

# EFFECTIVENESS OF THE MINISTRY OF COMMUNICATION AND INFORMATION IN HANDLING THE MISUSE OF PERSONAL DATA

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## Abstract

**Background** - The Ministry of Communication and Information Technology (KOMINFO) has an important role in dealing with the phenomenon of cybercrime, especially the misuse of personal data. The total number of cases of alleged violations of personal data protection from 2019 to May 14, 2024 reached 124 cases. The majority of violations were in the form of data leaks, namely 111 cases. This puts Indonesia in the top 10 countries with the largest data leaks in the period from January 2020 to January 2024 according to Surfshark, a virtual private network (VPN) company from the Netherlands. However, of the personal data leak cases experienced by KEKOMINFO, only 2 cases turned out to be personal data collected through the encryption process. Cases of data leaks whose data is not encrypted tend to come from government agencies. Because of this personal data leak case, many other institutions have also experienced the impact and the impact is not only felt by related institutions but also by the Indonesian people. The Electronic Information and Transaction Law (ITE Law) and the Personal Data Protection Law (PDP Law) were formed due to the urgent need for the people, nation and State of the Republic of Indonesia today and in the future to be competitive in the era of globalization.

**Purpose** - The purpose of this study is to find out how effective the Ministry of Communication and Information is in dealing with cybercrime related to the misuse of personal data that often occurs in the era of globalization, not only that this research is also carried out to find out the institutional relationship between the Ministry of Communication and Informatics and other institutions and how harmonious the institutional relationship is so that personal handling of data misuse can be produced more Optimal.

**methodology** - This research uses a normative juridical approach, namely law is understood as a norm, rule, principle or dogma, the normative juridical approach is also known as a doctrinal/research approach or normative legal research. This research focuses on the analysis of laws and regulations related to the ITE Law and the PDP Law. This type of normative research uses qualitative analysis, namely by analyzing data in the form of concepts, opinions, and opinions obtained from library research (Library Research) then processed, generalized, and analyzed to answer problems, then conclusions are drawn regarding the effectiveness of the Ministry of Communication and Information Technology (KOMINFO) in handling cybercrime related to the misuse of personal data.

**Findings** - This study shows the findings that there is a bad gap that can be experienced by the Ministry of Communication and Information Technology in running a jobdesk related to personal data protection. The gap is not only from outside but also in the Ministry of Communication and Information Technology itself. So that if the gap is not immediately closed and repaired, it will have an impact on the programs of the Ministry of Communication and Information, other institutions, and the wider community.

**Originality** - This research is relevant to the legal and policy context, especially related to personal data protection. By analyzing this personal data protection policy, it is hoped that it can provide useful input for policymakers. Not only that, this research is expected to provide input for the Ministry of Communication and Information Technology in improving the gap that previously occurred so that it does not occur in the future / so that it can better prepare itself in overcoming the gap that occurs.

Keywords: Ministry of Communication and Informatics, cybercrime, misuse of personal data, personal data protection, and personal data leakage.

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