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<b>Judul</b>	: House's Proposal to Expand Police Authority Raises Alarm
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# House's proposal to expand police authority raises alarm

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## **The Jakarta Post/Jakarta**

Human rights groups and critics have demanded that the House of Representatives drop a plan to revise the 2002 Police Law that they say will give the police sweeping authority over cyberspace and in conducting surveillance and intelligence work.

Over the past few years, calls for police reform grew louder following reports of the police using excessive force and a number of scandals involving high-ranking officers from drug trafficking to bribery and a murder.

But the latest bill that will revise the police law, which is currently being discussed in the House, does not address a major underlying problem: how to make the police more accountable for their actions.

Civil groups said the bill would instead further increase the potential for abuse of power amid a shrinking civic space.

A draft of the bill amending the police law obtained by *The*

*Jakarta Post* contains a provision that gives the police the power to "block and cut off access to cyberspace" in matters of national security or to prevent cybercrimes.

Wahyudi Djafar of think tank Institute for Policy Research and Advocacy for Society (El-sam) said the provision was too vague and potentially violated the freedom of expression and rights to information.

"The bill fails to explain what constitutes a threat to national security, which means that the police could have full discretion to make that call. It would pave the way for the police to silence critics," Wahyudi said on Friday.

He said that taking down content that violates the law should be done on a case-by-case basis—which is currently regulated by the Electronic Information and Transactions (ITE) law—and not by imposing a blanket ban on the internet.

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Another controversial provision in the bill allows the police to monitor cyberspace without specifying how and when they are doing so.

Wahyudi said the bill would allow the police to carry out mass surveillance on the public, potentially violating the recently passed Personal Data Protection Law.

"The bill says that the police can monitor cyberspace, but it fails to create guidelines to ensure that authorities do not violate our rights to privacy. The bill also doesn't specify how far the police can go in monitoring our cyber activities and on what basis [they can do so]," he said.

### Intelligence ops

The bill also gives the police the authority to wiretap and secretly intercept communication devices.

It allows the police to carry out intelligence operations to prevent and mitigate activities deemed to pose a threat to national security, including by surveilling foreigners visiting the country.

The bill says that these operations must be conducted by upholding human rights standards and through coordination with intelligence agencies.

Still, it is concerning that the police will have the surveillance power in the absence of laws that regulate wiretapping and interception of communications, said Dimas Bagus Arya of rights group the Commission for Missing Persons and Victims of Violence (Kontras).

"Abroad, the police need a warrant from a court to be able to legally wiretap someone. But here, the bill does not include such a condition, making wiretapping very prone to abuse," Dimas said.

He added that granting the police the authority to run surveillance operations would create an overlap with the State Intelligence Agency (BIN), thereby increasing the risk of friction between the police and other state institutions.

"It is quite problematic considering that there has not been any form of evaluation or accountability for undercover police operations," Dimas said.

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Recently, the police grabbed national attention following reports that members of the Denpasar 88 counterterrorism squad allegedly spied on assistant attorney general for extraordinary crimes Febri Ardiansyah, who is leading multiple investigations into major graft cases.

The fact that there has been no clear explanation from either the Attorney General's Office (AGO) or the police about the circumstances surrounding the incident has stoked concerns about police overreach and friction between the two institutions.

In 2022, the press was shocked to discover that a police intelligence officer named Umbaran Wibisono had gone undercover for 14 years as a journalist at the public television broadcaster TVRI in Central Java.

The press criticized it as a state infiltration of a press institution. But the police said Umbaran was only a freelance TV contributor—and not a journalist nor a permanent employee. The police said Umbaran went undercover for "various intelligence reasons" but did not specify what he was investigating.

### Other problematic laws

The planned amendment to the police law comes as lawmakers are under public scrutiny over their efforts to revise other pieces of legislation on contentious grounds, including the 2004 law governing the Indonesian Military (TNI) and the 2002 Broadcast Law.

It is widely feared that the proposed provision in the TNI bill that allows active TNI personnel to occupy positions in any ministry or institutions would pave the way for the military to return to civilian affairs.

The revision to the broadcasting law, meanwhile, has been criticized by journalist organizations for stifling freedom of the press through vague provisions, including one they fear could curb investigative journalism on screen.

The drafting of these bills and the police bill followed a pattern that critics have described as undemocratic because of a lack of transparency and rushed deliberation that largely skirts public participation.