

Indonesia: Journalists want House to abolish Criminal Code articles that threaten press freedom

Tuesday 28 June 2022, by [FARHAN Muhammad](#) (Date first published: 24 June 2022).

Jakarta — The Alliance of Independent Journalists (AJI) is calling for changes to be made to 14 articles in the Draft Criminal code (RKUHP) which threaten press freedom. The 14 articles are found in the draft of the law which was discussed by the House of Representatives (DPR) Commission III on May 25.

The 14 articles highlighted by AJI are Articles 218 and 220 on attacking the values and dignity of the president and the vice president, Articles 240 and 241 on crimes against public order in the section on insulting the government, and Articles 353 and 354 on crimes against public authority and state institutions.

In addition to this is Article 439 on defamation, Article 304 on blasphemy, Article 336 on information and electronic communication, Articles 262, 263 and 512 on disseminating fake news, Article 281 on disruption and distortion of court proceedings, and Article 445 on tarnishing the name of a dead person.

AJI Indonesia Chairperson Sasmito Madrim says that these 14 articles which threaten press freedom have the potential to restore the articles on insulting the president, which were annulled by Constitutional Court in 2006.

“These articles will make the work of journalists very risky because it appears they can easily be criminalised. Among other things they regulate actions such as broadcasting, showing or posting writing or pictures so they can be seen by the public, or playing a recording so they can be heard by the public,” said Madrim in a press release on the official AJI website on Friday June 24.

Madrim also gave the example of the practice of restricting press freedom by applying the articles on insulting past presidents. For Madrim, these 14 articles in the RKUHP give the impression of being aimed at threatening press independence and freedom of expression in Indonesia.

“For example, in 2003, Harian Rakyat Merdeka chief editor Supratman was sentenced to six months in prison with a 12 month probation period in a case of tarnishing the reputation of [former] president Megawati Sukarnoputri,” said Madrim.

AJI believes that the deliberations on the RKUHP, which was included in the 2020-2024 medium-term national legislation program (Prolegnas) and the 2022 priority Prolegnas, have not been transparent because the latest draft of the law is not available to the public.

Madrim is therefore asking the DPR and the government to involve the public in the deliberations on the draft law and is urging them to be transparent by revealing the latest draft to the public.

“This law will impact on all citizens, including journalists, and because of this it is appropriate for the DPR and the government to allow the widest possible access to the public to read and criticise the articles in the RKUHP,” he said.

Madrim also underscored the current mechanisms for resolving press disputes which exist in Indonesia. According to Madrim, all violations of journalistic ethics and press disputes must return to the mechanisms regulated under the Press Law.

“Because of this, the articles related to issues of ethics such as Article 263 in the RKUHP on news which is uncertain or excessive need to be removed from the RKUHP,” said Madrim.

Muhammad Farhan

[Click here](#) to subscribe to ESSF newsletters in English and/or French.

P.S.

Sindonews.com

<https://nasional.sindonews.com/read/807219/12/ancam-kebebasan-pers-aji-desak-dpr-hapus-14-pasal-draft-ruhp-1656029179>