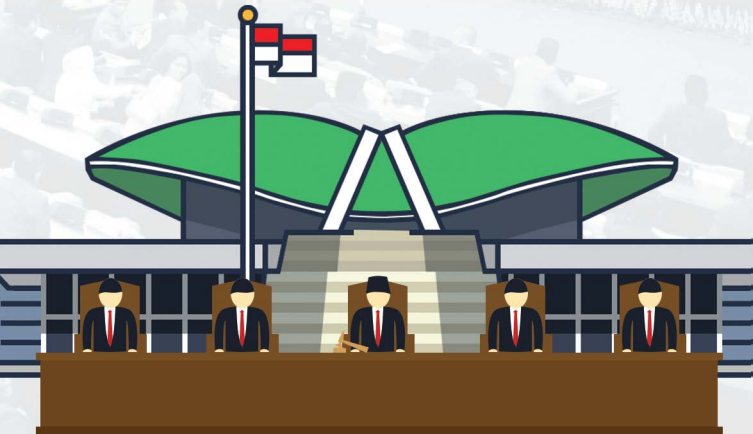




**ETHICS COUNCIL
HOUSE OF REPRESENTATIVES
REPUBLIC OF INDONESIA**

CODE OF CONDUCT ENFORCEMENT SYSTEM OF THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA





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**SECRETARIAT GENERAL
HOUSE OF REPRESENTATIVES REPUBLIC OF INDONESIA
2021**



LEADERS OF THE ETHICS COUNCIL OF THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA (DPR RI) PERIOD OF 2019 - 2024



CHAIRPERSON

HABIB ABOE BAKAR AL HABSYI, S.E.

FACTION: F.PKS • MEMBER: A-454 • ELECTORAL AREA: Kalsel I • COMMISSION: III



**VICE
CHAIRPERSON**

**TRIMEDYA
PANJAITAN**

FACTION	F.PDIP
MEMBER	A-140
ELECTORAL	North
AREA	Sumatera II
COMMISSION	III



**VICE
CHAIRPERSON**

**H. ANDI RIO
IDRIS
PADJALANGI**

FACTION	F. Golkar
MEMBER	A-342
ELECTORAL	South
AREA	Sulawesi II
COMMISSION	III



**VICE
CHAIRPERSON**

HABIBUROKHMAN

FACTION	F. Gerindra
MEMBER	A-77
ELECTORAL	Jakarta I
AREA	
COMMISSION	III



**VICE
CHAIRPERSON**

**H. NAZARUDDIN
DEK GAM**

FACTION	F. PAN
MEMBER	A-478
ELECTORAL	Aceh I
AREA	
COMMISSION	III



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2.	A-148	YULIAN GUNHAR, S.H., M.H.	Sumsel II	VII
3.	A-142	Dr. JUNIMART GIRSANG, S.H., M.B.A., M.H.	Sumut III	II
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NO	NO. ANGT	FRAKSI PARTAI GERINDRA	DAPIL	KOMISI
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2.	A-567	BAMBANG PURWANTO, S.S.T., MH	KALTENG	IV
NO	NO. ANGT	FRAKSI PPP	DAPIL	KOMISI
1.	A-464	KH. ASEP AHMAD MAOSHUL AFFANDY, M.Pd.I	JABAR X	IV



SECRETARIAT STAFF OF DPR RI ETHICS COUNCIL 2019 - 2024

NO	NAME	POSITION
1. 2. 3. 4. 5. 6. 7. 8. 9. 10.	CHRYSANTHI PERMATASARI, S.H. NELLY ANDALIA, S.E. LILIS SURYANI, S.E. AHMAD GOFAR, S.H. SONDANG SINAGA, S. Kom. MUSLIM, S.Sos MUJIONO SUNOTO FERGYAWAN JOVIANSYAH, S.H. MOH. PRAYOGO UTOMO, S.IP.	Ethics Council Secretariat
11. 12. 13. 14. 15. 16. 17. 18. 19. 20.	RINA DWI ANDINI, S.H., M.H. Dr. M. ADLAN NAWAWI, M. Hum. ZULFIKAR, S.Sos., M.Si NIKOSA YAMIN BACHTIAR S.H., M.H. M. MUKHLISH NASRULLOH, S.Pdi., M.Pd. QOSDUS SABIL, S.P. M.Si. FITRAH BUKHARI, S.H., M.H. BENNERI, S.T., M.B.A. Dr. ERNA RATNANINGSIH, S.H., LL.M WINDHI NOTILIKA, M.Si.	Ethics Council Expert Staff



HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA

The House of Representatives of the Republic of Indonesia (DPR-RI), generally referred to as the House of Representatives (**DPR**) is one of the high state institutions in Indonesia's state system that plays the role of people's representative body. DPR consists of members of political parties elected through the general election.

I **Functions**

DPR has the functions of legislation, budgetary, and oversight under the framework of people representation.

Legislation

Legislation Function is performed to formulate laws with only the president.

Budgetary

Budgetary function is performed to discuss and approve or disapprove the bill on State Income and Expenditure Budget (APBN) proposed by the President.



Oversight

The oversight function is performed through overseeing the implementation of laws and APBN

II Right

DPR has several rights: right of interpellation, right of inquiry, right of immunity, and right of expression.

Right of interpellation

The interpellation right is the right of DPR to ask for information to the Government on important and strategic government policies as well as policies that affect the life of the people, nation, and state.

Right of inquiry

Right of inquiry is the right of DPR to explain the implementation of a law and/or policy of the Government that relate to the important and strategic issues as well as issues that have broad impacts on the life of society, nation, and state that allegedly contrary to the rule of law

Right of immunity

Right of immunity is the legal immunity where each Member of DPR cannot be prosecuted in court



or outside court for statements, questions/ opinions expressed verbally or in writing during Parliament meetings as long as it is not contrary to the Rules of Procedure and Code of Conduct.

Right of expression

The right of expression is the right of the DPR to express an opinion on:

- Government policies or extraordinary events that occur in the homeland or in the world
- Follow up on the implementation of the right of interpellation and the right of inquiry
- Allegations that the President and/or Vice President have violated the law in the form of treason against the state, corruption, bribery, other serious crimes, or engaged in disgraceful acts, and/or the President and/or Vice President no longer meet the requirements as President and/or Vice President.

III Members

Member Rights

Members of the DPR have the right of:

- proposing bills
- asking questions



- submitting proposals and opinions
- voting and being elected
- self defense
- immunity
- protocol
- finance and administration

Member Obligations

Members of the DPR have the following obligations:

- firmly hold and practice Pancasila
- implement the 1945 Constitution of the Republic of Indonesia and comply with laws and regulations
- retain and maintain the harmony and integrity of the Unitary State of the Republic of Indonesia
- prioritize the interests of the state above personal, group, and party interests,
- fight for improved welfare of the people,
- obey principle of democracy in the administration of state government,
- obey the rules and code of conduct,
- maintain ethics and norms in working relationships with other institutions,
- absorb and collect the aspirations of the



constituents through regular working visits to accommodate and follow the aspirations and complaints from the public,

- accommodate and follow up public complaint and aspiration,
- morally and politically accountable to the constituents in his/her electoral area.

IV FACTION

To optimize the implementation of the functions, duties and authorities of the DPR, as well as the rights and obligations of Members of the DPR, factions are formed as a forum for DPR Members to gather. In optimizing the implementation of the DPR functions, duties, and authorities as well as to exercise the rights and obligations of DPR Members, factions evaluate the performance of Members of the faction and report it to the public. Each Member of the DPR must be a member of one of the factions. Factions can be formed by political parties that meet the threshold of vote requirements for acquiring seats in DPR. Faction has a secretariat. The Secretariat General of DPR provides the means, budget, and personnel experts for the smooth implementation of the tasks of the factions.



Faction	Number of Members
PDIP Party Faction (F-PDIP)	128
Golkar Party Faction (F-PG)	85
Gerindra Party Faction (F-Gerindra)	78
NasDem Party Faction (F-NasDem)	59
PKB Party Faction (F-PKB)	58
Demokrat Party Faction (F-PD)	54
PKS Party Faction (F-PKS)	50
PAN Party Faction (F-PAN)	44
PPP Party Faction (F-PPP)	19



V Parliamentary Committees

The parliamentary committees of the DPR are: Leaders, Steering Committee, Commissions, Legislation Committee, Budget Committee, Committee for Inter-Parliamentary Cooperation, Ethics Council, Household Committee, Special Committees, and other parliamentary committees needed and established through the plenary session. In doing their duties, these parliamentary committees are supported by supporting units whose tasks are regulated in DPR regulation on rules of procedure.[6]

1. Leaders of DPR

The leaders of DPR consists of 1 (one) speaker and 4 (four) Vice Speakers from the political parties based on the highest number of acquired seats in the DPR. The Speaker of DPR is a DPR Member that comes from the political party with the highest number of acquired seats in DPR. Deputy Speakers of DPR are Members of DPR that come from the political parties that obtain the second, third, fourth, and fifth highest number of acquired seats. If there is more that 1 (one) party with the highest number of



acquired seats, the speaker and vice speakers are defined based on the rank of the highest number of votes in the general election. In the case where there is more than 1 (one) political party that obtains the same number of votes, the speaker and vice speakers are defined based on vote distribution.

2. Steering Committee

Steering Committee (Badan Musyawarah/ Bamus) is formed by DPR and is a permanent committee of DPR. DPR determines the composition and membership of the Steering Committee at the beginning of the DPR membership period and the beginning of the session year. The number of Steering Committee members should not more than 1/10 (one tenth) of the total number of Member of DPR based on the balanced number of Members from each faction as determined in the plenary session. Leaders of the House, due to their position, also act as the leaders of the Steering Committee.

3. Commissions

Commissions are formed by DPR and is a permanent committee of DPR. DPR determines the number of commissions at the beginning of the



DPR membership period and the beginning of the session year.

The number of commission Members is determined at the plenary session according to the balance and even distribution of the number of Members of each faction at the beginning of the DPR membership period and at the beginning of the session year.

The task of the commission in law-making process is to do preparation, formulation, discussion, and refinement of bills. Currently, DPR has 11 commissions with different responsibilities.

4. Legislation Committee

Legislation committee is established by DPR and is a permanent parliamentary committee of DPR. DPR determines the composition and membership of the Legislation Committee at the beginning of the DPR membership period and the beginning of the session year. The number of Members of the Legislation Committee is determined in a plenary meeting according to the balanced and equal distribution of the number of Members of each faction at the beginning of the DPR membership period and at the beginning of the session year.



5. Budget Committee

Budget Committee is Agency budget established by DPR and is a permanent committee. DPR determines the composition and membership of the Budget Committee based on the balanced and equal distribution of the number of Members of each faction at the beginning of the DPR membership period and at the beginning of the session year. The composition and membership of the Budget Committee consist of Members of each commission selected by the commission by taking into account the balance of the number of Members and the proposal from the factions.

6. Ethics Council

Ethics Council is established by DPR and is a permanent committee. DPR determines the composition and membership of the Ethics Council by taking into account the balanced and equal distribution of the number of Members of each faction at the beginning of the DPR membership period and the beginning of the session year. The number of Ethics Council Members is 17 (seventeen), which is determined at the plenary session at the beginning of the DPR membership period and at the beginning of the session year.



7. Committee for Inter-Parliamentary Cooperation

Committee for Inter-Parliamentary Cooperation, hereinafter referred to as BKSAP (*Badan Kerja Sama Antar Parlemen*), is formed by DPR and is a permanent committee of DPR. DPR determines the composition and membership of the BKSAP at the beginning of the session year. The number of BKSAP Members is determined in a plenary session according to the balanced and equal distribution of the number of Members of each faction at the beginning of DPR membership period and at the beginning of the session year.

8. Household Committee

Household Committee (or BURT, *Badan Urusan Rumah Tangga*) is established by DPR and is a permanent committee of DPR. DPR determines the composition and membership of the BURT at the beginning of the DPR membership period and the beginning of the session year. The number of the BURT Members is determined in a plenary session according to the balanced and equal distribution of the number of Members of each faction at the beginning of the DPR membership period and at the beginning of the session year.



9. Special Committee

The special committee is established by DPR and is an adhoc DPR committee. DPR determines the composition and membership of the special committee based on the balanced and equal distribution of the number of Members of each faction. The number of Members of the special committee is determined in a plenary session with the maximum number 30 (thirty) people.

The leaders of special committee is a collective and collegial united leaders. The leaders of the special committee consists of 1 (one) chairperson and a maximum of 3 (three) vice chairpersons who are elected from and by the Members of the special committee based on the principle of deliberation for consensus and is proportional by taking into account the number of existing special committees and the representation of women according to the balanced number of the Members of each faction. The selection of the leaders of the special committee is performed during the special committee meeting led by DPR leaders after the determination of the organization and membership of the special committee.

The special committee is tasked with carrying



out certain tasks within a certain period of time as determined by the plenary session. The special committee is responsible to DPR. The special committee is dissolved by DPR after its term of assignment ends or when the tasks are declared complete. The plenary session will determine the follow-up to the work of the special committee.

10. Public Account Committee

Public Account Committee (or BAKN) is a permanent parliamentary affairs committee that has the duty of overseeing the use of state money and to review the audit result report on the Indonesian Supreme Audit Institution. Therefore, the presence of BAKN is expected to positively contribute to transparency and accountability of the use of the state money as well as maintaining the credibility of the public/people's trust on DPR, especially in doing parliamentary oversight function.



PROFILE OF CODE OF CONDUCT ENFORCEMENT SYSTEM OF THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF INDONESIA

I. I. INTRODUCTION

DPR is a people's representative institution that has the position of a state institution. DPR consists of members of political parties who participate in the general election and get elected. DPR consists of 575 (five hundred and Seventy Five) people.

In order to provide guidelines for the Members of the DPR on how to behave, act, and speak, the DPR's code of conduct has been developed as stipulated in Article 235 of Law no. 17 of 2014 on MPR (People's Consultative Assembly), DPR (House of Representatives), DPD (Regional Representative Council), and DPRD (Regional House of Representatives) as amended by Law no. 42 of 2104 on MPR, DPR, DPD, and DPRD. In Article 81 letter g of the law, it is stated that each Member of the House of Representatives of the Republic of Indonesia has to comply with the DPR Code of Conduct.



The DPR's code of conduct contains norms that must be adhered to by every Member of Parliament when they do their duties to maintain the dignity, honor, image, and credibility of DPR. The DPR's code of conduct is regulated in the Regulation of the House of Representatives No. 1 of 2015 on Code of Conduct of the House of Representatives of the Republic of Indonesia. From the perspective of regulation, the DPR's code of conduct serves as a juridical guarantee so that the honor and dignity of DPR can be maintained and upheld by all Members of DPR.

Thus, with every Member of DPR complies to the code of conduct, the honor and dignity of the DPR will be upheld and maintained. Enforcement of the code of conduct is a form of maintaining and upholding the honor and dignity of DPR as the House of Representatives. To make sure that the enforcement of the DPR's code of conduct runs well, it has to be done systematically as a system.

II. CODE OF CONDUCT OF THE HOUSE OF REPRESENTATIVES

The DPR's code of conduct is developed and regulated through the DPR regulation. The



regulation of the DPR's code of conduct currently consists of 3 (three) regulations as follows:

1. Decree of the House of Representatives of the Republic of Indonesia Number 16 of 2004-2005 on DPR's Code of Conduct. This decree is the first regulation regarding DPR's code of conduct in the history of DPR;
2. Regulation of the House of Representatives of the Republic of Indonesia Number 1 of 2011 on Code of Conduct. This regulation is a regulation on DPR's Code of Conduct that substitutes the previous regulation, i.e., Decree of the House of Representatives of the Republic of Indonesia Number 16 of 2004 to 2005 on DPR's Code of Conduct;
3. Regulation of the House of Representatives Number 1 of 2015 on DPR's Code of Conduct. This regulation is the third DPR regulation on DPR's code of conduct as a regulation that substitutes Regulation of the House of Representatives of the Republic of Indonesia Number 1 of 2011 on Code of Conduct and is valid until now.

The DPR's code of conduct is a guideline that contains criteria for political conduct. Political



conduct for the DPR Member will surely be reflected in Pancasila. The Political conduct reflected in Pancasila (the Five State's Principles) is intended to foster a democratic political order, which is characterized by transparency, sense of responsibility, responsiveness to people's aspirations, respect for differences, honesty in competition, willingness to accept a more correct opinion, and uphold the human rights and the balance between rights and obligations in the life of the nation.

The essence of political ethics shows the need for democratic accountability instruments and indicators, in which every citizen in Indonesia has the right to demand the responsibility of the Members of the DPR who represent them. One of the constitutional, juridical and ethical paths for all people represented by the DPR Members in demanding moral and ethical responsibilities of the Member of Parliament is through the Ethics Council, which should be positioned as the only instrument of political ethics checks and balances for the parliament institution before the public.

DPR's code of conduct which is currently applicable is the Regulation of the House of



Representatives Number 1 of 2015 on DPR's Code of Conduct. In the provision of the Article 1 sub article (3) of the regulation, the definition of the DPR's code of ethics is a norm that must be obeyed by every Member of the Parliament when carrying out their duties to maintain the dignity, honor, image, and credibility of DPR.

Norms are human consciousness that requires ideal, balanced, coordinated, and harmonious relationships that are reflected vertically (God), horizontally (society) and naturally (natural surroundings). Norms are the embodiment of human dignity as a cultural, social, moral, and religious being. Norm is an awareness and noble attitude that is desired by the value system to be obeyed. Therefore, norms in its embodiment may take the form of religion norms, philosophical norms, decency norms, and social norms that have to be complied to because they carry sanctions.

Norms are stipulated in the Regulation of the House of Representatives Number 1 of 2015 on DPR's Code of Conduct. In Chapter II, descriptions related to the conducts that should be complied to by each Member of the House of Representatives



are regulated into the following 16 (sixteen) principles:

1. Public interest ;
2. Integrity,
3. Relationship with work partners ;
4. Accountability;
5. Disclosure and conflicts of interest;
6. Confidentiality;
7. Discipline;
8. Relation with constituents or society;
9. Official trip;
10. Independence;
11. Other work outside the job as an MP;
12. Relation with journalists;
13. Relation with guests within the DPR;
14. Relation between Members and Parliamentary Affairs Committees
15. Ethics Court ; and
16. Relation with the Expert, Member's Administrative Staff, and Secretariat General;



Below is the description of some of the norms from the 16 (sixteen) of these principles. The first norm that must be owned and obeyed is always put the interest of the people first. Article 2 subarticle (1) in the DPR's code of conduct stated "Members, in every action, must give priority to the interests of the nation and the state rather than the private, individual, and group interests". Based on this provision, the DPR of the Republic of Indonesia, which is represented by each of its Member must always prioritize the public interest because DPR is responsible to carry out the people's mandate so it has to use its functions, duties and authorities for the interests and welfare of the people. In order to achieve this, Members of the DPR RI must always maintain their dignity, honor, image, and credibility in performing their functions, duties, and authorities, as well as the institution that represents people.

In terms of the integrity of the Members of the House of Representatives of the Republic of Indonesia, Article 3, sub article (1) of the DPR's code of conduct stated that *"Members should avoid inappropriate or morally unacceptable behavior that can degrade the image and honor of DPR, both in the DPR building and outside the DPR building according*



to the views of ethics and norms prevailing in the society". Under this provision, it is apparent that the code of conduct of the House of Representatives of the Republic of Indonesia already provides arrangements which bind each Member as the representation of the people to always maintain the integrity of the institution. In the same article, which is in sub article (4), it is stated that "*Members must maintain the good name and dignity of DPR*". This confirms that the integrity of the House of the Representatives of the Republic of Indonesia can be realized through the integrity shown by each of its Members.

The transparency and conflict of interest of DPR as a people's representative institution can be achieved through transparency and conflict of interest that must be maintained by each Member. In relation with the transparency, Article 6 sub article (1) of the Code of Conduct of the House of Representatives of the Republic of Indonesia stated that "*Before expressing his/her opinion in a discussion of a particular issue, Members must declare in the presence of all participants of the Meeting if there is a link between the issue being discussed with his/her*



personal interest outside his/her position as a Member. Meanwhile, regarding conflict of interest, Article 6 subarticle (4) and (5) of the DPR's code of conduct stated that "A Member shall not use his/her position to seek the ease and benefit of personal, family, relatives, and group" and "Members are prohibited from using their position to influence the process of justice which is intended for personal use and/or other party's use". All these provisions have provided concrete definitions and must be implemented to preserve transparency and to move away from potential conflict of interest of the Members of the House of Representatives.

The confidentiality of the DPR institution can be maintained through the implementation of code of conduct of each of its Member as regulated in Article 7 of the DPR's code of conduct that stated, "Members shall keep secret information entrusted to him/her, including the results of the Meeting when they are stated as Confidential until the predetermined time limit has passed or until the issue is already declared as public". In doing its duties, it is for sure that DPR has confidential information and, thus, must be kept confidential by each of its Member.



The regulation that requires the DPR Members to keep confidential information based on the DPR's code of conduct is in line with the presence of confidential public information and cannot be accessed by the public according to the criteria as regulated in Article 17 of Law No. 14 of 2008 on Public Information Transparency.

III. ETHICS COUNCIL AS THE HOUSE OF REPRESENTATIVE'S CODE OF CONDUCT ENFORCEMENT COMMITTEE

Under the provision of Article 19 sub article (1) of the Regulation of the House of Representatives of the Republic of Indonesia No. 1 of 2015 on the DPR's Code of Conduct, the enforcement of the code of conduct in DPR is conducted by the Ethics Council (*Mahkamah Kehormatan Dewan/MKD*). MKD is one of the permanent parliamentary affairs committees that has just been established during the office of DPR in 2014-2015 as a continuation or improvement (upgrading) of the Ethics Committee of DPR of the Republic of Indonesia. The change of nomenclature is in line with the mandate of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD as amended by Law



Number 42 of 2014 concerning the Amendment of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD contains a bigger mandate and responsibility to achieve the objective. The establishment of MKD pursuant to the provision of Article 119 subarticle (2) of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD as amended by Law No. 42 of 2014 on Amendment of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD aims to **maintain and uphold the honor and dignity of DPR as people's representation institution**

The achievement of the goal of MKD establishment will determine the perception of satisfaction of the public on the performance of Members and institutions of DPR of the Republic of Indonesia. When the MKD is able to establish and maintain the honor and dignity of DPR for Members of the DPR, it will result in good performance of DPR Members and institutions as perceived by the public. However, when the honor and dignity of DPR RI are not upheld and maintained, it will result in poor performance of DPR Members and institution as perceived by the public. Thus, MKD will deliver good performance of the Members and institution of DPR.



Based on the provisions of Article 122 of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD as amended by Law Number 42 of 2014 on Amendment to Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD, in conjunction with article 124, in conjunction with article 2 of the Regulation of the House of Representatives Number 2 of 2015 on Procedure for Ethics Council, the tasks and authority of MKD in DPR's Code of Conduct enforcement are;

1. Develop DPR's code of conduct;
2. Perform monitoring within the framework of the prevention function related to the behaviour of DPR Members so as not to violate DPR's Code of Conduct;
3. Distribute circulars on recommendation to obey the order of the House of Representatives and to prevent violations of the code of conduct of the House of Representatives to the entire Members of the House;
4. Provide recommendations to related parties to prevent violations of the DPR's code of conduct and maintain the dignity, honor, image, and credibility of DPR;



5. Conduct investigation and verification against both cases with complaints and cases without complaints;
6. Hold a hearing to investigate and verify the alleged violation of the DPR's code of conduct which is suspected to have been committed by Members of DPR, both in the form of cases with complaints and cases without complaints;
7. Decide on cases of alleged violations of the DPR's code of conducts that are suspected to have been carried out by Members of DPR, both in the form of cases with complaints and cases without complaints;
8. Give sanctions to Members of DPR who have been proven to violate the DPR's code of conduct, both in cases with complaints and cases without complaints;
9. Provide rehabilitation to DPR Members who are not proven to violate DPR's code of conduct, both for cases with and cases without complaints;
10. Stop the process of case examination in any trial, both in the form of cases with complaints and without complaints;



11. Call related parties and conduct cooperation with other institutions;

Therefore, the availability of MKD in DPR code of conduct enforcement system is not limited to its position as an "ethics court" that has the task to process its Members who have committed various violations of various norms or laws applicable in the community. In this aspect, MKD seems to work only when there is an alleged violation done by DPR Members. The reality is that, that is not the meaning of DPR's code of conduct enforcement system applied by MKD, which can be referred to the duties and authorities of MKD.

IV. DPR CODE OF CONDUCT ENFORCEMENT SYSTEM

The enforcement of the DPR's code of ethics by the MKD as stipulated in Article 19 of the DPR RI Regulation Number 1 of 2015 on DPR's Code of Conduct is performed by using 2 (two) systems: prevention system and enforcement system. The prevention system is applied through dissemination, training, sending circulars, and providing recommendation, or using other ways as determined by MKD. Meanwhile, the enforcement



system is implemented by MKD based on the regulation of the House of Representatives of the Republic of Indonesia that regulates MKD procedures on violation of DPR's Code of Conduct by the DPR Members.

In the prevention system, MKD has the duty to prevent Members of DPR from violating DPR's code of conduct through efforts to encourage and motivate every Member of Parliament to abide by the code of conduct of DPR. The purpose of this prevention system is to increase the awareness of DPR Members to comply with the DPR's code of ethics , so no violation of DPR's code of conduct is committed. In addition, as the implementer of the preventive system, MKD can become one of the frontlines in implementing the DPR's political conduct which will contribute to the development of political ethics in applying democratic processes in DPR.

In the enforcement system, MKD has the duty to respond to violations of the code of conduct by DPR Members through the implementation of administrative sanctions to the Members, aiming at improving member behaviour into abiding the code



of conduct. DPR Member who has been proven to violate DPR's code of conduct and have received sanctions is demanded to improve himself/herself in the future and not to repeat the violation of conduct.

Based on Article 122 of Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD as amended by Law Number 42 of 2014 on Amendment to Law Number 17 of 2014 on MPR, DPR, DPD, and DPRD, in conjunction with Article 124, in conjunction with Articles 2, 3, and 4 of the Regulation of the House of Representatives of the Republic of Indonesia Number 2 of 2015 on Procedures, duties, and authorities of the Ethics Council, the enforcement of DPR's code of conduct can be categorized in the following prevention and enforcement systems:

1. **Duties and authorities in Prevention:**
 - a. Develop DPR's code of conduct by performing evaluation and improvement on the existing DPR's code of conduct;
 - b. Perform monitoring in the framework of the prevention function of the behaviour of DPR



Members so as not to violate the DPR's code of ethics ;

- c. Monitor the attendance of DPR Members in DPR meetings ;
- d. Give Two (2) written warnings to DPR Members before the violation in the form of not attending the plenary session of 40% of the total number of plenary sessions or parliamentary affairs committee meeting of 40% of the total number of meetings in 1 (one) DPR session period without giving any valid reason and permission from the leaders of the faction or chair of faction group;
- e. Provide circulars regarding recommendations to comply with the DPR's rules and regulations and prevent violations of the DPR's code of ethics to all Members of the DPR;
- f. Give recommendations to related parties regarding the prevention of DPR's code of conduct violations and maintain the dignity, honor, image, and credibility of DPR;
- g. Collaborate with other institutions;



2. **Tasks and Authorities in Enforcement:**

a. Conduct investigations and verification of

a.1. Cases with complaint:

- fail to do obligations as referred to in Article 81;
- continuously fail to perform tasks or permanently unable to do his/her duties of a DPR Member for three (3) consecutive months without legitimate explanations;
- no longer qualify as a Member of DPR based on the law on DPR, DPD, and DPRD Member general election; and/or
- violate the prohibition provisions as regulated in this Law.

a.2. Cases Without Complaints:

- absence from required Parliament meetings, fail to attend the plenary session as much as 40% of the DPR plenary session or parliamentary affairs committee meetings of



40% of the total number of DPR parliamentary affairs committee in 1 (one) DPR session period without legitimate reasons approved by faction leaders or chairperson of faction group ;

- caught in the act of committing a crime; or
 - proven to have committed a crime with a penalty of imprisonment for a minimum of 5 (five) years and have received a verdict with permanent legal force.
 - Violate laws and regulations that are of public concern ;
- b. Hold hearings to investigate and verify the alleged violation of DPR's code of conduct suspected to have been committed by Members of the DPR, both in the form of cases with complaints and cases without complaints;
- c. Decide on cases of alleged violations of DPR's code of conduct allegedly committed by DPR



Members both in cases with complaints or cases without cases Members of Parliament both in the case of complaints or cases without complaint with Proven or Not Proven Verdict:

- d. Give sanction to the Members of Parliament who have been proven to have violated DPR's code of conduct of the House either in cases with complaint or cases without complaint with the following witnesses:
 - Mild sanctions with verbal or written warnings ;
 - Moderate sanctions in the form of the transfer of membership in DPR parliamentary affairs committees or removal from the leaders of DPR or leaders of DPR parliamentary affairs committee; or
 - Severe sanction in the form of temporary dismissal of at least 3 (three) months or dismissal as a Member;



- e. Rehabilitate the DPR Members who are not proven to have violated DPR's code of conduct, both in cases with complaint and cases without complaint;
- f. Stop the process of case examination for each trial, both for cases with complaint and cases without complaints;
- g. Calling related parties and cooperate with other institutions;

V. DPR CODE OF CONDUCT ENFORCEMENT SYSTEM

The effectiveness of the MKD in performing its duties in enforcing DPR's code of conduct can be determined by how the two systems, the prevention system and the enforcement system, are implemented. These two system cannot surely be implemented simultaneously and equally by prioritizing one system only and dismissing the other system. The two systems must be integrated and complementary so that DPR's code of conduct can be enforced as effectively as possible.



The enforcement of the DPR 's code of conduct by the MKD through the prevention system must be the first choice for maintaining and upholding the honor and dignity of DPR as the people's representation institution. The MKD will have to expand and develop prevention programs to encourage and achieve good performance of DPR Members and DPR institutions in the perspective of the public.

Thus, it is expected that in the future the MKD can optimize the implementation of prevention system because when this system is optimum, the various violations of DPR's code of conduct, both by the Members of the institution, can be potentially minimized and even be eliminated.

Jakarta, March 21, 2017

**Ethics Council of the House of
Representatives of the Republic of
Indonesia**



ACTIVITY DOCUMENTATION



Chairperson of the Ethics Council of the House of Representatives of the Republic of Indonesia, Habib Aboe Bakar Al Habsy, delivers a speech in a seminar in Bidakara Hotel in 2021



Speaker of the House of Representatives of the Republic of Indonesia, Puan Maharani, hit the gong when opening the National Seminar of the Ethics Council of the House of Representatives of the Republic of Indonesia in Jakarta, February 24-25, 2020



Group photo after the Leadership Meeting of the Ethics Council



*November 24, 2021.
National seminar, Bidakara Hotel 2021*



National Seminar of the Ethics Council of the House of Representatives of the Republic of Indonesia under the Theme of: Synergy in Institutional Code of Conduct Enforcement – Strengthening Ethical Conduct Quality and Capacity of Code of Conduct Enforcement of Public Officers through the Role of Political



*Parties, Jakarta, March 22, 2021
Working visit of the House Ethics Council in disseminating information on the tasks, functions, and authorities of the Ethics Council and Special Vehicle Number for House Members, Banten, June 15, 2021*



Working visit of the House Ethics Council in disseminating information on the tasks, functions, and authorities of the Ethics Council and Special Vehicle Number for House Members to the Resort Police in Serang District, November 22, 2021.



Working visit of the House Ethics Council in disseminating information on the tasks, functions, and authorities of the Ethics Council and Special Vehicle Number for House Members to the Regional Police of Banten, 2021



Vice Chairperson of the Ethics Council, Andi Rio Idris Padjalangi, delivers a keynote speech, at a seminar organized by Ethics Council Secretariat on 14 December 2021



House Vice Speaker for People's Welfare, Muhaimin Iskandar delivers an opening remark at a seminar organized by Ethics Council Secretariat on 14 December 2021



**ETHICS COUNCIL
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