

**UNCAC Coalition Statement on threats to the independence of
Indonesia's Corruption Eradication Commission KPK**

We, the undersigning civil society organisations, have been monitoring developments in Indonesia regarding the revision of the law governing Indonesia's anti-corruption agency, the Corruption Eradication Commission or locally known as Komisi Pemberantasan Korupsi (KPK).

We share the grave concerns of Indonesia's leading civil society corruption watchdog groups regarding the implications of recent amendments to the KPK law, which endanger the anti-corruption agency's independence and undermine its ability to effectively prevent, investigate and prosecute corruption.

Indonesia signed the UN Convention Against Corruption (UNCAC) on 18th December 2003 and ratified it on 19th September 2006. Articles 6 and 36 of the UNCAC require each State Party to ensure the existence of an anti-corruption body specialised in preventing corruption and combating corruption through law enforcement which must be granted the necessary independence and be able to carry out its functions effectively and without any undue influence.

The Corruption Eradication Commission (KPK) was formed in 2003. During the 16 years of the anti-corruption body's work, the KPK has taken on numerous major corruption cases involving influential players from the private sector, the judiciary, the legislature as well as the executive and arrested several senior politicians on corruption charges.

The KPK has carried out prevention and prosecution efforts in Indonesia effectively and it has been widely regarded as a leading anti-corruption body in the region. The prevention work conducted by the KPK has achieved significant savings of state finances in Indonesia and KPK has enjoyed a high level of public trust, according to Indonesian civil society organisations.

Given the KPK's strong track-record, we are alarmed by efforts to undermine its role. In September 2019, the Indonesian government and the House of Representatives selected new KPK commissioners and revised the law governing the KPK in a manner that appears to substantially weaken the KPK's independence. Furthermore, the process of adopting these changes showed serious flaws, Indonesian corruption watchdog groups have found the following changes to be particularly troublesome for the KPK's autonomy, independence and legitimacy:

- Under the new law, the KPK is no longer an independent authority but a body of the executive government, its actions are overseen by a new supervisory body.
- Members of the KPK's new supervisory board, which has to authorise wiretapping, search and seizure activities of the KPK, have to have a minimum age of 55 and are selected by the President, in consultation with the House. This structure creates a high risk of political interventions and will likely undermine the body's effectiveness and independence.
- Revisions of the KPK law were adopted within just a few days and without prior notice. Discussions on the amendments between the House and the government were held behind closed doors without involving the KPK or the public. The Editorial Board of the Jakarta Post has described the changes as a "legislative assault" on the KPK, implemented through one of the fastest bills in history to be passed into law.

We call on the Indonesian executive and legislature to uphold the Jakarta Principles on the independence and effectiveness of anti-corruption agencies, which were drafted at the invitation of the KPK, UNODC and UNDP by experts from around the world.

We support and encourage Indonesian civil society groups, that in response to these worrying developments, have announced that they will challenge the changes to the KPK law in the Constitutional Court. We hope that the Court decision will help to ensure that the KPK can continue the fight against corruption in Indonesia in an effective and independent manner.

This statement has been endorsed by all the members of the UNCAC Coalition:

Albanian Institute of Science
Center for Development and Democratization of Institutions, Albania
Institute for Democracy and Mediation, Albania
Asociación Civil por la Igualdad y la Justicia (ACIJ), Argentina
Fundación Poder Ciudadano, Argentina
Armenian Lawyers' Association

Freedom of Information Center, Armenia
 Transparency International Anticorruption Center NGO, Armenia
 Transparency International - Austrian Chapter
 Bahrain Transparency Society
 BRAC Institute of Governance and Development (BIGD), BRAC University, Bangladesh
 Rights Jessore, Bangladesh
 South Asian Institute of Advanced Legal and Human Rights Studies (SAILS), Bangladesh
 Transparency International Bangladesh (TIB)
 Centres for Civic Initiatives (CCI), Bosnia and Herzegovina
 Center for Investigative Reporting (CIN), Bosnia and Herzegovina
 Center for the Study of Democracy, Bulgaria
 ABUCO (TI Burundi)
 Transparency International Cambodia
 Centre for Law and Democracy, Canada
 Costa Rica Integra (CRI)
 GONG, Croatia
 Ligue Congolaise de lutte contre la Corruption, LICOCO, Democratic Republic of Congo
 Participacion Ciudadana, Dominican Republic
 Sherpa, France
 TI France
 Institute for Development of Freedom of Information (IDFI), Georgia
 TI Georgia
 CiFAR - Civil Forum for Asset Recovery, Germany
 Transparency International
 Transparency International Germany (Transparency International Deutschland e. V.)
 Ghana Integrity Initiative
 Eurasian Integrity Youth Academy, Greece
 Vouliwatch, Greece
 Asociación para una Sociedad más Justa (ASJ), Honduras
 Commonwealth Human Rights Initiative, India
 Gram Bharati Samiti (GBS), India
 Manav Pragati Sansthan, Rajgarh, India
 5th Pillar, India and USA
 Indonesia Corruption Watch
 Transparency International Italia
 Jordan Transparency Center
 Africa Centre for Open Governance, Kenya
 Kosova Democratic Institute
 Riinvest, Kosovo
 Syri i Vizionit, Kosovo
 Centre to Combat Corruption & Cronyism (c4), Malaysia
 Malaysian Society for Transparency and Integrity (TI Malaysia)
 Mexicanos contra la Corrupción y la Impunidad
 CReDO - Resource Center for Human Rights, Moldova
 TI Moldova
 Civic Alliance, Montenegro
 Transparency Maroc
 Transparency International Nepal
 Hivos, The Netherlands
 Wildlife Justice Commission, The Netherlands
 21st Century Community Empowerment for Youth and Women Initiative, Nigeria
 Africa Network for Environment and Economic Justice (ANEEJ), Nigeria

Civil Society Legislative Advocacy Centre (CISLAC), Nigeria
Partnership for Justice, Nigeria
Socio-economic Rights and Accountability Project (SERAP), Nigeria
Zero Corruption Coalition (ZCC), Nigeria
Pakistan Institute of Legislative Development and Transparency-PILDAT
Transparency International Pakistan
The Coalition for Accountability and Integrity-AMAN (Transparency Palestine)
Fundacja im. Stefana Batorego, Poland
Transparency International Korea (South)
Transparency International – North Macedonia
Romanian Academic Society
CIVICUS: World Alliance for Citizen Participation, South Africa
Institute for Security Studies, South Africa
UMTAPO Centre, South Africa
Access Info Europe, Spain
Transparency International Sri Lanka
Protimos
Transparency International Sweden
I WATCH, Tunisia
Africa Freedom of Information Centre, Uganda
Anti-Corruption Coalition Uganda
Transparency International Uganda
Water Governance Institute (WGI), Uganda
AntAC, Ukraine
Transparency International Ukraine
Article 19, United Kingdom
Bingham Centre for the Rule of Law, United Kingdom
Christian Aid, United Kingdom
Corruption Watch, United Kingdom
Global Witness, United Kingdom
Tearfund, United Kingdom
Transparency International UK
Center for International Human Rights, Northwestern Pritzker School of Law, USA
Global Financial Integrity, USA
Government Accountability Project, USA
Towards Transparency, Vietnam
Yemeni Observatory for Human Rights
Transparency International Zimbabwe
Anti-Corruption Trust of Southern Africa, Zimbabwe, Namibia, and South Africa
Institute of Public Finance