

Petitions pile up against MD3 Law

JAK-POST, 16/3/
18

Nurul Fitri Ramadhani

THE JAKARTA POST/JAKARTA

Just one day after the controversial Legislative Institutions (MD3) Law took effect, opposition from the public has grown stronger, with judicial review requests filed to the Constitutional Court piling up.

More than 100 civil society organization members and scholars staged a protest in front of the court building on Thursday to demand the court annul several problematic articles passed by the House of Representatives last month.

A group calling itself *Presidium Rakyat Menggugat* (PRM) filed a judicial review against articles 73, 122 and 245 of the law, numbered Law No. 2/2018, which they believe give lawmakers the freedom to act with impunity and criminalize members of the public who oppose them.

Article 73 gives the House added power to summon anyone they seek to question by enlisting the help of the police to compel the summoned person to attend the questioning. Article 122, the most hotly debated part of the law, grants the House's ethics council (MKD) the power to press criminal charges against any citizen it deems to have disrespected the House or its members.

In addition, Article 245 stipulates that House members cannot be investigated by law enforcement officials without the approval of the President and the consideration of the MKD.

"The provisions are a setback for our democracy. They silence critics, which should not happen," PRM spokesperson Sisca Rumondor said.

The group was the fifth plaintiff to file a petition. Previously, the Forum of Legal and Constitutional Review (FKHK), the Indonesia Solidarity Party (PSI), the Indonesian Islamic Students Movement (PMII) and two individuals — identified as Ziko

Constitutional Court hopes to nullify law following reluctance shown by President Jokowi to issue Perppu to replace law

Online petition has more than 205,000 signatures

and Joshua — also filed petitions against the articles.

The court has become the one and only institution hoped to be able to nullify the MD3 Law, following the reluctance shown by President Joko "Jokowi" Widodo to issue a regulation in lieu of law (Perppu) to replace the law.

Since it was passed on Feb. 12, the law has sparked concern among the public. However, Jokowi's stance toward the law has been somewhat inconsistent. Following the public outcry that accompanied the passing of the law by the House, Jokowi showed reluctance to sign the law. His decision not to sign the law, however, had no impact, as it would have come into effect with or without his signature.

The President said he refused to sign the law in response to the public's demands. He also blamed Law and Human Rights Minister Yasonna Laoly for not providing him with updates on the deliberation's progress.

Article 22 clause 1 of the Con-

stitution states that a president has the authority to issue a Perppu in the event of a "critical situation". Jokowi claimed he did not do so because he believed it would only be rejected by the House.

Protests to the law have also emerged in the form of an online petition. As of Thursday, more than 205,000 people had given their support for the petition to reject the law posted on *change.org*.

The petition, titled "Reject the MD3 Law, the House should not criminalize criticism" was initiated by seven civil society and rights groups, including Indonesia Corruption Watch (ICW), the Association for Elections and Democracy (Perludem) and the Center of Indonesian Legal and Policies Studies (PSHKD).

The petition opposes the three controversial articles.

House ethics council chairman Sufmi Dasco Ahmad said the public needed not worry about the prospect of criminalization, as the council would take great care when preparing the code of conduct derived from the law.

"To avoid any abuses of power by lawmakers, we will rule that they should first issue a report to the council should they feel insulted. Then, we will seek clarification from the related parties to see if there are any indications of disrespect," Dasco said.