

# RUU Perlindungan Data

Nonot Harsono  
RDPU DPR RI Komisi I  
Jakarta, 1 Juli 2020

# Kerangka Paparan

- Intro seputar DATA
- ***Data Flow*** dalam Konfigurasi **D—N—A**
- **Peta Peran & Peralihan** Dominasi Peran dari **N** ke **A**
- **Gambaran peristiwa** : Teknologi Baru — Bisnis Baru—  
*Life-Style* Baru — Perbuatan Hukum Baru — Hukum Baru
- RUU ingin melindungi kepentingan Pribadi warga negara  
ataukah kepentingan yang lebih luas ?

# SEPUTAR DATA

## KEDAULATAN DATA

- data sebagai aset nasional
- kedaulatan siber
- kedaulatan digital
- digital infrastructures
- ketahanan nasional

## DATA PRIBADI

- Personal ID
  - Rekam medis
  - Privacy
  - Jejak digital
  - Perilaku online
  - Surveillance
- selera makan, selera video, selera belanja, kelas harga, suka pergi kemana, suka ketemu siapa, suka call siapa, tidur jam berapa, pergi-pulang kantor, dst...



## BIG DATA

- data analytic
- artificial intelligent
- data science
- jual/beli informasi

## DATA is New Oil

- data mining
- jual/beli data
- data ownership
- data driven economy
- Jejak digital
- Perilaku online
- Surveillance
- ketahanan nasional

## DATA FLOW

- cross border
- data transfer
- data processing
- data storing
- data residency

- nama lengkap; **di RUU**
- jenis kelamin;
- kewarganegaraan;
- agama; dan/atau
- **Data Pribadi yang dikombinasikan untuk mengidentifikasi seseorang.**

- data dan informasi kesehatan;
- data biometrik;
- data genetika;
- kehidupan/orientasi seksual;
- pandangan politik;
- catatan kejahatan;
- data anak;
- data keuangan pribadi; dan/atau
- **data lainnya sesuai dengan ketentuan peraturan perundang-undangan.**

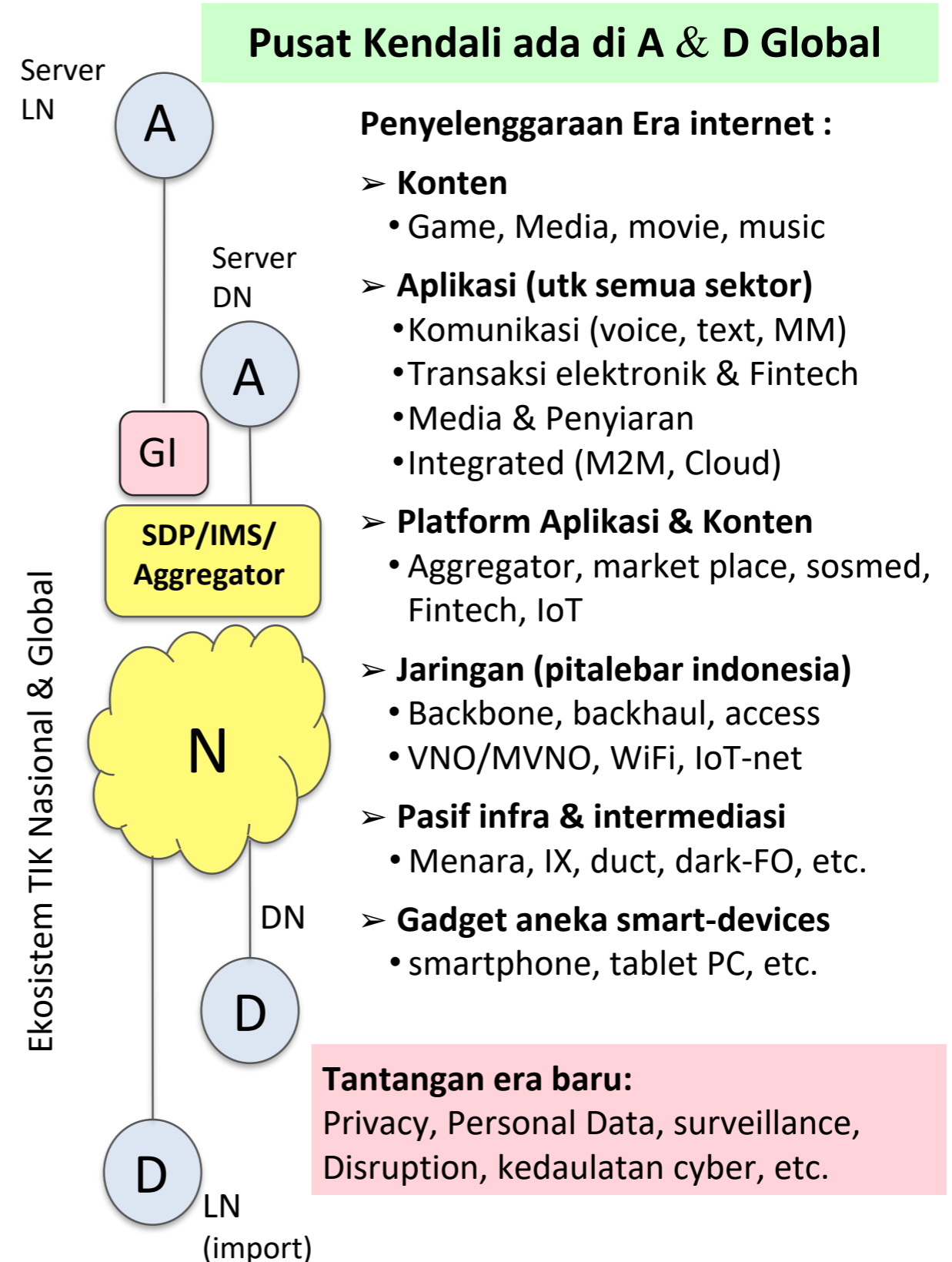
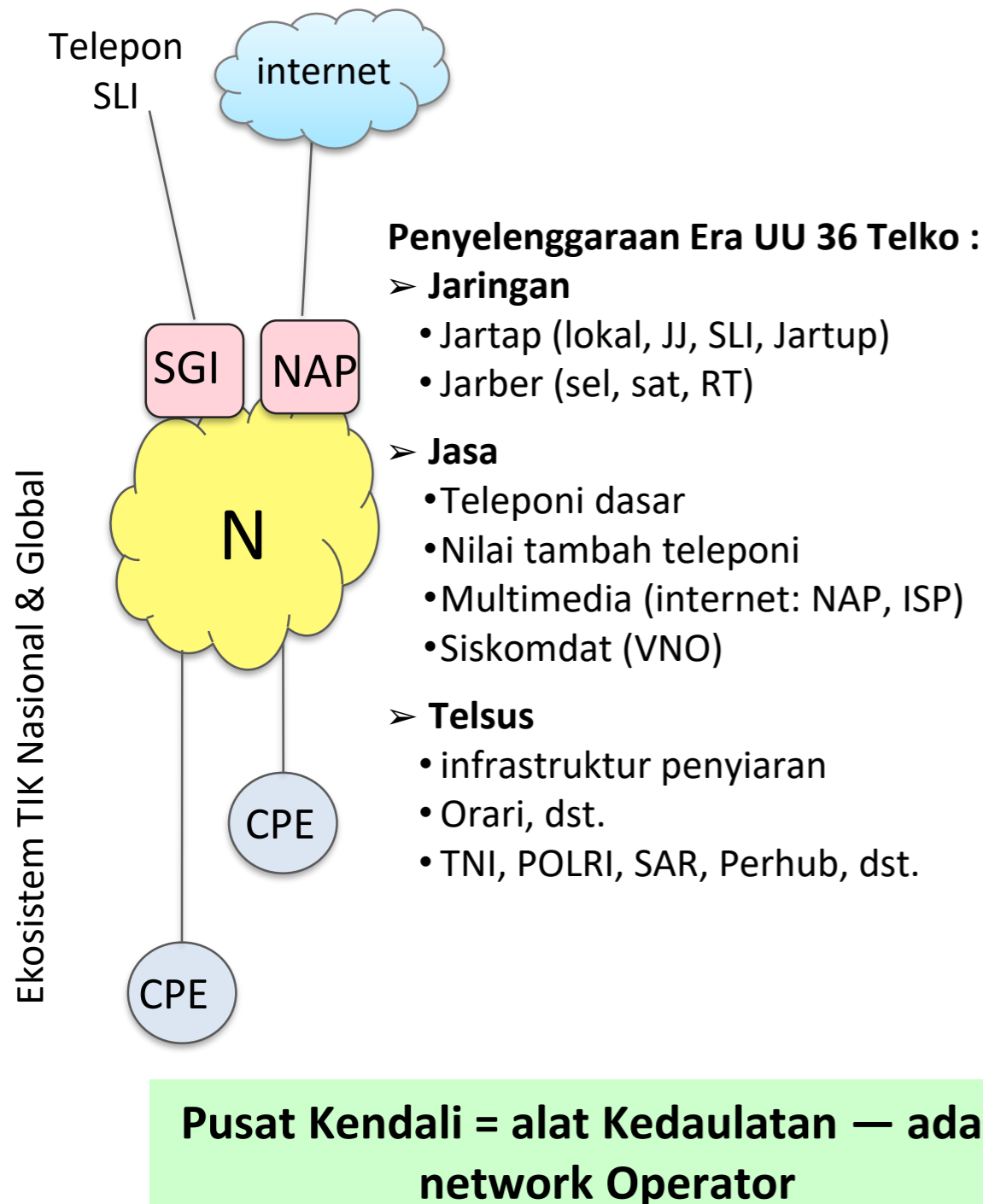
Who Are The Data Monopolies and How They Violate Our Privacy

James Azar Follow  
Jul 25, 2019 · 2 min read ★

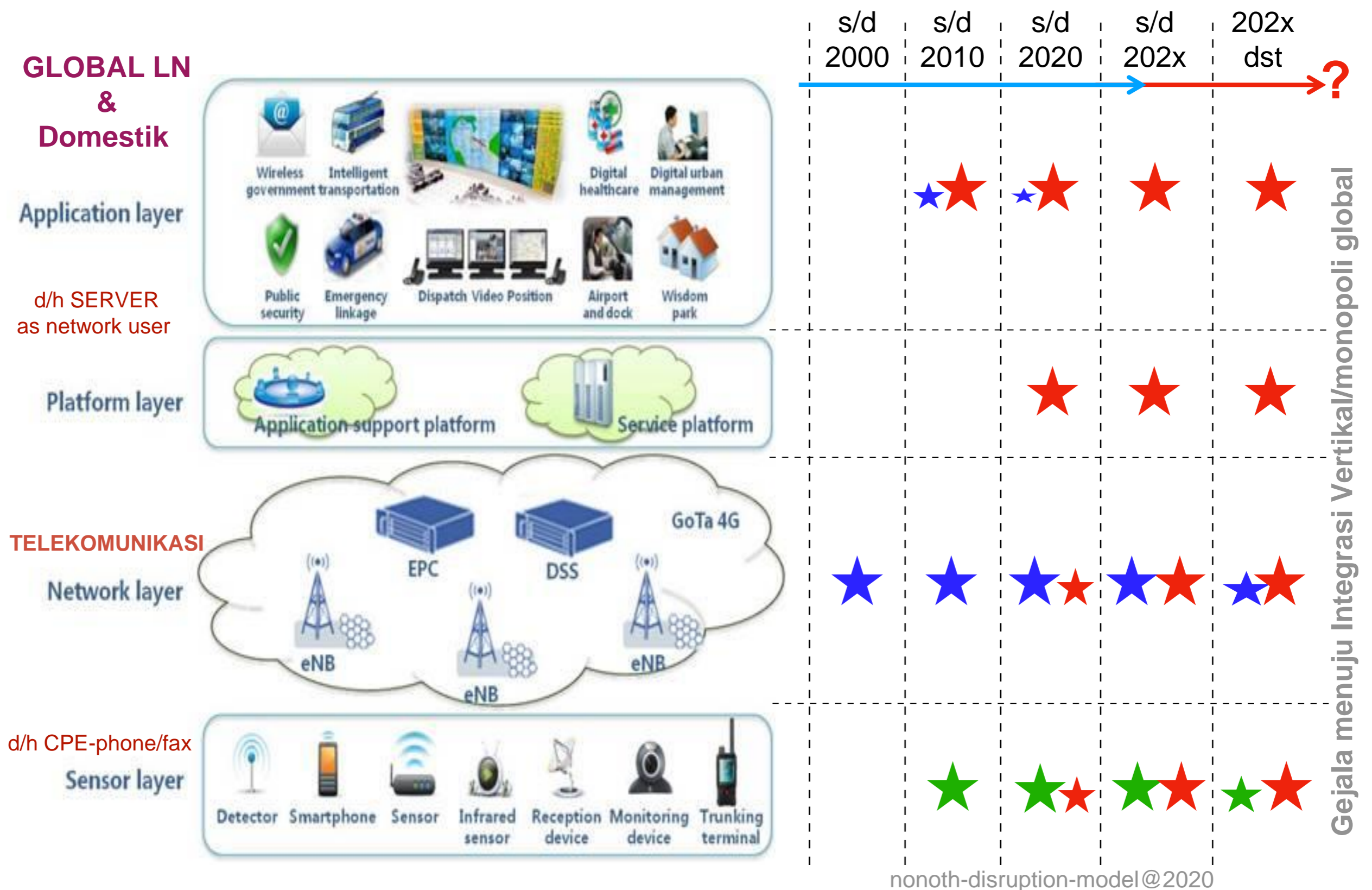


dari kumpulan **Data** didapat **Informasi**  
dari kumpulan **Informasi** didapat **Knowledge**  
dari kumpulan **Knowledge** didapat **Wisdom**  
dengan **Wisdom** ini dibuat **Putusan/Decision**

# Era UU 36 Telekomunikasi **vs.** Internet Global saat ini



# Peta Peran & Peralihan dominasi — dari Network ke Apps/Platform



**Dominasi Global !!**

GAFAM (Google, Amazon, Facebook, Apple, Microsoft)

Waspada **INTEGRASI VERTIKAL**

# Teknologi **ICT** utk Pembangunan?

**Teritori Siber NKRI !?**  
**Kedaulatan Siber**  
 Citizen & Data Protection

Teknologi Apa Saja ?



- People
- Things (with sensors)
- individual/personal
- Smart Homes
- Smart Building
- Smart Factories
- ... any data acquisition

**Connectivities**

- Anywhere & anytime
- Anything
- LAN, WAN
- BTS, WiFi, M/W, Sat, FO cables (land & submarine)
- local, national, Global

- any function as required
- Sectoral Apps (silos/fragmented)
- Integrated Platform (inter-clouds-int.)
- Data Analytic (statistic, behaviour, etc.)
- Artificial Intelligent (AI)
- Policy & Rule making
- Scope: local, national, global

BISA APA ?

- ▶ Dengan ICT (telco & internet) — all thing **could be** connected (:people, things, data, process) — *internet of things* (IoT) dan *internet of everything* (IoE).
- ▶ **Billions connections — Collecting Data — Big Data — Data Analytic** — information & knowledge — inter-process communicated — policy & decision making — Artificial Intelligent (AI) — **could be** autonomous smart systems for Cities, Industries, or People/Public Services, and Nations.

Dipakai untuk APA ?

**Industry 4.0**

- Integrated industries
- More efficient & quality
- Less human intervene
- Global ecosystem vs. Domestic
- Humanity (+ or -) ?
- Global dominant ?

**Smart Cities**

- Local Gov't interest or Citizen?
- Better services to citizen
- Effectiveness of Gov't process
- To control energy consumption
- For garbage management
- Disaster mitigation & Public Protection

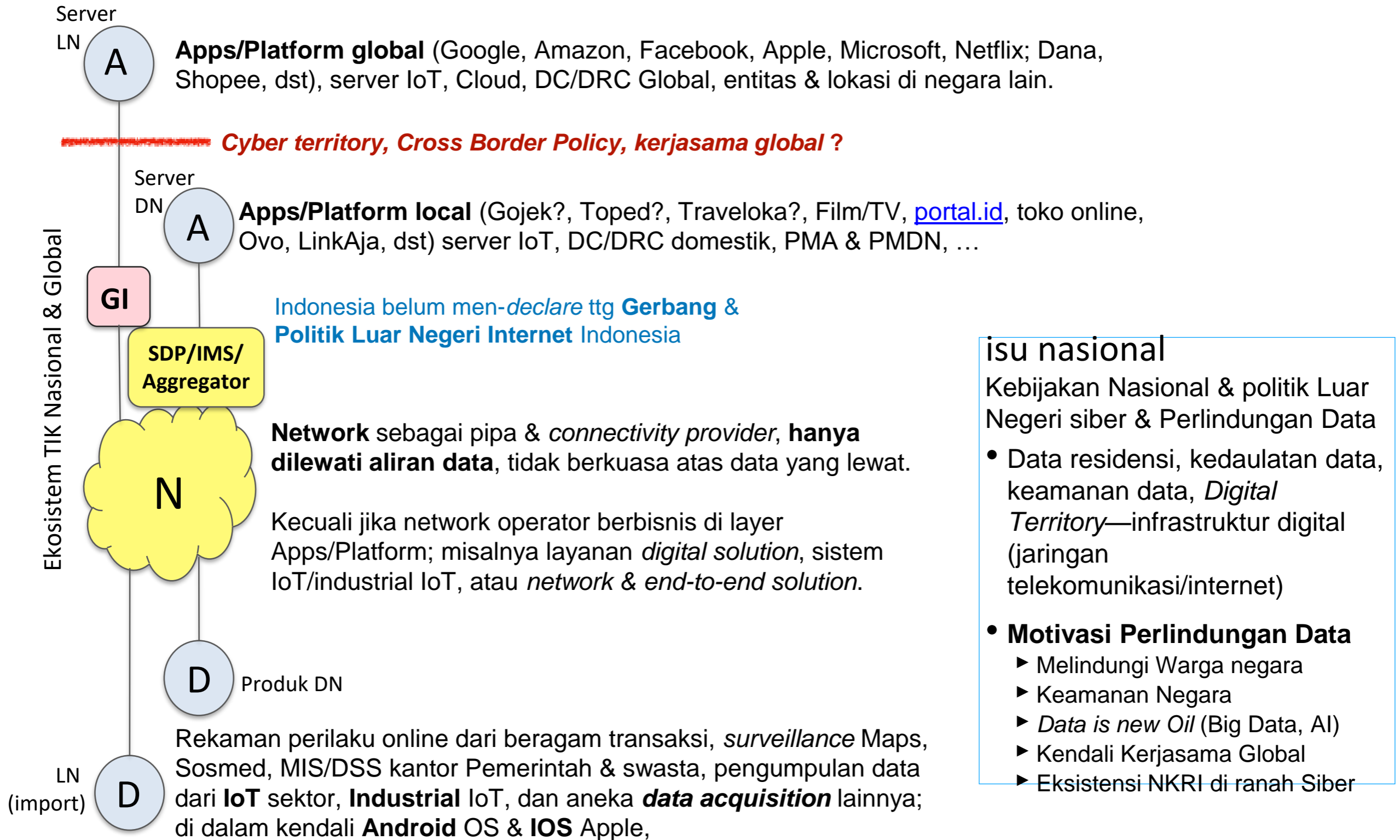
**Society 5.0**

- Human centered tech.dev.
- To improve citizen vitality, comfort, and quality of life.
- To balance economic advancement with the resolution of social problems.
- Advance fusion of cyber space and physical space.

**Indonesia 4.0 ?**

- 5 sectors manufactures: Food & beverages, Automotive, Electronic, Textile & Apparel, Chemical.
- Indonesia will accelerate the development of digital infrastructure, e.g. high speed internet with *digital capabilities*.

# Ilustrasi Data Flow — subyek hukum yg terlibat ?



# RUU PDP atau RUU PD

- RUU PD — apa yang ingin di-proklamir-kan ke Dunia Global dan apa yang ingin ditata di dalam negeri?
  - ▶ Perlindungan Individu Warga Negara
  - ▶ Perlindungan Kepentingan Ekonomi Nasional
  - ▶ Penegasan Kedaulatan Negara di ranah Siber/Digital
  - ▶ ??



# EUROPEAN DIGITAL INFRASTRUCTURE AND DATA SOVEREIGNTY

## A POLICY PERSPECTIVE



The topic of **European digital sovereignty** has gradually emerged as a **result of the increasing dominance** of non-European actors in the so-called **platform economy**. Europe increasingly realises the importance of policies with respect to digital infrastructure and **data handling** to realise European digital sovereignty. The recent debate around 5G infrastructure deployment for example focussed on the geopolitical dimension of supplier choice.

**TERIMAKASIH**