

## JOINT STATEMENT

### **Indonesia: Rejection of the Problematic and Rushed Amendments to Law No. 34/2004 on the Indonesian National Armed Forces (TNI Law)**

Jakarta, 17th March 2025 - Civil society organizations strongly reject the proposed amendments to Law No. 34/2004 on the Indonesian National Armed Forces (TNI Law), which pose a serious threat to democracy, civilian supremacy over the military, and human rights in Indonesia.

Following the fall of President Suharto's "[New Order](#)" regime in 1998, Indonesia undertook reforms to dismantle the dual function (*dwifungsi*) of the Indonesian National Armed Forces (TNI), which allowed military personnel to be involved in government, political affairs, and law enforcement, extending their influence far beyond their traditional defense functions. These reforms were intended to restore civilian supremacy over the military, strengthen democratic governance, and improve human rights protections. A key milestone in this process was the enactment of the Law No. 34/2004 on the TNI (TNI Law), which sought to ensure the neutrality of the military in politics and governance.

However, Indonesia's military reform has not only stalled, it has actually regressed. Under the administration of President Prabowo Subianto, the government is actively pushing for a controversial revision of the 2004 TNI Law, that would allow active military personnel the authority to hold 16 governmental positions and significantly expand the military's non-combat roles. In particular, Commission I (DPR RI) member Tubagus (TB) Hasanuddin, has indicated that the proposed amendments would allow the military to engage in non-combat operations, including direct involvement in drug interdiction.

This proposed amendment raises serious concerns. Giving the military a role in civilian law enforcement - particularly in cooperation with the National Narcotics Agency (BNN) and the police - creates legal and political ambiguities reminiscent of the "war on drugs" approach, that have often been associated with human rights abuses. Moreover, increased military involvement in civilian affairs directly undermines the principle of civilian supremacy over the military, a fundamental tenet of Indonesia's security sector reform.

The proposed revision has met with strong and widespread opposition from civil society groups, as it not only fails to advance the TNI's reform agenda but also significantly reverses its progress.

**First**, Article 47 of the circulating draft of the TNI Bill, obtained by our organizations, states that active TNI personnel may hold positions in ministries or other institutions that require their expertise, in accordance with the presidential policy. This provision creates legal uncertainty and

potentially undermines the law enforcement role of the military. While both the military and the police are classified as civil servants (ASN) in Indonesia, they operate under different ethical codes and enforcement mechanisms. Unlike police officers, TNI personnel are subject to the jurisdiction of the military courts. If active military personnel in ASN positions commit crimes, they would still be tried in a military court - which is known to have little to no transparency - rather than in a civilian court. If the House of Representatives and the government are truly committed to upholding the mandate of reform, civilian supremacy, democracy, and human rights, their priority should be to revise the Military Tribunal Law rather than to amend the TNI Law. Instead, the Indonesian House of Representatives (DPR-RI) has failed to take up the long-overdue revision of the Military Tribunal Law.

**Second**, the proposed revision of the TNI Law includes a troubling expansion of the military's authority in "operations other than war" (OMSP) to address cyber threats, including those that target cognitive and virtual dimensions such as social manipulation and information pollution. This vague and overly broad mandate risks militarizing cyberspace, effectively granting the TNI a role in policing online activities. Such an expansion, however, is highly susceptible to abuse. By framing cyber threats as existential threats - or even classifying them as cyberwarfare - the government could justify coercive measures, including censorship, mass and intrusive surveillance, and restrictions on online freedom of expression, which severely undermine fundamental human rights.

**Third**, the revision of the TNI Law has been rushed through with minimal public participation and a severe lack of transparency in the drafting process. This is in direct contradiction to the principle of meaningful and worthwhile public participation in lawmaking. On 14 - 15 March 2025, the government and the DPR-RI held a closed-door meeting at the Fairmont Hotel in Jakarta to expedite the discussion of the TNI Bill. This directly contradicts an earlier [statement by DPR Deputy Speaker](#), Adies Kadir, who stated that the bill would not be passed before the 2025 Eid holiday - the House of Representatives recess period - and that its approval could only take place in the next parliamentary session. Instead of following a transparent legislative process, the Government and the DPR chose to discuss the bill behind closed doors at a luxury hotel over the weekend, raising serious concerns about the lack of transparency and public accountability, and the absence of evidence-based policymaking.

This blatant disregard for transparency violates Article 25 of the International Covenant on Civil and Political Rights (ICCPR) – to which Indonesia is a state party– which guarantees the right to participate in public affairs, including legislative processes. Additionally, it contravenes the commitments Indonesia made in the 4th cycle of the Universal Periodic Review in 2022, where the government pledged to enhance meaningful and inclusive dialogues with the national human rights institution, civil society organizations, academia and other stakeholders. Such secrecy casts doubt on the legitimacy of the process and raises alarms over the motives behind these

amendments. A lack of transparency in legislative processes often correlates with efforts to limit criticism and oversight, which are essential functions of the press.

Furthermore, the government's rush to amend the TNI Law stands in stark contrast to its prolonged inaction on other critical human rights commitments. Despite pledging for over a decade, Indonesia has failed to ratify key international human rights treaties, including the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED), the Optional Protocol to the Convention Against Torture (OP-CAT), the Genocide Convention, and the Rome Statute - all of which are crucial for the protection and enforcement of human rights.

Adding to these concerns, activists who have voiced their opinions and concerns over the proposed revision to the TNI Law have faced escalating intimidation and harassment. Colleagues from The Commission for the Disappeared and Victims of Violence (KontraS) have reported anonymous threats, visits from unidentified individuals, and even police summons for "clarifications" from the Greater Jakarta Metropolitan Regional Police (Polda Metro Jaya). These incidents followed a peaceful intervention by KontraS members on 15 March 2025, when they entered the Fairmont Hotel meeting room to peacefully urge lawmakers to halt the closed-door deliberation.

In light of the concerns raised, the undersigned civil society organizations:

- 1.) **STRONGLY REJECT** the rushed and deeply flawed process of the TNI Law revision.
- 2.) **URGE** the Indonesian Commission I of the House of Representatives to immediately suspend all discussions on the TNI Bill until a transparent, inclusive, and accountable process is established, and that no further steps are taken toward its passage until legal reforms are made to safeguard civilian supremacy, accountability and human rights.
- 3.) **DEMAND** that the Indonesian Government guarantee comprehensive protection of human rights defenders, activists and civil society organizations who have expressed concerns over the problematic revision of the TNI Law and who face intimidation or harassment for their participation in this democratic process.

**Sincerely,**

Action by Christians for the Abolition of Torture (ACAT) Germany

ACAT Belgique Belgium België

Accountability Counsel

Advocacy Forum Nepal

Aksi Kamisan New York City

All Arakan Students' & Youths' Congress – AASYC

AMAN Indonesia

Amnesty International Chapter UNNES

Amnesty International Indonesia

Arus Pelangi

ASEAN Youth Forum (AYF)  
ASEAN Civil Society Conference/ASEAN People's Forum Philippine Process  
Asia Citizen Future Association (ACFA), Taiwan  
Asia Development Alliance  
Asia Alliance Against Torture (A3T)  
Asia Democracy Network (ADN)  
Asia Justice and Rights (AJAR)  
Asian Federation Against Involuntary Disappearances (AFAD)  
Asian Forum for Human Rights and Development (FORUM-ASIA)  
Association Of Indonesian Migrants  
Asosiasaun Chega! Ba Ita (ACbit)  
Association of Human Rights Defenders and Promoters (HRDP)  
Athan - Freedom of Expression Activist Organization  
Aung San Suu Kyi Park Norway  
Banglar Manabadhikar Suraksha Mancha (MASUM)  
Blood Money Campaign (BMC)  
Alliance of Independent Journalists (AJI) Indonesia  
BALAOD Mindanaw, Philippines  
Beranda Perempuan Indonesia- Jambi  
Bullyid Indonesia  
Bumi Setara  
Cambodian Center for Human Rights (CCHR)  
Center for Legal and Social Studies (CELS), Argentina  
Center for Indonesia's Strategic Development Initiatives (CISDI)  
Center of AI and Tech Innovation for Democracy (PIKAT)  
Center on Sexuality Studies (SGRC UI)  
Chin Community in Norway  
CIVICUS: World Alliance for Citizen Participation  
Civil Society Coalition against Organized Crime (the Coalition)  
Community Resource Center (CrC) Thailand  
Cross Cultural Foundation (CrCF) Thailand  
CRPH Support Group, Norway and members organizations  
Collective Campaign for Peace (COCAP), Nepal  
Collectif des Associations Contre l'Impunité au Togo (CACIT)  
Commission for Disappeared and Victims of Violence (KontraS Aceh)  
Community Legal Aid Institute (LBH Masyarakat)  
Confederation of Indonesia People Movement (KPRI)  
Defence of Human Rights and Public Services Trust Pakistan  
Defence of Human Rights, Pakistan  
Defend Myanmar Democracy (DMD)  
Democratic Party for a New Society, Norway  
Digital Democracy Resilience Network (DDRN)  
Doctors Without Stigma (DTS)  
Down Syndrome Care Foundation Indonesia(YAPESDI)  
East Timor and Indonesia *Action* Network (ETAN/U.S.)

ECPM - Together Against the Death Penalty  
Equality Myanmar (EQMM)  
Extinction Rebellion Indonesia (XR.id)  
FAIR Law Firm  
FAMM Indonesia  
Federal Association of Vietnamese Refugees in the Federal Republic of Germany  
Federasi Serikat Buruh Persatuan Indonesia (FSBPI)  
FIAN Indonesia  
FIAN International  
Forum Cik di Tiro  
Foundation for Labour and Employment Promotion, Thailand  
Free Hearts  
Generation Wave (GW)  
Generations' Solidarity Coalition of Nationalities (GSCN)  
Gerakan Media Merdeka (Geramm)  
Girl Up Institut Teknologi Sepuluh Nopember  
GRAM (Gerakan Megamendung)  
Harm Reduction International (HRI)  
Health Opportunity Network (HON), Thailand  
Hadomi Timor, Timor Leste  
HAYAT, Malaysia  
Human Rights Foundation of Monland (HURFOM)  
Human Rights Journalists Network Nigeria  
Human Rights Law Centre, Australia  
Human Rights Law Chambers, Sri Lanka  
Human Rights Myanmar  
In Defense of Human Rights and Dignity Movement (iDEFEND)  
India for Myanmar  
Indonesia Budget Center  
Indonesia Corruption Watch (ICW)  
Indonesian Legal Aid Foundation (YLBHI)  
Indonesian Legal Aid and Human Rights Association (PBHI)  
Indonesian Mental Health Association (IMHA)  
Indonesian Planned Parenthood Association - Bengkulu (IPPA - Bengkulu)  
Indonesian Planned Parenthood Association - Special Region of Yogyakarta (IPPA - Yogyakarta)  
Indonesian Planned Parenthood Association - Aceh (IPPA - Aceh)  
Institute of Research and Advocacy (Link-AR Borneo)  
Indonesia Association of Human Rights Lecturer (SEPAHAM-Indonesia)  
International Women's Rights Action Watch Asia Pacific (IWRAP AP)  
International NGO Forum on Indonesian Development (INFID)  
Irish Council for Civil Liberties  
International Rehabilitation Council for Torture Victims (IRCT)  
JCYCN, Nepal  
Jaringan Advokasi Nasional untuk Pekerja Rumah Tangga (JALA PRT)  
Jaringan Akademisi Gerakan Anti Kekerasan Terhadap Perempuan (JARAK)  
Just Access e.V.

Justice & Equality Focus (JEF)  
Jong Columbia (Indonesian students at Columbia University)  
K'cho Ethnic Association( Europe)  
Kachin Association Norway  
Keng Tung Youth  
Kya Lak Myay  
Kyauktada Strike Committee (KSC)  
Kalyanamitra  
Kampoeng Tjibarani  
KIPP Indonesia  
Kenapa Harus Peduli  
Kenya Human Rights Commission (KHRC)  
Komite Independen Pemantau Pemilu (KIPP) Indonesia  
Komite Pemilih Indonesia  
Koalisi Perempuan Indonesia  
Konsorsium Pembaruan Agraria  
Konfederasi Persatuan Buruh Indonesia (KPBI)  
Kolektif Sanggar Puan  
Korean House for International Solidarity(KHIS), South Korea  
Lab Demokrasi  
LaporIklim  
LaporSehat  
Legal Dignity  
Lentera Gayatri  
Lembaga Bantuan Hukum (LBH) Jakarta  
Lingkar Keadilan Ruang  
Lintas Feminist Jakarta (Jakarta Feminist)  
Liyang Network  
Magway Region Human Right Network  
Maldivian Democracy Network (MDN)  
Manushya Foundation  
Media and Creative Industry Workers Union for Democracy (SINDIKASI) Yogyakarta  
MEDICAL ACTION GROUP Inc., Philippines  
Melbourne Bergerak  
Mexiro A.C.  
Migrant CARE Indonesia  
#MilkTeaAlliance Calendar Team  
#MilkTeaAlliance Friends of Myanmar  
Movement for Alternatives and Solidarity in Southeast Asia (MASSA)  
Myanmar Catholic Community In Norway  
Myanmar Community in Norway  
Myanmar Hindu Union  
MyaYar Knowledge Tree  
New Myanmar Foundation  
NLD Organization Committee (International) Norway

Norway Matu Community  
Norway Rvwang Community  
Nyan Lynn Thit Analytical (NLTA)  
Needle n' Bitch  
Network for Human Rights Documentation Burma (ND Burma)  
Olive organization  
Omega Research Foundation  
Open Contracting Partnership  
Pakistan Development Alliance  
Persaudaraan Korban Napza Indonesia (PKNI)  
Programme Against Custodial Torture & Impunity (PACTI)  
Progressive Muslim Youth Association (PMYA)  
Progressive Voice (PV)  
Palasara Widya Indonesia Foundation  
ProgreSIP.id Media Kelas Pekerja  
PeaceGeneration Indonesia  
People's Watch, India  
People's Voter Education Network.  
Perkumpulan Lintas Feminis Jakarta (Jakarta Feminis)  
Perpustakaan Jalanan D.I.Y  
Platform C, South Korea  
Protection International  
Psychological Responsiveness NGO, Mongolia  
Public Virtue Research Institute  
Pusat KOMAS  
Pusat Pembangunan Rakyat Mandiri (MANDIRI), Malaysia  
Queers of Burma Alternative (QBA)  
Refugee and Migratory Movements Research Unit (RMMRU), Bangladesh  
Relawan Edukasi Antihoax Indonesia (REDAXI)  
Remotivi  
Right to Life Human Rights Center, Sri Lanka  
Robert F. Kennedy Human Rights  
Réseau des Organisations de la Société civile pour l'Observation et le Suivi des Élections en Guinée - ROSE  
Rohingya Community in Norway  
Rohingya Maiyafuinor Collaborative Network (RMCN)  
Sadar Setara  
Samsara  
Shan MATA  
Sisters2Sisters  
Sitt Nyein Pann Foundation  
Southern Initiative  
Save All Women and Girls  
SHARE, center for Sexual rights And Reproductive justice (South Korea)  
Sindikasi Pemilu dan Demokrasi (SPD)

Southeast Asia Freedom of Expression Network (SAFE-net)  
South East Asia Collaborative Policy Network (SEA CPN)  
Solidaritas Perempuan  
Solidarity for People's Education and Lifelong Learning (SPELL)  
Southeast Asia Public Interest Lawyers (SEAPIL)  
Spirit in Education Movement (SEM), Thailand  
Suar Perempuan Lingkar Napza Nusantara Foundation (SPINN), Indonesia  
Suara Rakyat Malaysia (SUARAM)  
Sukaar Welfare Organization  
Students For Liberty (SFL) Indonesia  
Studi Agama Kritis  
Support Group and Resource  
TAPOL, UK  
Task Force Detainees of the Philippines (TFDP)  
The Commission for the Disappeared and Victims of Violence (KontraS)  
The Indonesian Centre for Law and Policy Studies (PSHK Indonesia)  
The Indonesian Human Rights Monitor (IMPARSIAL)  
The Legal Resources Centre, South Africa  
The May 18 Foundation, South Korea  
The People Participation, Initiative and Partnership Strengthening Foundation (YAPPIKA)  
The PRAKARSA  
The Sunny Center Foundation Usa Inc.  
Think Centre, Singapore  
Think Path Indonesia Legal Office  
Transparency International Indonesia  
Transitional Justice Asia Network (TJAN)  
Transitional Justice Working Group (TJWG) South Korea  
Trend Asia  
Terra-1530  
Viet Tan  
WCC Mawar Balqis  
WITNESS  
Weaving Women's Voices in Southeast Asia (WEAVE)  
Women Lead Resource Center  
Women's Legal Centre, South Africa  
Women Study Center Solo/Pusat Kajian Perempuan Solo (PUKAPS) Watch Indonesia! e.V.  
Workers And Families (KABAR BUMI)  
World Organisation Against Torture (OMCT)  
Yayasan Lembaga Bantuan Hukum Keadilan Banten (LBH Keadilan)  
Yangon Deaf Group  
Youth Empowerment  
Youth for Democratization of Myanmar (UDM)  
ZINE THINK  
Zomi Christian Fellowship of Norway  
Zomi Community Norway  
2030 Youth Force Indonesia



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သမိုင်းသယ်ဆောင်သူများ