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PRESS RELEASE

Indonesia: Constitutional Court Reverses Book Ban Ruling

ARTICLE 19 today welcomes the ruling by the Indonesian Constitutional Court on the 1963 law on book banning, which allowed the Attorney General to ban books, as unconstitutional.

The Constitutional Court ruled that the 1963 Law on Securing Printed Materials violated Article 28f of the Constitution, which was added in 2000 following the ousting of President Suharto, who had ruled for 30 years.

The court stated that allowing the Attorney General unchecked power to ban books was: *“the approach of an authoritarian state, not one based on law”* and would no longer be legally binding. From now on all requests to ban books must be approved by a court. However, the Constitutional Court ruled that the Attorney General can still monitor printed material and request a court to ban them.

“This is an important step towards fully recognising freedom of expression in Indonesia,” says Dr Agnes Callamard, Executive Director of ARTICLE 19. *“The government should now review other laws including the Criminal Code, Anti-Pornography Law and Blasphemy Law that unlawfully restrict the right to speak,”* continued Callamard.

“This is a milestone in Indonesian history, but there are other laws that can be used to ban books,” said Theodora Erlijna, from the Institute of Indonesian Social History, which had published one of the six books recently banned by the Attorney General. ARTICLE 19 intervened in the case as a party to the case.

The Attorney General’s Office banned 22 books in the past six years, including books on policy, religion and history. The Act was widely used under President Suharto to suppress opposition.

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NOTES TO EDITORS:

- For more information please contact: Amy Sim, Senior Asia Programme Officer, amy@article19.org +44 20 7324 2500
- For a detailed 2005 review of free expression in Indonesia, see <http://www.article19.org/pdfs/publications/indonesia-baseline-study.pdf>
- ARTICLE 19 is an independent human rights organisation that works around the world to protect and promote the right to freedom of expression. It takes its name from Article 19 of the Universal Declaration of Human Rights, which guarantees free speech.