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ANALYSIS OF HUMAN RIGHTS IN PROTECTING DEBTOR CUSTOMER DATA THROUGH BANK SECRECY

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Abstrak

Penelitian ini bertujuan untuk mengkaji dan menganalisis bagaimana perlindungan data dan informasi pelanggan debitur dalam perspektif hak asasi manusia. Metode penelitian yang digunakan adalah penelitian hukum dengan pendekatan perundang-undangan, pendekatan filosofis, dan pendekatan konseptual. Hasil penelitian ini menunjukkan bahwa perlindungan data dan informasi pelanggan debitur dilakukan dengan menerapkan aturan kerahasiaan bank. Namun, aturan kerahasiaan bank di Indonesia masih tidak memadai, karena ruang lingkup perlindungannya sempit, hanya mencakup pelanggan penyimpan dan simpanan dari pelanggan penyimpan. Hal ini telah melanggar hak-hak pelanggan debitur. Perlindungan data dan informasi merupakan hak asasi manusia yang fundamental, sebagaimana diakui dalam UDHR dan ICCPR, serta di Indonesia mencerminkan Pancasila sila kedua, yang dilindungi oleh konstitusi, hukum hak asasi manusia, dan undang-undang perlindungan data pribadi. Sebagai negara hukum, Indonesia menjunjung pendekatan yang seimbang terhadap hak asasi manusia, memastikan hak pelanggan debitur untuk perlindungan data sambil mempertimbangkan hak publik untuk mengakses informasi tertentu dalam kasus-kasus mendesak. Keseimbangan ini sejalan dengan teori utilitarianisme hukum alam, yang menekankan baik pada privasi maupun transparansi yang diperlukan.

Kata Kunci: Perlindungan Hukum, Data Pribadi, Debitur, Perbankkan

Abstract

This research aims to examine and analyse how the protection of debtor customer data and information in the perspective of human rights. The research method used is legal research with a statutory approac h, philosophical approach and conceptual approach. The results of this study indicate that the protection of debtor customer data and information is by implementing bank secrecy rules. However, the rules of bank secrecy in Indonesia are inadequate, because the scope

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of protection is narrow, covering only depositing customers and deposits of depositing customers. This has violated the rights of debtor customers. The protection of data and information is a fundamental human right, as recognized in the UDHR and ICCPR, and in Indonesia, it reflects the 2nd Precept of Pancasila, safeguarded by the constitution, human rights law, and personal data protection law. As a rule-of-law state, Indonesia upholds a balanced approach to human rights, ensuring debtor customers' right to data protection while considering the public's right to access certain information in urgent cases. This balance aligns with the utilitarian theory of natural law, emphasizing both privacy and necessary transparency.

Keywords: Legal Protection, Personal Data, Debtors, Banking

INTRODUCTION

The concept of personal data protection has now become a global concern, especially with the rapid development of technology and information systems. Personal data has a general scope and a specific scope. General personal data includes a person's personal identity such as name, age, address, gender, etc (Nur'aini, 2024). Specific personal data is data that, if processed, may result in the loss of personal identity. Meanwhile, specific personal data is data which, if processed, may result in a greater impact, such as the fear of causing harm and discrimination to the subject of personal data. The scope of specific personal data includes financial data, health data, child data, biometric data, genetic data and criminal records. The collection and use of personal data has been carried out in various sectors, including the banking sector (Wijaya, 2024).

The processing of customer data by banks on a large scale raises awareness of the importance of protecting customer data and information. This has been recognised internationally through the regulation of bank secrecy in various countries, including Indonesia. In general, bank secrets are information related to customers that must be kept confidential by banks and their affiliated parties (Li et al., 2021). Referring to Article 1 number 28 and Article 40 of Law number 10 of 1998 as amended by Law number 4 of 2023, information that falls within the scope of bank secrecy in Indonesia is information about depositors and deposits of depositors. Based on the provisions of Article 1 number 28 and Article 40, it can be seen that the scope of bank secrecy in Indonesia is narrowly applied and limited to depositing customers and deposits of depositing customers. Information other than the depositing customer is not required to be kept confidential by the bank, except in the event that the depositing customer also acts as a

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debtor customer, then in that case the bank is still obliged to keep the data and information confidential in its position as a depositing customer.

Bank secrecy is a form of protection for customer data and information provided by the state through a regulatory framework. The non-inclusion of debtor customer data and information in bank secrecy rules makes debtor customer data and information unprotected (Jabber et al., 2023). Customer data and information, which is the object of bank confidentiality, is part of human rights protected by Article 12 of the Declaration of Human Rights in 1948 and Article 17 of the International Covenant on Civil and Political Rights (ICCPR) in 1966. The Netherlands is a country that recognises that bank secrecy is part of human rights, as affirmed in Article 10 of the Dutch Constitution, which states that: Everyone shall be entitled to respect for his privacy, without prejudice to restrictions laid down by or under an Act of Parliament; 2). Rules to protect privacy shall be laid down by Act of Parliament in relation to the recording and dissemination of personal data; 3). Rules concerning the right of persons to be informed of data recorded about them and the use made of it, and to have such data corrected shall be laid down by an Act of Parliament.

The rapid development of information and communication technology in the era of data digitisation has made data transfer and dissemination easier. Cases of unlawful dissemination of debtor customer data and information by people who do not have the right show that protection of debtor customer data and information through bank secrets is needed. The view of natural law theory from Hugo de Groot or Grotius, that humans are endowed with a unique individual identity, separate from the state, therefore each person is an autonomous individual. Thus, the principle of disclosure of debtor customer data and information adopted in banking law in Indonesia is not in line with this theory. The bank secrecy provisions in Indonesian banking laws have provided protection for customer data, but the protection provided is limited to depositor data. Therefore, this study aims to fill this gap by examining the extent to which the current legal framework for protecting debtor customer data in Indonesia is aligned with human rights principles, particularly the right to privacy. Based on these arguments, this research aims to examine and analyse how the protection of debtor customer data and information in the perspective of human rights.

LITERATURE REVIEW

1. Human Rights and Personal Data Protection

Human rights are fundamental rights inherent to every individual from birth, as recognized in various international instruments such as the

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Universal Declaration of Human Rights (UDHR) and the International Covenant on Civil and Political Rights (ICCPR). One of these rights is the right to privacy, which includes the protection of personal data and information. This right is enshrined in Article 12 of the UDHR and Article 17 of the ICCPR, which affirm that no one shall be subjected to arbitrary interference with their privacy, including their personal data and financial information (Uddin et al., 2023). In the banking context, the protection of personal data encompasses customer financial information, including debtor customers, whose data must be safeguarded by financial institutions (Imtihani & Nasser, 2024). Therefore, protecting debtor customer data is not merely a technical aspect of banking systems but also a fundamental human right that must be respected and upheld by both the state and relevant institutions.

2. **Bank Secrecy Regulations in Indonesian Law**
In Indonesia, the principle of bank secrecy is regulated under Law No. 10 of 1998 on Banking, which has been updated by Law No. 4 of 2023. This principle aims to protect customer data and information, whether individual or corporate, from unauthorized access (Anggia et al., 2023). However, this regulation remains limited in scope as it primarily covers depositors and their deposits, whereas debtor customers do not receive the same level of protection. This discrepancy creates an imbalance in customer data protection and potentially violates the privacy rights of debtors. Additionally, in certain circumstances, banks are required to disclose customer data to specific authorities, such as law enforcement or tax authorities, demonstrating that bank secrecy is not absolute. Therefore, it is crucial to review these regulations to ensure that data protection for all customers, including debtors, is more comprehensive and aligned with human rights standards.

3. **The Principle of Balancing Rights and Obligations in a Legal State**
As a legal state, Indonesia adopts the principle of balance between rights and obligations in the implementation of human rights. This concept is reflected in Article 28J of the 1945 Constitution, which states that in exercising their rights and freedoms, every individual must respect the rights of others and comply with legal restrictions imposed for the public interest (Natamiharja et al., 2021). In the context of debtor customer data protection, this balance implies that while the right to privacy must be guaranteed, there are certain situations where data disclosure is necessary for public interest, such as in criminal investigations or national financial audits. This approach aligns with the Indonesian values of gotong royong (mutual cooperation) and social

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harmony, emphasizing the balance between individual and collective interests. Therefore, regulations on debtor customer data protection should consider this aspect to ensure that privacy rights are not overly emphasized at the expense of legal and national interests.

4. **Natural Law Theory and Human Rights**
   The protection of human rights, including the right to personal data, can be explained through natural law theory, which posits that fundamental human rights originate from universal moral principles and must be upheld by all legal systems (Wu, 2021). This theory, developed by philosophers such as Thomas Aquinas and John Locke, emphasizes that laws should reflect morality and justice inherent in human nature (Safsten., 2022). In the context of debtor customer data protection, natural law theory supports the idea that privacy is a fundamental right that should not be compromised merely for economic or administrative convenience. The state has both a moral and legal duty to ensure that personal data protection, including financial information, is not violated without legitimate justification. By adopting the principles of natural law, Indonesia's policies on debtor customer data protection should place greater emphasis on justice and the protection of individual rights.
5. **Utilitarianism Perspective on Bank Secrecy**
   Apart from natural law theory, the protection of debtor customer data can also be examined through the lens of utilitarianism, as developed by Jeremy Bentham and John Stuart Mill. This theory focuses on achieving the greatest benefit for the largest number of people (Schultz, 2021). In data protection, this approach underscores the importance of balancing individual rights and public interest. Debtor customer data protection should be designed in a way that provides optimal benefits for both individuals and society, without excessively compromising privacy rights. For example, in financial investigations related to crimes such as money laundering or corruption, the utilitarian perspective can justify the disclosure of certain customer information in the interest of greater public good. Therefore, regulations governing debtor customer data protection should not be rigid but rather flexible to accommodate legal requirements and broader public interests.
6. **The Influence of International Law on Data Protection Regulations in Indonesia**
   As part of the international community, Indonesia cannot disregard global standards on personal data protection. Several international legal instruments, such as the European Union's General Data Protection

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Regulation (GDPR), have become benchmarks for many countries in regulating personal data protection more strictly and comprehensively (Leite, 2021). GDPR affirms individuals' right to control their personal data and mandates that institutions handling such data adhere to principles of transparency and accountability. Although Indonesia has enacted Law No. 27 of 2022 on Personal Data Protection, its implementation still faces various challenges, particularly in harmonizing with existing banking regulations. Therefore, Indonesia needs to align its debtor customer data protection regulations with international standards to provide better legal certainty for all stakeholders, including banks, customers, and regulatory authorities

RESEARCH METHODS

In order to answer these problems, a legal research method is used with a philosophical approach, a statutory approach and a conceptual approach. The statutory approach is conducted by studying the consistency/ conformity between the Constitution and provisions related to human rights with banking laws and personal data protection laws. While the conceptual approach is carried out using the views/ doctrines of the natural law by linking it to the protection of personal data as a human right. The philosophical approach aims to describe law as *das idea* and moral justice. The philosophical approach in this research will be conducted specifically with reference to human rights and natural law theories. Natural law theory will be used to analyse the ethical and moral implications of data protection for debtor customers. This research will incorporate a philosophical perspective, which draws on Kantian ethics, to examine the inherent dignity and autonomy of individuals in the context of data protection. The data used in this research is secondary data obtained from literature studies. Secondary data in this research consists of primary legal materials in the form of binding and still applicable laws and regulations, jurisprudence, and legal doctrines related to the research topic.

This research is analyzed descriptively using a qualitative approach. The data is examined systematically to understand the protection of debtor customer data from a human rights perspective. The analysis process follows a deductive method, beginning with general legal principles and gradually narrowing down to specific aspects related to bank secrecy and data protection regulations in Indonesia. By applying this approach, the study identifies the gaps in existing laws, particularly the limited scope of bank secrecy, which primarily protects depositing customers but not debtor customers. The findings are then interpreted to draw conclusions that directly address the research problem. This method ensures a structured

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and logical analysis, highlighting the necessity of balancing debtor customers' rights to data protection with public interest considerations. Ultimately, the study emphasizes the importance of strengthening legal frameworks to ensure debtor customer data protection aligns with human rights principles and international standards.

RESULTS AND DISCUSSION

Results

Banking is a financial service institution that manages customer data on a large scale. Data processing activities include obtaining, collecting, processing, analyzing, storing, updating, transferring, disseminating, and destroying data. According to Alan Westin, data is categorized into three types: (1) Administrative data, which originates from transactions such as births, marriages, and banking activities; (2) Intelligence data, derived from administrative data or collected through observations and informants; and (3) Statistical data, obtained from survey results (Solove, 2016). In the banking, customer data falls under the administrative data category as it originates from transactions conducted by customers with banks. This data is crucial for banks to provide optimal financial services, analyze transaction patterns, and enhance security and fraud prevention. Therefore, secure and regulation-compliant data management is essential in the banking industry to protect customer privacy and rights.

The scope of bank secrecy in Indonesia is governed by Law No. 4 of 2023 on the Development and Strengthening of the Financial Sector. According to Article 1 point 28 and Article 40, bank secrecy refers to information regarding depositing customers and their deposits, as well as debtor customers. This regulation ensures that financial institutions protect confidential customer data from unauthorized access, maintaining trust in the banking system. The law aims to balance financial transparency and data protection, allowing exceptions only in specific legal circumstances, such as tax audits, investigations, or court orders. Law No. 27 of 2022 on Personal Data Protection broadens the definition of "information" beyond financial details to include statements, ideas, and signs that convey meaning in various formats. This expansion strengthens customer data protection by covering both personal and financial information, including account numbers, deposit amounts, and transaction details. Together, these regulations create a comprehensive legal framework that reinforces banking confidentiality while ensuring compliance with modern data protection standards.

Customer data in banking comprises personal identity information and financial transaction records. According to Article 11 paragraph (1) of

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POJK No. 6/POJK.07/2022 on Consumer and Community Protection in the Financial Services Sector, individual personal data includes a customer's name, identification number, address, birthdate, phone number, and mother's name. For corporate customers, data includes the company name, address, board composition, and shareholder details. This classification ensures that both individual and corporate customers receive legal protection regarding their sensitive information, preventing unauthorized access and misuse. In addition to identity data, financial information such as account numbers, balances, and transaction records is also safeguarded under bank secrecy regulations. This protection aims to maintain customer trust in the banking system while ensuring compliance with data security standards. Unauthorized disclosure of financial data can lead to legal consequences and reputational damage for financial institutions. Therefore, banks must implement strict security measures and adhere to regulations to protect customer data from potential breaches or misuse.

The protection of debtor customer data through bank secrecy is an essential aspect of privacy rights, which are recognized as fundamental human rights. As financial institutions collect and store increasing amounts of personal data, the need for strict protection measures has grown significantly (Purtova, 2011).. This necessity is further amplified by the complexity of government regulations, which often require access to personal information for administrative and regulatory purposes (Michael, 2005). Ensuring the confidentiality of debtor data strengthens trust in the banking system while preventing unauthorized access or misuse of sensitive financial information. However, the right to privacy, including protection of family life, residence, and correspondence, must be carefully balanced with broader societal interests such as national security and crime prevention. While bank secrecy is designed to safeguard debtor information, exceptions exist in cases involving financial crimes, money laundering, or terrorism financing. Regulatory frameworks aim to strike a balance between individual privacy rights and the state's responsibility to ensure economic stability and public safety. This highlights the ongoing challenge of maintaining data confidentiality while meeting legal and security obligations.

Personal data protection is a crucial component of the broader privacy protection framework, which has evolved from safeguarding physical spaces to regulating the control of personal information (Hovalts, 2007). The foundation of privacy rights was first introduced by Warren and Brandeis in 1891, defining privacy as "the right to be let alone." This concept was later expanded by Alan Westin, who described privacy as an individual's ability

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to control their personal information. As societies became more interconnected and reliant on digital systems, the need to protect personal data grew, leading to the establishment of legal frameworks to regulate information access and use. The advancement of surveillance technologies, including security cameras and computer-based monitoring systems, has heightened concerns about privacy erosion. As governments and corporations collect vast amounts of data, individuals face increasing risks of unauthorized access, data misuse, and identity theft. These developments emphasize the need for strong legal safeguards to balance technological progress with personal privacy rights. Effective data protection laws ensure that personal information remains secure while allowing necessary oversight for public safety and regulatory compliance.

Human rights are fundamental normative principles that recognize the inherent dignity and worth of every individual. The natural law school views human rights as divine gifts that apply universally, regardless of time or place. These rights are characterized as universal, meaning they apply to all individuals; indivisible, signifying that no right is more important than another; and interdependent, indicating that the fulfillment of one right supports the realization of others. This perspective underscores the necessity of upholding human rights in all aspects of life, ensuring equality, justice, and freedom for all individuals. In Indonesia, the protection of human rights is legally established in Article 1 point 1 of Law No. 39 of 1999, which defines human rights as fundamental rights inherently tied to human existence. This law highlights the state's responsibility to safeguard human dignity through legal measures, ensuring that individuals are protected from discrimination, oppression, and other violations. By codifying human rights into national law, Indonesia affirms its commitment to international human rights standards, reinforcing legal mechanisms to uphold justice and equality within society.

The history of human rights can be traced back to European thought in the 17th century, particularly through the ideas of John Locke, who advocated for natural rights such as life, liberty, and property. These concepts laid the foundation for modern human rights by emphasizing the inherent freedoms and protections that individuals should possess. Over time, various historical events played a significant role in shaping human rights principles, reflecting society's evolving understanding of justice and equality. Key milestones in human rights development include the Magna Charta (1215), the American Revolution (1776), and the French Revolution (1789). The Magna Charta was instrumental in establishing legal protections against arbitrary imprisonment and limiting the absolute power of the

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monarchy. The American and French revolutions further expanded human rights principles by emphasizing values such as freedom, equality, and fraternity. These events contributed to the development of modern human rights frameworks, influencing subsequent declarations and legal protections that continue to shape global human rights discourse today.

The protection of debtor customer data in the banking sector is closely linked to fundamental human rights principles, particularly the right to privacy. Governments and financial institutions play a crucial role in safeguarding customer information while ensuring compliance with national security and financial regulations. Effective data protection measures are essential for maintaining public trust in the banking system, as they help prevent unauthorized access, fraud, and identity theft. The collection, storage, and processing of customer data must be conducted transparently, with clear policies on how personal and financial information is handled. By upholding privacy rights, banks contribute to the broader human rights framework, ensuring that individuals' sensitive information is protected in an increasingly digital and interconnected world. Furthermore, adherence to strict data protection standards enhances the stability and integrity of financial institutions, preventing potential legal and reputational risks.

Despite the importance of protecting customer data, balancing privacy rights with regulatory compliance remains a significant challenge for modern financial systems. Governments impose strict financial regulations to prevent crimes such as money laundering, terrorism financing, and tax evasion, requiring financial institutions to monitor and report suspicious transactions. However, these regulations must not infringe upon individuals' privacy rights or lead to excessive surveillance. As technology continues to evolve, financial institutions and policymakers must continuously update legal frameworks to address new risks, including cyber threats and data breaches. Strengthening cybersecurity measures, enforcing strict data protection laws, and promoting ethical data management practices are crucial in preventing data misuse and maintaining human rights. In the digital era, collaboration between regulatory bodies, financial institutions, and technology experts is necessary to develop a secure and transparent financial system that respects both privacy rights and regulatory needs.

Discussion

Customer's Personal Data as Object in Bank Secrecy

Banking is a financial service institution whose business scope is to process customer data on a large scale. These customer data processing

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activities include obtaining and collecting data, processing and analysing data, storing data, repairing and updating data, transferring, disseminating and disclosing data, and destroying data. Based on the purpose and method of collection, Alan Westin categorises data into three categories, namely: (1) administrative data, which is generated from a 'transaction', such as a birth or marriage, and from self-reported or publicly collected personal data; (2) intelligence data which is drawn from administrative data or collected based on the testimony of informants and the observations of investigators; and (3) statistical data which is based on data collected from a survey (Solove, 2016). Through this categorisation, it can be seen that the personal data of customers collected by banks is classified as administrative data generated from a banking transaction provided by the customers themselves to the bank.

In order to determine what information is included in the scope of bank secrets, it can be seen from Law No. 4 of 2023 on the Development and Strengthening of the Financial Sector. Article 1 point 28 and Article 40 stipulate that the scope of bank secrets is information about depositing customers and deposits of depositing customers, as well as information about debtor customers in their position as depositing customers (Novyanti et al., 2024). Data can be in electronic and non-electronic form printed on sheets of paper. Electronic data is data that is stored and can be processed in a computer system in the form of a collection of information such as digital representations of text, numbers, graphic images, and sound (Yasu, 2022). In relation to the object of bank secrecy, customer-related information collected by the bank will form customer data. The customer data includes information about the customer's personal identity and information about the customer's financial records such as account numbers, deposit amounts, and transaction records.

Data related to information about the personal identity of bank customers includes individual customers and corporate customers. Specifically Article 11 paragraph (1), POJK no. 6/POJK.07/2022 concerning Consumer and Community Protection in the Financial Services Sector, states that personal data of consumers in the financial services sector consists of individual personal data which includes: name, Population Identification Number, address, date of birth and/or age, telephone number, name of biological mother; and/or other data submitted or given access by the Consumer to PUJK (Wiedyasari & Yuspin, 2024). In addition, there is also corporate personal data which includes: name, address, telephone number, composition of the Board of Directors and Board of Commissioners including identity documents in the form of identity cards

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/ passports / residence permits, composition of shareholders; and / or other data submitted or given access by consumers to PUJK. Meanwhile, data relating to information about deposits of depositing customers refers to personal financial data, such as account numbers, total balances and transaction records.

Protection of Debtor Customer Data and Information in the Perspective of Human Rights

The protection of customer data and information through bank secrecy rules is part of privacy protection that has been recognised as a human right (Purtova, 2011). The more numerous and complex a country's policies are, the more information about its citizens the government needs (Michael, 2005). Personal data protection is a subset of privacy protection, which started with the protection of one's body and home, and then progressed to the control of one's personal information (Holvast, 2007). Privacy can be described as an individual's right to self-determination, within certain limits, over his or her home, body, and information (Holvast, 2007). The protection of privacy is part of human rights, which is a normative concept that recognises that humans have inherent rights because they are human beings. In the Indonesian legal order, the definition of human rights is contained in Article 1 point 1 of Law No. 39 of 1999 which states that human rights are a set of rights inherent in the nature and existence of human beings as creatures of God Almighty and are His gifts that must be respected, upheld and protected by the state, law, government, and everyone for the sake of honour and protection of human dignity.

Personal data protection is aimed at guaranteeing citizens' rights to personal protection and fostering public awareness and ensuring recognition and respect for the importance of personal data protection. Indonesia as a state of law is characterised by, among others: the recognition of human rights protection in the constitution, the law as the supreme power, and everyone has the same position before the law (Siallagan, 2016). The bank secrecy provisions in Law 10/ 1998 and Law 4/2023 do not provide adequate legal protection for debtor customer data and information. However, the form of legal protection through agreements has shortcomings, because although contract law can protect privacy in the relationship formed between the two parties, it cannot protect against violations of privacy by third parties outside the contract (Solove, 2016). Thus, the application of bank secrecy in Indonesia through Law 10/ 1998 and Law 4/ 2023, which limits it to depositing customers, is not in accordance with the view of the flow of natural law (Hadi, 2022). By referring to the provisions of Article 28J paragraph (2) of the 1945

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Constitution, human rights in Indonesia do not only emphasise rights or obligations, but there is a balance between rights and obligations (Hadjon, 1987).

The essence of respecting and protecting human rights is to safeguard the safety of human existence as a whole through the balancing act between rights and obligations and the balance between individual interests and public interests (Salfutra, 2018). On the one hand, the state protects the human rights of its citizens, while on the other hand, it organises the public interest. The public interest is in the form of public welfare as mandated by the 1945 Constitution. The concept of human rights balance in the rule of law is in line with the Utilitarian theory of the natural law school initiated by Jeremy Bentham (Harwood & Habibi, 2024). According to this theory, human existence is determined by the goal or utility of achieving happiness for the majority of people. Rights are derived from law. Everyone has rights but these rights can be lost if they conflict with the happiness of others. In this case, the interests of many people outweigh personal interests. Thus, debtor customers have the right to have their data and information kept confidential through bank secrecy rules, but this right can be overridden when there are public interests that take precedence over private interests.

CONCLUSION

The study finds that the protection of debtor customer data and information under Indonesian banking laws, specifically Law 10/1998 Jo. Law 4/2023, remains inadequate due to its narrow scope, which only covers depositors and their deposits. This limitation violates debtor customers' human rights and contradicts personal data protection principles. Since personal data protection is an essential aspect of privacy rights, which are recognized as fundamental human rights under global instruments such as the UDHR and ICCPR, Indonesia's current legal framework falls short in ensuring comprehensive protection. In the Indonesian context, personal data protection reflects the 2nd Precept of Pancasila and is legally safeguarded under the 1945 Constitution and various human rights and data protection laws.

The strength of this research lies in its contribution to highlighting the imbalance in Indonesia's legal framework regarding debtor customer data protection. By integrating human rights principles and the concept of balance in the rule of law, the study provides a deeper understanding of how Indonesia's legal system should align with international standards. Furthermore, it offers valuable insights into the necessity of harmonizing

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bank secrecy regulations with human rights protections, advocating for a balanced approach that upholds both privacy rights and the public interest.

However, the study has limitations, particularly in its reliance on legal analysis without empirical validation through case studies or stakeholder perspectives. While the research effectively discusses theoretical and legal principles, it lacks practical data to demonstrate the real-world impact of inadequate debtor customer data protection. Future studies could strengthen the findings by incorporating qualitative or quantitative research methods, such as interviews with legal experts or analysis of cases where bank secrecy regulations have affected debtor customers' rights.

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