

Activists raise concerns over abusive intelligence bill

Written by Ridwan Max Sijabat
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Following last week's rejection of a government proposal on the state intelligence bill by three political parties, human rights activists voiced similar concerns that the bill, if passed into law could criminalize activists and media members for leaking intelligence information and state secrets to the public.

The Commission for Missing Persons and Victims of Violence (Kontras) coordinator Haris Azhar and Transparency International Indonesia coordinator Todung Mulya Lubis spoke before the House of Representatives' working committee in Jakarta on Monday saying that article 27 in the bill, which criminalizes anyone leaking information, intelligence or state secrets to the public, would be prone to power abuse. "The contentious article that allows multiple interpretations must be dropped. Otherwise, more media members and activists will be. Criminalized. The bill cannot cover everyone because it will become a *lex specialis*, which should regulate intelligence agents only", Todung said.

He called on the government and ' the House to define the terms of intelligence information and state secret's especially the ones threatening national security and regulate in detail what would be considered a leak of information and state secrets.

"This article could be abused by a regime to .arrest government critics and dissidents, who must be differentiated from terrorists, secessionist groups and underground antigovernment movements," Todung said.

Haris said that the House should focus on forming professional intelligence agencies and consider the human rights aspect in endorsing the bill.

He said that the National Intelligence Agency (BIN) and other state institutions with intelligence func-tions should have one of their main tasks as providing early warning information and analysis for the sake of national security rather than political interests.

- Critics oppose article 27 of the bill that could criminalize the press and activists
- Wiretapping authority should be regulated in a separate law as it involves other intelligence institutions

He added that wiretapping authority should be .regulated in a separate law, as it related not only to BIN but also to the Indonesian Military, the Attorney General's Office, the National Police, the Corruption Eradication Commission and the Law and Human Rights Ministry.

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Harris said the working committee should discuss the bill with different people including victims of intelligence gathering abuses in Aceh, Poso and Papua on the Munir murder case and on the Indonesian Timor Leste Commission for truth and friendship.

Committee chairman Agus Gumiwang of the Golkar Party said the bill's deliberation had made significant progress over the past two weeks when the government and the House had resolved crucial issues on investigation, wiretapping and supervision.

Both sides agreed that BIN would have a coordinating function, with its main task being to provide early warning information and information analysis for forecasts, and that its chief would be appointed with approval from the House.

BIN will draft a code of ethics and the bill carries harsh sanctions against agents in violation of it. All intelligence operations will be closely supervised by a 13 member committee from the House. "The district court must be informed of interception," Agus said.

Lawmaker Sidharto Danusubroto of the Indonesian Democratic Party of Struggle said the progress was a victory for his party, the National Mandate Party and the Prosperous Justice Party, who opposed the. Contentious bill last Thursday.

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