noted that many OBHs must incur operational costs not covered by government legal aid funds, such as down payments, court fees, and post-mortem examination fees in cases of violence.

Nursyamsi Ichsan et al. (2022) revealed in his research that the small budget allocated for each case is a significant obstacle to providing adequate legal aid services. This limited budget prevents many Legal Aid Organizations (OBH) from performing their functions optimally, particularly in handling complex cases that require high costs for case management, communication, and legal documentation.

Furthermore, research by R.W. Bintoro (2024) confirms that the uneven geographical distribution of legal aid funds exacerbates this problem. Bintoro shows that areas with lower concentrations of legal aid workers often receive insufficient funding, making it difficult for many poor people in these areas to obtain adequate access to justice. Furthermore, bureaucratic funding distribution mechanisms and complex procedures further slow down the legal aid process.

In 2020, the government allocated Rp 53,679,900,000 (approximately US\$3,000) for legal aid for the poor through the state budget. This allocation was channeled through accredited Legal Aid Organizations (OBH), with the aim of assisting the poor facing legal challenges. The distribution covered all regions of Indonesia, although the distribution was not entirely equitable geographically. However, the available funds were still considered inadequate, resulting in many poor individuals experiencing difficulties in obtaining justice.

The allocated budget is considered inadequate to reflect the reality on the ground. Case handling is insufficient to meet actual needs. Operational costs incurred by OBHs, such as advance fees, document scanning fees, and communication costs with relevant parties, have not been fully covered. In light of this, the government, through the Ministry of Law and Human Rights (Kemenkumham), plans to increase the budget for legal aid programs from Rp 56.3 billion to Rp 59 billion by 2025.

Limited funding and resources are also major obstacles to the implementation of pro bono legal aid in Indonesia. Although the pro bono principle refers to legal services provided voluntarily and without charge, its implementation still requires adequate financial support and resources. Advocates still need

resources to run their offices and meet their personal needs. Without incentives, advocates may prefer commercially profitable cases over pro bono work.

Currently, there is no official data on the exact number of advocates practicing pro bono in Indonesia. However, so far, only around 60 law firms have participated and demonstrated their dedication to pro bono practice in the 2023 Indonesia Pro Bono Awards. This event recognizes advocates and law firms dedicated to providing free legal services to the underprivileged.

3. Overlapping Roles

Legal aid in Indonesia remains hampered by limited personnel and resources for advocates. Advocates struggle to make significant contributions to pro bono work. Furthermore, conflicting interests between the state and society in protecting and defending the poor also present challenges in implementing legal aid. Recently, a new phenomenon has emerged that exacerbates this situation: advocate organizations are establishing legal aid organizations, ultimately funding their pro bono work through legal aid programs. This, rather than expanding access to legal aid, actually narrows it due to overlapping roles (Reksodiputro, 2007).

One of the reasons for the overlapping roles between legal aid and pro bono services provided by advocates is because the Advocates Law also regulates legal aid as a free legal service provided by advocates to clients who cannot afford it (Article 1 number 9 of the Advocates Law). Article 22 paragraph (1) of the Advocates Law explicitly states that advocates are obliged to provide free legal aid to justice seekers. However, providing free legal aid is not the main duty of advocates because Article 21 of the Advocates Law gives advocates the right to receive an honorarium for legal services provided to their clients based on mutual agreement. However, when providing pro bono services or free legal aid, advocates must treat clients the same as they would in paid services. In practice, to fulfill the obligation to provide free legal aid, advocates use personal funds (Rozi, 2017).

In fact, the Legal Aid Law, specifically the explanation of Article 6 Paragraph (2), states that "This provision does not reduce the obligation of the legal profession to provide legal aid in accordance with the Advocates Law." "This provision" refers to the provision of legal aid. Thus, the Legal Aid Law has anticipated the possibility of manipulation in handling pro bono cases to become legal aid.

Article 15 of Government Regulation No. 83 of 2008 recommends that advocate organizations develop legal aid programs and establish work units specifically focused on pro bono legal aid (Suhayati, 2016). However, over time, these special units, which should serve as a forum and facilitate advocates in providing pro bono legal aid, have instead become providers of legal aid.

4. Ambiguity of Concepts and Definitions

The term 'free legal aid' or pro bono is stated in the Advocates Law. Article 22 paragraph (1) of the Advocates Law stipulates that advocates are required to provide free legal aid to justice seekers who cannot afford it. Instead of defining 'free legal aid', the Advocates Law provides a definition for the term 'legal aid', namely: "legal services provided by advocates free of charge to clients who cannot afford it". The understanding or definition of the term 'free legal aid' is only regulated in Government Regulation Number 83 of 2008

concerning the Requirements and Procedures for Providing Free Legal Aid, which states that free legal aid or pro bono is a legal service provided by advocates without receiving an honorarium payment, including providing legal consultations, exercising power of attorney, representing, accompanying, defending, and carrying out other legal actions for the benefit of justice seekers who cannot afford it. As an implementing regulation of Government Regulation Number 83 of 2008, PERADI Regulation Number 1 of 2010 also provides the same definition for the term "free legal aid." Because it contains the words "legal aid," the term "free legal aid" is often understood as "legal assistance."

The concepts of legal aid and pro bono are often unclear among various parties. Legal aid is strictly regulated by law, which sets specific criteria related to the financial inability of the recipient. In contrast, pro bono is voluntary and lacks specific regulations. This lack of clarity in the definition and scope of these two concepts leads to misunderstandings about who is eligible to receive legal aid and how the mechanism for providing such assistance should operate. This highlights the need for a deeper understanding and effective outreach regarding these two concepts to better enable the public to access legal aid.

During the implementation phase, the Legal Aid Law, which regulates legal aid, also faces various challenges. A lack of a unified understanding of the substantive aspects of legal aid among law enforcement officials is a significant obstacle. Furthermore, administrative and procedural issues in implementing legal aid also hamper the program's effectiveness. These factors are often due to inadequate outreach and to the maintenance of technical arrangements that vary across regions. More systematic efforts are needed to improve the understanding and implementation of legal aid, including training for law enforcement officials and the development of clear guidelines to facilitate public access to legal aid.

The fundamental differences between legal aid and pro bono in the Indonesian legal system lie in funding sources, regulations, and scope of services. Legal aid is funded by the state budget and strictly regulated by laws, such as Law No. 16 of 2011 concerning Legal Aid, as well as Government Regulations and other related regulations. This aims to ensure legal access for the poor, with additional costs that recipients may have to bear. In contrast, pro bono is a legal service provided voluntarily by an advocate at no cost, with funding and operational costs borne by the advocate or law firm itself. Pro bono is regulated by Law No. 18 of 2003 concerning Advocates and the Regulations of the Indonesian Advocates Association. Legal aid has a more limited reach and strict administrative procedures, while pro bono offers flexibility and a broader scope of services, including special or marginal cases.

The main challenges in implementing legal aid and pro bono in Indonesia include the uneven distribution of services, limited funding and resources, and the confusing overlapping roles between the two. Legal aid faces information gaps and uneven funding allocation, while pro bono faces challenges in operational support and coordination among advocates. Unclear concepts and definitions further exacerbate the situation, leading to misunderstandings in the application and utilization of these two types of legal aid.

CONCLUSION

Based on the discussion, it can be concluded that advocacy and legal assistance for child victims of sexual violence are essential components of efforts to fulfill victims' rights and provide legal protection for children. Advocacy and legal assistance are not limited to assistance during the criminal justice process but also encompass protection of the victim's identity, psychological support, trauma recovery, and the comprehensive fulfillment of children's rights in accordance with applicable laws and regulations.

The role of law enforcement officials, legal aid institutions, and child protection agencies is crucial in ensuring that the rights of child victims are effectively and fairly fulfilled. Synergy between these institutions is necessary so that the case handling process focuses not only on imposing sanctions on perpetrators, but also on protecting, restoring, and rehabilitating victims.

The role of advocacy institutions in providing legal protection for children as victims of sexual violence is provided in the form of assistance, monitoring and advocacy up to the final level. Many obstacles faced by advocacy institutions in providing protection for children who are victims of sexual violence, including the slowness of complaints and reports made to legal protection institutions or advocacy institutions, so that often the provision of protection is carried out after the child has experienced severe trauma. Obstacles due to funds, where this is due to the economic conditions of the client or the victim who is unable to cause the advocate handling the case to be willing to not receive service/transport fees from the client, even he must be willing to also spend his own money to finance the case.

However, advocacy and legal assistance for child victims of sexual violence still face various obstacles, such as limited resources, lack of coordination between institutions, and low public awareness of the importance of protecting child victims. Therefore, strengthening the child protection system is necessary by increasing the capacity of relevant institutions, optimizing inter-institutional coordination, and strengthening policies and programs that prioritize the best interests of children.

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