

## Indonesia: Conference Calls for Secrecy Law Plans to be Dropped

6 December 2011, Jakarta

An international conference hosted by the Centre for Law and Democracy and Yayasan SET called on the Indonesian government to drop its long-standing initiative to adopt a secrecy law. In the one-day meeting held yesterday, several speakers noted that Law No. 14 of 2008 on Public Information Disclosure already provided sufficient protection to legitimate confidentiality interests.

*“The access to information law only came into force recently and yet there have been consistent attempts for several years to introduce a secrecy law,”* said Toby Mendel, Executive Director of the Centre for Law and Democracy. *“The priority now should be to implement the access to information law. If, once this has happened, a real need is demonstrated for a secrecy law, this could be considered at that time.”*

The idea of introducing a secrecy law goes back to 1996, during the Suharto era. These plans were interrupted when Suharto stepped down in 1998. In 2009, the government and the House of Representatives (DPR) renewed deliberations on a draft State Secrecy Bill, just a year after the Public Information Disclosure Act was passed into law in April 2008. Towards the end of 2009, the government and DPR were about to pass the State Secrecy Bill into law, but the attempt was foiled by a coalition of civil society actors, who opposed the Bill because it did not conform to principles of democracy, good governance and the right to information.

A year later, in November 2010, the government released another draft of the State Secrecy Bill, but there has been no further deliberation on it to date. Although this draft is very different from previous versions, it still contains problematic articles.

*“The definition of state secrecy is too broad and can be interpreted in numerous ways. This problem is exacerbated by the fact that the definition in the Bill is not complete and relies on other laws and regulations to understand it well,”* said Agus Sudibyo, Deputy Director of SET Foundation, Jakarta. *“If the Bill is not improved, it will undermine the institutionalisation of good governance, the eradication of corruption and the right to information in Indonesia. The Public Information Disclosure Act already provides sufficient protection to state secrecy in Indonesia.”*

### ***For further information, please contact:***

Toby Mendel  
Centre for Law and Democracy  
[www.law-democracy.org](http://www.law-democracy.org)  
email: [toby@law-democracy.org](mailto:toby@law-democracy.org)  
tel: +62 (0)812 19 538550

Agus Sudibyo  
Yayasan SET  
email: [pringgondani2@yahoo.com](mailto:pringgondani2@yahoo.com)  
tel: +62 (0)811 865062