

The Indonesian Update

Monthly Review on Economic, Legal, Security, Political, and Social Affairs



Main Report:

The Tapera Polemics and the Importance of Transparency and Accountability:
Learning from the Singapore Experience

The economics

- The Efforts to Resolve Economic-Political-Environmental Challenges to Achieve OECD Membership for Indonesia ■
- Achieving Economic Growth Targets in the Basic Macroeconomic Assumptions of the 2025 RAPBN ■

Law

- The Arrangements for the Relocation of Communities Affected by IKN Development ■
- The Odd Semester of 2024: a Tough Test of Indonesia's Freedom of Speech ■

Politics

- Examining Plans to Establish a Social Media Council in Indonesia ■

Social

- Weighing the Rules of Cigarette Distribution and its Impact on Adolescents ■
- Revisiting the Implementation of Drug Rehabilitation through the Mandatory Reporting Institution (IPWL) ■

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FOREWORD

The June 2024 edition of the Indonesian Update features a main report regarding the Public Housing Savings (Tapera) program that has attracted public attention. This program aims to provide concrete solutions to the housing issue, which is still crucial in Indonesia. However, the massive resistance from workers and employers to it has raised questions about transparency and accountability in its management.

In the economic field, the Indonesian Update addresses economic growth targets in the Basic Macroeconomic Assumptions (ADEM), as well as development targets and indicators, which will later become the basis for designing the 2025 State Revenue and Expenditure Budget (APBN). Furthermore, we also discuss efforts to resolve economic, political and environmental challenges to achieve membership of the Organization for Economic Cooperation and Development (OECD) for Indonesia.

In the legal field, the Indonesian Update addresses the relocation arrangements for communities affected by the development of the Indonesian Capital City (IKN) in East Kalimantan. Communities affected by development really need clarity on actions from the IKN Authority so that their rights to own a place to live and their livelihoods can be guaranteed, and their ownership rights are also protected. Next, we also discuss the picture of the conditions of freedom of expression in Indonesia in the first semester of 2024. Civil society organizations need to work together to guard the direction of freedom of opinion in Indonesia in a more democratic direction in terms of regulation and society.

In the political field, the Indonesian Update highlights the Government's plans through the Ministry of Communication and Information (Kominfo) to form a Social Media Council (DMS). This plan was criticized by a number of parties because it was seen as an attempt to regulate public content and expression. In addition, the ongoing discourse on the formation of the DMS coincided with the polemics over the discussion on the Draft Law on Broadcasting (RUU), which was considered by many circles to limit freedom of the press, opinion and expression.

In the social sector, the Indonesian Update highlights the commemoration of World No Tobacco Day (WNTD). In 2024, the theme raised in the Ministry of Health's tagline is "Protect Children from Interference in the Tobacco

Products Industry”. The theme raised aims to invite the world community to remember the dangers of industrial exploitation of nicotine aimed at the younger generation. Next, we also discuss the implementations of drug rehabilitation through Compulsory Report Recipient Institutions (IPWL).

It is hoped that the monthly publication of the Indonesian Update with current themes will help policy makers in government and business institutions - as well as academic circles, think tanks and elements of civil society, both at home and abroad, to obtain actual information and contextual analysis about economic conditions, politics, social and law in Indonesia, as well as an understanding of public policy in Indonesia.

Happy reading.

The Tapera Polemics and the Importance of Transparency and Accountability: Learning from the Singapore Experience

Public Housing Savings (Tapera) has again become a topic of conversation among the public since President Joko Widodo signed Government Regulation (PP) Number 21/2024. This PP is an amendment to PP Number 25 of 2020 concerning the Implementation of Public Housing Savings. The Tapera program is designed to help people get a house by savings, through a mechanism managed by the Government. With Tapera, the Government is expected to be able to provide concrete solutions to the housing problems, which are still an important issue in Indonesia. Through PP Tapera, the Government has the ambition to overcome the gap in home ownership, especially among low- and middle-income communities. It is hoped that Tapera can become an important instrument in increasing community access to decent and affordable housing.

However, the implementations of this program are not free from various potential obstacles, especially those related to managing public funds in a transparent and accountable manner. This concern is mainly based on previous experience where Indonesia has a history of failure in managing public funds, as seen in the Jiwasraya insurance case. The case of Jiwasraya, which ultimately went bankrupt and caused losses to the state with a total nominal value of IDR 16,807 trillion (CNBC Indonesia, 1/1/2023), has strengthened the reason to be more vigilant about the management of public funds in the future.

Referring to the experience above, Tapera needs to consider strengthening several important aspects in its implementations. This article will discuss aspects that need attention, such as accountability, transparency and people's economic freedom.

First, accountability in the management of Tapera funds must be guaranteed so that public trust in this program does not fade. Second, transparency is the key to ensuring that every flow of funds can

be accounted for clearly and openly. Third, the people's economic freedom must be maintained so that this program does not burden or reduce people's ability to manage their personal finances.

This article will also briefly discuss the Central Provident Fund (CPF), which is a similar scheme managed by the Singapore Government as material for reflection as well as an interesting case study. CPF is a mandatory savings system that was originally intended to ensure housing affordability. However, as this policy progresses, the Government also wants to ensure that Singaporean citizens and permanent residents have sufficient funds for their retirement, healthcare and housing needs. Interestingly, even though there have been several liberalizations that allow more investment choices and independent fund management, many Singaporeans still choose to entrust the Government to manage their money.

Transparency, Accountability and Usefulness

Before delving further into the Tapera scheme, it would be a good idea for us to reflect for a moment on the various types of financial investment products, such as deposits and mutual funds. When someone puts some money in these products, they can clearly see their portfolio of money movements. The interest rates earned and the inflows and outflows of money are transparent and easy to monitor. Meanwhile, so far there are no derivative regulations that technically explain how the Tapera portfolio mechanism will be implemented.

Apart from that, we can also look at a similar scheme in Singapore called the Central Provident Fund (CPF), where this scheme is designed as a savings program managed by the state to meet the retirement needs of its members. The interesting thing we can see is that the CPF policy, in its use, can be tracked through annual withdrawals for various purposes (Sherraden, 1995). This can then be interpreted that CPF funds are used by its members, thus indicating that this policy has a social impact, which is reflected in the pattern of annual fund withdrawals for various purposes. Departing from this, it can be translated from a practical perspective that this policy actually works in the daily lives of households and communities in Singapore, not just from a policy planning perspective.

Meanwhile in Indonesia, if we refer to the Decree of the Minister for Administrative Reform Number: KEP/26/M.PAN/2/2004 dated 24 February 2004 concerning Technical Instructions for Transparency and Accountability in the Delivery of Public Services, it is stated that transparency and accountability in public services must be manifested in various aspects. These aspects include

funding, time, requirements, procedures, information, authorized and responsible officials, public complaint mechanisms, standards and service locations. However, until the time this article was written, there were no derivative technical regulations that regulate the above matters regarding Tapera.

This concern becomes increasingly relevant considering that in 2021, the Financial Audit Agency (BPK) will conduct an inspection of Tapera. According to report number 202/LHP/XVI/I2/2021 dated 31 December 2021, it was found that there were 124,960 retired Tapera participants who had not received a refund of IDR 567.5 billion. Apart from that, the BPK also found that there were 40,266 double pension participants with Tapera funds worth IDR 130.3 billion.

In the inspection document published by Tempo (2/6/2024), the number of 124,960 retirees who have not received Tapera refunds was obtained through confirmation with the State Civil Service Agency (BKN) and PT Dana Tabungan dan Asuransi Pegawai Negeri (Persero) or PT Taspen for short. A total of 124,960 retirees were those who had stopped participating due to death or retirement until the third quarter of 2021, but are still registered as active participants. Of this number, 25,764 people came from BKN data and 99,196 people from Taspen data were recorded as having not received a refund.

Thus, one of the main criticisms of Tapera is that its lack of transparency and accountability are also quite questionable. Of course, this lack of clarity has raised big questions regarding the performance and management of Tapera managers. Program participants cannot enjoy the results in the near future (they are illiquid) and even in the long term, many of their funds will not be returned. This has been made worse by the absence of clear information regarding the circulation of their funds, how much interest they earn, profits they earn, and the movement of funds in and out. This is very different from other investment products such as deposits or mutual funds, where customers receive regular reports on their investment performance. In fact, transparency is the basis for building participants' trust in fund managers.

Economic Freedom and Community Choice

To discuss this, we need to understand together that the basic essence of democracy, which is the foundation of the state in Indonesia is freedom (Soesatyo, 2021). Freedom can then be interpreted very broadly, starting from individual freedom of expression, freedom of belief to economic freedom. The Heritage Foundation (2023),

issued several indicators of economic freedom, one of which is the freedom to invest. This means that each individual is given the autonomy to regulate and determine their own form of investment without any interference from the government.

From the perspective of economic freedom, Tapera has drawn criticism because it is seen as having the potential to limit people's choices. This is important considering that many studies have shown how economic freedom has a positive effect on the country's economic growth in general. Gwartney et al. (2004) revealed that countries with higher levels of economic freedom tend to have higher levels of welfare. This was later confirmed through the findings of Baumol (2002), where according to him, the market economic system is the main driver of innovation that supports economic growth. Then, Dutz and Hayri (2000) also found a correlation between long-term growth and competitive policies, as well as a relationship between growth and economic freedom.

Meanwhile, if we refer to PP 21/2024, Tapera contributions are mandatory. In fact, the regulation also specifically stipulates that mandatory contributions be deducted by 3% of total salary, of which 2.5% is charged to workers and 0.5% is charged to employers. The important thing to note is that not everyone wants to buy a house. And even if they wanted to, ideally people would be given the freedom to choose the bank, developer and method of managing funds that they consider best. The Tapera program, with its mandatory nature for most workers, could be considered to reduce individual freedom in managing their finances. This freedom will increase competition and encourage fund managers to provide better and more transparent services.

In the context of CPF in Singapore, the scheme is gradually being liberalized, allowing account holders to use their savings for additional purposes, including to transfer them to other privately managed investment products. In recent years, the main challenges have arisen from liberalization itself. This liberalization appears to have left too many CPF members with insufficient savings for their retirement due to wrong or unwise choices in allocating their savings to additional available options (Jones, 2008).

However, Sherraden (1995) showed that there was a high level of public trust in this policy. In fact, the results of the interview showed that CPF made people have higher work motivation so that they saved more in CPF. This was also directly proportional to encouraging people to plan their future better using CPF funds. This made it even more interesting to see the results of Mitchell's (2010) research. Even though there had been liberalization efforts,

which also had the potential to cause problems, it turned out that only around 12% of CPF funds had been transferred by the public to private investment managers.

The findings above indicated that there was strong public trust in the Central Provident Fund (CPF) in Singapore. This then became a strong indicator of the program's success in building its credibility. CPF is not only considered an effective financial instrument in managing pension funds and savings but also a reliable partner for people in their long-term financial planning. This is mainly because CPF provides flexibility in investment choices, transparency in financial information, and is liberalized by the government periodically, thus giving additional confidence to the public that their funds are safe and protected because they can also take part in its management.

The case in Singapore provides a valuable lesson for Indonesia that accountability and transparency in every policy are the keys to success and low resistance among the society. When public policies are managed honestly and openly, people tend to trust and support those policies more. This trust not only reduces the potential for rejection, but also strengthens support and active participation from the community in government programs.

Apart from that, guaranteeing choice and economic freedom in Singapore has also been proven to increase people's motivation to improve their standard of living through hard work, which in turn invests more of their money in the state through the CPF.

Furthermore, transparent and accountable policies can also encourage innovation and community participation in economic development. For example, when citizens understand how public funds are managed and used, they are more likely to support those policies and even contribute with new ideas. This can create a conducive environment for inclusive and sustainable economic growth.

Recommendations

Referring to the explanations above, it can be concluded that community resistance to the Tapera policy stems from past experience, which shows the failure of government accountability in its management. This assumption is strengthened by the results of literature studies, which highlight the public's trust in the Government in managing pension funds, as seen in several CPF studies in Singapore, which present periodic reports. In contrast to Tapera, the Singapore Government provides flexibility in the use of

pension funds, giving individuals the freedom and choice to manage their funds according to their needs.

From here, the Indonesian government through the Tapera Management Agency (BP) must develop mechanisms that ensure that the management of Tapera funds is carried out in a transparent and accountable manner. This transparency is important so that all parties, especially participants, can monitor the flows and uses of funds clearly. Accountability also needs to be improved through regular reporting and independent audits to ensure that funds are managed well and in accordance with applicable regulations. In this way, public trust in BP Tapera will increase, and the potential for misuse of funds can be minimized.

In addition, Tapera funds must be designed to be functional and flexible. This means that the funds must be easily accessible to participants who need them, without complicated procedures. Fund liquidity is also an important factor so that funds can be used at any time according to participant needs, such as for house purchases, renovations, or other urgent needs. Flexibility in the use of these funds will make Tapera more relevant.

On the other hand, community collaboration with the private sector can also open access to broader resources and knowledge in the financial sector. Through regularly held training and seminars, the public can gain a better understanding of financial management, investment and financial risks. Thus, this collaboration will not only strengthen supervision of Tapera funds but also increase the financial independence and economic stability of the society as a whole.

- Felia Primaresti -

People's Housing Savings (Tapera) has attracted attention after the issuance of Government Regulation Number 21/2024. This program aims to provide concrete solutions to the housing issues, which are still crucial in Indonesia. However, the massive resistance of workers and employers to it has raised questions about transparency and accountability in its management.

The Efforts to Resolve Economic-Political-Environmental Challenges to Achieve OECD Membership for Indonesia

The acceptance of the OECD Membership Accession Roadmap for Indonesia with the title Roadmap for the OECD Accession Process of Indonesia by the Coordinating Minister for Economic Affairs at the opening of the OECD Ministerial Level Meeting in Paris, France on May 2-3, 2024, indicated the continuation of Indonesia's accession process to the OECD (Coordinating Ministry for Indonesia Economy, May 2, 2024). The next discussion was held on Tuesday, May 28, 2024, where President Joko Widodo (Jokowi) met with the Secretary General of the Organization for Economic Cooperation and Development (OECD) Mathias Cormann, to discuss the continuation of efforts to accelerate Indonesia's status as a member of the OECD. (Ministry of State Secretariat, May 28, 2024). After visiting President Jokowi, Mathias Cormann also met Minister of Defense Prabowo Subianto who is also the President-elect for 2024-2029.

One of the goals of Indonesia joining as a member of the OECD is as an effort to achieve the vision of a Golden Indonesia 2045. One of the targets of this vision is to become the fifth largest economy in the world. Indonesia's seriousness in becoming an OECD member can also be seen from the coordination process regulations to prepare efforts and accelerate Indonesia's membership to the OECD. This is stipulated in Presidential Decree Number 17/2024 concerning the National Team for Preparation and Acceleration of Indonesia's Membership in the Organization for Economic Cooperation and Development (Presidential Decree 17/2024). With the Chief Executive by the Coordinating Ministry for Economic Affairs, the OECD National Team has four tasks as stated in Article 2 of Presidential Decree 17/2024, namely:

- a. To organize and coordinate preparations and acceleration of Indonesia's membership in the OECD which is in line with national interests while maintaining the principle of free and active foreign policy;

- b. To coordinate, negotiate and gather support for the preparation and acceleration of Indonesia's membership of the OECD Convention and other related OECD international legal instruments in order to fulfill the requirements for membership in the OECD;
- c. To identify, categorize the order of priorities, and prepare recommendations for adjustments to standards, policies and laws and regulations required as part of the preparation and acceleration of Indonesia's membership in the OECD; And
- d. To formulate and implement a strategy for implementing public communication and information dissemination related to the preparation and acceleration of Indonesia's membership in the OECD.

Indonesia also plans to become a member of the OECD in 2027, which will be three years into the Prabowo Subianto-Gibran Raka-buming Raka (Prabowo-Gibran) government. However, with the accession process taking quite a long time, Indonesia does not need to rush to become an OECD member and focus on resolving existing problems.

Therefore, as per this writing, this article wants to try to examine several conditions of economic-political-environmental problems in Indonesia, as well as policy recommendations for the elected government for 2024-2029 to resolve these problems in order to prepare and qualify Indonesia as a member of the OECD in the future.

Economic-Political-Environmental Problems in Indonesia

In the "Roadmap for the OECD Accession Process of Indonesia" (2024) report by the OECD, OECD members have and define shared values, visions and priorities. Some of these values include: (1) commitment to preserving individual freedom, (2) democratic values, (3) supremacy of law and defense of human rights, (4) principles of an open and transparent market economy, (5) sustainable economic growth and employment while protecting the earth, and (6) ending poverty and inequality.

If we look at value (1), Indonesia's commitment to preserving individual freedom can at least be seen through the Economic Freedom Index by The Heritage Foundation. The Heritage Foundation in Adijaya (April 2024) said that the decline in the economic freedom index in Indonesia was caused by a decline in the sub-indicators of property rights protection, government integrity and judicial effectiveness in the rule of law indicator. The protection of property rights, which in fact are intertwined with the preservation of indi-

vidual freedom, such as intellectual property rights, is crucial for the Indonesian economy because the informal sector still dominates the portion of the Indonesian economy, including micro, small and medium enterprises (MSMEs) (Adijaya, April 2024).

Indonesia is also still working to protect intellectual property rights (IPR) for MSMEs, such as in the creative industry sector amidst the development of generative Artificial Intelligence (AI) technology. If IPR protection is not strengthened by the government, generative AI has the potential to harm business actors in the creative economy sector who already own copyright (Adijaya, February 2024).

Apart from that, another individual freedom issue is the public housing savings contribution policy (Tapera), which is regulated in Government Regulation Number 21/2024 concerning Amendments to Government Regulation Number 25/2020 concerning the Implementations of Public Housing Savings (PP 21/2024). In PP 21/2024, it is stated that the amount of Tapera contributions is 3% of salary. However, a 2.5% deduction from the contribution participant's salary and 0.5% from the employer's company for Tapera contributions will have the potential to reduce individual freedom to carry out economic activities. This is because people's salaries that are deducted for Tapera contributions actually have the potential to be used in urgent situations by the community.

In Adijaya (June 10, 2024), the calculations of the remaining lower middle-class salary per month is IDR 442,260, which is a moderate value. This value will potentially decrease amidst inflationary conditions, increasing prices of basic needs and fuel oil (BBM), the inability of lower middle-class people to manage their finances, as well as other policies such as Value Added Tax (VAT) which is planned to increase to 12% (Adijaya, June 10, 2024). Therefore, economic activity by the lower middle class will become increasingly limited.

If we look at value (2), Indonesian democratic values can be said to be declining in Indonesia. This can be seen from the Electoral Democracy Index by V-Dem and the Democracy Index by The Economist Intelligence Unit (EIU) in ourworldindata.org (May 22, 2024). The Electoral Democracy Index in Indonesia by V-Dem is 0.54 in 2023 or a decrease of 0.02 from 2022 which was 0.56. Meanwhile, the Indonesian Democracy Index by the EIU is 0.65 in 2023 and has the same decline value as the decline in the Electoral Democracy Index by V-Dem when compared to the previous year. One thing

that might be driving the decline of democracy in Indonesia is the existence of political dynasties that occur in Indonesia.

Thus, maintaining democratic values is important and urgent for the next government. Adijaya (January 2024) explained that a conducive business environment would be created if Indonesia could maintain a democratic system and institutions that respected human rights. The existence of a conducive business environment gives business leaders confidence to invest capital, such as building factories and developing human resources in Indonesia (Adijaya, January 2024).

If we look at value (3), the supremacy of law and human rights defense practices are still not very well implemented in Indonesia. Weakening the integrity and independence of the Corruption Eradication Commission (KPK) through the revision of the KPK Law (UU); corruption and violations of the code of ethics that occur in legal institutions, including the Supreme Court (MA), the Indonesian National Police (Polri), the Prosecutor's Office, and the Ministry of Law and Human Rights; policy formulation that is not transparent and does not involve public participation; as well as criminalization of people whose opinions encourage the weakening of the rule of law in Indonesia (kemitraan.or.id, October 25, 2023).

Apart from that, according to research by the SETARA Institute and the International NGO Forum on Indonesian Development (INFID) in VOA Indonesia (December 11, 2023), the human rights index score in Indonesia in 2023 decreased to 3.2 or compared to a score of 3.3 in the previous year. The figure in 2023 is the same as the figure in 2019 or during President Jokowi's second leadership period. Agrarian conflicts, violence against journalists, repression by law enforcement officers, the dissolution of public discussions and academic freedom are events that reduce the practice of defending human rights (SETARA Institute and INFID in VOA Indonesia, December 11, 2023). In fact, V-Dem (2024) also notes that freedom of expression, especially for women, has decreased in Indonesia.

Basically, value (4); namely, the principle of an open and transparent economy, can improve and increase investment performance. A transparent economy, such as company information being transparent and accessible to the public, will enable investors to carry out careful investment planning, reduce costs, reduce cases of corruption, fraud and money laundering (World Bank, June 23, 2021). The existence of corruption cases in various sectors in Indonesia;

for example in the mining sector, is still a problem that must be resolved by the elected government in 2024-2029 in order to increase the level of investor confidence in investing their capital in Indonesia.

If we look at values (5) and (6), Indonesia is also still trying to balance economic growth and employment based on sustainability in order to protect the earth, as well as achieving zero percent poverty and reducing inequality as is the goal of a Golden Indonesia 2045. The government is also trying to revitalize the engine growth, encouraging a blue economy and developing industry, as well as strengthening social resilience and empowerment to achieve this (Coordinating Ministry for Economic Affairs, May 3, 2024). However, this value is still quite difficult to realize amidst the use of fossil fuel energy sources which are contradictory to environmental sustainability.

Policy Recommendations

By looking at the complexity of the problems above, it is hoped that the Prabowo-Gibran government can focus on solving the problems first and not rush to become an OECD member. Some recommendations are as follows:

First, in increasing individual freedom, democratic values, as well as the supremacy of law and defense of human rights, the government through the Coordinating Ministry for Political, Legal and Security Affairs needs to collaborate with the Coordinating Ministry for Human Development and Culture, the Ministry of Law and Human Rights, and ministries/ related institutions to provide in-depth and comprehensive training for law enforcement officers across ministries/agencies, TNI/Polri, and others. The training and materials taught must also be closely monitored together with civil society organizations or related institutions. The government must also have the courage to provide disincentives for officials who do not fulfill their responsibilities and elements of individual freedom, democracy and human rights.

Second, in encouraging a transparent economy to improve investment performance, development, etc., the government through the Coordinating Ministry for Economic Affairs can collaborate with the Coordinating Ministry for Maritime Affairs and Investment, the Ministry of Finance, the Ministry of Industry, and other related ministries/institutions in formulating policies that also fulfill meaningful participation by the community.

Third, in encouraging economic growth and employment based on sustainability in order to protect the earth, as well as achieving zero percent poverty and reducing inequality, the government through the Coordinating Ministry for Economic Affairs must integrate economic and environmental policies together with related ministries/institutions that handle these issues, such as the Ministry of Finance, Ministry of Energy and Mineral Resources, Ministry of Agriculture, Ministry of Environment and Forestry, Ministry of Maritime Affairs and Fisheries, Ministry of National Development Planning, and related ministries/institutions, as well as ensuring that existing policies do not overlap and be counterintuitive with economic growth targets and environmental sustainability.

- Putu Rusta Adijaya -

Indonesia plans to become a member of the OECD in 2027. The Prabowo-Gibran government must focus on solving existing problems first. Prabowo-Gibran must also provide training regarding individual freedom, democratic values, as well as the supremacy of law and defense of human rights, as well as having the courage to provide disincentives for officials who violate them; fulfill meaningful participation by the community in promoting a transparent economy; and ensure policies not overlap and be counterintuitive with targets for economic growth and environmental sustainability.

Achieving Economic Growth Targets in the Basic Macroeconomic Assumptions of the 2025 RAPBN

The leadership transition process from President Joko ‘Jokowi’ Widodo to President-Elect for the 2024 General Election (Pemilu) Prabowo Subianto has been implemented. Basic Macroeconomic Assumptions (ADEM), as well as development targets and indicators that will later become the basis for designing the 2025 State Revenue and Expenditure Budget (APBN), have also been agreed upon by Commission RI on Thursday, June 6 2024 (dpr.go.id, June 7 2024). The ADEM values, targets and development indicators agreed upon at the meeting include:

1. ADEM
 - a. Economic growth: 5.1%-5.5% (year-on-year or YoY)
 - b. Inflation: 1.5%-3.5% (YoY)
 - c. Rupiah exchange rate: IDR 15,300-IDR 15,900 per USD 1
 - d. 10-year Government Interest Rate (SBN) yield: 6.9%-7.2%
2. Development Targets and Indicators
 - a. Open Unemployment Rate (TPT): 4.5%-5%
 - b. Poverty rate: 7%-8%
 - c. Extreme poverty: 0%
 - d. Gini Ratio: 0.379-0.382
 - e. Human Capital Index (IMM): 0.56
 - f. Farmer Exchange Rate (NTP): 115-120
 - g. Fisherman’s Exchange Rate (NTN): 105-108

This article wants to try to analyze the challenges of the Prabowo Subianto-Gibran Rakabuming Raka (Prabowo-Gibran) government in realizing the economic growth target in ADEM, as well as recommendations to the new government for 2024-2029 to achieve this.

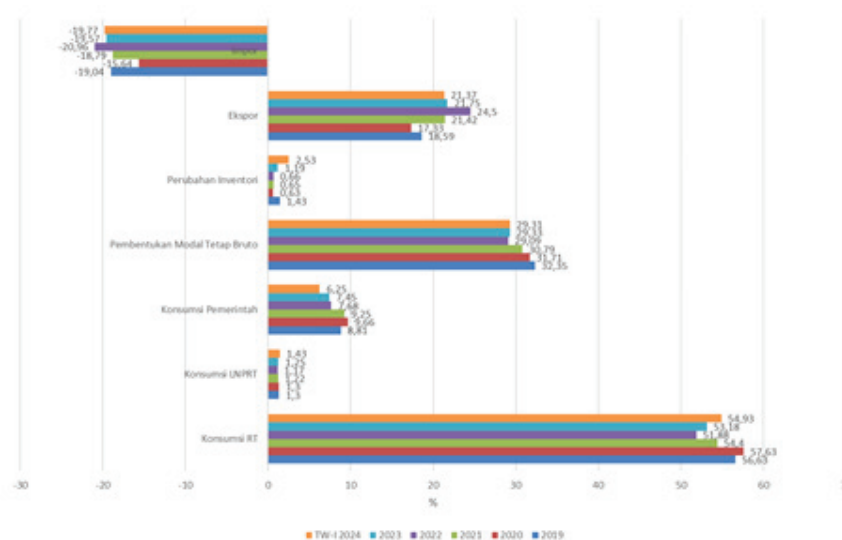
The Challenges to Achieve Economic Growth Targets in the Basic Macroeconomic Assumptions of the 2025 RAPBN

Economic growth in 2025 is targeted to have a lower and upper

limit of 5.1% and 5.5%, respectively. If we look at the economic performance of the current government, it can be said that this lower limit value has been achieved. According to the data from the Central Statistics Agency (BPS) (accessed June 10, 2024), Indonesia’s economic growth in the first quarter of 2024 was 5.11% YoY. If these figures are broken down according to expenditure, the largest source of economic growth in that period came from household consumption (RT) at 2.62% YoY, followed by Gross Fixed Capital Formation (PMTB) at 1.19% YoY, government consumption (1.06 % YoY), consumption of Household Non-Profit Institutions (LN-PRT) (0.29% YoY), and net exports of -0.23% YoY (BPS, access June 10, 2024).

The contribution of each source of economic growth according to expenditure is 54.93% coming from household consumption, 29.31% coming from PMTB, 6.25% coming from government consumption, and 1.43% from LNPRT consumption in the first quarter. 2024 (BPS, accessed June 10, 2024). Graph 1. shows the contribution by expenditure to economic growth during the second leadership of President Joko ‘Jokowi’ Widodo.

Graph 1. Contribution to Economic Growth According to Expenditures 2019-2024 (%)



Source: Quarterly GDP Distribution at Current Prices by Expenditure, various years, BPS. Processed by the Author.

Basically, Graph 1. explains that Indonesia’s economic growth during President Jokowi’s leadership was at least supported by household consumption, PMTB, exports and government consumption. Domestic consumption contributes greatly to economic growth

with an average of 54.7% during the 2019-2023 period. About a third of economic growth is also contributed by Gross Fixed Capital Formation (PMTB), which is driven by increases in capital goods such as buildings, machinery and equipment.

Apart from that, exports also make a significant contribution to Indonesia's economic growth with an average contribution of 20.7% in the same period. When Indonesia exports its goods and services abroad, there will be job creation for these goods and/or services, which will increase economic growth. The existence of exports also shows that the importing country needs goods and/or services produced in Indonesia so that it will encourage companies in Indonesia to increase efficiency and productivity. Government consumption also contributes quite dominantly to economic growth; for example, for personnel expenditures and purchases of goods for election needs.

Seeing the large contribution of household consumption expenditure, there are several challenges that risk hampering this contribution to Indonesia's economic growth. First, household consumption will have the potential to decrease following layoffs (PHK); for example, layoffs occurred in several textile factories. The Confederation of Indonesian Trade Unions (KSPN) on CNN Indonesia (11 June 2024) said that around 13,800 textile workers had been laid off in the January-June 2024 period due to decreased demand. Another thing that has caused layoffs in this sector is the large amount of imported goods coming in, where domestic goods are unable to compete in terms of price (Indonesian Textile Association in Kontan.co.id, 6 June 2024). Domestic consumption will fall further if layoffs occur in other productive sectors, because workers do not have the income to shop which will fall further amid volatile food inflation.

Second, household consumption will potentially decline because people will refrain from shopping. One driver of this is contractionary monetary policy. Currently, Bank Indonesia (BI) is implementing a contractionary monetary policy by increasing the benchmark interest rate with the aim of reducing inflation through reducing the money supply. From the consumer side, the increase in BI's benchmark interest rate provides a signal for the public to invest more of their money in the form of financial instruments in intermediation institutions. From the producer side, an increase in interest rates will increase the cost of borrowing money for companies and reduce investment for expansion.

Third, household consumption will potentially decline due to counterproductive policies for society, especially the lower middle class. The Public Housing Savings (Tapera) contribution policy, the increase in the Single Tuition Fee (UKT) for students, and the increase in the Highest Retail Price (HET) are policies that can reduce RT expenses.

Policy Recommendations

Soon, Prabowo Subianto and Gibran Rakabuming Raka will be inaugurated as the President and Vice President of the Republic of Indonesia for the 2024-2029 period. Basic Macroeconomic Assumptions (ADEM), as well as development targets and indicators used to design the 2025 APBN, have been agreed upon and will become a reference for the Prabowo-Gibran government. However, the economic growth target in ADEM will be quite difficult to achieve due to various challenges. Recommendations to mitigate these challenges include:

First, the Prabowo-Gibran government must be able to appoint ministers or at ministerial level or heads of institutions in important institutions related to the economy and related to people's welfare from professional circles in order to mitigate potential negative risks from political power-sharing.

Second, the Prabowo-Gibran government must be able to open sustainable, inclusive and competitive employment opportunities through infrastructure development, increasing research and innovation, and economic freedom through making it easier to do business, create jobs and become self-employed.

Apart from that, the Prabowo-Gibran government must also be able to improve human resource (HR) capabilities through investment in education and capacity development. Therefore, distribution and expenditure ceilings for education-related ministries, such as the Ministry of Education, Culture, Research and Technology, and the Ministry of Religion must be implemented and monitored based on optimal checks and balances.

Third, the Prabowo-Gibran government must be able to open up the widest possible meaningful participation to the public, both through civil society organizations, non-governmental organizations, associations, and others in the policy process, such as identifying problems, setting agendas, formulating policies, and implementing them.

and evaluation of policies that have been implemented. Fourth, the Prabowo-Gibran government must guarantee and protect individual freedom, including in the context of economic freedom. For this reason, it is important for the next government to ensure law enforcement and the integrity of law enforcers and the commitment of all parties to promote good governance. This is very important, including to promote the eradication of corruption, which is still rampant today, as well as achieving Indonesia's economic growth and development targets in line with future targets.

- Putu Rusta Adijaya -

To achieve the economic growth target in the agreed Basic Assumptions for Macroeconomics 2025, the Prabowo-Gibran government must be able to appoint leaders in important institutions related to the economy, as well as those related to the welfare of the people from professional circles; must be able to open jobs that are sustainable, inclusive and competitive, and improve human resource capabilities; and must be able to open the widest possible meaningful participation to the community in the policy process. Some other things that are very important are legal certainty and law enforcement with integrity by law enforcers, as well as the implementations of good governance by the future government.

The Arrangements for the Relocation of Communities Affected by IKN Development

Indonesia has undertaken the process of relocating the national capital from Jakarta to the Capital City of the Archipelago (IKN) in East Kalimantan. Construction has been underway since 2022, which began with the initial phase of the move with the construction of key infrastructure. According to the official IKN website, the initial buildings to be built are the Presidential Palace, buildings for the People's Consultative Assembly and the House of Representatives, as well as a housing complex (ikn.go.id, 3/6/2024).

However, in March 2024, the media was shaken by the news of the eviction of indigenous peoples within 7 (seven) days in accordance with Letter 179/DPP/OIKN/III/2024 regarding Invitation for Direction on Violations of Unlicensed Development and/or Not Following the IKN Spatial Planning, which states that residential buildings in the Pemaluan area are not following IKN spatial regulations (katadata.co.id, 13/3/2024). Regardless of the revocation of the letter as stated directly by former IKN Authority Head Bambang Susantono, this has raised the question of how the negotiations and displacement of affected residents, not only indigenous peoples, were carried out.

In this paper, the normative arrangements related to the population relocation mechanism for the development of IKN will be explained and analyzed.

The Arrangement for Relocation of Local Residents Affected by IKN

IKN already has several legal instruments, some of which regulate land acquisition and relocation; namely, Law No. 3/2022 on the Capital City of the Archipelago (IKN Law); Presidential Regulation No. 63/2022 on the Details of the Master Plan of the Capital City of the Archipelago (Presreg of the IKN Master Plan), and Presidential Regulation No. 65/2022 on Land Acquisition and Land Manage-

ment in the Capital City of the Archipelago (Presreg of IKN Land). Article 3 Paragraph (2) of the IKN Law stipulates that the construction and development of IKN are carried out in accordance with the principles of equality, ecological balance, resilience, sustainable development, liveability, connectivity, and smart cities. The principles are present so that the implementations of IKN are not carried out arbitrarily and still adhere to the objectives as outlined in the principles. Regarding the transfer of surrounding communities, the principles of equality and liveability are relevant guidance.

In Appendix II of the IKN Law, it is further explained regarding the implementations of IKN more specifically. It is explained that IKN land acquisition is carried out through four stages; namely, planning, preparation, implementations, and submission of results by the Ministry of ATR / BPN to agencies that need land. Furthermore, it is stated in Article 16 of the IKN Law that land acquisition uses a system that already exists in legislation, which is currently in Government Regulation in Lieu of Law Number 2/2022 concerning Job Creation. However, the preparation stage is carried out by the IKN Authority so that it becomes a differentiating value.

The distinguishing value of IKN lies in carrying out the preparations and construction of IKN, as well as in regulating its development. The IKN Authority is an institution that has the right to establish its own regulations. This is reflected in Article 8 and its Explanations where laws and regulations governing local government are overridden by the existence of the IKN Authority and its authority to regulate and carry out local government functions. Furthermore, according to Article 30 of the IKN Law, land related to government administration and granted usage rights is categorized as state goods. Meanwhile, those that are not related to government administration are categorized as assets. In the IKN Law, the IKN Authority also has the right to prioritize the purchase of land at IKN. This differentiating value shows the exclusivity of IKN and the authority of the IKN Authority in the development of IKN administration compared to other regions in Indonesia, the impact of which will be discussed in the next chapter.

The development of IKN, as it is mentioned in Appendix II of the IKN Law (2022: 103) is related to social aspects, solving overlapping land ownership issues, building public facilities, and involving local communities is carried out in Phase 1 to Phase 3, which takes time from 2022 to 2034. The relocation strategy for the affected community groups in KIKN in Phase 1 is regulated in the Presiden-

tial Regulation on IKN Master Plan, where in the Appendix it is mentioned that the relocation strategy is carried out for the core government area and other infrastructure development. This has been addressed in Annex II of the IKN Law (2022: 37), where community groups within KIKN that will be affected in phase I of development have an urgent need for land acquisition and relocation for resettlement. Thus, efforts to protect and facilitate communities most affected by IKN development on a residential basis need to be prioritized.

The land acquisition mechanism is carried out with due regard to the land rights (HAT) of communities and indigenous peoples. This includes Article 16, Article 30, and other provisions in the IKN Law. However, the body of the IKN Law does not further regulate the mechanism of “paying attention to the HAT of communities and indigenous peoples”. In the Annex to the Presreg of the IKN Master Plan, “paying attention to the HAT of communities and indigenous peoples” is reflected in the relocation-related provisions of the Spatial Strategy, which needs to identify and map areas that are considered to contain the customary rights of a customary law community.

The Annex to the Presidential Regulation on the IKN Master Plan stipulates that compensation needs to be adequate and fair in a form agreed upon through deliberation. The clarity of stages and time is also important to create a measurable settlement. If there is an objection from the landowner, the compensation is deposited in court so that land acquisition and development can continue. An estimate of compensation should be obtained from the planning stage. However, it is also stipulated that land acquisition methods can be carried out in other ways such as sale and purchase, grants, exchange (ruislag), voluntary release, and other agreed forms. Furthermore, direct land acquisition is regulated in the Presidential Regulation on IKN Land. In Article 10 Paragraph (2), if methods such as sale and purchase, grants, and other methods mentioned earlier do not succeed in reaching an agreement, then the acquisition of land in IKN uses a land acquisition mechanism for development in the public interest.

Then if relocation must be carried out, the replacement area must be able to support, maintain, and preserve, as well as develop culture and programs related to economic needs in meeting the livelihood needs of the affected community. In supporting facilities, the

Communication Strategy states that facilitation will be provided to the community in obtaining customary rights or tenure rights over the land of indigenous peoples. other (Appendix Presreg IKN Master Plan, 2022). However, the Communication Strategy in the Annex of the Presreg of the IKN Master Plan is marked as ‘complementary’, the meaning of which is not defined, whether it means that it is not mandatory or otherwise.

Attention to the land rights of communities and indigenous peoples is again mentioned in Article 3 paragraph (3) of the Presidential Regulation on IKN Land that the release of forest areas is carried out by paying attention to and providing protection for community land tenure, individual rights, or communal rights of indigenous peoples. In Article 3 paragraph (4) of the same Presreg, it is also stipulated that forest release is carried out no later than 3 (three) months after the application for release is received and declared complete by the minister who organizes forestry affairs.

A Closer Look at Land Acquisition and Relocation Arrangements

Referring to the illustration of land acquisition and relocation arrangements in several IKN-related regulations above, it can be seen that the state recognizes the existence of local communities and indigenous peoples living in the IKN area. However, if you look closely, several provisions need to be questioned and rethought more critically. These provisions include the unilateral determination of land as state property and assets; the recognition of customary territories for indigenous peoples that has not yet occurred; overlapping timelines, and the protection of property rights dominated by the IKN Authority.

In Article 30 of the IKN Law, as explained in the previous chapter, land is categorized as state property and assets. As is known, IKN takes up an area of approximately 256,421 hectares which becomes the IKN national strategic area (ikn.go.id, 9/6/2024). This includes the residential areas of local communities and indigenous peoples. Indeed, there is a provision that mentions “paying attention to the HAT of the community and indigenous peoples”, which is reflected in the act of mapping the area where the community and indigenous peoples live and choosing the method of deliberation for compensation. However, if you look again, the determination of state-owned land is done unilaterally. The deliberations were for compensation and land transactions. So, the community has already been determined to move.

Then, the customary rights of indigenous peoples will also relate to the second issue. As stipulated in the IKN Law and its annexes, along with the above presidential regulations, it is stipulated that the rights of indigenous peoples are protected by the local government if the IKN Authority has not yet been established and by the Authority after its establishment. This includes the recognition of indigenous peoples' areas. If you look at the data from the Indigenous Territory Registration Agency, since March 2024, no regulations have been issued that recognize indigenous territories that occupy the IKN area; namely, there are 4 (four) indigenous territories each in Kutai Kartanegara and Penajam Paser Utara districts. They are registered and verified, but no legal products have been issued to recognize them. The registration status was recorded on April 14, 2023, for customary areas in Kutai Kertanegara and February 6, 2023 for Penajam Paser Utara. It should be noted that on both dates, IKN development was already underway in the respective customary areas (brwa.or.id, 9/6/2024; Intania, 2024). Thus, the determination of state-owned areas and assets has not considered the HAT of communities and indigenous peoples as stipulated in the regulations, because the areas collide between customary areas and areas that become IKN areas as regulated.

Looking also at the timeline, several timelines need to be considered; namely, the relocation of Phase 1 affected communities, which must be carried out as soon as possible, the settlement of overlapping land ownership from 2022 to 2034, and forest release which can be carried out no later than 3 (three) months after the application is received. Considering normatively, all the relocation of the affected communities in Phase 1 of IKN should have been carried out along with the facilities. However, it can be seen that there are still conflicts of eviction of indigenous peoples from their territories that occur as mentioned at the beginning of this paper, when Phase 1 of the IKN development is almost complete, which is scheduled in 2024.

Procurement that prioritizes development makes the relocation mechanism of affected communities rushed, because forest release can be done as soon as a maximum of 3 (three) months after the application is received and that prioritized development is carried out immediately. This provision opens up the possibility that there are affected communities who have not all been facilitated to relocate under all facilities stipulated in the IKN laws and regulations due to the prioritization of development.

Lastly, the provision on the sale and purchase of land that prioritizes IKN conflicts with individual property rights. An individual's property rights are trampled upon because they are not a direct party to the sale and purchase of their own land. Individual property rights are one of the fundamental rights and part of individual freedom and economic freedom.

On the other hand, in practice, the IKN Authority has a power relationship that tends to be absolute in all matters related to the implementation at IKN. Thus, transaction options for individual landowners will be limited. If misused, the IKN Authority can exercise arbitrariness in land sale and purchase transactions, which directly or indirectly not only threatens individual freedom and economic freedom over the property they own but also includes in the context of HAT, has violated ownership rights.

Recommendations

Referring to the discussion above, the author provides several recommendations; namely, *first*, the IKN Authority needs to fulfill rights and facilitate faster development-affected communities. Communities affected by development need clarity of action from the Authority so that the right to have a place to live and their livelihoods can be guaranteed while still achieving the desired development targets.

Second, is the need for transparency to the public in the process of transferring communities affected by development from both the central government and the IKN Authority. The more disinformation that occurs in the news of the dynamics of IKN development can reduce public trust in the Government in the development of IKN as a whole.

Third, land ownership provisions in IKN must respect individual rights. IKN, represented by the IKN Authority, must obey the applicable law, including in the context of its position as part of the parties related to the sale and purchase of land. Individual freedom in conducting economic transactions, including the sale and purchase of land owned by them, must be guaranteed and protected.

- Christina Clarissa Intania -

Communities affected by development need clarity of action from the Nusantara Capital City Authority (IKN) so that the right to have a place to live and their livelihoods can be guaranteed, and their ownership rights are also protected. The IKN Authority must also respect individual property rights regarding the sale and purchase of land while making optimal efforts in accordance with the principles of good governance to achieve the desired development targets.

The Odd Semester of 2024: a Tough Test of Indonesia's Freedom of Speech

At the time of writing (10/6), Indonesia has passed one semester of state administration in 2024. During that time, Indonesia went through democratic momentum, such as presidential and vice presidential elections, as well as legislative elections, complete with a series of other events that intersect with our democracy. This series of events then had an impact on Indonesian democracy, especially freedom of speech. Our freedom of speech has been tested again during this first semester, starting from cases of conviction based on slander, false news, and/or defamation; trials that silence freedom of speech through criticism or academic forums; laws that have been and will be issued that have the potential to limit freedom of speech, and others.

In this paper, the author will reflect on the state of freedom of speech in Indonesia. From the surrounding phenomena, cases, court decisions, and laws and regulations that may affect freedom of speech, the impact on freedom of speech in the future will be examined.

The Intimidation of Neighboring Communities and Criminalization of Freedom of Speech

People have the freedom to express their opinions both in the physical realm and on social media. However, in the process, there is still intimidation from fellow citizens that occurs to hinder the practice of freedom of speech. According to the data from Amnesty International Indonesia (2024), there were approximately 16 (sixteen) cases of intimidation committed during the 2024 election campaign period alone, aimed at around 34 (thirty-four) human rights defenders. This does not include other than the election context. Summarized from various sources, intimidation that is usually carried out consists of various forms. Forms of intimidation that are often carried out are device hacking, dispersal, occupation, threatening, and violent treatment (ylbhi.or.id, 21/5/2024; mediaindonesia.com,

11/1/2024; inilah.com, 11/2/2024; bbc.com, 28/2/2024; lbhpekanbaru.or.id, 13/5/2024).

One example of intimidation occurred during the forced dissolution of the People's Water Forum held in Bali (20/5) by a group called Patriot Garuda Nusantara (national.tempo.co, 23/5/2024). In addition to the dissolution, intimidation was also carried out by hacking into the electronic devices of the event organizers (bbc.com, 22/5/2024). The People's Water Forum was held to discuss community-based water management and its alternatives, as well as to criticize the implementations of water management by the World Wildlife Fund (thepeopleswaterforum.org, 2024). However, in an attempt to disband it, the group used the excuse of a verbal appeal from the Acting Governor of Bali. This verbal appeal claimed to maintain the 'order' of the World Water Forum event in Bali, which was organized by the central government and presented delegates from other countries (national.tempo.co, 23/5/2024).

Looking at the case of the dissolution of the People's Water Forum, there is an indication that it was intended to stop the process of providing criticism that had been planned as part of this event. This action violates freedom of speech, which is a democratic value and is also guaranteed in the 1945 Constitution of the Republic of Indonesia. Furthermore, the basis for the dispersal was a verbal appeal from the local government, which is not in line with the right to freedom of expression guaranteed in the constitution.

Furthermore, intimidation can take the form of reporting to the police, which leads to criminalization. 2 (two) Cases became monumental in 2024; namely, the prosecution by the Coordinating Minister for Maritime Affairs and Investment of the Republic of Indonesia, Luhut Binsar Pandjaitan, of a podcast by Haris Azhar and Fatia Maulidiyanti (Haris - Fatia), and the criminalization of Daniel Tangkilisan who issued critical comments regarding the waste pollution of shrimp ponds in Karimunjawa.

In the Haris - Fatia case, the podcast that explained research related to mining in Papua was charged with defamation (kompas.id, 8/1/2024). This case attracted lots of public attention, not only because of the parties in dispute but also because of the public's concern that there was an attempt to limit freedom of speech to the realm of academic discussion. However, after the trial, Haris - Fatia was acquitted of all charges based on Decision No.202/Pid. Sus/2023/PN Jkt.Tim, which meant that the content of the podcast was not a form of defamation.

Meanwhile, in the case of Daniel Tangkilisan, he received a guilty verdict at the district court level on charges of disseminating information that caused hatred or hostility to certain individuals and or community groups based on SARA (kompas.id, 3/4/2024). This verdict caused fear because opinions oriented towards protecting the environment could be criminalized, even though they have been protected by the constitution and specifically in Law Number 32/2009 concerning Environmental Protection and Management. However, in the end, Daniel was acquitted on appeal.

From the above cases, it can be seen that Indonesia is not yet free from opinion ‘reporting’, often called strategic lawsuits against public participation (SLAPP). SLAPP is a prosecution phenomenon that aims to limit public participation. The number of SLAPPs reflects the mindset of the public and the government, which has not been able to accept criticism and respect the freedom of speech of others. In addition, the existence of statutory provisions that can be used to criminalize opinions is another cause. The next section will explain more about this.

Laws and Regulations that Threaten Freedom of Speech

As explained in the previous section, the cause of many SLAPP cases or other intimidation is the existence of laws and regulations that provide loopholes. Some of the laws that have come under scrutiny for their influence in limiting freedom of speech are Law No. 1/2023 on the Criminal Code (New Criminal Code) and Law No. 1/2024 on the Second Amendment to Law No. 11 of 2008 on Electronic Information and Transactions (EIT Law).

In the New Criminal Code, several provisions such as attacks on the honor or dignity of the president and/or vice president in Articles 118 to 220, dissemination of false news in Articles 263 and 264, and blasphemy in Articles 300 to 305 are considered problematic. The latest EIT Law, which has similar problematic arrangements, such as Article 26 Paragraph (3) on irrelevant information, Article 27A on defamation, Article 28 on hate speech, and Article 40 on government termination of access. Regulations such as attacking honor, spreading false news, slander, and hate speech are considered problematic because they do not have clear parameters, so they are often misused to criminalize opinions.

Not only existing laws, but discourses on upcoming laws have also reignited concerns about restrictions on freedom of speech, such as the Broadcasting Bill and the Police Bill. The Broadcasting Bill has

many restrictions on broadcast content standards, some of which are considered to threaten freedom of speech. In addition, the broad powers granted to the Indonesian Broadcasting Commission, which will oversee and approve television, radio, and other forms of broadcasting, create the potential for arbitrariness in restricting broadcast content.

Prohibited broadcast content standards in the Broadcasting Bill that need to be considered are exclusive broadcast of investigative journalism, which subjectively involves political interests related to the owners and/or managers of broadcasting institutions and digital broadcasting platform organizers, broadcast of a profession or figure that has negative behavior or lifestyle, and broadcasts and broadcast content containing false news, slander, insult, defamation. Each of these points shows restrictions on journalists' rights and the potential for criminalization of criticism (jurnalnusantara.com, 8/6/2024).

The Police Bill also has a discourse to give the police the authority to wiretap and block internet access (katadata.co.id). With the ability to wiretap, the protection of people's privacy could be threatened. Blocking internet access is also feared to be used unilaterally and arbitrarily by the police to stop the flows of certain information.

Recommendations

Referring to the explanations above, it can be concluded that Indonesia's freedom of speech in the odd semester of 2024 has gone through many bad and good upheavals. Therefore, the following recommendations are proposed to anticipate these problems:

- a. the public and justice enforcers from the police, prosecutors, advocates, and judiciary need to be able to distinguish between criticism and slander, lies, or hate speech. The absence of clear parameters makes all of these things prone to confusion;
- b. the need for justice enforcers to detect SLAPPs and apply the Anti-SLAPP mechanisms already in place in Indonesia;
- c. the amendment of arrangements such as in the New Criminal Code and EIT Law that have the potential to be misused to criminalize freedom of speech by the House of Representatives (DPR) and the government by promoting public participation and transparency;
- d. increased transparency and public participation by the DPR and government for the formation of bills so as not to produce provisions that can limit freedom of expression, and
- e. the public and civil society organizations need to jointly oversee

the direction of freedom of expression in Indonesia towards a more democratic direction in terms of regulation and the society.

- Christina Clarissa Intania -

Communities and civil society organizations need to jointly oversee the direction of freedom of speech in Indonesia towards a more democratic direction in terms of regulation and the society.

Examining Plans to Establish a Social Media Council in Indonesia

The government, through the Ministry of Communication and Informatics (Kominfo), is rolling out the discourse on establishing a Social Media Council (DMS). Minister of Communication and Information (Menkominfo) Budi Arie Setiadi said DMS would later function to monitor the quality of social media governance. This DMS will later take the form of an independent network or coalition. DMS can contain civil society organizations, academics and industry players. Budi said that DMS could become a strategic partner for the government in managing social media. This also includes ensuring freedom of the press and freedom of opinion in the digital space (detik.com, 28/5).

The plan to establish a DMS has actually been in motion since 2023. The idea to establish a DMS was originally initiated by a non-governmental organization called ARTICLE 19, which was then supported by the United Nations Educational, Scientific and Cultural Organization (UNESCO). However, this plan was criticized by a number of parties because it was seen as an attempt to regulate public content and expression (tirto.id, 31/5). In addition, the ongoing discourse on the formation of the DMS coincided with the polemic discussing the Draft Law on Broadcasting (RUU) which was considered by many circles to limit freedom of the press, opinion and expression.

The Executive Director of Southeast Asia Freedom or SAFEnet, Nenden Sekar Arum, believes that the current proposal for establishing a DMS is no longer relevant, especially if the establishment of a DMS is only through ministerial regulations and not law. If the formation of the DMS is based on the Regulation of the Minister of Communication and Information (Permenkominfo), then it is feared that all decisions regarding content can only be made by Kominfo (voaindonesia.com, 30/5).

Furthermore, the Executive Director of the Institute for Community Studies and Advocacy or ELSAM, Wahyudi Djafar, said that in principle, referring to a number of standards including guidelines created by UNESCO, the authority to regulate social media content must be an independent institution established by law or through the courts. Therefore, there are concerns that the establishment of a DMS under Kominfo will only further strengthen the government's authority to block content, which in turn will further repress freedom of expression (voaindonesia.com, 30/5). In fact, freedom of expression itself is a human right.

Guaranteeing Freedom of Expression in the Digital Space

Freedom of expression as part of human rights is regulated in Article 19 of the Universal Declaration of Human Rights (UDHR), which states that everyone has the right to freedom of opinion and expression; This right includes freedom to hold opinions without interference and to seek, receive and share information and ideas through any media and regardless of national borders. Apart from that, guaranteeing freedom of expression is very important, because it protects citizens from corrupt and tyrannical rulers (John Stuart Mill in Rahmanto, 2016). With freedom of expression, society can carry out meaningful public participation, through monitoring and criticizing bad government practices.

Reflecting on the current development of democracy and digital space, there are two activities that confront each other between society and the government. The first activity is carried out by citizens, including the realization of freedom of expression, such as providing criticism and suggestions to the government. On the other hand, the government is not just a passive entity. One of its roles is also to carry out digital surveillance of residents. The relationship between citizens and government then creates unequal interactions. If the government controls citizens in the digital space, then the government has a higher position and potential to risk the principles of government and democracy (Muchtar, et al., 2021).

This is what is becoming a concern with the formation of the DMS, even though it will be staffed by representatives of civil society organizations, academics and industry players. However, with DMS's position under Kominfo, it is possible that DMS will only become an extension of the government and the government's justification for regulating content and further limiting freedom of expression on social media. This condition means that there is no guarantee that freedom of expression will not be hampered by government interests in the future.

Content Management by Social Media Platform

Social media as a space for expression must remain protected from repressive state policies and parties who make the digital space unhealthy. Some social media platforms actually have community guidelines or standards that regulate social media use.

Looking at current developments, Meta's content rules in its terms of service have grown from 292 words in 2005 to the current external community standard of 18,662 words. Twitter's 2009 rules were only one page long, but now the rules from X, formerly known as Twitter, have 17 different policy areas, most of which are the same length as, or even longer than, the original rules. Meanwhile, TikTok, has 30 different policy areas in its community guidelines (Inserra, 2024).

In practice, content that is inappropriate based on the rules created by the platform will be removed. For example, YouTube removed nearly 20 million videos in 2022. Twitter removed 6.5 million content in the first half of 2022. Facebook removed more than 115 million content in the second quarter of 2023, not including 676 million fake accounts and 1.1 billion pieces of content. spam. Some platforms employ a number of people to review content and also use Artificial intelligence (AI) technology to enforce these rules (Inserra, 2024).

However, the problem is, if Facebook succeeds in doing moderation correctly 99.9 percent of the time, there will still be almost half a million non-spam content that will be wrongly acted on in 2023. If YouTube makes 1 percent of the mistakes in its content removal decisions, then that means there are 200,000 erroneous videos removed by 2023 (Inserra, 2024). This means that even though there have been efforts made by the platform to enforce the rules with all its resources, there are still problems in regulating content. Therefore, the issue of content regulation is not only the task of the platform or Kominfo, but must also include the public as users.

Recommendation

Based on the explanation above, compared to Kominfo forming a DMS. Kominfo should work together with social media platforms and civil society organizations to optimize existing digital literacy programs and create other creative programs. This is also important as an effort and commitment to protect freedom of expression on social media.

The digital literacy program is carried out to increase awareness and strengthen internet users' understanding of digital protection and digital rights. Therefore, internet users must not only master the operation of digital devices, but also know their rights so that they can be used wisely.

- Arfianto Purbolaksono -

Instead of forming a Social Media Council, Kominfo should work together with social media platforms and civil society organizations to optimize existing digital literacy programs and create other creative programs. This is also important as an effort and commitment to protect freedom of expression on social media.

Weighing the Rules of Cigarette Distribution and its Impact on Adolescents

Every May 31 is celebrated as World No Tobacco Day (WNTD). In 2024, the theme raised in the tagline of the Ministry of Health, namely “Protect Children from the Interference of the Tobacco Products Industry”. The theme aims to invite the world community to remember the dangers of industrial exploitation of nicotine aimed at the younger generation.

On the other hand, currently, the annual increase in the Tobacco Products Excise (CHT) tariff is considered to threaten the sustainability of the cigarette industry and its workers. It is reported that in the last five years, the CHT tariff has increased by 67.5%, which has caused cigarette prices to soar and triggered the spread of illegal cigarettes (national.kontan.co.id, 28/5/2024). The Chairman of the Regional Executive Board of the Federation of Tobacco Tobacco Food Beverage Workers Union of the Indonesian Workers Union (FSP RTMM-SPSI) East Java, Purnomo, said that the CHT increase was a scourge for the Tobacco Products Industry (IHT). In addition, according to him, legal cigarette companies can lose competitiveness and will eventually die. Therefore, the policy of increasing cigarette excise rates must consider the ability of the industry (national.kontan.co.id, 28/5/2024).

On the other hand, although the increase in CHT rates is considered to threaten the sustainability of the cigarette industry, data from the 2023 Indonesian Health Survey (IHS) recorded the number of active smokers estimated to reach 70 million people, of which 7.4% were smokers aged 10-18 years (cnnindonesia.com, 31/5/2024). This data shows the severity of smoking behavior carried out by adolescents. In addition, adolescents as active smokers are the target consumption of cigarette circulation.

If we reflect on the data mentioned earlier, the government needs to provide a way out so that business actors can maintain their business. But at the same time, the government also needs to anticipate the impacts arising from the circulation of cigarettes that are freely

obtained and consumed by adolescents, and encourage educative public campaigns about the impact of smoking on health.

Cigarette Distribution and Increased Smoking Behavior in Adolescents

The free circulation of cigarettes in the community has resulted in increased smoking behavior among adolescents. Data from the 2023 Indonesian Health Survey (SKI) conducted by the Ministry of Health (Kemenkes) shows that the number of active smokers is estimated to reach 70 million people, with 7.4% of them smokers aged 10-18 years (sehatnegeriku.kemkes.go.id, 29/5/2024).

In addition, children and adolescents are the group with the most significant increase in the number of smokers. Based on data from the Global Youth Tobacco Survey (GYTS) in 2019, the prevalence of smoking among school children aged 13-15 years increased from 18.3% (2016) to 19.2% (2019). Meanwhile, SKI 2023 data shows that the 15-19 age group is the largest group of smokers (56.5%), followed by 10-14 years old (18.4%) (sehatnegeriku.kemkes.go.id, 29/5/2024).

Director of Prevention and Control of Non-Communicable Diseases of the Ministry of Health Eva Susanti in a media meeting (29/5/2024), said that the growth of active smokers in Indonesia cannot be separated from the tobacco product industry that intensively markets its products to the public, especially children and adolescents, through social media. In addition, to increase the number of consumers, marketing efforts are made by utilizing various means. For example, through the reach of multinational brands, influencers, trending topics, popularity, and brand recognition of tobacco and nicotine on social media (sehatnegeriku.kemkes.go.id, 29/5/2024).

Similarly, marketing is carried out on the type of e-cigarette or what is often referred to as vape. Although the use of vape among adolescents is considered a safer option compared to smoking, researchers have until now assessed that the use of e-cigarettes has the same degree of impact as the use of conventional cigarettes.

Furthermore, Chairman of the Indonesian Lung Doctors Association (PDPI) Prof. Dr. dr. Agus Dwi Susanto, SpP (K) said that e-cigarettes such as vape have ingredients that are also found in conventional cigarettes that can endanger health (antaranews.com, 28/12/2023). Dr. Agus mentioned that there are three harmful in-

ingredients that both e-cigarettes and conventional cigarettes contain, namely nicotine, carcinogenic ingredients, and fine particles.

He also mentioned in research conducted by the Friendship Central General Hospital (RSUP) and PDPI, the fact that almost 76% of e-cigarette users experience addiction due to the nicotine content in the product.

On the health side, nicotine is said to cause blood vessel constriction disorders that are not only harmful to the heart but to the brain. The narrowing of blood vessels leading to the brain will certainly have a major effect on the cognition process of adolescents as users (antaranews.com, 28/12/2023).

In another study, Professor David Thickett from the University of Birmingham, explained it with someone smoking an e-cigarette involving organ samples from eight non-smokers. The researchers then found e-cigarette smoke caused swelling and damaged the activity of alveolar macrophages or cells that have the potential to fight dust particles, bacteria, and allergy triggers. This was published in the scientific journal “Thorax”, where scientists said this condition was similar to that seen in regular smokers and people with chronic lung disease (BBC.com, 08/14/2018).

Thus, from the results of the explanation above, it can be concluded that although it is considered safe, the health effects of smoking activities will also be found by vape users.

The Importance of Legal Certainty of Cigarette Distribution in Protecting Business Actors and Consumers

Although the annual increase in the Tobacco Products Excise (CHT) rate of 67.5% is considered to threaten the sustainability of the cigarette industry and its workers, the government cannot ignore the large number of workers employed in the kretek/tobacco industry sector.

In 2023, the Head of the East Java Provincial Social Service Restu Novi Widiani stated that 97% of workers in the Tobacco Products Industry (IHT) are women in East Java. They as workers are spread across various sectors, both plantations and in various tobacco product factories. This was conveyed during the distribution of Direct Cash Assistance (BLT) of Tobacco Excise Revenue Sharing Fund (DBHCHT) to workers in the Tobacco Product Industry (IHT) sector at the production facility of PT HM Sampoerna Tbk

(Sampoerna) in Surabaya (cnbcindonesia.com, 28/9/2023).

Women in the industrial sector have a very important role, not only as part of the business actors, but also as breadwinners in the household. Therefore, economically, the existence of this sector is considered important in improving the livelihood of the community and the local area.

On the other hand, the increase in smoking behavior among adolescents will also have an impact on the burden on the health budget. The results of a study conducted by the Center for Indonesia's Strategic Development Initiatives (CISDI) in 2019 showed that cigarette consumption can cause economic losses, especially the health system and families worth IDR 27.7 trillion. In health financing, during 2019, BPJS Kesehatan has allocated at least IDR10.5 trillion to IDR15.5 trillion to cover the health cost budget of smoking-related diseases reaching IDR17.9 trillion to IDR27.6 trillion. In the context of health care financing, hospitalization and referral costs are the highest components, reaching 49% to 51% (feb.ui.ac.id, 7/6/2021).

The Draft Government Regulation (RPP) on Health that will soon be passed is expected to provide space for consumers where cigarettes are only consumed by adults. The regulation is expected to be able to reduce the level of cigarette consumption in minors without the need to increase excise tax rates, which will threaten the survival of workers in the kretek/tobacco industry. On the other hand, this should also be followed by socialization, educational public campaigns on the health impacts of smoking, and clear law enforcement regarding violations of provisions related to the sale and consumption of cigarettes.

Furthermore, there are a number of articles that need to be considered. According to the Director General of Industrial Relations and Social Security of the Ministry of Manpower, Indah Anggoro Putri, these articles include 425, 427, 428 and 440, which include the application of zoning to reduce the level of cigarette consumption in minors (cnbcindonesia.com, 28/11/2023).

Related to this issue, to respond to this, the government needs to ensure the following:

1. Protect the sustainability of the business ecosystem through cooperation with the Ministry of Industry and Trade.
2. Ensure the protection of the workforce by providing feedback in the form of tax incentives to clove industry workers through labor protection.

3. Encourage the Ministry of Health to increase the effectiveness of reducing public cigarette consumption by providing independent pathway services and educational public campaigns on health, including the impact of smoking (both conventional and electric) through collaborative multi-party work in various health facilities.
4. Encourage the government and all parties to design urban planning by providing smoke-free zoning including green areas that can help improve air circulation in an area.
5. Encourage the creation of a healthy consumer market and protect consumer freedom while encouraging responsible consumption of cigarettes and paying attention to their impact on the environment. For example, by enforcing rules on the purchase of conventional cigarettes or e-cigarettes can only be done by adults using a transaction system through an identified identity. In addition, providing spaces for cigarette and vape users with appropriate air circulation and location.

- Dewi Rahmawati Nur Aulia -

The government and related stakeholders need to be objective in addressing the polemics over smoking, both from economic, health, and social aspects, including its impact on the younger generation and the burden on the health budget, as well as its economic contribution. Therefore, multi-stakeholder cooperation and collaboration are needed to support the creation of a healthy and equitable market; related industries and responsible consumers; law enforcement; educative public health campaigns; the availability of adequate health facilities, and special spaces for cigarette and/or vape consumers that pay attention to smoke-free zones and green spaces, as well as the impact on the surrounding environment.

Revisiting the Implementation of Drug Rehabilitation through the Mandatory Reporting Institution (IPWL)

Victorious Siahaan, Director of Social Rehabilitation for Victims of Narcotics, Psychotropic and Addictive Substances Abuse (RSKP NAPZA), in an online broadcast at the Coordination Meeting for the Synergy of Law Enforcement Officials and the National Development Planning Agency in the Implementation of Rehabilitation for the Implementation of Article 127 of Law Number 35 of 2009 concerning Narcotics organized by the National Narcotics Agency (BNN), explained that optimization of rehabilitation must be carried out as part of the government's priority activities in the future. In addition, he said that the social rehabilitation carried out by the Ministry of Social Affairs (Kemensos) aims to improve the social functioning of victims of narcotics, psychotropic, and other addictive substances abuse (Kemensos.go.id, 27/7/2021).

This paper will generally discuss the overview of drug treatment in Indonesia. In addition, this paper also underlines the importance of the implementation of rehabilitation in handling abusers of Narcotics, Psychotropic, and other addictive substances (Napza).

Drug Abusers in Indonesia

The circulation of narcotics, drugs, and other addictive substances is still part of the government's homework. However, throughout 2023, BNN RI has uncovered 37 narcotics syndicate networks, consisting of 15 national narcotics syndicate networks and 22 international narcotics syndicate networks. This was done through firm and measured institutional actions involving the Indonesian National Police (Polri), the Indonesian National Army (TNI), and Customs and Excise (BNN.go.id, 28/12/2023).

In addition, to break the chain of narcotics syndicate networks, BNN RI also traces money laundering crimes (TPPU) as an effort to impoverish the dealers so that they cannot return to the illicit drug business. Throughout 2023, BNN RI succeeded in uncovering 21 TPPU cases involving 22 suspects by confiscating evidence in

the form of assets worth a total of Rp162,244,526,644.86, - (BNN.go.id, 28/12/2023).

On the other hand, handling drug abusers is an equally important issue. According to the Indonesia Drugs Report 2022, BNN categorizes drug abusers into three age groups. First, there is the 15-24 year old group; the 25-49 year old group, and the 50-64 year old group. Among these three groups, the 25-49 age group was the age group that consumed the most drugs in 2021. In addition, for the 25-49-year-old group, the prevalence of use only reached 3% in 2021. For those who have used drugs for a year, the prevalence reached 2.02% (Indonesia Drugs Report, 2022).

In the second largest group of users in the age range of 50-64 years, those who had used drugs reached 2.17% and those who had used for a year amounted to 1.88%. The third group, 15-24 years old, recorded 1.96% who had ever used drugs and 1.87% who had used for a year (Indonesia Drugs Report, 2022).

In addition, efforts to deal with drug abusers, psychotropic substances, and other addictive substances until now still tend to be charged with imprisonment. Drug abusers cannot be put in prison, but must undergo a process of rehabilitation, both medical and social. This is in line with Government Regulation No. 25/2011 on the Implementation of Mandatory Reporting of Narcotics Addicts. This regulation explains the importance of drug addicts/drug abusers to report themselves for treatment in the form of both medical and social rehabilitation.

Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 16 of 2020 concerning Social Rehabilitation Assistance, explains that social rehabilitation is a process of functionalization and development to enable a person to be able to carry out his social functions reasonably in community life. This is mentioned in Article 54 of Law Number 35 of 2009 concerning Narcotics which says, "Narcotics addicts and victims of narcotics abuse must undergo medical rehabilitation and social rehabilitation" (news.detik.com, 16/9/2021).

Director of Drug Crimes at the National Police Headquarters Brigadier General Krisno H Siregar, in his interview, explained that Law 35/2009 contains ambiguous articles. This often makes the authorities misinterpret and apply it to give article verdicts to the perpetrators. Several cases often occur where arrests have more

drugs than the minimum provisions. The Supreme Court Circular Letter (SEMA) states that the category of drug users for methamphetamine is if in one day the maximum consumption or possession is 1 gram, and 5 grams for marijuana (news.detik.com, 16/9/2021).

Furthermore, according to the content of the SEMA, if during the investigation process it turns out that a person is known to consume more than what is determined by the Supreme Court, and/or share with others, then investigators usually use Article 112. This article reads, "Every person who without the right or against the law owns, stores, controls, or provides Narcotics Group I not a plant, shall be sentenced to a minimum imprisonment of 4 (four) years and a maximum of 12 (twelve) years" While in Article 127 paragraph 1 reads, "Every abuse of narcotics group I for oneself shall be sentenced to imprisonment for a maximum of 4 years".

Still related to the above, Krisno Siregar said that in practice many investigators include Article 112 with a minimum sentence of 4 years. This article then contributes to the overcrowding of prisons. The Supreme Court Cassation Panel in an interview with AFP on August 11, 2014 said that Article 112 is a garbage article and a rubber article. Therefore, in the case of a drug convict from Gantarang, Bulukumba, the Supreme Court Cassation Panel refused to fulfill the prosecutor's demand to use the article to sentence the convict for a period of 4 years (news.detik.com, 16/9/2021).

Implementation of Drug Rehabilitation and its Development through the current IPWL

The implementation of psychotropic drug rehabilitation and other addictive substances is regulated in several versions depending on the agency/ministry in charge. In the Ministry of Social Affairs, the implementation of social rehabilitation for drug abusers is regulated in the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 16 of 2020 concerning Social Rehabilitation Assistance. In the Ministerial Regulation, the implementation of rehabilitation is carried out through the Attention Program.

The attention program is a social rehabilitation service provided to victims of narcotics, psychotropic, and other addictive substances abuse (as one type of beneficiary of the program) using a family, community, and / or residential-based approach through support activities to meet the needs of a decent life, social care and / or childcare, family support, physical therapy, psychosocial therapy, mental spiritual therapy, vocational training, entrepreneurship

coaching, social assistance and social assistance, and accessibility support.

Social Rehabilitation according to Permen No. 16/2020 is a program that is holistic, systematic, and standardized to achieve social functioning of individuals, families, groups, and/or communities. Article 3 of this regulation states that social functioning is a condition that enables individuals, families, groups, and communities to fulfill their basic needs and rights, carry out their social duties and roles, and overcome problems in their lives. According to Permen No. 16/2020, the implementation of the attention program as referred to in Article 4 is carried out by large centers/centers / social rehabilitation workshops, which can currently be referred to as Mandatory Reporting Receiving Institutions (IPWL).

The implementation of IPWL is basically mentioned in the Regulation of the Minister of Health of the Republic of Indonesia Number 4 of 2020. According to the regulation, IPWL is a public health center, hospital, and/or rehabilitation institution appointed by the government that specializes in organizing medical rehabilitation. However, in practice, the process of restoring the functioning of individuals who are victims of drug abuse is not only done medically, but also requires non-medical intervention. This can be done through peer support groups, psychosocial therapy, mental spirituality, vocational training, entrepreneurship coaching, social assistance and social assistance, and accessibility support.

Some of the interventions mentioned above are carried out as described in the Regulation of the Minister of Social Affairs of the Republic of Indonesia Number 16 of 2020 concerning Social Rehabilitation Assistance. Therefore, the implementation of the IPWL organizing policy has been carried out through systematic and comprehensive efforts. Furthermore, rehabilitation interventions for drug abusers are provided until the termination stage. Termination is the last stage program given to beneficiaries (drug abusers), where they are prepared to be able to build economic independence through empowerment activities.

Similarly, the implementation of drug rehabilitation is also regulated separately through the Regulation of the National Narcotics Agency of the Republic of Indonesia Number 6 of 2022 concerning the Implementation of Sustainable Rehabilitation. The implementation of sustainable rehabilitation services according to Regulation No. 6/2022 is a series of integrated recovery efforts for Narcotics Addicts, Narcotics Abusers and Victims of Narcotics Abuse, which

includes initial reception, medical rehabilitation and/or social rehabilitation, and post-rehabilitation.

In its development, BNN RI in 2020 has signed a Memorandum of Understanding (MoU) with the Ministry of Social Affairs (Kemensos) of the Republic of Indonesia related to efforts to Prevent and Eradicate Drug Abuse and Illicit Trafficking (P4GN) in Indonesia. The signing of the MoU aims to cooperate and equalize the perceptions and ways of acting of both parties in preventing and eradicating narcotics abuse. It also aims to support and optimize the implementation of the main tasks and functions of both BNN RI and the Ministry of Social Affairs RI to remain guided by the rules of the law (BNN.go.id, 10/7/2020). Through cooperation between institutions and institutions, it is hoped that it can improve the quality of recovery for people who abuse narcotics, psychotropic substances and other addictive substances.

Based on the results of the discussion above, it can be concluded that in the implementation of drug rehabilitation, the government imposes a mandatory reporting system through Government Regulation Number 25 of 2011 concerning the Implementation of Mandatory Reporting of Narcotics Addicts. In addition, to support the process of physical, mental and psychosocial recovery, the government through relevant ministerial bodies (such as the Ministry of Health, Ministry of Social Affairs and the National Narcotics Agency) established a rehabilitation system called the Mandatory Recipient Institution (IPWL). IPWL is a community service institution that provides recovery interventions not only using a medical approach but also non-medical approaches which are expected to help beneficiaries to return to the community as productive as before.

Recommendation

To increase public awareness, especially among drug abusers, in obtaining access to systematic and comprehensive rehabilitation services, the government needs to take the following steps:

1. Encourage the Government through the Ministry of Health, Ministry of Social Affairs and BNN RI to build a comprehensive rehabilitation service delivery system through collaboration and multi-party cooperation with relevant stakeholders.
2. Increase the participation of civil society organizations to encourage more inclusive policies.

3. Encourage the creation of systematic and comprehensive rehabilitation activities through one-stop services, which are expected to not only work effectively, but also efficiently, especially in institutional development such as IPWL and support the implementation of its duties and functions in assisting beneficiaries during the rehabilitation process.

- **Dewi Rahmawati Nur Aulia** -

To increase public awareness, especially drug abusers in obtaining access to systematic and comprehensive rehabilitation services, the government needs to encourage the Ministry of Health, Ministry of Social Affairs and the National Narcotics Agency, including civil society networks to synergize in encouraging the recovery of drug abusers.

**THE** **INDONESIAN INSTITUTE**
C E N T E R F O R P U B L I C P O L I C Y R E S E A R C H

The Indonesian Institute (TII) is a Center for Public Policy Research that was established on 21 October 2004 by a group of young, dynamic activists and intellectuals. TII is an independent, non-partisan, non-profit institution, whose main funding stems from grants and contributions from foundations, companies, and individuals.

TII has the aim of becoming a main research center in Indonesia for public policy matters and has committed to giving contribution to the debates over public policies and to improving the quality of the planning and results of public policy by promoting good governance principles and public participation in the policy processes in Indonesia.

TII's visions are public policies in Indonesia which highly uphold human rights and rule of law, as well as involve participation of various stakeholders and practice democratic good governance principles.

TII's missions are to conduct reliable research that is independent and non-partisan and to channel the research to the policy-makers, the private sector, and academia in order to improve the quality of Indonesian policy-makers.

TII also assumes the role of disseminating ideas to the society so that they are well informed about the policies that will have a good impact on the people's lives. In other words, TII has a position to support the democratization process and the public policy reform, as it will be involved in the process.

The scope of the research and review on public policies undertaken by TII includes economic, social, political, and legal affairs. The main activities which have been conducted by **TII** in order to achieve our vision and mission, are: research, surveys, facilitation and advocacy through training and working groups, public discussions, public education, weekly editorial articles ("Wacana" or Discourses), Instagram Live Series and Space Twitter (Policy Talks and Initiative!), monthly analysis ("Update Indonesia" in Indonesian and "The

Indonesian Update” in English), mid-year policy analysis (“Policy Assessment”), annual policy analysis (“Indonesian Report”), and monthly discussion forum on policy issues (“The Indonesian Forum”).

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RESEARCH ON ECONOMIC AFFAIRS

The economy tends to be used as an indicator of the success of the government as a policy-maker. Economy plays an important role as one of the fundamentals of national development. Limited resources have often caused the government to face obstacles in implementing economic policies that will optimally benefit the people. The increase in the quality of the people's critical thinking has forced the government to conduct comprehensive studies in every decision-making process. In fact, the studies will not be stopped when the policy is already in place. Studies will be continued until the policy evaluation process.

TII focus on economic issues, such as monetary policy and fiscal policy, as well as issues on sustainable development by using analysis which refer to economic freedom principles. Monetary issues will focus on the Indonesian Central Bank to maintain economic stability, both regarding inflation and exchange rate. Meanwhile, fiscal policy will focus on the discussions over the National Budget and infrastructure development both in the regions and in the cities. In relation to sustainable development, TII research is focusing on productivity, competitiveness, infrastructure development, and development gap. In addition, TII also upholds economic freedom principles in highlighting the importance of individual freedom and involvement of private sectors in increasing development and improving welfare in Indonesia.

The TII Economic Research Division is present for those who are interested in the conditions of the economy. The results of the research are intended to assist policy-makers, regulators, and donor agencies in making decisions. The research that TII offers: **(1) Economic Policy Analysis; (2) Regional and Sectoral Prospects; and (3) Program Evaluation.**

RESEARCH ON LEGAL AFFAIRS

According to stipulations in Law No. 12 Year 2011 on the Formulation of Laws and Regulations, every bill which will be discussed by the legislative and the executive must be complemented with academic paper. This stipulation is also confirmed in Law No. 15 Year 2019 on the Amendment of Law No. 12 Year 2011 regarding the Formulation of Laws and Regulations.

Therefore, comprehensive research is very important and needed in making a qualified academic paper. With qualified academic papers, the bills will have strong academic foundation both from academic and content aspects. Furthermore, academic paper also functions as an early tracking over possibilities of overlapping laws and regulations, so that revocation of local regulations or other related issues which can be caused by legal, economic, or political aspects in the future, can be minimized as soon as possible.

TII offers normative and legal research related to harmonization and synchronization of laws and regulations, especially in making academic papers, legal opinion on harmonization and synchronization of laws and regulations, and legislative drafting for the formulation of local regulations bill drafts or other laws and regulations. In addition, TII also offers openly research on other legal issues related to Constitutional Law and Public Administration, Human Rights, and Political Corruption.

RESEARCH ON THE POLITICAL AFFAIRS

The enactment of Law No. 23 Year 2014 on the latest regulation on the Local Government, has created different relations between the Central Government and the Local Government. Entering the era of Bureaucracy Reform, specification of division of affairs of the Central Government and the Local Government has increasingly demanded the implementation of good governance principles. The government is demanded to be adaptive and responsive towards public aspiration and services. Therefore, public policy research become more important for both the Central Government and the Local Government to analyse context and current issues in the regions. The government must also consider various actors whether political actors or bureaucrats, as well as public's aspiration and other non-state actor in policy processes.

In order to respond those needs, TII research in political affairs offer policy assessment on various policies which were already applied or will be implemented. TII will look at socio-cultural, economy, legal, and political aspects in assessing public policies. Our research will be useful to assist government in formulating policies which are in line with context, priorities, and people's aspiration. TII also offers various breakthrough of transformative policies according to existing contexts in particular and Open Government principles' implementation in general, in order to increase public participation in policy processes, particularly in the era of the openness of public information.

Political Research Division of TII provide analysis and policy recommendations in order to generate strategic policy in the strengthening of democracy and the establishment of good governance both at the national and local levels. Political research forms are offered by TII **(1) Public Policy Analysis, (2) Media Monitoring, (3) Mapping & Positioning Research, (4) Need Assessment Research, (5) Survey Indicator.**

RESEARCH ON THE SOCIAL AFFAIRS

Social development needs policy foundations that come from independent and accurate research. Social analysis is a need for the government, the businesspeople, academia, professionals, NGOs, and civil society to improve social development. Social analysis is important to identify strategic issues which are developing and to make the right stakeholders' mapping to promote significant change in the context of development, public policy, and democracy in Indonesia.

The Social Research Division is present to offer strong and valid recommendations to produce strategic, relevant, efficient and effective, and impactful policies, in addressing to existing various issues. For example, issues related to education, health, population, environment, women, children, and elderly. Social research that TII offers: **(1) Social Policy Analysis; (2) Explorative Research; (3) Mapping & Positioning Research; (4) Need Assessment Research; (5) Program Evaluation Research; and (5) Indicator Survey.**

PRE-ELECTION AND REGIONAL HEAD ELECTION

One of the activities carried out and offered by TII is a pre-election survey as well as a pre-election and regional head election. The reasons underlying the implementation of pre-election and regional head election surveys, namely: (1) A good election is a democratic process that can be arranged, calculated, and predicted in the resulting process; (2) Survey is one of the important and common discussions to measure, calculate, and predict how the process and results of the General Election and the Regional Head Election will take place, in accordance to the expectations of the candidates; (3) It is very important to win in the General Election and the Regional Head Election based on empirical, scientific, measurable and supportable data.

As one of the important aspects of a strategic candidate's election, the survey is useful for monitoring political power. In this case, the success team needs to conduct a survey for: **(1) mapping the candidate's position in public perception; (2) mapping voters' desires; (3) publishing the most effective political machinery used as voters; and (4) Looking for the most effective medium for the campaign.**

EVALUATION OF A PROJECT OR A PROGRAM

One of the activities that have been performed and experienced offered by TII is a qualitative evaluation of the projects and programs of non-governmental organizations and government. Evaluation activities are offered TII stages of mid-term evaluation of the project/program (mid-term evaluation) and also the final evaluation at the end of the project/program (final evaluation).

As we know, the evaluation is an important step in the implementation of a project or program. Mid-Term Evaluation of the project or program is intended to look at and analyze the challenges, the overall learning takes place during the project or program, and make recommendations for the continuity of the project or program. Meanwhile, the final evaluation allows us to view and analyze the outcomes and the lessons learned to ensure the achievement of all the objectives of the project or program at the end of the project or program.

THE INDONESIAN FORUM

The Indonesian Forum is a monthly discussion activity on actual issues in the political, economic, social, legal, cultural, defense, and environmental fields. TII organizes these forums as media for competent resource persons, stakeholders, policymakers, civil society activists, academicians, and the media to meet and have discussion.

Themes that have been raised were the ones that have caught public attention, such as migrant workers, social conflicts, domestic politics, and local direct elections. The main consideration in picking a theme is sociological and political reality and the context of the relevant public policy at the time that the Indonesian Forum is delivered.

It is expected that the public can get the big picture of a particular event as the Indonesian Forum also presents relevant resource persons.

Since its inception, the Indonesian Institute is very aware of the passion of the public to get discussions that are not only rich in substance but also well formatted, which support balanced ideas exchanges ideas and the equal involvement of the different elements of the society.

The discussions, which are designed to only invite a limited number of participants, do not only feature idea exchanges but also regularly offer policy briefs (policy recommendations) to relevant policymakers and also summaries to the participants, especially the media people and the resource persons at the end of each discussion. Therefore, the discussions will not end without solutions.

LOCAL COUNCIL TRAINING

The roles and functions of local councils in monitoring local governments are very important. They need to ensure that participative and democratic policies will be espoused. Members of provincial and regent local councils are required to have strong capacity to understand democratization matters, regional autonomy, legislative techniques, budgeting, local Politics, and political marketing. Thus, it is important to empower members of local councils.

In order for local councils to be able to response every problem that will come out as a result of any policy implemented by the central government or local governments, the Indonesian Institute invites the leaderships and members of local councils to undergo training to improve their capacity.

WORKING GROUP

The Indonesian Institute believes that a good public policy process can be held with some engagement and empowerment of the stakeholders. The Indonesian Institute takes a role as one of mediator agencies to facilitate some forums in which the Government, Council Members, Private Sectors, NGOs and Academicians can meet in interactive forums. The Indonesian Institute provides facilitation on working groups and public advocacy.

The Indonesian Institute takes the role of mediator and facilitator in order to encourage the synergy of public policy work between the stakeholders and policy makers and also to have a synergy with funding agencies (donors).

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