

## The Protection of Human Rights Defenders in the National Policy of Police Reforms in Indonesia

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### Abstract

*This research is intended to find scientific arguments to ensure that Indonesia's National Police reform agenda must be carried out with systematic efforts that can promote and protect human rights defenders. This research uses the descriptive qualitative method using conceptual, statutory, and historical approaches. Library sources as the primary data. This research collects data in the field of literature study, such as books, journals, and credible periodical reports. Finally, the problems are analyzed using the qualitative method. Police Bureaucratic Reform is the ideal patron of the National Police, which is carried out gradually and systematically. Through this instrument, human rights policing can provide certainty for promoting and protecting human rights to human rights defenders. The result of this research convinces and invites the government officers, parliament, NHRIs, and civil society, including human rights defenders, to openly and periodically monitor and evaluate the implementation of National Police bureaucratic reform.*

**Keywords:** Human Rights, Policing, Indonesian Police.

### INTRODUCTION

The reformation of the National Police of the Republic of Indonesia (hereinafter, abbreviated Polri) is one of the essential national agendas for carrying out the 1998 reform mandate. The momentum for National Police reform is the long journey of 55 years of National Police or Polri under the control of political militarism in Indonesia. From the Old Order government, dubbed Orde Lama (1945-1965) to the New Order, dubbed Orde Baru (1966-1998), the position and authority of the Polri was low position because it was subordinate to military power and even vulnerable to external political intervention (Hananto & Daud, 2020; Muradi, 2014, pp. 19–46; Umar, 2008).

This condition perpetuates the coercive power of state repressive power on the one hand and increasingly distances the Police from its universal mission on the other hand. The Polri institution is placed in a weak structure and is effective as a political tool of the ruling regime (Kingsbury, 2003, p. 9). However, reading the ornamentation of the power and authority of the Polri in the history of government in Indonesia cannot be separated from the paradigm of national defence transformation, which was designed to adapt to the demands of the times (Sulistyo, 2016, pp. 92–120). The institutional dynamics of the Polri are part of the historical development of national power posture.

The shift in national policy of the Polri organization is influenced by the dynamics of national leadership, which has implications for the various policies that emerge. Wik Djatmika said the Polri in 1959-1969 was a decade of change. Starting from the publication of Government Decree 1946 No. 11/S.D. regarding police affairs, it was removed from the Ministry of Home Affairs and made into a separate department directly under the leadership of the Prime Minister. Furthermore, the Polri was under the President and Vice President through Government Decree 1948 No. 1. It was in 1961, Acting President of the Republic of Indonesia Juanda also issued Law No. 13 of 1961 concerning Basic Provisions for the State Police. After that, President Sukarno issued Presidential Decree No. 290 of 1964 concerning the Position, Duties, and Responsibilities of the Indonesian Police Force as Members of the Armed Forces, which President Sukarno's Mandate inspired on 1 July 1964. Likewise, President Suharto and the People's Representative Council (DPR) promulgated ratified the

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enactment of Law No. 28 of 1982 concerning the Basic Provisions of Defense and Security of the Republic of Indonesia and Law No. 28 of 1997 concerning the Polri, which legitimizes National Police as an element of ABRI (Armed Forces of the Republic of Indonesia).

The Polri institution is aware that the authoritarian regime has given birth to authoritarian Police who face legal responsibility in human rights courts (International Crisis Group, 2001; O'Shea, 2023). On the other hand, if the country is truly democratic, the Police must reflect democratic values in carrying out their duties (Mullick & Musrat, 2016, p. 132). Therefore, the transformation of the National Police by adopting democratic policing is a vital reform agenda that must be realized (Karnavian & Sulistyono, 2017).

This is reinforced by the phenomenon that democratic countries that grew after authoritarian rule often experience problems with transitional democracy. Community support and cooperation are needed to encourage public power to increase state institutions' adequate capacity (Linz & Stepan, 1996, p. 11). "To be sure, many authoritarian regimes leave a difficult legacy of human rights abuses by the military, police, and intelligence agencies," emphasized Linz and Stepan (Linz & Stepan, 1996, p. 251).

The movement demanding total reform led by students, youth, and the community was successfully adopted into the Decree of the People's Consultative Assembly of the Republic of Indonesia Number X/MPR/1998 of 1998 concerning the Principles of Reform in the Context of Saving and Normalizing National Life as State Policy (TAP MPR No. X/MPR/1998 Tahun 1998; Lee, 2016, p. 10). This is a national recognition and the starting point for awareness of building a new professional and fair law enforcement force. President B.J Habibie (ruled from 21 May 1998-20 October 1999) followed up by issuing Presidential Instruction No. 2 of 1999 concerning Policy Steps in the Context of Separating the National Police from ABRI (Inpres No. 2 Tahun 1999). During the reign of President Gus Dur (ruled from 20 October 1999-23 July 2001), the Polri was emphasized as being under and responsible to the President through Presidential Decree No. 89 of 2000 concerning the Position of the National Police (Kepres No. 89 Tahun 2000).

A month later, the Polri and Indonesian National Army (TNI) were separated through the highest national political decision, namely MPR Decree No. VI/MPR/2000 concerning Separation of the TNI and Polri and MPR Decree No. VII/MPR/2000 concerning the Role of the TNI and the Role of the Police (TAP MPR No. VI/MPR/2000; MPR No. VII/MPR/2000). Furthermore, in the deployment and forcing military, the position of the TNI is under the President, and in policy, strategy, and administrative support, the TNI is under the Department/Ministry of Defense, as confirmed by Law No. 34 of 2004 concerning TNI (UU No. 34 Tahun 2004/UU TNI). Meanwhile, the National Police was placed in an independent organizational structure under the President of the Republic of Indonesia based on Law No. 2 of 2002 concerning the National Police (UU No. 2 Tahun 2002/UU Polri). In the national defence posture, the Polri and the TNI are different institutions. However, in military operations other than war (OMSP), the TNI can carry them out based on requests and/or statutory regulations, as outlined in Law No. 3 of 2002 concerning National Defense (UU No. 3 Tahun 2002).

Constitutional reform through the Amendment to the 1945 Constitution of the Republic of Indonesia in 1999-2002 further strengthened and encouraged a new perspective on state security sector governance (Crouch, 2010, p. 10). The two-state institutions, TNI and Polri, have different positions, primary duties, and authorities. This follows the principles of modern democracy, prioritizing submission to the rule of law and the supremacy of the constitution.

The results of the Second Amendment to the 1945 Constitution, namely the provisions of Article 30, paragraph (4) and paragraph (5) of the 1945 Constitution of the Republic of Indonesia, emphasizes that the TNI consisting of the Army, Navy, and Air Force is a state institution tasked with defending, protecting and maintaining the integrity and sovereignty of the country. Meanwhile, the Polri, as a state institution that maintains security and public order, is tasked with protecting, protecting, serving the community, and enforcing the law (Undang-Undang Dasar Negara Republik Indonesia Tahun 1945). However, the institutional relationship between the two is not flawless (Nyman, 2006, pp. 36–37). Rivalry and superiority also worsen the image of both, which is accompanied by arrogant behaviour and stimulates various acts of hostility and violence (The Jakarta Post, 2020).

Civil-military relations are being built in a new phase of Indonesian reform (Singh, 2000, pp. 70–73). Since then, the paradigm of military-based authoritarianism has been replaced by civilian-ruled democratization (Katoppo, 2013, pp. xi–xii). Police reform is a historical necessity for strengthening the national transformation of Indonesia's democratic transition (Rahmawati & Azca, 2006, p. 54). The Polri is a democratic institution and an essential instrument of law enforcement to maintain the upholding of democratic values, the supremacy of law, and access to justice for the community, especially vulnerable groups (Asshidiqie, Radjagukguk, Pratiknya, & Juoro, 1999, p. 83).

As the "biological child" of reform, the Polri continues to be committed to implementing the reform roadmap optimally and sincerely. However, despite the excellence in achieving Polri reform measures, the public still finds gaps in implementing the functions and achieving the Polri's main objectives. Article 4 of the Polri Law emphasizes that the Polri of the Republic of Indonesia aims to realize domestic security, which includes maintaining public security and order, orderly and enforcement the law, providing protection, protection, and services to the community, as well as maintaining public peace by upholding human rights (UU No. 2 Tahun 2002).

In this regard, traces of the struggle for Police reform in the reform era still leave fundamental problems. Discriminatory treatment, non-empathetic public services, and a tendency to ignore human rights standardization in the name of discretion are the most prominent problems. The Annual Report of the National Human Rights Commission (Komnas HAM) places the National Police as the institution suspected of committing the most frequent human rights violations reported to Komnas HAM (Maharani & Prabowo, 2021). In a democratic architecture, individuals and community groups' caring activities and responsibilities as human rights defenders thrive. The presence of a declaration on human rights defenders in 1998 through the Declaration on the Right and Responsibility of Individuals, Groups, and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms (Res 53/144, 9 December 1998) was adopted in one of the essential human rights instruments that Police personnel must know, namely the Regulations National Police concerning the Implementation of Human Rights Principles and Standards in Carrying Out the Duties of the National Police of the Republic of Indonesia (Article 7 of Perkapolri No. 8 Tahun 2009).

At the same time, it certainly requires the protection of open spaces to advocate for the struggle to uphold democratic values, promote human rights and fundamental human freedoms (Poppovic & Pinheiro, 1995). David Beetham reminded us that democracy and human rights are fundamentally connected (Beetham, 1997). In full, Beetham emphasized the following:

Thus, simply introducing democratic institutions into a country will not necessarily produce democracy or respect for human rights without some specific attention being given to the latter. Democracy is not a once-and-for-all achievement but an ongoing struggle to realize the conditions in which citizens can exercise control over their collective affairs in a context of political equality. Since these conditions are never fully realized, the struggle for democratization never ends (Beetham, 1997).

In Indonesia's constitutional democratic climate, the Polri as a democratic institution still seems uncertain about understanding human rights defenders' position and strategic role (Fahriza, Zakaria, Burhan, & Ayuningtyas, 2021). Human rights defenders are still considered minor "disturbers" of social harmony. In addition, due to the absence of a comprehensive national prevention mechanism, human rights defenders are now increasingly experiencing serious vulnerability, namely becoming perfect targets for human rights violations, and this threatens the quality of democracy (Office of the High Commissioner for Human Rights, 2004). The direction and future of Police reform in the reform era is essential to study to ensure the consistency of Police reform towards democratic values and human rights. Police reform that ignores the dimension of protecting human rights for human rights defenders will harm the reform mandate and ignore the strong correlation between democracy and human rights.

Studies on police and human rights are relatively developed globally, and few can be found in Indonesia. An Indonesian scholar who pays serious attention to police studies is Muradi in his main work, namely "Politics and Governance in Indonesia" (Muradi, 2014) and Human Rights and Police Supervision Model: Indonesia's

Case” (Muradi 2017). In his first article, Muradi discusses the development of the Polri in Indonesia from independence to the Reformation era. The second article examines the Polri in strengthening aspects of internal supervision. The emphasis on using police discretion and its relationship to human rights is an interesting discussion in this article. Based on the description above, this article attempts to answer two main problems: first, what is the design of Polri reform about human rights promotion and protection? secondly, to what extent does human rights policing have implications for protecting human rights defenders?

## **Methodology**

This research is library research, which uses secondary data sources guided by literature/reading data in the form of books, notes/reports/legislation, and the results of previous research. Data collection was carried out entirely using literature studies relevant to this research. Qualitative descriptive analysis ensures that there are steps to determine, describe, and identify this research's object of study discussion.

This research also uses a normative legal approach, critically analyzing primary and secondary legal sources. Primary sources include the 1945 Constitution of the Republic of Indonesia (UUD NRI 1945), Law No. 2 of 2002 concerning the Polri (Polri Law), and National Police Chief Regulation No. 8 of 2009 concerning the Implementation of Human Rights Principles and Standards in Carrying out Police Duties (Perkapolri No. 8 of 2009). In addition, it uses international human rights legal instruments, namely the 1998 Human Rights Defenders Declaration. Within the scope of human rights studies, this research is categorized as human rights thematic research, namely researching developing human rights issues/themes. This human rights research sets human rights studies on an understanding of developing human rights values, discourses, and norms (Andreassen, Sano, & McInerney-Lankford, 2018, p. 1; Coomans, Grünfeld, & Kamminga, 2010). In this context, the conceptualization of human rights policing in the Polri reform policy, which is relevant to protecting vulnerable groups of human rights defenders, becomes the unit of analysis.

## **RESULT AND DISCUSSION**

### **POLICE REFORM DESIGN AND HUMAN RIGHTS PROTECTION**

The security sector reform (SSR) program contains effective governance, affordability, accountability, and transparency, which are strongly correlated with human rights, democracy, and the rule of law (Borgheden, 2020, pp. 13–14; United Nations General Assembly, 2012; United Nations Security Council, 2022). On the other hand, a failed SSR will be a severe threat to democracy and human rights. It is undeniable that SSR in Indonesia has not run optimally. The SSR's 'half-hearted' journey was still accompanied by conflict between the primary national security actors. President Jokowi once reminded us to end the conflict between the TNI and the Polri in 2016, even though up to now, no one can guarantee that the conflict between the two will end (Office of Assistant to Deputy Cabinet Secretary for State Documents & Translation, 2016). The SSR's bottleneck is more due to the weakness of civil society's political power, the lack of parliamentary oversight, and, most prominently, the reluctance of the security actors (Greenlees, 2011; Sukma & Prasetyono, 2003).

In the context of SSR, the construction of Polri reform is proceeding with the agenda of Police Bureaucracy Reform (PBR). This choice is believed to change the governance of the National Police organization and is also expected to support the realization of democratic consolidation and professionalism of the state apparatus (Presidential Regulation No. 81 of 2010; Law No. 17 of 2007). This determination was built to ensure that the stages and mechanisms for National Police reform were planned, systematic, and sustainable according to the national development plan (Law No. 17 of 2007).

However, the conceptualization of Polri reform is not easy and without challenges. The main problem is the strong articulation of policing that adheres to military traditions and thinking within the police elite. Apart from that, the poor image and reputation of the Police's performance in the eyes of the public have implications for minor views on the essence and direction of Polri Reform (Siregar, 2015, p. 9). No less important is the poor understanding of human rights and democracy within the framework of Police reform. Muradi mentioned this as an essential modality because it is related to the competency of the civil Police, who can encourage the active involvement of the community in their role as supervisors of the Polri's performance (Muradi, 2009, p. 37).

The exploration of the Polri's great vision in its grand strategy and the PBR road map can be traced to three important variables, namely structural, instrumental, and cultural reform. PBR leads to the reform of Police, which is carried out periodically, into four waves, namely phase I (2005-2010), trust building; phase II (2011-2015), partnership building; phase strive for excellence; and phase IV (2021-2025) excellent (Prabowo, 2021).

The construction of Police reform reflects the national commitment of the Polri as the state institution that is the leading actor carrying out national security to be present and develop in the space of articulation of protection, protection, and community services. However, PBR tends to achieve administrative performance. A review of PBR's struggle does not yet reveal the substance of Police reform, which positively correlates to Police professionalism based on accountability and public participation. In other words, PBR can create a democratic culture in the performance of the Polri.

Azyumardi Azra said that the rejuvenation of Police reform is needed, namely strengthening civility based on civilian Police (Azra, 2022). Bambang Widodo Umar reminded us that Police reform aims to change the militaristic National Police into a democratic, professional, and accountable civil police (Umar, 2008). Sarah Nuarini Siregar emphasized that Police reform is an urgent need because security is an integral part of the national goal, namely the welfare and prosperity of the nation (Siregar, 2016). What Azra, Bambang, and Sarah emphasized is not an exaggeration because the international community strengthens the strong foundation and correlation between SSR and human rights and development (United Nations, 2012). In addition, SSR strengthens access to justice without discrimination, especially for vulnerable groups including human rights defenders (United Nations General Assembly, 2012).

In its development, achieving PBR standards has had positive implications for national recognition of organizational governance achievements and administrative-based performance through awards from the government (Akbar, 2022). This recognition has become a modality for the Polri to develop various Polri directions and improvisations. Of course, with these steps and achievements, efforts to improvise substantive and qualitative Polri performance can be further enhanced and achieved. Indeed, the Indonesian government officially declared its support for the international agenda of SSR commitment and implementation (Permanent Mission of the Republic of Indonesia to the United Nations, n.d.; United Nations Security Council, 2020).

The Polri is a large and national level organization. The centralization of Polri power based on the Polri command system is under the authority of the highest Polri leadership, namely the Polri Chief lead by General Police. Besides that, Polri structure has the 34 provincial chiefs, namely Regional Police Chief lead by Inspector General Police, and 493 District Police Chiefs, divided into three formats, namely Metropolitan City, Big City, Developed City, lead by Police Senior Commissioner and also District Police Chief lead by Police Senior Commissioner Adjutant.

Polri's legal products, which have come to be known as formative and instructive legal powers, are binding on all work units and Polri personnel. The Chief of Polri produces legal products, namely Polri's Regulation that binding regulations internally and externally. And then the Polri Chief's Regulation that instruction and binding regulation internally (Perkapolri No. 2 of 2018). The Polri architecture is an exercising high dynamics, marked by the development of public demands for the suitable functions of the Polri in an adjustment for public services. Currently, there are 20 work units (satuan kerja) and 34 regional units (satuan wilayah) at the regional police level, 493 districts police level, 4,872 subdistricts police level, and 793 police subsector police level. Apart from that, the personnel strength is 438,387 members of the Polri and civil servants (Prabowo, 2021).

The Polri is a giant miniature of the largest law enforcement organization which presents to fully maintain and manage the expectations of the Indonesian people amidst the challenges of global and regional digital transformation. The digital transformation era brings collaboration and innovation with strong and proven participation and accountability tools. Through with the phenomenon, Polri must be able to adopt, adapt and accommodate the rapid changes with the adjustment the human resources (Perkapolri No. 6 of 2017; Perkapolri No. 6 of 2022).

Two decades of Polri reform designs have brought the governance of the Polri organization into the midst of Indonesia's democratization process after Reform era. However, it has not been able to demonstrate steps to

promote and protect human rights. The regulatory footprint that is consistent with human rights has not yet firmly ensured efforts to fully respect, promote and protect human rights. One of the most thing to be endorsed in human rights collaboration is with the national independent institution, national human rights institution (Komnas HAM). Komnas HAM has been optimizing the practical of human rights-based policing. In that context the conducting precise audits of human rights performance and reporting the situations regularly are a must. So far, there is still doubt about the accountability of the Polri because the Polri has committed impunity. As a result, the promotion and protection of human rights has been realized without a robust system. This has a significant influence on the self-image of the Polri. Satjipto Rahardjo who famous Police Law expert, gives a rhetoric question, has the Polri really changed? (Rahardjo, 2002, pp. 252–257).

### **Human Rights Policing and Protection of Human Rights Defenders**

By opening space to improvise modern and progressive Polri institutions, Polri's modalities are genuinely extraordinary. However, it must be acknowledged that the dynamics of police work are very complex. The complexity of police work is supported by inherent discretion, which enables the Police to anticipate, prevent and solve problems quickly, accurately and accountably. Anneke Osse, in her book *Understanding Police*, attempts to introduce and understand the natural function of the Police in community life. Osse confirmed the following:

Human rights advocates and academics often argue that 'good policing' means policing in line with international human rights standards. Although this is no doubt true, it must be understood that international human rights standards offer only limited guidance for day-to-day police work. In fact, good police work can never be fully captured in rules and regulations, however numerous and detailed they might be. The necessary discretion required by Police to carry out their functions presents problems for those human rights advocates preferring to have clear norms against which police behaviour can be measured. Many Police find the reasoning of human rights advocates to be naïve at best, and theoretical to say the least, reflecting a lack of understanding of their reality and placing an unrealistic burden on police work (Osse, 2006, p. 41).

The attribution of the position and authority of the Polri must essentially be independent of vested and political interests that affect in shaping of political preferences. The state provides this attribution so that the implementation of one of the functions of government, namely in maintaining security and public order, law enforcement, protection and services to the community, must be performed optimally and comprehensively.

The Polri's line of work covers the most profound areas of public and human interest. Apart from fulfilling the community's sense of security, the Polri struggles to respect, promote, protect, and fulfil human rights. If neglect of attribution and authority occurs, the Polri will lose its identity and credibility. The Polri will undoubtedly lose its credibility as the primary support for the pillars of democracy in Indonesia, vice versa. Frankly, the Polri can be a human rights violator in one hand, but can also be a human rights protector on the other hand (Osse, 2006, p. 45).

The development of Indonesia's constitutional democracy has implications for the existence and role of the Polri. The demand for the Polri to construct public partnerships is urgent in a democratic society. Therefore the existence of human rights defenders reflect the important role of civil society to promote human rights underpinning of constitutional democracy in Indonesia. Polri must involve all stakeholders including human rights defenders to make ensure the respecting and promoting human rights in all means to strengthen public awareness and accountability of Polri policies. Uildriks, in his book "Policing Insecurity: Police Reform, Security, and Human Rights in Latin America," emphasizes this as follows:

A key characteristic of policing in democratic societies is that the Police largely rely upon the public's consent and cooperation to be able to fulfill their policing functions. Public information and assistance then affords the Police a basis to act, be it in a service-rendering, preventive or repressive capacity. In the absence of such voluntary, non-repressive forms of police-public interaction they are unable to provide security on the basis of policing methods that are compatible with democratic principles (Uildriks, 2009, p. 16).

Perkapolri No. 8 Tahun 2009 is the only Polri legal product that obliges the implementation of the provisions of Article 4 of the Polri Law. This regulation requires all components and personnel of the Polri to be intelligent

in knowing, understanding and realizing the values, principles and norms of human rights as the main elements of the living climate of a democratic society. The Polri's code of conduct implies a complete view of recognizing the validity of international and national human rights instruments. In addition, Polri recognizes that the major human rights instruments and mechanisms must be obeyed.

The consideration of the Perkapolri No. 8 of 2009 strengthens the foundation of human rights-based policing by attaching international and national instruments to underlie all movements of Polri professionalism. The provisions of Article 3 of the National Police Chief of Human Rights Regulation recognize the principles of human rights protection, namely (1) minimum protection, (2) attached to humans, (3) interrelated, (4) inseparable; (5) indivisible; (6) universal; (7) fundamental; (8) justice; (9) equality/equal rights; (10) freedom; (11) non-discrimination; and (12) special treatment for groups with special needs.

The provisions of Article 8 paragraph (2) of the Perkapolri No. 8 of 2009 also explicitly state the obligation to implement human rights protection and respect by at least: (1) respect the dignity and human rights of every person, (2) act justly and non-discriminatory; (3) behave politely; (4) respect religious, ethical and moral norms; and (5) respect local culture as long as it does not conflict with law and human rights.

There are three main principles in serving and protecting community members. Every member of the Polri is obliged to pay attention to these three principles, as mandated by Article 9 of Polri Chief Regulation, namely (1) the principle of legality, namely that every action of Polri personnel must follow the prevailing procedure and law, whether national or international; (2) the principle of necessity, namely that every action of Polri personnel must be based on the need to enforce the law, which requires the officer to carry out an action which limits the freedom of a person when facing unavoidable circumstances; and (3) the principle of proportionality, namely that every action of Polri personnel must constitute a balance between the action taken and the threat facing the officer. The applying these three principles must be accountable and carried out professionally by upholding legal rules and human rights principles.

The emergence of the Polri Chief Regulation on Human Rights, affirms the existence of accountability for all Polri functions and actions. This Polri code of conduct has been internalized as an inseparable part of efforts to build the quality of Polri's identity. It can be said that the Perkapolri No. 8 of 2009 is a role model for achieving professionalism in the Polri. Thus, a holistic perspective is needed to see and support the professionalism of the Polri based on human rights principles. In line with that, Prakash and Suryanarayana emphasized that "the obligation of the police leadership to protect human rights will be fulfilled when it is realized that power for the police is not an end in itself but is a means to serve the people" (Kodumagulla & Suryanarayana, 2011, p. 81).

So, it is not an exaggeration if the Polri's human rights performance can increase the capacity to protect human rights for vulnerable human rights defenders. This matter has not yet received a clear position because the Perkapolri No. 8 of 2009 is still at the general guideline level. Manifestation at the work unit and function level has not shown a significant influence. The human rights approach in the performance of the Polri is the responsibility of specific work units, such as educational and training institutions, which must compile human rights subjects into the education curriculum for the formation and development of the Polri. On the other hand, other work units, especially those carrying out repressive functions, have not been touched by good human rights performance audits (Compare with Philippine Polri Human Rights Affairs Office, 2019).

Amnesty International provides the view that human rights values, standards and norms must be integrated and enforced into complete police ethical standards (Amnesty International, 2009a, 2009b; Perkapolri No. 7 of 2022 on Profession Ethical Conduct of Polri). This is to ensure that human rights policing is achieved optimally. It is very well stated as follows:

According to Amnesty, human rights should become a part of police ethics, but not without a framework for legal implementation or a supervisory mechanism. If these frameworks do not exist, training in human rights and policing does not make much any sense (this is endorsed by Uildriks). Van Troost says, "Many countries have signed and ratified international human rights treaties, but their national laws permit escape clauses, and Amnesty is of the opinion that these gaps cannot be filled with ethics. Some countries have ratified many

relevant instruments but refuse to recognize international oversight mechanisms and complaint procedures.” (Boer & Pyo, 2011).

Seeing this development, the Polri must take quick and intelligent steps to equip its institutional and personnel capabilities to portray themselves correctly, independently, and professionally. Human rights policing that runs well will make it easier for the Polri to identify and find the best solutions to avoid various forms of human rights violations in Indonesia, as has become a consensus dealing with adopting human rights principles and standards in the Polri's duties.

In the context of human rights policing, borrowing Iglesias and Klingshirn's term, it is essential to emphasize that in countries that are undergoing or have experienced a police reform process, human rights are a cornerstone of policing. In full, it is said as follows:

A human rights practice implies that police organizations adopt a comprehensive human rights policy; that international human rights standards are incorporated into standing orders for the Police; that human rights training is provided to all police, at recruitment and periodically, and that police organizations should cooperate with national and international human rights organizations (Boer & Pyo, 2011).

Iglesias and Klingshirn's statements above are the main prerequisites in supporting the success of the direction and future of Polri reform. Respect for human rights has very positive implications in efforts to strengthen the Polri's institutions in all policies, planning and implementation of services provided to the community. Based on the experience of police reform in Northern Ireland and China mentioned by Iglesias and Klingshirn, it is very appropriate if the Polri reform policy steps are evaluated openly and independently. Therefore, Polri must embodiment of public expectations with the professional code of conduct, inter alia make ensure that all policies of Polri directed to promotion and protection of human rights in particular human rights defenders.

The ideal portrait of Polri reform that has been ongoing so far is still perched on an administrative scale and tends not to reveal the quality of human rights policing. What is emerging now is a symptom of public fear regarding intimidation, threats and criminalization of human rights defenders. Of course, there are still reflecting the unprofessional conduct. This is a critical moment to strengthen the commitment and implementation of human rights to the primary duties and functions of the Polri. Indeed, Polri reform is still proceeding conventionally, increasingly giving the image of the Polri as resistant to human rights defenders (Siregar, 2019).

## **CONCLUSION**

The Polri reform design has been underway for over two decades reflects the trajectory of reforming national life. The reform mandate is an integral part of the development of Polri reform. PBR is the ideal patron of the Polri, which is being promoted gradually and systematically. However, content consistent with democracy and human rights is still far from expected. Polri reform is proceeding without a clear direction for strengthening Indonesia's constitutional democracy. Human rights defenders have not received a fully recognition as a strategic entity for efforts to advance democracy and human rights. Due to the lack of implementation of human rights within the Polri, which is supported by an intense audit of human rights mechanisms, the level of normative progress of the Polri in its alignment with human rights has increasingly placed the Polri in a "half-hearted" attitude towards the promotion and protection of human rights in Indonesia.

It's time to hugely encourage the Polri leadership to evaluate PBR's achievements openly. It is essential to take this momentum to strengthen the direction of Polri reform in facing the second RPJPN in 2025-2045. The challenges ahead are much more formidable because the national climate is experiencing demands for digital transformation with all its consequences. Therefore, collaboration with civil society in particular human rights defenders is needed so that democratic and human rights values can be incorporated into the strategic and tactical work guidelines for the Polri in all level of organizational structures and functions.



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