

**PRIVACY INTERNATIONAL**

**PRIVACY IN INDONESIA**

**FINAL REPORT**

**Dr. Sinta Dewi, SH., LL.M**



**DECEMBER, 2011**

## Table of Contents

A. Core Country Information	1
Political System	2
The Constitutional System	3
Executive Branch	5
Legislative Branch	5
Judicial Branch	6
Indonesia Civil Society	6
Internet Connectivity	7
B. Law and Political Landscape	
Constitutional Protection for Privacy	9
Sectoral Law	11
Freedom of Information Law	12
Human Rights Act, Law Number 29/1999	15
Broadcasting Act, Law Number 32/2002	16
Code of Ethic Journalistic	16
The Law No.12/2005 on the Ratification of International Covenant on Civil and Political Rights	16
Personal Data Protection	17
Outstanding Civil Society Advocacy and Other Work	18
International Obligations Pertaining to Privacy	21
C. Focus Area	
National Security, Government Surveillance & Law Enforcement	22

National Intelligence Law	24
Wiretapping, Access to and Interception of Communicatios	24
Wiretapping Regime in Indonesia	26
Telecommunications Act, Law Number 39/1999	26
Phychotropics Law, Act number 5, 1997	26
The Information and Electronic Transaction Act, 2008	26
Narcotic Law, Act 2009	26
Commission on Corruption Erradiction , 2002	27
Immigration Law	29
Vissual Survaillance	29
Cybercrime	30
Administrative Issues	31
Biometrics	33
Medical Privacy and Health Management	33
Data Sharing	34
Financial Privacy	35
Customer Privacy	35

# Indonesia - Privacy Profile

Republic of Indonesia

## A. CORE COUNTRY INFORMATION.

Indonesia is the largest archipelagic state in the world that has 17,508 islands, situated between 6 degrees northern latitude and 11 degrees southern latitude and spreading from 97 degrees to 141 degrees eastern longitude and it is located between two continents – Asia and Australia/Oceania. This strategic position greatly influences the country's culture, social, politics and economy. Stretching along 3,977 miles between the Indian Ocean and the Pacific Ocean, Indonesia has a total area of 1.9 million square miles including the ocean waters. The five large islands of Indonesia are: Sumatera covering 473.606 square km, Java with 132.107 square km, Kalimantan (the third largest island in the world) with an area of 539.460 square km, Sulawesi with 189.216 square km, and Papua with an area of 421.981 square km

The populations of Indonesia in 2011 are approximately 229.965.000 people. Republic Indonesia is a state located in between Southeast Asia and Oceania. Indonesia consists of 13,466 islands and thirty three provinces. It shares its land borders with Papua, East Timor and Malaysia<sup>1</sup>.

The population of Indonesia can be divided into two major groups: in the western region most of the people are from the Malay ethnicity while in the eastern region there are the Papuans originating from the Melanesian Islands. Indonesia also recognizes specific ethnic groups that come from a certain province/area and have specific language for example the Javanese from Central

---

<sup>1</sup> See <http://www.kemlu.go.id/Pages/TipsOrIndonesiaGlanceDisplay.aspx?IDP=1&l=en>