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## Indonesia: Analysis of Draft Law on NGOs

The Government of Indonesia is proposing to replace its authoritarian 1985 law on civil society organisations (CSOs) with a new Law Pertaining to Mass Organisations. While this is generally a welcome development, an analysis by the Centre for Law and Democracy (CLD) highlights a number of serious problems with the draft Law, which is currently before the National Assembly.

*“One of the great successes of Indonesia’s transition to democracy is the extremely vibrant civil society that has flourished since the end of the Suharto regime in 1998,”* said CLD Executive Director Toby Mendel. *“The 1985 law should be replaced, but certainly not by a law that affords an even greater degree of government control over the activities of civil society.”*

In practice, the 1985 law has not been applied since Suharto’s fall. Some of the more problematical aspects of the draft Law include:

- Broad powers vested in government to impose sanctions on CSOs without going to court.
- Illegitimate restrictions on the activities of CSOs.
- Unduly prescriptive rules regarding the way in which CSOs should be structured and managed.
- Rules which give the government a significant measure of control over the activities of foreign CSOs.

We call on the Government of Indonesia to reconsider the approach taken in the draft Law and to revise it to bring it more closely into line with international standards. The provisions which give officials greater control over CSOs are particularly problematical.

The CLD analysis of the draft Law Pertaining to Mass Organisations is available at: <http://www.law-democracy.org/live/indonesia-analysis-of-draft-law-on-ngos/>.

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