Corruptors’ fight-back and the problems of civic space in Indonesia

Bangkok, 12 December 2018
background

- Relatively more open system/democratic
- Oligarchs take over politic from people
- check and balance to the power by CSOs
- Struggle to keeping ACC/KPK independent
Threats

• Barrier and restriction by law
• Black campaign
• Terror, harassment and violence
• Criminalization/ malicious prosecution
• SLAPP suit
Barriers

- **To establish and register**: ban for several groups-based on ideological, religious and political backgrounds
- **To entry**: Barriers to establishment of foreign organizations, including required partnership with local organization.
- **To activities**: inadequate legal protection for whistleblowers, activists and CSOs; establishment of GONGOs
- **To speech and advocacy**: depamation and libel charges against activists and NGOs
- **To assembly**: prohibition to gather in gov’t public service sites; with excessive criminal penalty; permit or notification requirement.
- **To communicate**: diplomatic barrier for foreign organisations
- **To resources**: barrier to contact foreign donor; prohibition to engage in economic activities
Terror, harassment and violence

- Tama satya langkun case 2010
- Novel Baswedan 2017
- and attack to others KPK investigators
Criminalisation and malicious prosecution

- Targeted reporters, journalists, whistleblowers, unionists, and activists using defamation laws, the Electronic Information and Transactions (ITE) Law;
- Emerson and Ilian case, Bibit-Chandra (Gecko v. Crocodile I), BW-SAMAD (Gecko v. Crocodile II), and many more.
SLAPP Suit

• Suit against witness and expert witness: Basuki Wasis case
• Suit against Journalist and media: indonesialeaks.com case
Strategies

- Law reform
- Strategic impact litigation
- Monitoring, research and documentation
- Coalition building (national and international)
- Capacity building
- Transparency and inclusivity
- Campaign