

27.09.2019

**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.

Signed by the UNCAC Coalition, on behalf of its member organisations:

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  
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