

Legal Implications of the Passive Account (Dormant) Blocking Policy on the Principle of Banking Secrecy in Indonesia

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ABSTRACT

Keywords: Banking secrecy, Legal Implications, Policy, Passive account blocking,

This study analyzes the legal implications of blocking dormant accounts by the Financial Transaction Reporting and Analysis Center (PPATK) on the principle of banking secrecy in Indonesia. Banking confidentiality as a fundamental principle has been regulated in Law Number 7 of 1992 as amended by Law Number 10 of 1998, which confirms that banks are obliged to keep customer data confidential. However, there are exceptions in terms of prevention and eradication of criminal acts, especially money laundering as regulated in Law Number 8 of 2010 concerning TPPU. In practice, the authority of PPATK to temporarily suspend transactions or block passive accounts based on Presidential Regulation Number 50 of 2011 raises legal problems. On the one hand, this policy is needed to maintain the integrity of the financial system from the potential misuse of inactive accounts as a means of money laundering. However, on the other hand, these actions have implications for the protection of customer rights, the principle of banking secrecy, and the implementation of due process of law. The research method used is normative juridical with legislative, conceptual, and case approaches. The results of the study show that the legal basis for PPATK's authority is available, but its implementation causes legal uncertainty because there is no balanced mechanism between the state's interests in eradicating financial crimes and the protection of customers' constitutional rights. Therefore, it is necessary to harmonize regulations and reformulate the supervisory mechanism so that the authority of PPATK remains proportional, accountable, and in accordance with the principles of substantive justice.



Introduction

Banks in the modern financial system, banks occupy the role of institutions that carry out the function of collecting and circulating public funds which are strictly regulated through regulations that aim to maintain the stability of the financial system and the principle of bank secrecy. The principle of bank secrecy is a fundamental part of the international standards adopted by Indonesia within the framework of national banking regulations. This principle not only serves to maintain customer trust, but also as a moral

and ethical foundation in bank operations which are regulated through central bank laws and regulations (Budiardjo, 2017). However, in the context of eradicating money laundering and terrorism financing, the government through the supervisory authority, namely the Financial Transaction Reporting and Analysis Center (PPATK), is given the authority to block accounts suspected of being related to illegal activities. The practice of blocking passive accounts, i.e. accounts that are inactive or do not have recent transactions, is part of the crime eradication strategy. This step is taken to prevent possible terror attacks, illegal funding, and money laundering activities that take advantage of administrative loopholes and bank secrecy as the main protector of customers (Johari et al., 2020).

The implementation of passive account blocking by PPATK actually reaps various problems and challenges related to the principle of bank confidentiality, especially in the context of data protection and customer information regulated in Law No. 10 of 2016 concerning Electronic Information and Transactions and Law No. 8 of 1999 concerning Personal Data Protection. In practice, the blocking of passive accounts is often carried out without prior notice to the client or related parties, raising concerns about violations of the principles of confidentiality and the right to privacy (Nurhadi & Sihombing, 2021).

The government from a legal point of view does not yet have laws and regulations that expressly regulate the procedures, limitations, and aspects of data protection in the process of blocking accounts carried out by PPATK. These institutions tend to act based on the administrative authority and *interchange authority* that is broadly granted, without paying attention to the explicit aspects of protecting the rights of customers (Yahya et al., 2019). The absence of formal assurances that the process is conducted in accordance with the principles of fairness and confidentiality raises concerns about abuse of authority, intimidation practices, and violations of clients' human rights and privacy.

A number of literature and empirical studies show that the main concern is the weak guarantee of legal protection against the confidentiality of blocked banks, as well as the lack of clarity regarding the supervisory mechanism of the regulatory body against this practice. As a result, there is a perception that passive account blocking is often used as an institutional tool for political, economic, or even criminal interests, thus creating legal uncertainty and eroding public trust in the banking system and supervisory institutions in general (Darsana & Pradipta, 2022).

Although the mechanism for blocking passive accounts by PPATK has been regulated in internal procedures and administrative policies, this study identifies significant gaps related to the protection of bank privacy and confidentiality rights and potentially violates banking laws related to customer data protection as stipulated in Article 40 of Law No. 10 of 1998 (concerning Amendments to Law No. 7 of 1992 concerning Banking) which emphasizes the principle of bank secrecy, which requires banks to keep customer information and deposits confidential, except for some exceptions stipulated in other articles such as Articles 41-44A and also regulated in the Personal Data

Protection Law (PDP Law) and OJK regulations. There is a lack of regulations governing the procedures, limitations, and data protection mechanisms related to the blocking of such accounts, raising concerns about possible violations of the principles of justice and privacy of citizens. In addition, there is an imbalance between the authority of PPATK as the authorized supervisory institution in terms of preventing and eradicating money laundering and terrorism financing, and the protection of the privacy and confidentiality rights of bank customers that must be maintained by banking institutions. This lack of clarity creates regulatory loopholes that have the potential to be abused and negatively impact public trust in the banking system and law enforcement (Asyari et al., 2023).

These considerations affirm the urgency of this study to examine in depth the legal aspects and mechanisms for the protection of privacy rights during the implementation of passive account blocking. The focus of this research is to identify existing regulatory weaknesses and formulate a legal harmonization strategy that is able to ensure the protection of the rights of the state, society, and customers in a balanced manner. Innovations and regulation-based policy recommendations that pay attention to aspects of data protection, transparency, and fair procedures are important innovations in this study.

This research seeks to enrich the literature on the national legal framework in the context of the existence of financial supervisory institutions, especially PPATK, and the implementation of the principle of confidentiality in the practice of eradicating financial crime. Thus, the scientific contribution of this research is to develop a harmonious regulatory framework, as well as a supervisory system that preserves the right to privacy while being effective in preventing financial crimes. This study is to provide policy recommendations for regulators and supervisory institutions to ensure that the process of blocking passive accounts is carried out fairly, transparently, and in accordance with the principles of human rights protection and bank secrecy, as well as increasing public trust in the national banking system and law enforcement agencies in Indonesia.

Research Methods

This research uses a normative juridical method, which is legal research that focuses on the study of applicable positive legal norms and their application in practice. According to Soekanto & Mamudji (2001), normative law research aims to analyze written law using primary, secondary, and tertiary legal materials. Thus, this approach is relevant because the research problem is related to the legal basis, authority, and implications of the act of blocking passive accounts by PPATK regulated in laws and regulations.

This type of research is prescriptive-analytical, because it not only describes the positive law that applies, but also provides normative arguments regarding the conformity of legal norms with the principles of due process of law and the protection of customer rights. This is in line with the view of Marzuki (2016) who stated that normative legal research aims not only to be descriptive but also to provide solutions to the legal issues being studied.

In normative juridical research, several approaches are used. First, the statute approach, to examine various legal provisions that are the basis for the authority of PPATK, such as Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes, Law Number 10 of 1998 concerning Banking, Presidential Regulation Number 50 of 2011, and OJK regulations related to AML-PPT. Second, a conceptual approach, in order to analyze the legal principles underlying the act of blocking accounts, including the principles of banking confidentiality, the protection of customer rights, and the principle of proportionality (Ibrahim, 2012). Third, the case approach, namely by examining the practice and court decisions related to account blocking as a form of applying legal norms in reality (Hadjon, 1997).

The sources of legal materials used in this study consist of: (1) primary legal materials, namely laws and regulations (2) secondary legal materials, in the form of books, journals, articles, and opinions of legal experts; and (3) tertiary legal materials, such as legal dictionaries and encyclopedias that help clarify legal concepts (Salim & Nurbani, 2013).

Data analysis techniques are carried out in a normative qualitative manner, by interpreting legal provisions, principles, and doctrines, and then relating them to PPATK administrative practices. As emphasized by Sunggono (2007), normative qualitative analysis allows researchers to produce legal arguments that are systematic, coherent, and can be used to formulate policy recommendations.

Results and Discussion

1. Legal basis and authority of PPATK in blocking passive accounts in Indonesia

Departing from the national legal framework of anti-money laundering and terrorism financing, the legal basis and authority of PPATK (Financial Transaction Reporting and Analysis Center) in taking action against "passive/dormant" accounts, especially in the form of temporary suspension of transactions that are often perceived by the public as "account blocking" based on the construction of the norms of Law No. 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes (TPPU Law), Presidential Regulation No. 50 of 2011 concerning Procedures for the Implementation of PPATK Authority (Perpres 50/2011), and the regulatory regime of the Financial Services Authority (OJK) regarding APU-PPT-PPSPM; This combination gives PPATK the authority to request financial service providers (PJK) to "temporarily suspend transactions" on funds/accounts that are known or suspected to be related to the proceeds of a criminal act, which in concrete can be in the form of a cessation of account activities for a certain period of time (five working days and can be extended up to fifteen working days), accompanied by an inherent objection and accountability mechanism (Presidential Decree 50/2011; see Articles 40–44 which explicitly mention termination of account activities as a form of temporary suspension, with a time limit, right of objection for service users, and PPATK's obligation to ensure procedural compliance). (Perpres 50/2011).

In this construction, terminologically-legally, PPATK does not "block" executorially with unilateral authority, but orders the PJK to suspend or temporarily stop account transactions/activities based on the results of analysis and/or examination that show a connection with criminal acts; The authority to confiscate/permanently freeze remains with the investigator, public prosecutor, or judge in accordance with the *lex generalis* of the Criminal Code and the *lex specialis* of the Anti-Corruption Law, while the PPATK forwards the results of the analysis/examination to the investigator for further processing (Perpres 50/2011; UU 8/2010). The emphasis on this "temporary" and "risk-based" nature is also emphasized in various official explanations of PPATK after the policy of temporary suspension of dormant accounts: the action aims to cut off the potential misuse of passive accounts for financial crimes and will be followed up by submitting the Results of the Analysis/Results of the Audit to law enforcement officials; If it is not confirmed that there is an indication of a criminal act, the account can be reactivated by the bank after the verification/deepening process which refers to the corridor of Presidential Regulation 50/2011. (PPATK, 2021; PPATK, 2025).

OJK through POJK No. 12/POJK.01/2017 (as updated and now replaced by POJK regime No. 8/2023) requires PJK to implement a risk-based AML-PPT program that includes Customer Due Diligence (CDD), monitoring, and reporting, including compliance with the order to delay/stop transactions from PPATK; This technical regulation serves as an operational bridge so that the authority of PPATK can be carried out consistently, proportionately, and documented at the PJK level. (OJK, 2017; OJK, 2023). In addition, there is a "immediate blocking" regime on subjects/entities in the List of Suspected Terrorists and Terrorist Organizations (DTTOT) which is regulated through SEOJK No. 38/SEOJK.01/2017; This regime stands alone because of its national security (TF/TPPT) nature, but it shows the same pattern: PPATK provides intelligence and coordination, while blocking execution is carried out by the PJK based on the provisions of the OJK and the orders of the relevant authorities in the national CFT architecture (OJK, 2017b). In recent public discourse, the policy of temporarily suspending dormant accounts by PPATK has received contrasting responses: on the one hand, it is appreciated as a quick preventive measure against the practice of buying and selling accounts and sheltering funds from crime (including online gambling); On the other hand, it is feared that it will have an impact on people who passively save funds for certain purposes (education/health costs), thus demanding a more precise, transparent, and tiered policy design (graded intervention) so as not to cause overblocking (Antara, 2025; KPPOD/CNBC, 2025; UGM, 2025).

The authority of PPATK to temporarily suspend as part of the "quasi-investigation function" necessary to prevent the dissipation of assets before law enforcement moves, but is still limited by due process in the form of time limits, right to object, proportionality testing, and PPATK's accountability obligations to the President and the House of Representatives as stipulated in Presidential Regulation (Perpres) Number 50 of 2011 concerning Procedures for the Implementation of the Authority of the Financial Transaction Reporting and Analysis Center In Chapter VI on accountability, it is

important to maintain a balance between the effectiveness of prevention and the protection of clients' civil rights (Rahayuningsih, 2013; Sastra, 2012; Perpres 50/2011). At the practical level, Perbanas together with banks also drafted "bye laws" for delaying/rejecting inter-bank transactions as an implementation standard that is in line with PPATK Regulations and OJK provisions, to ensure cross-bank verification, destination account tracing, and decision deadline discipline, with the orientation of protecting victim customers and suppressing fraud; This confirms that the pause is not just a domain intelligence, but a multi-actor orchestration process in the payment system (Perbanas, 2024).

From the perspective of the construction of the "passive/dormant account", it needs to be emphasized that *dormant status* alone is not an automatic legal reason for the termination of account activities by PPATK, the connection with alleged criminal acts remains a material requirement. Dormant is only a risk indicator that demands verification, a number of practical legal writings also warn that the narrative of "mass blocking" does not go beyond existing legal limits (Hukumonline, 2025). In the normative framework, Presidential Regulation (Perpres) Number 50 of 2011 concerning Procedures for the Implementation of the Authority of the Financial Transaction Reporting and Analysis Center provides a written objection path for service users/third parties that must be accompanied by reasons, evidence, and an explanation of the legal relationship with the account. PPATK is obliged to assess the objection to then order the revocation of the action or reject it and if it is rejected, there is a civil lawsuit as a path that is a manifestation of the principle of checks and balances at the pre-adjudication stage so that the temporary action remains legally administratively accountable. (Perpres 50/2011).

Systemically, an integrated reading of Law (UU) Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes, Presidential Regulation (Perpres) Number 50 of 2011 concerning Procedures for the Implementation of the Authority of the Financial Transaction Reporting and Analysis Center, and OJK regulations shows that the main purpose of the authority for temporary suspension is "asset preservation" and "crime prevention" which are urgent when there are red flags, such as massive reactivation dormant accounts to accommodate funds from crime but the final result (revocation/continuation to criminal proceedings) is largely determined by the follow-up of law enforcement on the results of the analysis/results of the PPATK examination; thus, the narrative of "PPATK blocks passive accounts" should be understood as part of an interim mechanism oriented towards asset rescue and prevention, not final sanctions. (PPATK, 2021; PPATK, 2025; Perpres 50/2011). Given the policy debates that emerged throughout July–August 2025, some academics emphasized the importance of improving operational parameters (e.g. inactivity time thresholds that take into account account usage patterns for long-term savings, risk-profile-based exclusions, strengthening early notification channels, and objection resolution SLAs), so that the principles of legality, necessity, and proportionality are met and do not harm public confidence in the system finance while remaining effective in closing the gap of passive account abuse for organized crime (UGM, 2025; Drone Emprit, 2025).

Doctrinally, the authority of PPATK to "temporarily suspend transactions" (which can be in the form of cessation of account activities) has a clear legal footing (Law on TPPU jo. Presidential Decree 50/2011) and the support of the OJK sectoral regime (POJK 12/2017 is now POJK 8/2023 and its implementation guidelines), but its implementation must continue to be supervised so that it does not fall into a "mass blocking" based on dormant status alone, but remains based on the results of financial intelligence analysis that can be tested and accountable, accompanied by procedural protection for customers through the right to object, transparency of the process, and close coordination with law enforcement to ensure that any restriction of rights to the account has an adequate factual and juridical basis.

2. The principle of banking confidentiality is regulated in laws and regulations, especially in relation to the act of blocking accounts by PPATK

The principle of banking secrecy is one of the main foundations in the modern financial system that aims to protect customers' privacy rights to their data, identity, and financial activities. In Indonesia, this principle is regulated mainly in Law Number 7 of 1992 concerning Banking as amended by Law Number 10 of 1998, which confirms that banks are obliged to keep information about their depositors confidential, except in matters exempt by law (Sjahdeini, 2017). This shows that banking secrecy has a dual function, namely as an instrument to protect public trust in the banking system as well as a tool for national financial system stability (Arifin, 2019).

However, this principle of confidentiality is not absolute. Indonesian laws and regulations provide certain exceptions, one of which is related to efforts to prevent and eradicate money laundering crimes. The birth of Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes (TPPU Law) has serious implications for banking secrecy practices, as it gives the authority to the Financial Transaction Reporting and Analysis Center (PPATK) to request, receive, analyze, and even instruct the temporary blocking of customer accounts suspected of being involved in suspicious activities (Rahardjo, 2018).

Normatively, the authority of PPATK can cause tension with the principle of banking secrecy. On the one hand, banks are obliged to maintain the confidentiality of their customers, while on the other hand, banks are obliged to comply with PPATK's instructions as a form of implementing an anti-money laundering and terrorism financing regime. This conflict of legal interest philosophically reflects the tug-of-war between the private interests of customers and the public interest in maintaining the integrity of the financial system (Gunawan, 2020).

Article 44 of the Anti-Corruption Law provides a clear legal basis for PPATK to order financial service providers to temporarily suspend transactions for up to 5 working days. Furthermore, to strengthen the basis of this authority, Presidential Regulation Number 50 of 2011 concerning Procedures for the Implementation of PPATK Authority regulates the technical blocking of customer accounts. While this may be considered a

violation of the right to privacy, the regulation positions blocking as a legitimate and constitutional preventive measure (Wahyudi, 2019).

In practice, problems arise when account blocking is carried out against passive or dormant accounts, which are accounts that are rarely used by customers for a certain period of time. Some critics have argued that blocking this type of account is vulnerable to conflict with banking secrecy principles, as the account owner may not have any involvement in criminal activity. In other words, PPATK's preventive measures can be considered beyond proportionality, so they have the potential to cause legal disputes (Iskandar, 2021).

The limitations of the application of the principle of banking secrecy in Indonesia are also related to global demands. Indonesia is a member of the Financial Action Task Force (FATF) which requires its member countries to have an adequate legal framework to detect and prevent illegal fund flows. The FATF recommends that banking secrecy should not be used as an excuse to obstruct investigations of money laundering and terrorism financing (FATF, 2022). Thus, the authority of PPATK to block accounts can be read as harmonizing national law with international standards (Susanto, 2020).

From a juridical point of view, the principle of banking secrecy regulated in the Banking Law must be seen as *a relative right*, not *an absolute right*. This means that this right can be limited as long as there is a clear legal basis, a legitimate purpose, and measurable proportionality (Simanjuntak, 2019). However, implementation problems still arise. First, the lack of procedural transparency often makes customers not know clearly why their accounts are blocked. Second, the absence of an objection mechanism or a quick *remedy* causes customers to be economically disadvantaged, especially small and medium business actors who need liquidity. This raises the question of whether the restriction of the principle of banking secrecy by PPATK is really in line with the principles of legal certainty and the protection of human rights (Maulana, 2021).

In addition, there is a sociological dimension that Indonesian people still place banks as institutions that are highly trusted in storing wealth. Therefore, violations of banking secrecy, even with legitimate legal grounds, can reduce public trust in national banking. If this is not managed carefully, it will have an impact on the stability of the financial system and potentially disrupt the economy on a macro basis (Sudibyo, 2018).

Within the framework of constitutional law, the authority of PPATK in blocking accounts must also be tested with the principle of *checks and balances*. This means that this large administrative authority must be supervised both by laws and regulations and judicial mechanisms. Otherwise, this authority has the potential to be abused so that it is contrary to the principle of the rule of law (Wibisono, 2020).

The principle of banking confidentiality is indeed regulated and guaranteed by laws and regulations, but it is not absolute. Exceptions to this principle, particularly in relation to the blocking of accounts by the PPATK, are a logical consequence of the state's efforts to prevent financial crime. Nevertheless, blocking practices must be carried out proportionately, transparently, and accountably so as not to erode public trust in banking. The biggest challenge ahead is how to build a balance between protecting customer

confidentiality and the state's needs in maintaining the integrity of the financial system from money laundering and terrorism financing crimes.

3. Legal implications of blocking passive accounts on the protection of customer rights

The blocking of *dormant accounts* by state authorities, especially PPATK, is a legal step that raises serious debates in relation to the protection of customer rights and the principle of due process of law. On the one hand, this blocking is considered a preventive instrument to anticipate the crime of money laundering and terrorism financing. On the other hand, such actions can have legal implications in the form of violations of the customer's constitutional rights, including the right to property, the right to legal certainty, and the right to fair treatment.

Bank accounts are part of the customer's wealth that is guaranteed by law. Blocking without going through the judicial process has the potential to reduce the principle of property protection as stipulated in Article 28H paragraph (4) of the 1945 Constitution which affirms that everyone has the right to have personal property rights and that property rights should not be taken arbitrarily (Utami, 2020). The legal implications of blocking passive accounts can be a violation of constitutional rights if they are not accompanied by a proportionate legal basis and mechanism.

The act of blocking passive accounts is supposed to meet fair and transparent legal principles. Due process requires clear procedures, notification to affected parties, and opportunities to file objections or defenses (Huda, 2018). In practice, customers are often not given adequate information about the reason for the block. This condition creates legal uncertainty and can be seen as a form of *abuse of power* by state institutions.

Law No. 8 of 2010 concerning Money Laundering does give the authority to PPATK to temporarily stop transactions. However, the nature of this administrative authority has implications for individual rights. This confirms the potential conflict between collective goals (public interest in eradicating financial crime) and individual rights (protection of property rights and legal certainty). According to Supardi (2019), the restriction of citizens' rights can only be justified if it meets three conditions: a clear legal basis, a legitimate purpose, and an effective monitoring mechanism. Without this condition, the blocking act can be considered contrary to the principle of the rule of law.

Another legal implication is the potential for civil disputes between customers and banks. Customers whose accounts are blocked have the right to claim compensation if they feel aggrieved, considering that banks have a contractual obligation to maintain and manage customer funds (Samsul, 2021). When banks are subject to the PPATK order, however, they ignore the provisions governing banking that are generally contained in Law 7/1992 and its amendments. The provisions regarding the principle of bank confidentiality are affirmed in Article 14 number 37 of the P2SK Law which amends Article 40 of Law 7/1992, as follows:

1. *The Bank and Affiliated Parties are obliged to keep confidential information about the Depositor Customer and his/her deposits.*

2. *In the event that the Depository Customer is also a Debtor Customer, the Bank and Affiliated Parties are obliged to keep confidential information about the customer in their position as a Depository Customer.*

Banks may face a dilemma: between carrying out the orders of state authorities or protecting the rights of their customers. This dilemma can lead to lawsuits that have implications for the public's reputation and trust in banking.

Blocking passive accounts without clear procedures has the potential to erode public trust in the financial system. Trust is the main capital in the banking world, and any violation of the principle of protecting customer rights can pose a *systemic risk* in the form of massive withdrawals (bank runs) (Priyono, 2022). Thus, the legal implications of this policy are not only individual, but also have a structural impact on national economic stability. Furthermore, there are implications at the level of human rights.

International instruments, such as *the International Covenant on Civil and Political Rights* (ICCPR), which Indonesia has ratified through Law No. 12 of 2005, guarantee the right to legal protection and a fair judicial process. If the blocking of the account is carried out without any opportunity for the customer to file an objection, then the policy may be seen as contrary to Indonesia's commitment to upholding human rights principles (Siregar, 2019). A bank account is a part of a person's financial property. Blocking without due process effectively deprives a person of access to his or her property, which is a violation of the right to property guaranteed in the Universal Declaration of Human Rights as well as the Indonesian constitution. Account blocking can cripple customers' lives, thwart payment of basic needs, medical expenses, or employee salaries. In this context, the policy not only violates legal-formal rights, but also has a direct impact on the right to a decent life and the survival of customers and their families.

Even though there is an objection mechanism provided, if the administrative process that must be passed by the customer is too convoluted, long, and time-consuming, it actually still harms the customer and has the potential to erode the value of justice that should be obtained. If the block turns out to be invalid or mistargeted, the customer will only get his rights back after a lengthy administrative process. The delay in the restoration of rights shows that the existing objection mechanism has not been effective in providing speedy justice. The procedural aspect is a key point in assessing the suitability of the blocking action with the principle of due process of law. Ideally, the blocking of passive accounts should be followed by official notification, a clear time limit, and an appeal mechanism to a court or independent agency. Without this mechanism, blocking acts are more like unilateral administrative actions that are prone to abuse (Nugraha, 2020).

The policy of blocking passive accounts is actually intended to narrow the space for money laundering crimes, but the legal implications that arise show the risk of overcriminalization, namely when administrative actions are considered as if initial proof of customer involvement in financial crimes (Putra, 2021). This condition is certainly dangerous because it has the potential to shift the principle of presumption of innocence which is a pillar of modern criminal law. The potential violation of the principle of

proportionality, this principle requires that every state action on individual rights must be balanced with the goals to be achieved. Blocking passive accounts completely without distinguishing the customer's risk category can be considered disproportionate. According to Andriansyah (2022), the state's preventive measures should be based on a risk-based approach so that only high-risk accounts are blocked, not all passive accounts without clear criteria. The act of blocking passive accounts by PPATK must be placed within a legal framework that guarantees the protection of customer rights and conformity with the principles of due process of law. This can be done by strengthening derivative regulations that regulate customer objection mechanisms, clarifying the criteria for accounts that can be blocked, and ensuring effective judicial supervision. Without these steps, the legal implications of this policy have the potential to lead to human rights violations, legal uncertainty, and a decline in public trust in the banking system.

Conclusion

The legal basis for blocking passive accounts by PPATK is rooted in the TPPU Law, Presidential Regulation, and various OJK regulations that give administrative authority for PPATK to stop suspicious financial transactions. However, this authority must be understood as a preventive effort to support the integrity of the financial system, not as a final enforcement of criminal law. Therefore, its implementation requires strict supervision, objection mechanisms, and synergy with judicial institutions to remain in line with the principles of legal certainty and the protection of citizens' rights.

The principle of banking confidentiality regulated in the Banking Law and its derivative regulations aims to protect customers' privacy rights. However, this principle is not absolute because it can be set aside for the sake of law enforcement, especially in the eradication of anti-trafficking and terrorism financing. Account blocking by PPATK is a legally valid exception if it has a regulatory basis, clear objectives, and is implemented with transparent procedures. Thus, the principle of banking secrecy is still upheld, but it should not be used as a shield for criminal practices that are detrimental to the public interest.

The blocking of passive accounts carries complex legal implications for the protection of customer rights, in particular property rights, legal certainty, and the right to due process. Without a clear notification mechanism and objection procedure, this policy has the potential to violate the principle of *due process of law* and reduce the principle of presumption of innocence. In addition to raising the risk of civil disputes and lowering public trust in banks, the policy can also clash with Indonesia's international human rights commitments. Therefore, account blocking must be regulated with strict procedural standards that are proportional and based on a *risk-based approach*.

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