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Discussion Continues, Working Committee Crosses Out TNI's Role in KKP and Handling of Narcotics Abuse

The TNI Law Revision Working Committee finally crossed out the proposal for the TNI's role in the Ministry of Maritime Affairs and Fisheries as well as TNI's assistance in handling narcotics abuse.

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Audio News 9 minutes

By Hidayat Salam
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JAKARTA, KOMPAS — The DPR and the government continue to discuss the revision of Law Number 34 of 2004 concerning the TNI. A number of changes were agreed upon, including deleting the proposal regarding the role of the TNI in the Ministry of Maritime Affairs and Fisheries and assistance in handling narcotics abuse. The two proposals for new roles have drawn criticism from civil society because they are considered unrelated to the duties and functions of the TNI.

The deletion was agreed upon in a meeting of the Working Committee for the Draft Law on Amendments to the TNI Law of the House of Representatives Commission I (Panja RUU TNI) and the government in a meeting, Monday (17/3/2025) evening. "Initially in the TNI Bill, the government proposed three new tasks. However, currently there are only two proposals left," said member of the Panja RUU TNI Commission I of the House of Representatives, Tubagus Hasanuddin, Tuesday (18/3/2025).

The three new tasks were initially proposed to be added to Article 7 which regulates military operations other than war (OMSP). The three proposals are that the TNI has the task of assisting and overcoming cyber threats, the TNI can assist and save Indonesian citizens and national interests abroad, and the TNI has the authority to assist in handling drug abuse problems.

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"The TNI's authority to help handle the problem of drug abuse has been removed," said Hasanuddin.

Thus, the TNI's duties in OMSP, which in Law No. 34/2004 are regulated as 14 matters, have been agreed to be 16 matters as of Tuesday.

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Member of Commission I of the DPR from the Indonesian Democratic Party of Struggle Faction, Major General (ret.) TB Hasanuddin.

Not only that, Article 47 which regulates the ministries and civil institutions that can be filled by active TNI soldiers was also decided to change from the original agreement during the consignment meeting last weekend. Previously, the DPR TNI Bill Working Committee and the government agreed to add six new ministries/institutions that can be filled by active soldiers. The addition means that TNI soldiers can be placed in 16 ministries/institutions.

However, Hasanuddin said, the last working committee meeting decided to remove the proposal of the Ministry of Marine Affairs and Fisheries (KKP) as a civilian institution that can be filled by TNI soldiers. "So, previously proposed a total of 16 ministries/institutions, the last one is now only 15. The Ministry of Marine Affairs and Fisheries (KKP) was removed," he said.

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The five additional agencies that are still proposed are the National Disaster Management Agency (BNPB), the National Counterterrorism Agency (BNPT), the Maritime Security Agency (Bakamla), the Attorney General's Office, and the National Border Management Agency (BNPP).

In Article 47 of the previous TNI Law, 10 ministries and institutions were regulated where active soldiers could be placed. These ministries and institutions include the Coordinator for Political and Security Affairs, National Defense, the Presidential Military Secretariat, State Intelligence, and State Code. In addition, the National Resilience Institute, the National Defense Council, the National SAR, the National Narcotics, and the Supreme Court.

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Materi Revisi Undang-Undang TNI

Pasal 3 terkait kedudukan TNI

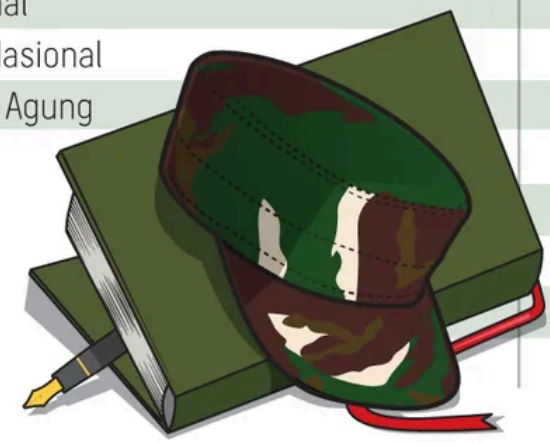
Dalam kebijakan dan strategi pertahanan, serta dukungan administrasi yang berkaitan dengan aspek perencanaan strategis TNI di bawah koordinasi Kementerian Pertahanan.

Pasal 47 terkait perluasan penempatan TNI di kementerian/lembaga

Perluasan jabatan sipil bagi prajurit TNI dari 10 kementerian/lembaga menjadi 15 kementerian/lembaga.

Perluasan Jabatan Sipil bagi Prajurit TNI

UU No 34/2004 tentang TNI	RUU TNI
Kementerian Koordinator Bidang Politik dan Keamanan	Kementerian Koordinator Bidang Politik dan Keamanan
Pertahanan Negara	Pertahanan Negara
Sekretaris Militer Presiden	Sekretaris Militer Presiden
Intelijen Negara	Intelijen Negara
Sandi Negara	Sandi Negara
Lembaga Ketahanan Nasional	Lembaga Ketahanan Nasional
Dewan Pertahanan Nasional	Dewan Pertahanan Nasional
SAR Nasional	SAR Nasional
Narkotika Nasional	Narkotika Nasional
Mahkamah Agung	Mahkamah Agung
	Kementerian Kelautan dan Perikanan
	Badan Nasional Penanggulangan Bencana
	Badan Nasional Penanggulangan Terorisme
	Badan Keamanan Laut
	Kejaksaan Agung



Sumber: Daftar Inventarisasi Masalah RUU TNI dan UU No 34/2004 tentang TNI; Diolah Litbang *Kompas*/AVN

INFOGRAFIK: DIMAS

Infographics on the Revised Materials for the TNI Law

Hasanuddin explained that five additional institutions for active TNI soldiers were proposed in the TNI Bill to comply with the laws of related ministries/institutions. The role of the TNI in disaster management, for example, has been regulated in Law No. 24/2007 concerning Disaster Management. In fact, I

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Number 1 of 2019 concerning BNPB was also issued, in which the TNI is involved as a directive element in disaster management.

Then, the role of the TNI in Maritime Security (Bakamla) has been regulated in Law Number 32 of 2014 concerning Maritime Affairs. The law regulates Bakamla's duties to conduct security and safety patrols in water areas. Presidential Regulation No. 178 of 2014 concerning Bakamla regulates the role of the TNI in conducting security and safety patrols in water areas.

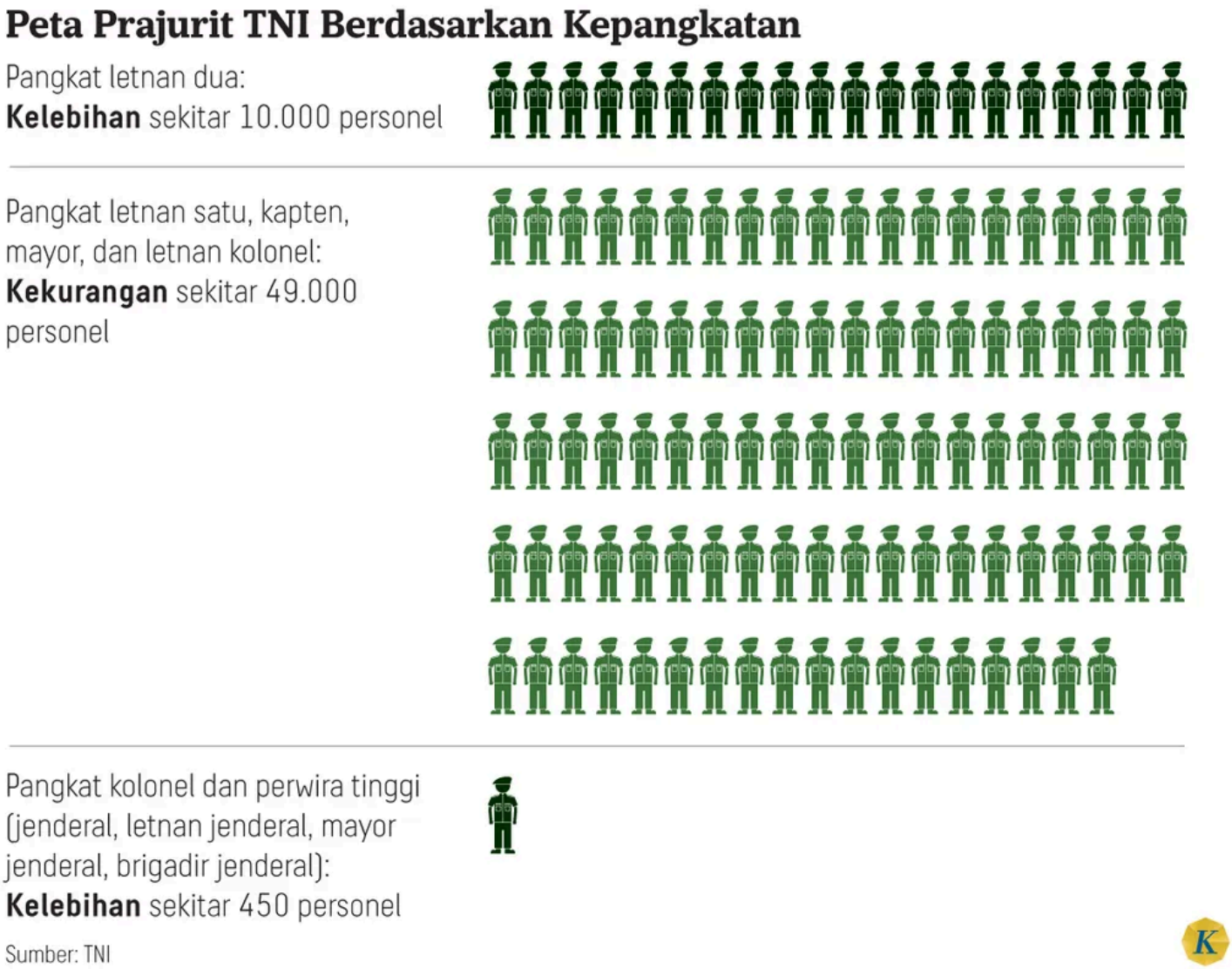
The last working committee meeting decided to remove the proposal for the Ministry of Maritime Affairs and Fisheries (KKP) as a civilian institution that can be filled by TNI soldiers.

Then, the role of the TNI in managing the border is regulated in Presidential Regulation Number 44 of 2017 concerning Amendments to Presidential Regulation Number 12 of 2010 concerning the National Border Management Agency (BNPP). Article 6 of the Law regulates the TNI Commander as a member of the BNPP.

Likewise, the role of the TNI in combating terrorism. Article 43I Paragraph (1) of Law Number 5 of 2018 concerning the Eradication of Criminal Acts of Terrorism regulates that the TNI's duties in combating acts of terrorism are part of military operations other than war.

Finally, the role of the TNI in the Attorney General's Office is also regulated in Law Number 11 of 2021 concerning Amendments to Law Number 16 of 2004 concerning the Attorney General's Office of the Republic of Indonesia. The law regulates the position of Deputy Attorney General for Military Crimes.

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Infographic Map of TNI Soldiers Based on Rank

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"Meanwhile, outside of these positions, active soldiers can occupy other civilian positions after resigning from military service," he said.

Still prohibited from engaging in practical politics

In revising the TNI Law, not all articles will be revised. One article that will not be changed is Article 39. The article regulates the prohibition of TNI soldiers from becoming members of political parties and participating in practical political activities, business activities, and activities to be elected as legislative members in elections and other political positions.

"This article remains the same, TNI soldiers may not be members of political parties, be involved in business, or

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members and other political positions," he said.

Hasanuddin hopes that the new TNI Law can adapt to current developments without setting aside the principles of democracy and civil supremacy in government.



KOMPAS/HENDRA A SETYAWAN

TNI Commander General Agus Subiyanto (center) with Deputy Chairman of Commission I of the DPR Budisatrio Djiwandono (left) after attending a working meeting at the Parliament Complex, Senayan, Jakarta, Thursday (13/5/2025).

Previously, the rejection of the DPR and government's decision to revise the TNI Law continued to grow from civil society. One thing that the civil society coalition rejected was the expansion of military duties to handle narcotics. Reflecting on the Philippines, military involvement would lead to excessive violence.

"Involving the TNI in handling narcotics as regulated in the TNI Bill will make the TNI vulnerable to becoming a perpetrator of human rights violations, as happened in the case of Duterte's arrest in the Philippines by the ICC," said the Chairman of the Indonesian Legal Aid Foundation (YLBHI) Muhammad Isnur, Monday.

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The placement of TNI personnel in civilian positions also risks causing problems. From the exclusion of civilians from civilian positions, military domination in the civilian sphere, to triggering the emergence of dual loyalties. One example of the dual function of the TNI which according to civil society appears in the revision of the TNI Law is the placement of TNI personnel in the Attorney General's Office which is a law enforcement institution.

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Instead of revising the TNI Law, civil society believes that in the context of security reform, the government and the DPR should revise Law Number 31 of 1997 concerning Military Justice. This agenda is important because it is the state's constitutional obligation to implement the principle of equality before the law for all citizens.



KOMPAS/DIAN DEWI PURNAMASARI

The Civil Society Coalition of the Security Reform Sector demonstrated in the middle of a meeting to discuss the Problem Inventory List (DIM) for the revision of the TNI Law at the Fairmont Hotel, Jakarta, Saturday (15/3/2025).

A number of institutions and figures who are members of the Civil Society Coalition demanded that violations of the TNI Law be regulated. Not only that, they also urged active TNI members who hold positions outside those regulated in Article 47 Paragraph 2 of the TNI Law to immediately resign or take early ret

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On the other hand, the civil society coalition assessed that the revision of the TNI Law would also legitimize the mobilization and expansion of TNI soldiers into domestic issues, such as Free Nutritious Meals (MBG), food security, guarding oil palm plantations, implementing National Strategic Projects (PSN), and managing the Hajj pilgrimage.

On the contrary, the coalition urges the government and the DPR to modernize TNI defense equipment, improve the welfare of TNI soldiers, and pay attention to gender balance in the TNI organization.

News | revision of the TNI law | Rejection of the revision of the TNI law | Commission I DPR

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