



Digital Rights Report **Indonesia 2021**



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Digital Rights Report Indonesia 2021

Research Team:

Diani Citra PhD, Research Consultant, EngageMedia

Indri Saptaningrum PhD, Research Consultant, EngageMedia

Contributors:

Kathleen Azali, Open & Secure Tech Program Manager, EngageMedia

Arfi Bambani, Digital Rights Manager (Indonesia), EngageMedia

Maria Karienova, Digital Rights Coordinator (Indonesia), EngageMedia

Fendi Widiyanto, Digital Rights Project Officer, EngageMedia

Advisory Team:

Andrew Lowenthal, Executive Director, EngageMedia

Egbert Wits, Research Manager, EngageMedia

Layouter:

Qadra Studio

Publisher:

Perkumpulan Wikimedia Indonesia

Jalan Danau Toba No. 104.

Bendungan Hilir

Jakarta 10210, Indonesia

Email: info@wikimedia.or.id

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EngageMedia is a nonprofit that promotes digital rights, open and secure technology, and social issue documentary. Combining video, technology, knowledge, and networks, we support Asia-Pacific and global changemakers advocating for human rights, democracy, and the environment. In collaboration with diverse networks and communities, we defend and advance digital rights.

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FOREWORD

As Indonesia's digital landscape evolves rapidly, online spaces have become vital to the majority of citizens. The expansion of digital technologies offers increasing opportunities for Indonesians to express themselves, exercise their rights, and participate in a democratic society. But the understanding and protection of human rights – especially digital rights – has not kept pace with these developments. While Indonesia's government has introduced laws to regulate new digital technologies, their implementation has threatened online freedom of expression, speech, and assembly.

Before civil society organisations can protect these and other digital rights, there must be a better understanding of the interplay of key actors in the digital rights landscape. This report is an effort to recognise the field of digital rights work in Indonesia and those already working on the issue and aims to support civil society organizations in being able to better identify who to learn from and collaborate with.

In partnership with Dr Diani Citra, we have produced research that maps the milestones and challenges of the digital rights movement in Indonesia. This report assesses the effectiveness of efforts to protect digital rights and provides recommendations for enhancing advocacy initiatives. The report explores how relevant actors – journalists, activists, government institutions, industry leaders, and researchers – understand the concept of 'digital rights'. The difficulties in defining the parameters of digital rights undoubtedly have implications on how each actor views their role in protecting such rights.

The report explores five key digital rights issues: protecting activists and journalists from digital attacks, guarding free speech online, battling disinformation, protecting against data leaks, and safeguarding access to the internet. We investigate the key actors and

coalitions working on these issues, including their focus areas and challenges, which have significant implications on the path forward. Finally, we provide a range of recommendations for strengthening civil society to defend their digital rights in the future.

Through this report, EngageMedia aims to contribute to the body of knowledge on digital rights in Indonesia. In addition to mapping the digital rights landscape, we aim to identify the gaps that persist in protecting these rights. We also hope to offer recommendations that increase the impact of digital rights advocacy and help ensure that citizens freely exercise their rights online.



EXECUTIVE SUMMARY

With an internet penetration rate of 70% and rising, digital technology is quickly establishing itself as a core component of Indonesia's life, work, culture, and identity. Politically, web-based platforms are being used to organize mass rallies, assist with election monitoring, and provide a space for greater freedom of expression on a variety of issues, thereby contributing in no small way to the country's raucous democracy.

Yet, as the nation reaps these developmental benefits — albeit at an uneven rate — the negative side of the digital world is also emerging in the form of new authoritarian controls and corporate entrenchment. As Indonesia's public discourse increasingly moves to cyberspace, the government has sought to keep a tight grip on citizens through draconian laws that restrict civil freedoms. Legal frameworks have been updated to solidify control over the internet, including broadly written anti-misinformation and libel laws that serve mainly to restrict speech. Even as civil society organizations (CSOs) celebrate the new capabilities and forms of organizing afforded by digital platforms, they have been taken aback at the speed with which those same platforms have facilitated human rights violations. What is more, communities in disadvantaged regions are forced to make do with an underdeveloped internet and media infrastructure, or in some cases, no real infrastructure at all. Bridging the “digital divide” remains a huge challenge for the Indonesian government but, if achieved, it will have a profound impact on the country's economy, society, and culture.

This report explores digital rights in Indonesia as understood by the relevant actors, who include journalists, activists, government institutions and officials, industry leaders, and researchers. Based on our research, there are six pressing issues in this field:

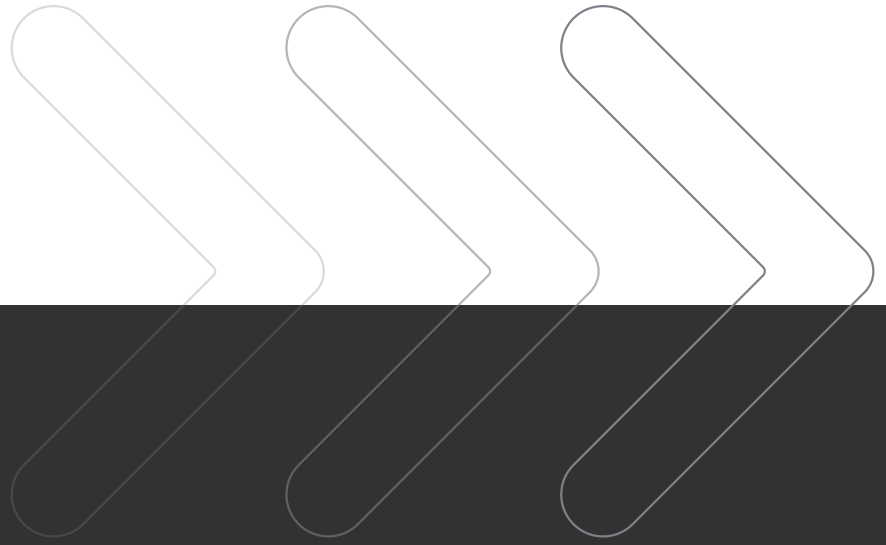
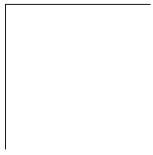
1. Activist and Journalist Protection
2. Digital Speech Criminalization
3. Mitigating Media Manipulation and Disinformation
4. Data Security and Protection
5. Access

These classifications provide a snapshot of the digital rights movement in the country as framed by the focus areas of and challenges faced by the relevant actors. Understanding the nuances of this terrain is imperative in determining both the appropriate expectations to place on CSOs, the government, and corporations, and the range of necessary solutions, including existing and future legislation.



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I. **INTRODUCTION**



This report explores digital rights in Indonesia as understood by the relevant actors including journalists, activists, government institutions and officials, industry leaders, and researchers. With these diverse perspectives in mind, it asks four central questions:

- 1. What are the most pressing digital rights issues in the country (e.g., laws, policies, and practices)?**
- 2. Who are the key digital rights actors and coalitions in Indonesia?**
- 3. What role have civil society organisations played in the changing landscape of digital rights?**
- 4. How can digital rights actors increase the impact of their advocacy?**

Data collection for this assessment was carried out between February and June 2021. The researchers interviewed 27 people from a variety of organisations whose work dealt with issues of digital rights. We also conducted an online survey targeting civil society organisations and incorporated data from news, reports, laws and regulations, and academic literature. This report employs a data justice framework to suggest how policymakers might mitigate the harm experienced by Indonesian citizens that is caused by the absence or weak protection of their digital rights.

At the heart of the digital rights debate sits Indonesia's seventh president, Joko Widodo, more commonly known as Jokowi, and his previously stated intention to make Indonesia Southeast Asia's largest digital economy by 2020. Indonesia has experienced a fast pace of technological development, but major reports¹ on internet freedom and the country's democracy index suggest a deterioration of civic space online, with its scorecard on internet freedom declining over the last four years.

Through Jokowi's 2019 reelection campaign, creative industries like e-commerce, media content production, food services, and arts and crafts took a central place in the political rhetoric surrounding the digital economy. However, Luviana,² the founder of Sindikasi (Media and Creative Industry Trade Union for Democracy), has stated that the government has only focused on the economic aspect of the digital transformation,

1 Freedom House, "Indonesia"; Damar Juniarto and Anton Muhajir, "The Rise of Digital Authoritarianism."

2 Luviana, Interview with Sindikasi I.

particularly on bringing foreign investment into the country to strengthen the digital economy. Comparatively little attention has been paid to addressing the adverse impact of this digital transformation, such as the exclusion of non-digital groups, and the impacts on industrial relations and unions.

The rise of online ride-sharing platforms in Indonesia, such as Gojek and Grab, has led to labour problems. The current Indonesian social protection program does not cover individuals working in the digital economy, often labelling these workers as either informal workers or individuals who have non-standard employment (and therefore are not entitled to certain benefits). These workers' status has only worsened with the newly passed Omnibus Law, which has weakened the positions of unions to lobby for digital labourers.³

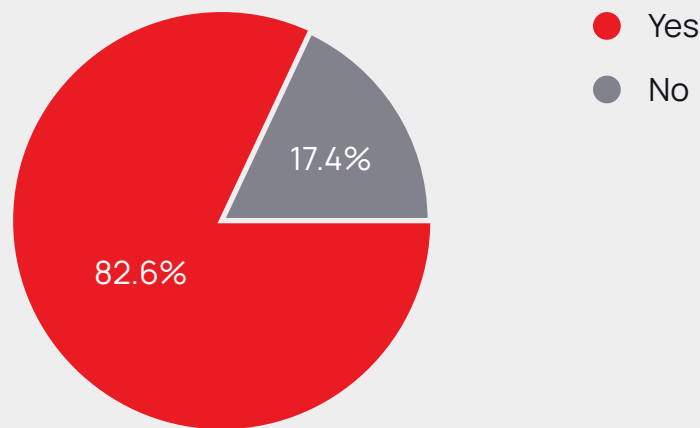
Furthermore, in the midst of the intense technological expansion, the Indonesian state is frantically trying to regulate the many economic, legal, social, and political manifestations that new digital technologies have afforded. New laws and the regulations derived from them have arguably caused more disputes than they have resolved. This, combined with the astronomical amount of taxpayer money pouring into expensive digital infrastructure, is provoking rising levels of public criticism about the emerging contours of Indonesia's digital economy. The promise of new infrastructure implies an assurance of durable future development. However, the path from promise and implementation is often uneven, circuitous, and laden with attempts to cater to stakeholders and, especially, investors. With these realities in mind, it is crucial not to assume that digital technology development guarantees a linear path from present experiences of marginalisation and poverty to better futures for all. Rather, present and future are locked in a complex interplay as new investment reveals new vulnerabilities.

In what follows, this report offers a preliminary discussion of the discourse surrounding digital rights in Indonesia and examines the different issues that are currently animating civil society organisations (CSOs) and other digital rights actors. We then identify who the relevant actors are and their organisational relationships. This allows us to map the progress of the digital rights movement, assess the effectiveness of various efforts and products, and understand what can be done to enhance the efficacy of digital rights advocacy.

3 EngageMedia, "Webinar Highlights."

A. The Challenges of Defining “Digital Rights”

While many of our interviewees used the term “digital” and “online” interchangeably, our findings show that for many key actors in Indonesia, the concept of the “digital” has broader connotations than “online.” “Digital” relates to any information that is compressed and transmitted through binary code.⁴ This encompasses the infrastructure, creation, transmission, and reception of digital data. “Online” specifically refers to digital data that has been transmitted to one or more people over the internet.⁵ This report is primarily concerned with the latter, narrower term.



I. Have you ever heard of digital rights?

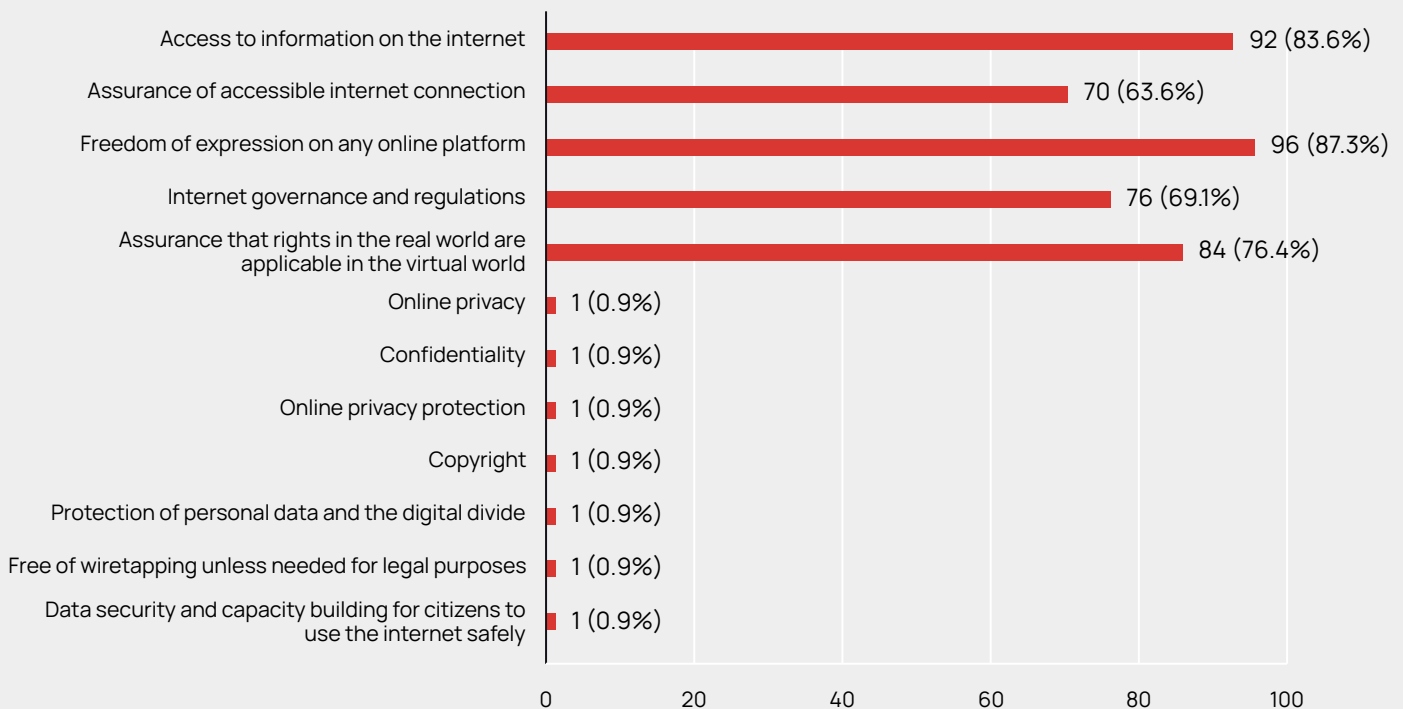
109 responses

Another key term in this research is trickier to define: “digital rights.” The meaning of this concept is unclear to many, which makes its implementation difficult to measure. Responses from the online survey show that while 82.6% have heard about digital rights, understanding of their implications remains murky. It is therefore important to pause and define the term. For the purposes of this research, we will use Jessica Dheree’s definition of digital rights from her article in *Unshackling expressions: A Study on Laws Criminalizing Expression Online in Asia*:

4 The Republic of Indonesia, Internet and Electronic Transaction Law.

5 The Republic of Indonesia.

“Digital rights” describe human rights – established by the Universal Declaration of Human Rights, UN resolutions, international conventions, regional charters, domestic law, and human rights case law – as they are invoked in digitally networked spaces. Those spaces may be physically constructed, as in the creation of infrastructure, protocols and devices. Or they may be virtually constructed, as in the creation of online identities and communities and other forms of expression, as well as the agency exercised over that expression, for example, management of personally identifiable data, pseudonymity, anonymity and encryption. Such spaces include but are not necessarily limited to the internet and mobile networks and related devices and practices.⁶



II. According to you, which of the listed issues below demonstrate digital rights?

110 responses

⁶ The Republic of Indonesia, Internet and Electronic Transaction Law.

The difficulties in defining the parameters of digital rights have led actors to focus on the rights that are most representative or 'current' and forgo others that are deemed less central.⁷ On the ground, the definition and scope of digital rights depends on whom you ask. For some, digital rights are defined primarily by way of their violation, namely through obstacles to access, limits on content, and infringement of user rights.⁸ It is described in terms of 'internet throttling, digital security, and journalist protection against digital attacks'.⁹ However, for the Indonesian government, the concept of digital rights is more basic. These rights are there to 'ensure that Indonesians are able to use the digital resources they have to be able to communicate with one another, through the available infrastructure, and with an affordable cost'.¹⁰

With that said, Indonesian digital rights advocate Damar Juniarto contends that it is more important to work on the issue at hand rather than be 'bogged down'¹¹ in quibbles about definition. Furthermore, digital rights can extend to the choice to stay offline. Dhyta Caturani from Purple Code Collective argues that digital rights should include the right to not be connected and to not use digital technology. Those who have decided to remain entirely outside of the digital realm must still be afforded the opportunity to live their lives with dignity.¹²

The former director of one of Indonesia's leading alternative news outlets went as far as to define the scope of digital rights as encompassing any work against established powers in the media, which includes the state and corporations.¹³ Therefore digital rights are as inherently related to questions of political economy as they are to those of human rights.

B. The Legalities of Human Rights

A more detailed definition of digital rights—especially a legal definition—becomes difficult because, to have any real validity, it must be paired with mechanisms to have that

7 Jun-E, "Digital Rights in Southeast Asia: Conceptual Framework and Movement Building," 15.

8 Freedom House, "Indonesia."

9 Abdul Manan, Interview with AJI.

10 Anonymous Respondent 2 Interview.

11 Damar Juniarto, Interview with Safenet.

12 Dhyta Caturani, Interview with Purple Code.

13 Anonymous Respondent 7 Interview.

right fulfilled or with sufficient access to ensure the fulfilment of such rights. In Indonesia, specific legal definitions of digital rights are scattered throughout the regulatory system, including, but not limited to, telecommunication law, pornography law, broadcast law, and electronic transaction law. These statutes, however, are appropriated for the purposes of suppressing speech as often as protecting it. Adding to the confusion is the lack of specific legal instruments to ensure the fulfilment of digital rights. Many violations of digital rights in Indonesia are prosecuted through an outdated Penal Code that fails to account for recent society-altering developments in technology.¹⁴ Meanwhile, the justice system lacks the knowledge and technical skills to adequately investigate these violations and it is frequently unclear who has the authority to investigate failure of compliance or to enforce punishment.¹⁵

In Indonesia, online media (social media, digital channels, messaging services, etc) is perceived to belong in the media industry, whereas internet service providers (ISPs) are categorised in the telecommunication sector, despite the obvious interplay between them.¹⁶ Since existing studies were aimed specifically at mapping either the media sector or the telecommunication sector, they fail to satisfactorily illustrate the connections that define digital life in the country. Similarly, efforts to converge regulations protecting digital rights have proven difficult, even as those rights clearly have cross-sector ramifications. The Media Convergence Bill proposed in early 2018 has stalled, largely because of the complications it creates within the broadcasting ecosystem, especially for industry giants.

The Indonesian government has acknowledged that access to the internet is a human right, but unlike publicly administered utilities like electricity or water, much of the telecommunications industry is placed in the hands of private companies and functions according to market mechanisms. The state does control the largest player in the industry through the state-owned company Telkom.¹⁷ However, Telkom still has to compete with telecommunication providers such as Indosat, Pro XL, and with Trans Corp. Price and coverage vary depending on the provider, and practically no rules exist to put a floor or ceiling on pricing.

14 Abdul Manan, Interview with AJI.

15 Abdul Manan, Interview with AJI.

16 Diani Citra, "Engineering Inevitability: How Digital Television Is Colonizing Indonesia."

17 Indonesia Investments, "Telekomunikasi Indonesia"; Staff, "Indonesia's Biggest Telco Telkom Appoints Unit Head as CEO."

C. The Capacity to Aspire

The internet offers tools for social coordination and enables beneficial cooperation across a network. Its very power means that those who are left without consistent and reliable access are put at a profound disadvantage.¹⁸ As communication and commerce have gone global, so too have the instruments and systems that mediate these relations. However, building a telecom network, let alone broadband, is a very expensive endeavour, especially for a large archipelago with more than 16,000 islands.¹⁹ Susan Leigh Starr argues that no infrastructure emerges *ex nihilo*.²⁰ It is built upon pre-existing infrastructure that has been built up gradually over decades and is interconnected with global infrastructure networks. Digital technology development forces communities to confront not only the social levers that slow down some groups and speed up others, but also the divergence in what they want from this new infrastructure. There is a “temporal incongruity”²¹ between what people in urban areas want from the digital rights movement and the desires of those in rural areas with less access to the internet. In Indonesia—already divided by class and geography—in some cases, the deployment of high speed internet infrastructure has exacerbated geographic inequalities by prioritising the wealthy provinces and cities over lower income suburban and rural areas, even as connectivity brings its own disruptions to established configurations of power.

Taking up Arjun Appadurai’s ‘capacity to aspire’ as a starting point, infrastructure usually signifies a pledge for future development and the sense of timelessness that comes with durable structures. Anthropologists of infrastructure have questioned the extent to which such developments actually amplify the voice and visibility of those on the periphery.²² However, infrastructural development has also helped marginalised communities by offering new tools and discourses to mobilise their demands and fulfill their needs.

These issues are challenging to address because they necessitate not just a technological fix, but a much larger sociological solution. The digital divide is often framed specifically through infrastructural problems, such as a gap in signal coverage or the

18 Grewal, *Network Power*.

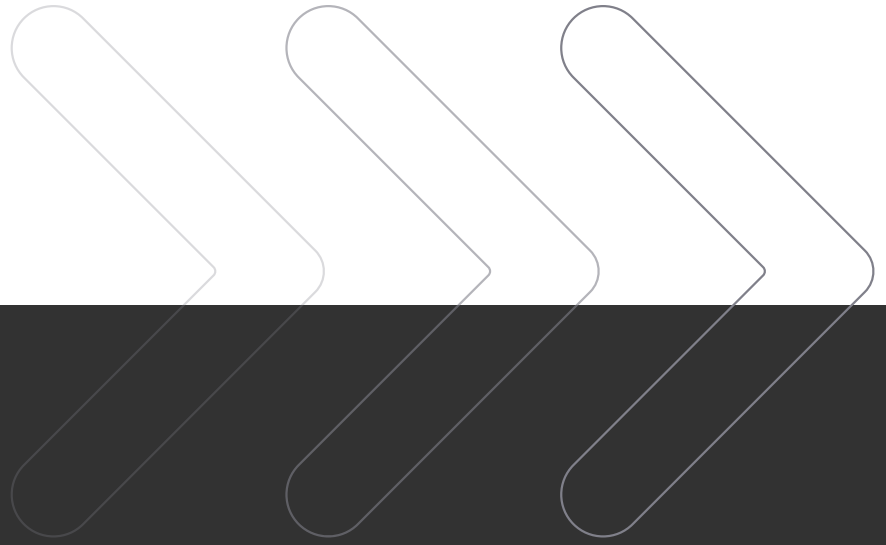
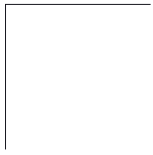
19 Sigit Puspito Wigati, Interview with Mastel.

20 Starr, “The Ethnography of Infrastructure,” 482.

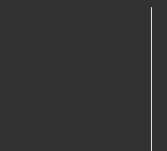
21 Miyazaki, “The Temporalities of the Market.”

22 Larkin, *Signal and Noise*; Anand, “PRESSURE.”

absence of a transmission tower, rather than through power relations and more deeply embedded social ills like racism, poverty, or corruption.



II. **THE KEY DIGITAL RIGHTS ISSUES AND ACTORS IN INDONESIA**



Based on our interviews, we gathered five (5) important issues that are currently being addressed by a variety of digital rights actors in Indonesia:

1. Activist and Journalist Protection
2. Digital Speech Criminalisation
3. Mitigating Media Manipulation and Disinformation
4. Data Protection and Security
5. Access

A. Activist and Journalist Protection

Overview

Due to Indonesia's authoritarian history,²³ it is not a surprise that CSOs made activist and journalist protection one of their earliest priorities as they began to address digital rights. Reporters and bloggers were among the first groups calling for freedom on the internet, particularly in response to the deliberation over the restrictive Information and Electronic Transaction (IET) Law in 2007. Passed in 2008 and amended in 2016, the IET Law was intended to regulate the flow of information and other electronic transactions online. However, its article prohibiting defamation has been abused to persecute journalists and citizens. The Southeast Asia Freedom of Expression Network (SAFE-net) recorded as many as 60 digital attacks targeting journalists and activists in the period of January to October 2020 alone.²⁴ The consequences for freedom of the press are also serious; with online defamation punishable with up to four years of prison, the threat of serious jail time can have a chilling effect on journalism that covers controversial issues or challenges powerful individuals.

Between 2019 and 2021, a substantial increase in the number of digital attacks against activists and journalists occurred. The attacks have taken different forms, from hacking social media accounts to doxing (revealing private information online without consent) to DDoS attacks against an organisation's website or server, a tactic that has intensified since

23 Suharto, Indonesia's second president, rose to power during the turbulent 1960s. His New Order government would govern the country for more than three decades, leaving behind a mixed legacy characterised by economic development and a reduction in poverty on the one hand, and political repression and corruption on the other. However, when the booming domestic economy – the main pillar of his legitimacy -- collapsed in the late 1990s, Suharto quickly lost power.

24 Anton Muhajir, "Serangan Digital yang Kian Politis terkait Omnibus Law & Pandemi COVID-19 – SAFE-net."

2019.²⁵ But whatever the approach, these attacks are proving an increasingly popular way to silence critics of the government.²⁶ The impact of such incidents is often compounded by the target's reluctance to involve law enforcement agencies that they view with a well-founded skepticism. Journalists and activists who have sought out legal remedies have faced legal dead ends, largely because the perpetrators come from within the government itself. Furthermore, good faith actors in the law enforcement community often have difficulties finding qualified digital forensic experts in Indonesia, and the ones who do exist often charge prohibitively high fees even as their expertise is routinely disregarded by the courts.²⁷

Key Actors and Coalitions

The Alliance of Independent Journalists (AJI) is one of the oldest and most important actors defending the rights of Indonesian activists and journalists as they exercise their freedom of speech. Komite Keselamatan Jurnalis (the Committee for the Safety of Journalists) was established in 2019 to respond to the increase in life-threatening attacks against online journalists facilitated by the Press Board (*Dewan Pers*). AJI took the lead in forming this network, which includes Sindikasi,²⁸ YLBHI,²⁹ LBH Pers,³⁰ and a few other journalistic associations. Meanwhile, LBH Pers ICJR³¹ and ELSAM,³² provide legal aid and have initiated a few ad hoc coalitions to consolidate support for their advocacy work.

CSOs advancing freedom of speech are very welcoming of collaboration with global platforms. At the Trusted Media summit in May 2018, several organisations laid the foundation of a collaboration between AMSI,³³ Mafindo,³⁴ FirstDraft,³⁵ Internews, and the

25 Abdul Manan, Interview with AJI; Damar Juniarto and Anton Muhajir, "The Rise of Digital Authoritarianism."

26 Anonymous Respondent 8 Interview; Damar Juniarto and Anton Muhajir, "The Rise of Digital Authoritarianism"; Ade Wahyudin, Interview with LBH Pers; Damar Juniarto and Anton Muhajir, "The Rise of Digital Authoritarianism."

27 Abdul Manan, Interview with AJI.

28 Sindikasi stands for Serikat Pekerja Media dan Industri Kreatif untuk Demokrasi (Media and Creative Industry Workers' Union for Democracy), established in 2017.

29 YLBHI stands for Yayasan Lembaga Bantuan Hukum Indonesia (Indonesian Legal Aid Foundation).

30 LBH Pers stands for Lembaga Bantuan Hukum Pers (Indonesian Legal Aid Foundation for the Press).

31 ICJR stands for Institute for Criminal Justice Reform. It is an independent research institute established in 2007.

32 ELSAM stands for Lembaga Studi dan Advokasi Masyarakat (The Institute for Policy Research and Advocacy).

33 AMSI stands for Asosiasi Media Siber Indonesia (Indonesian Cyber Media Association). It was established on April 26, 2017 by 26 chief editors of cyber news media organisations.

34 Mafindo stands for Masyarakat Anti Fitnah Indonesia (Indonesian Society Against Slander).

35 FirstDraft is a UK based non-profit organisation against digital media manipulation and disinformation.

Google News Initiative called CekFakta.com. This partnership enhanced Indonesian organisations' ability to assess the social media accounts of sources, fact check photos, and incorporate data into their work.

B. Digital Speech Criminalisation

Overview

Digital technology and social media have undoubtedly had a positive impact on the freedom of expression in Indonesia. In the case of West Papua, for instance, these technologies have been instrumental in allowing people to tell the world about the decades-long conflict.³⁶ The ease of digital video recording and social media sharing means individuals do not need to possess any advanced technical or writing skills to mobilise broad support online.³⁷

Amid this positive impact of social media, however, Indonesia has also seen a rise in the number of prosecutions against citizens who have expressed their opinions online. The case of Prita Mulyasari³⁸ in 2008 marked a shift in digital rights advocacy to protect the right of expression of private citizens. That was the same year that the government enacted the IET Law, which expanded the state's power to punish social media commentary. It also included a defamation clause patterned after the existing penal code, but specifically tailored to online posts and communications.

The number of charges filed under the IET Law's defamation clause increased from 24 in 2012 to 84 in 2020.³⁹ Compared to the penalties established by the penal code for offline defamation, the IET Law's penalties for online hate speech, criminal defamation, and inciting violence are draconian. Article 45 of this law mandates prison sentences of up to six years, whereas the maximum sentence under the penal code is four years. The discrepancy is even

36 Since the 1960s, there has been a long-standing dispute between Papua and the Indonesian government. Numerous civil society organisations have condemned the Indonesian government's policies in Papua, including reports of human rights violations, killings and impunity, mistreatment of protesters, and digital rights violations.

37 Anonymous Respondent 6 Interview.

38 Prita Mulyasari was a housewife who was arrested for making critical comments in an email about her treatment at a private hospital. When the email became public and went viral, the hospital took her to court. Mulyasari was jailed while awaiting trial until public indignation led to her release. After a series of court battles that went all the way to the Supreme Court, the hospital eventually dropped the case.

39 Ahmad Zuhad, "Banyak Kasus UU ITE, Safenet."

greater when it comes to financial penalties: while the penal code fines are a mere US\$0.37 for both spoken and written defamation, the IET Law demands up to US\$80,000 per violation.⁴⁰

Prosecutions under the IET Law have taken place in the context of defamation suits, while others were in the form of police and court actions against violations of Indonesia's anti-pornography and hacking laws. Some of these prosecutions have drawn widespread public outrage. The IET law is remarkable for its breadth, impacting a wide variety of actors – from victims of harassment like Baiq Nuril,⁴¹ to public figures like rock star turned politician Ahmad Dhani, who was sentenced earlier in 2019⁴² for his viral internet posts against 'blasphemers'. Though Nuril has since been granted amnesty that will keep her out of prison, hundreds of other individuals who have been questionably convicted under the IET law since its implementation in 2008 have not been so fortunate.

Key Actors and Coalitions

Since its founding in 2013, SAFEnet has become a major actor in defending freedom of expression online. As a watchdog, it monitors cases and violations of freedom of expression and produces regular reports on this issue. The organisation also provides assistance in cases of online political persecution and defamation. Some of its prominent cases include those of Wismi Yeti (Bandung, 2014), Baiq Nuril (Mataram, 2017), and Syaiful Mahdi (Aceh, 2020). In 2018, SAFEnet facilitated the creation of PAKU ITE (The IET Law Victims Alliance) in Bali, which provides peer support for victims of the IET Law and consolidates victims' voices to advocate for reform.

From its inception, SAFEnet singled out the fight against the IET Law as the most pressing free speech issue. Indeed, this law has galvanised netizens across the country's digital activism space. Thus, when SAFEnet, ICT Watch, Change.org, and other groups

40 Postill and Saputro, "Digital Activism in Contemporary Indonesia: Victims, Volunteers and Voices."

41 Baiq Nuril is a teacher living in Indonesia. Faced with persistent sexual harassment from her boss, she decided to gather evidence by recording the lewd comments he made to her over the phone. When she shared this recording online to a colleague, her act of self-defence led to an indictment and conviction through the country's IET Law.

42 On March 5 2019, Ahmad Dhani tweeted, "Anyone who supports a Blasphemer is a Bastard who needs to be spat on the face." The tweet was a reference to supporters of Jakarta Governor Basuki Tjahaja 'Ahok' Purnama, who was standing for re-election while on trial for insulting Islam. On 28 January 2019, Ahmad Dhani was found guilty of hate speech and sentenced to one year and six months in jail.

established the Digital Democracy Forum (Forum Demokrasi Digital or FDD) in December 2014, the plight of IET Law victims topped the agenda.

There are other established coalitions that support a broader advocacy for freedom of expression online, such as *Koalisi Anti Persekusi* (Anti-Persecution Coalition) led by SAFEnet and SIKA⁴³ for IET Law reform, and the Freedom of Information Network Indonesia (FOINI), which serves as a more permanent inter-organisational partnership to advocate for free access to public information. Key members of FOINI include Pattiro,⁴⁴ the Indonesian Parliamentary Center, ICEL,⁴⁵ FITRA,⁴⁶ and ICW.⁴⁷ The network focuses on the enforcement of Law No. 40 of 1998 regarding Public Information, which enforces transparency in state budget allocation, charges of corruption, and public procurement. During the parliamentary hearings in 2007 and 2008 on the IET law, the groups YLBHI, KONTRAS,⁴⁸ ELSAM, and LBH Pers were vocal in expressing their concern over the Law.

The campaign against the IET Law has led to significant network-building outside of CSOs and into academia. Coalitions such as the Academic-Net 4NetFreedom and KIKA⁴⁹ have been actively involved in supporting scholars who suffered from the draconian enforcement of the IET Law's defamatory clauses⁵⁰ and have organised public discussions to promote freedom of expression in academic institutions.

C. Mitigating Media Manipulation and Disinformation

Overview

Disinformation is a complicated issue in Indonesia, especially when the government

43 SIKA stands for Sahabat Informasi dan Komunikasi yang Adil (Friend for Fair Communication and Information).

44 Pattiro stands for Pusat Telaah dan Informasi Regional (Regional Research and Information Center). Pattiro is a research and advocacy organisation established on April 17, 1999 and has been working in more than 17 provinces and 70 regencies or cities throughout Indonesia.

45 ICEL stands for Indonesian Center for Environmental Law. ICEL is an independent non-governmental organisation for environmental law, involved in advocacy and community empowerment.

46 FITRA stands for Forum Indonesia untuk Transparansi Anggaran (Indonesian Forum for Budget Transparency).

47 ICW stands for Indonesian Corruption Watch.

48 KONTRAS stands for Komisi untuk Orang Hilang & Korban Tindak Kekerasan (The Commission for Disappearance and Victims of Violence).

49 Kika stands for Kaukus Indonesia untuk Kebebasan Akademik (Indonesian Caucus for Academic Freedom).

50 See for example the case of Saiful Mahdi, "Jejak Kasus Dosen Unsyiah Saiful Mahdi Korban UU ITE," CNN Indonesia. 3 September 2021.

itself has been open about using disinformation for propaganda purposes.⁵¹ There is consensus that disinformation poses a major problem—perhaps even an emergency—yet there is little clarity on how the situation can be effectively addressed. Is it simply about catching and punishing creators of hoaxes? Or punishing platforms that amplify those hoaxes? Should the government offer specific guidelines on how social networks should deal with fake news? Or should it organise public education campaigns to increase media literacy amongst the citizenry?

The spread of disinformation is a threat to social stability in Indonesia, but many CSOs are apprehensive about this framing because the state has frequently used social stability as a justification for silencing dissent. In response, CSOs have been working to counter and correct disinformation before the state steps in. One of our interview respondents founded an anti-hoax organisation that provides technical tools for identifying and eradicating hoaxes before these hoaxes are used by the state to justify censorship.⁵² The organisation provides a public Application Programming Interface (API) that can be used by other developers to identify fake news and to explore how claims and corresponding fact-checking articles are spreading across social media. By seeking out and correcting media falsehoods, the organisation aims to nip digital authoritarianism in the bud.

Other CSOs assert the importance of mitigating disinformation to ensure that internet users are able to have 'meaningful' digital interactions.⁵³ The assumption is that untruthful information creates false digital interactions and reactions. In Indonesia, as is the case elsewhere, social media and online spaces play a central role in creating algorithmically mediated enclaves that polarise and fragment the public based on political identity.⁵⁴ For example, religious extremists and anti-LGBTQ movements online are further encouraged by a constant barrage of untruthful information about the subject. In response, CSOs' digital literacy programs predominantly focused on addressing the impact of 'multiple tribal nationalism online', which, at worst, affected minority groups in society (including ethnic minorities and religious minorities, such as Ahmadis, Shiites, and many others).

51 Stubbs, "Indonesian Army Wields Internet 'news' as a Weapon in Papua."

52 Anonymous Respondent 8 Interview.

53 Anonymous Respondent 4 Interview.

54 Lim, "Freedom to Hate."

Political leaders have used terms such as 'fake news' both as a means to propose censorship-enabling legislation and to discredit critical voices. This perspective was typified by General Djoko Setiadi when he drew a distinction between a 'good hoax' and a 'bad hoax' during his inauguration speech as the Chief of the National Cyber and Crypto Agency.⁵⁵ Additionally, Article 18 (1) of the IET Law prohibits the creation and distribution of false and misleading information in electronic transactions,⁵⁶ but Tapsell found that this prohibition is applied selectively in Indonesia.⁵⁷

Furthermore, the legal liability of tech companies and online platforms is a key aspect that is missing from Indonesian digital policy against disinformation. In countries like Germany, digital policies against media manipulation and disinformation explicitly state that platforms share responsibility for the content they disseminate and profit from. In such countries, companies like Facebook recruited teams of moderators and developed algorithms that scan for harmful content to adhere to the regulations.⁵⁸

In 2020, Indonesia's Ministry of Communication and Informatics (MCI) issued a decree mandating platforms to share the responsibility for user-generated content that the government deems negative.⁵⁹ However, this decree has been criticised for being convoluted, with the potential to give the Minister of Communication and Information more power to silence dissenting speech.⁶⁰ The decree also stated that if an organisation or individual does not immediately take down content deemed in violation of existing laws within 48 hours of being flagged by the government, the organisation or individual risks paying a massive fine.⁶¹

Key Actors and Coalitions

The three anti-disinformation groups most frequently cited by the media are

55 BBC Indonesia, "Ungkapan 'hoax membangun' ketua Badan Siber Djoko Setiadi yang 'hanya pancingan.'"

56 The Republic of Indonesia, Internet and Electronic Transaction Law.

57 Tapsell, "Singapore | 20 September 2019 Indonesia's Policing of Hoax News Increasingly Politicised."

58 Robyn Caplan, "Context or Content Moderation? Artisanal, Community-Reliant, and Industrial Approaches."

59 Republic of Indonesia, Ministerial Decree Number 5/2020 on Private Electronic System Provision.

60 Center for Indonesian Policy Studies, "Focus Group Discussion: Jembatan Diskusi Dalam Peraturan Moderasi Konten Untuk Internet Yang Aman Dan Inklusif."

61 Republic of Indonesia, Ministerial Decree Number 5/2020 on Private Electronic System Provision; Center for Indonesian Policy Studies, "Focus Group Discussion: Jembatan Diskusi Dalam Peraturan Moderasi Konten Untuk Internet Yang Aman Dan Inklusif."

Indonesian Hoax Busters (IHB) (2017), Mafindo (2016), and Sekoci.org (2016). INVOW is another initiative formed specifically to counter disinformation targeting women. Of these groups, Mafindo has the highest profile, but they all engage in similar activities, combining capacity-building efforts with fact-checking websites and tools. Additionally, Mafindo carries out social media campaigns and produces various campaign materials against disinformation.

One example of a successful anti-disinformation coalition is Cekfakta.com, a collaborative project between Mafindo, AMSI, and AJI. Mafindo provides the API tools while AJI trains the fact checkers.⁶² The attempt to eliminate disinformation has also involved private companies like Google and Facebook, which, despite their problematic approach and record on disinformation, provide support to AJI and Mafindo through training on data journalism and fact checking.

Media literacy has become a popular mechanism for countering 'fake news', and a diverse array of stakeholders – from educators to legislators, philanthropists to technologists – have pushed significant resources toward media literacy programs. Contemporary media literacy efforts tend to revolve around five main themes: youth participation, teacher training and educational resources, parental support, policy initiatives, and evidence-based construction.

Some examples of media literacy initiatives include ICT Watch's Healthy Internet (Internet Sehat) website launched in 2002, which aims to promote freedom of expression through safe use of the internet. Its approach includes focusing on the home and school as the safest environments for internet use; encouraging the creation of positive, useful, and interesting local content; and empowering civil society by facilitating the uptake of ICT. Between 2019 and 2021, a broad range of initiatives to promote digital literacy has nudged the issue of media literacy into the public discourse. According to a 2017 survey by the Indonesian Digital Literacy Advocates Network (Japelidi), at least 327 digital literacy programs have been organized in nine cities.⁶³ While most CSOs interviewed for this report

62 Irene Jay Liu, "CekFakta."

63 When it was established in 2017, Japelidi was composed of 56 researchers from 26 cities in Indonesia. Since then, the network has steadily grown to 168 researchers from 78 universities in 30 cities. For more information about Japelidi, see <http://japelidi.id/>

shared the view that digital literacy is essential for freedom of information and for countering disinformation, methods for measuring the impact of such efforts have proven difficult. The 2017 Japelidi study, for instance, found that digital literacy activities tend to be voluntary, incidental, and sporadic, and therefore often fail to have a sustained and significant impact. Some research also shows that digital literacy efforts often have little to no impact, and can sometimes even lead to a harmful sense of overconfidence.⁶⁴ Media literacy, therefore, cannot be treated as a panacea against disinformation.

D. Data Protection and Security

Overview

Even before the COVID-19 pandemic, the average Indonesian spent around eight hours a day online.⁶⁵ With the pandemic deepening people's reliance on the internet in many aspects of life, especially regarding economic transactions,⁶⁶ maintaining data protection and security should be a paramount concern. Corporations have a responsibility to maintain the data security of their platform users and government entities have a role to play in ensuring these companies fulfill that obligation.

Data leaks and hacking cases have become increasingly common, with at least seven high profile cases of data privacy violations reported in Indonesia in 2020 alone.⁶⁷ In 2019, the e-commerce site Tokopedia had the personal data of its 91 million users leaked. In September 2020, data breaches occurred at both Reddoorz, a digital platform for budget hotel management and booking services, and the e-commerce platform Shopback.⁶⁸ Although these companies have asserted that the breaches did not compromise users' personal data, these cases have highlighted the need for more stringent laws to ensure personal data protection.

Data protection and security also extend to the protection of whistleblowers exposing information related to the public interest. In 2017, ten media houses and five civil society

64 Bulger and Davison, "The Promises, Challenges, and Futures of Media Literacy."

65 Wong, "How Indonesians embrace the digital world", The Jakarta Post, 18 March 2019.

66 Djailani, "Menkeu Sri Mulyani."

67 Conney Stephanie, "7 Kasus Kebocoran Data yang Terjadi Sepanjang 2020."

68 Chong and Koh, "ShopBack and RedDoorz Report Data Breaches."

organisations came together to form IndonesiaLeaks, a digital platform for whistleblowers to securely submit information.⁶⁹ IndonesiaLeaks is backed by Free Press Unlimited (FPU) and benefits from the organisation's extensive capacity and funding, enabling it to protect itself from intensive government scrutiny and intervention in both legal and technical aspects. In 2018, the Indonesian government took FPU to court in an attempt to force FPU to disclose their sources in a series of disparaging reports. FPU—which is based in the Netherlands and falls under the jurisdiction of the European Union—provided the necessary legal protection for IndonesiaLeaks in the Dutch court.⁷⁰ This case illustrates the unequal protections for data security, with better cyber security and data protections available to individuals and organisations with greater human, capital, and legal resources, which are currently mainly available in the Global North.

The issue of data protection and security is also complicated by the lack of consensus amongst Indonesian digital rights activists about what qualifies as personal data. Does one's cell phone number count, for instance? Without a broadly accepted legal definition or classification of personal data, it is challenging to solidify best practices for data hygiene or the methods by which journalists and activists protect themselves and their work.

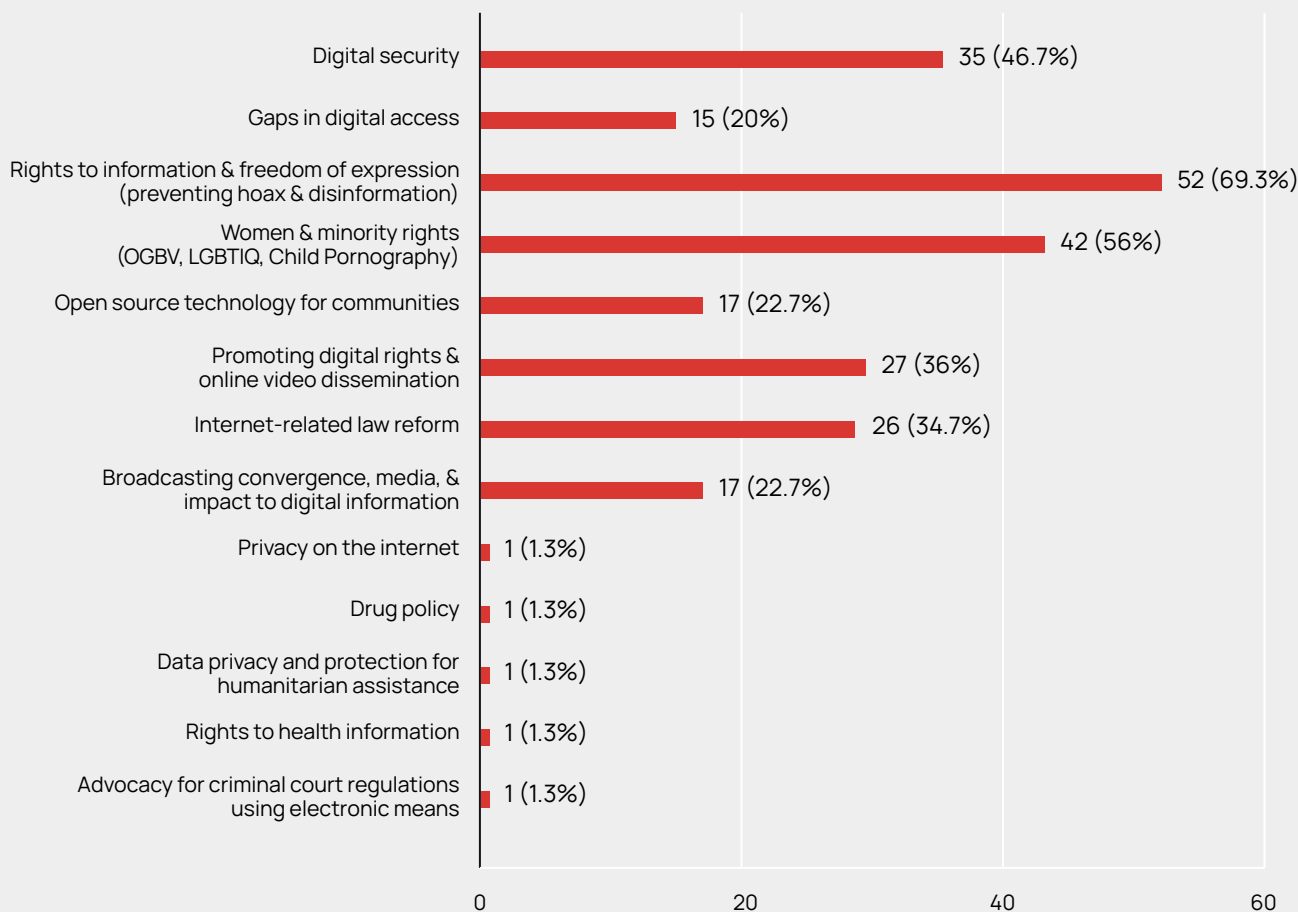
Key Actors and Coalitions

Technology companies and corporate institutions hold a significant amount of personal user data, and are therefore key actors in issues of data protection and security. The need to comply with government regulation is a key driver for businesses to implement cybersecurity measures. In the banking sector, for example, regulations from the central bank require financial institutions to conduct periodic security audits of their systems and other affiliated service providers.⁷¹ Similar regulations have been implemented in the energy sector. However, further regulations covering other sectors are needed to ensure that relevant businesses also strengthen their cybersecurity capabilities.

69 IndonesiaLeaks, "IndonesiaLeaks: New Platform for Whistleblowers and Muckrakers," 15 Dec 2017.

70 Abdul Manan, Interview with AJI.

71 Republic of Indonesia, Regulation No. 9/15/PBI/2007 of the Central Bank on the Implementation of Risk Management in the Use of Information Technology by Commercial Banks.



III. Does your organisation work on the digital rights issues listed below:

75 responses

Non-government organisations (NGOs) have been very active in responding to data security concerns by raising public awareness and intervening in the ongoing law-making process to ensure rights-based principles are integrated in the current draft of the data protection law. In the online survey carried out as part of this assessment, almost 50% of 75 respondent NGOs have worked in the area of digital security. The coalition *Koalisi Advokasi Perlindungan Data Pribadi* (Personal Data Advocacy Coalition), composed of 27 NGOs working in different fields, is active in consolidating different activities to strengthen personal data protection. More NGOs are also working to equip internet users with basic skills on data protection and online safety. These include organisations such as EngageMedia, ICTWatch, SAFEnet, AJI, SINDIKASI, and Purple Code, the latter focusing in particular on gender-related aspects of digital security. Similarly, some NGOs are focusing

on the digital security concerns of rights defenders in West Papua by providing them with basic security skills training.

E. Access

Overview

Internet freedom and access to online information should be acknowledged as a human right, according to a 2011 report by the special rapporteur for the UN Human Rights Council.⁷² However, freedom of internet access has not been consistently upheld in many countries—including Indonesia—owing to both state-led restrictions on internet access and the prevalence of the 'digital divide'. This refers to the gap between individuals, households, businesses, and geographic areas with good access to information and communications technology (ICT) and those who do not, due to differences in socioeconomic level, demography, and geography, among other factors.⁷³ According to a report from We Are Social,⁷⁴ approximately 73% of Indonesia's population has internet access.

The lack of infrastructure in underdeveloped areas has contributed to the digital divide. Indonesian internet service providers are often reluctant to establish comprehensive last mile service in areas that are less developed.⁷⁵ This has resulted in more expensive service for Indonesians in eastern zones like Papua and Moluccas. In recent years, however, there has been an increase in the overall level of connectivity following significant improvements in telecommunications infrastructure, including the completion of the Palapa Ring project, which connects 440 regencies in the country. In January 2021, the MCI signed three framework contracts with commercial telecommunications providers to build base transceiver stations in 4,200 villages in 3T regions (frontier, outermost, and disadvantaged). Despite such steps forward, the west of the country is much more connected than the east: according to a survey by the Asosiasi Penyelenggara Jasa Internet Indonesia, a large chunk of internet penetration is concentrated in Java and Sumatra, with very spotty connections in

72 The report on the promotion and protection of the right to freedom of opinion and expression by Frank La Rue, special rapporteur for the UN Human Rights Council, notes: 'Facilitating access to the Internet for all individuals, with as little restriction to online content as possible, should be a priority for all States.'

73 Organisation for Economic Co-operation and Development (OECD), "Understanding the Digital Divide."

74 Simon Kemp, "Digital 2021: Indonesia."

75 Anonymous Respondent 2 Interview; Sigit Puspito Wigati, Interview with Mastel.

Even among those who are able to go online, millions of Indonesians are limited by the quality of internet access. These individuals use the internet only to access Facebook or WhatsApp on their mobile phones via 2G satellite technology. Given the low speeds, they are unable to use even Google or Wikipedia effectively, let alone seize the opportunity to become one of Indonesia's '1,000 technopreneurs'.⁷⁷ Reliable access to the internet is a prerequisite for enjoying the opportunities offered by ICTs. However, the cost of technical equipment is sometimes prohibitive, particularly in the case of proprietary software, even though some CSOs attempted to promote low-cost technology through the use of open-source software. To address this, Presidential Decree No. 45/2016 on the Government Work Plan for 2017 set three priorities for the construction of broadband and broadcasting infrastructure:

1. Improving infrastructure in areas that are not attractive to commercial operators; removing regulatory bottlenecks;
2. Synchronising the deployment of broadband and broadcasting infrastructure; and
3. Developing human resources and the ICT industry to support the roll out of infrastructure.

The plan also called for the construction of 127 cellular towers in mobile blind spots and the creation of 800 internet cafes (known as 'warung internet', or 'warnet') in areas with commercial operators. It also projected that internet cafes will be operating in 4,000 additional locations.

In Indonesia's rural villages, community-based rural internet networks currently employ a range of technologies and infrastructure, including long-distance WiFi-based networks, internet cafes, neighbourhood networks, Voice over Internet Protocol (VoIP)⁷⁸ and local streaming servers.⁷⁹ To further improve internet access, some CSOs are also promoting low-cost technology to take advantage of the falling cost of equipment and the increase in

76 Asosiasi Penyelenggara Jasa Internet Indonesia, "Laporan Survei Internet APJII 2019 – 2020 (Q2)."

77 A program established by the MCI to create more successful startups like Gojek and Tokopedia

78 Onno Purbo, "Narrowing the Digital Divide"; Onno Purbo and Anton Raharja, VoIP Cookbook: Building Your Own Telecommunication Infrastructure.

79 Jordan Andrian, Onno Purbo, and Andri Johandri, Hacking Streaming: Jurus Sakti Membangun Server Streaming dengan NGINX-RTMP; Onno Purbo, "Narrowing the Digital Divide."

funding to rural villages, which enable these villages to provide their own internet infrastructure. Internet equipment is relatively inexpensive; a single off-the-shelf WiFi access point costs between US\$20–50, for example, and cheaper smartphones and tablets cost around US\$100. Moreover, with the passage of Law No. 6/2014 on Villages, smaller villages now have access to a funding pool of approximately Rp 56.3 trillion (about US\$ 4 billion) from the central government that they can use for a variety of different purposes, including internet technology.

Beyond the digital divide and the lack of adequate infrastructure, the issue of freedom of internet access in Indonesia also concerns limitation of access imposed by the state. There have been reports of internet access being restricted in parts of the country, most prominently in the case of Papua. In the past two years, internet access has been disrupted in Papua multiple times, with the most recent occurring in April 2021. This incident highlights the precarity of internet connection in this eastern part of Indonesia.

Restrictions on content allowed to be posted and disseminated online are also a key concern for CSOs advocating for freedom of information and internet access. Based on Ministry of Communication and Information regulations, content that the state classifies as negative is subject to blocking or removal.⁸⁰ While intended to protect individuals in electronic financial transactions, this has given the state more power to limit the public's access to information.⁸¹ A 2020 SAFEnet report on digital authoritarianism also noted that the government has been pursuing increasingly hostile tactics to rein in speech it disapproves of. These methods, including criminal prosecution, have had a chilling effect on political discourse in Indonesia.⁸²

Key Actors and Coalitions

If Indonesia is to strengthen its commitment to digital rights, it will require buy-in from the two parties with the legal and financial power to substantially improve the situation: industry and the government. To meet the Universal Service Obligation (USO) and provide all Indonesians with access to telecommunications services regardless of their location, network operators contribute 1.25% of their gross revenue to the government's USO fund

80 Ministry of Communication and Information, Regulations on Negative Internet Content.

81 Abdul Manan, Interview with AJI.

82 Damar Juniarto and Anton Muhajir, "The Rise of Digital Authoritarianism."

(Government Regulation No. 7/2009 on Types and Tariffs of Non-Tax State Revenue Applicable to the Ministry of Communication and Informatics). USO funds are normally used to provide internet access in areas that are not profitable for commercial operators, leaving private investors free to concentrate on more lucrative markets. Additionally, there have been increased efforts to bridge the digital divide in rural areas.⁸³ In 2016, Indonesia's minister of communications, Rudiantara, hosted a community discussion on the possibility of using Open Base Transceiver Stations (OpenBTS) more widely in rural areas. OpenBTS is a software-based GSM access point, allowing standard GSM-compatible mobile phones to be used as SIP endpoints in VoIP networks. This discussion resulted in the signing of Ministerial Decree No. 5/2016 on Technology Trials for Telecommunications, Informatics and Broadcasting, which supports non-commercial, short-term trials of rural technology applications.

NGOs such as Combine Resource Institute and Air Putih have made strides in providing internet access and education to rural areas. Combine takes a grassroots approach to building open-source information systems in rural areas. Air Putih Foundation, which was founded as a collective initiative to mobilise technical experts in the 2004 Aceh tsunami, was also a leader in Indonesia Go Open Source, a national project launched in 2004 by five government ministries to promote the use of low-cost open-source software in the public sector.⁸⁴ Since 2010, Air Putih has expanded its work to promote 'IT awareness' among CSOs. The organisation's core expertise lies in developing low-cost ICT applications and providing technical skills training and capacity building for CSOs. In 2015, Air Putih created a digital platform called 'cek sekolahku' (check my school) to monitor the distribution of *Bantuan Operasional Sekolah* (School Operational Assistance) funds. The organisation has also provided training on developing information systems and the use of open-source applications.

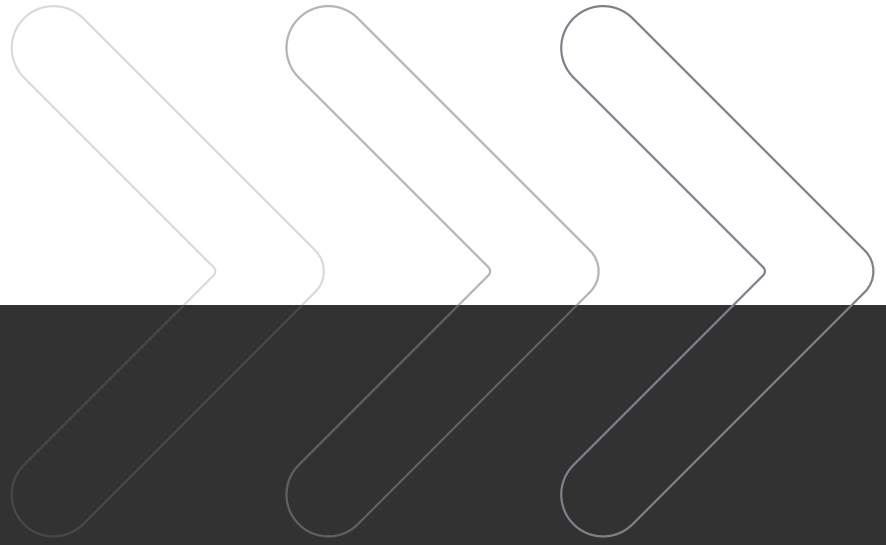
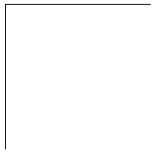
On the issue of access restriction and internet throttling, CSOs have been actively working against such practices. In early 2019, there were at least three recorded cases of internet access tampering by the Indonesian government—two in Papua and one in Jakarta—and all three were in response to a civil protest against the government. In

83 Onno Purbo, "Narrowing the Digital Divide."

84 "Indonesia, Go Open Source!" Progress Report, 2005.

November 2019, a coalition consisting of AJI, SAFENet, and LBH Pers challenged this practice and filed a lawsuit against the government for the internet throttling in Papua. The CSOs won the case in June 2020, with the court declaring the government's policy unlawful.⁸⁵ Although no financial remedies were provided for internet users suffering from the service disruption, the decision allowed for a solid precedent and laid a strong foundation for the mobilisation of similar actions against unlawful government policies in the future.

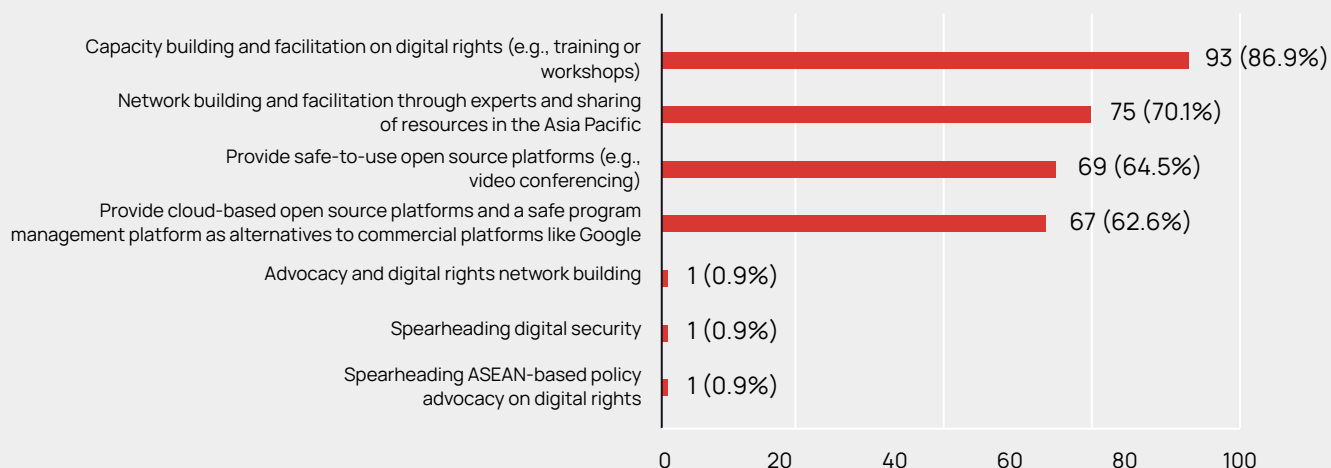
85 Ade Wahyudin, Interview with LBH Pers.



III. **CONCLUSIONS AND RECOMMENDATIONS**



Our analysis and recommendations are informed by a focus on institutional, rather than individual, responsibility: increasing stakeholder participation, ensuring greater transparency and accountability, identifying inequalities, and recognising the diversity in personal experiences and uses of technology.



IV. Based on your experience, what kind of contributions can regional organisations like EngageMedia offer to advance digital rights among Indonesian Civil Society Organisations?

107 responses

On Media Literacy

As the digital rights actors interviewed for this research placed a heavy emphasis on the importance of media literacy on digital rights, it is clear that more work is required in this area. The continuous nature of both assessing and updating media literacy programs make this a perennial struggle. There is a need to develop a coherent understanding of the media environment—one that is cognisant of new technologies and new rhetorical techniques—while updating existing media literacy programs. We also suggest improving cross-disciplinary collaboration. Media literacy is often seen as a narrow, pedagogical field, but new research and findings from other disciplines—such as social psychology, political science, and sociology—could greatly benefit media literacy efforts.

Additional research and work on media literacy initiatives will need to be a multi-sector effort involving academia and civil society, and will need support from funders.

On Platform Accountability

There is a massive gap in Indonesia's digital policies on platform accountability. Many critics have noted the IET's problematic aspects, but few have pointed out the inherent unfairness in the way it distributes responsibility. Only individuals are held accountable for content deemed in violation of the law, but the platforms hosting this content—often social media tools like Facebook and Twitter—are left out of the equation and face no consequences for facilitating the distribution of this content, even as they profit from it. When it comes to the troublesome content that the IET law was designed to remedy, authorities only consider two options: punish individual users, or completely ban the website or platform where the content was posted.

Sharing the responsibility for alleged violations with the platform could be particularly meaningful in a country like Indonesia, where democracy is still not fully entrenched and freedom of speech is not secure. Though not without its downsides, delegating responsibility to platforms has the benefit of allowing the government to step back from litigating every claim of defamation. Since the likely worst case scenario would be downgraded from prison time to the removal of the offending social media post, good faith actors like Nuril and Sihombing will not be disincentivised from speaking their truth online.

With 140 million of its citizens on social media,⁸⁶ Indonesia currently ranks third worldwide in the number of Facebook and Twitter users. Though companies like Facebook have begun employing human moderators to manually monitor and assess flagged content, there are far too few of them to adequately manage every flagged post. Successful moderation will require machine learning that is designed to protect and extend freedom of expression. The challenge is to leverage the platforms to develop machine learning tools that understand the nuances of Indonesian society while keeping them independent of the state's authority in ways that would threaten freedom of speech.

86 Simon Kemp, "Digital 2021: Indonesia."

On Capacity Building

CSOs and activists require more training on basic technical skills for digital privacy protection and cyber security so they can take necessary precautions and manage emergency situations. These training sessions should cover the basic legal definitions of harassment and other potential violations, the types of data most frequently stolen as part of harassment campaigns, and the steps that should be taken in the event of a digital rights violation.

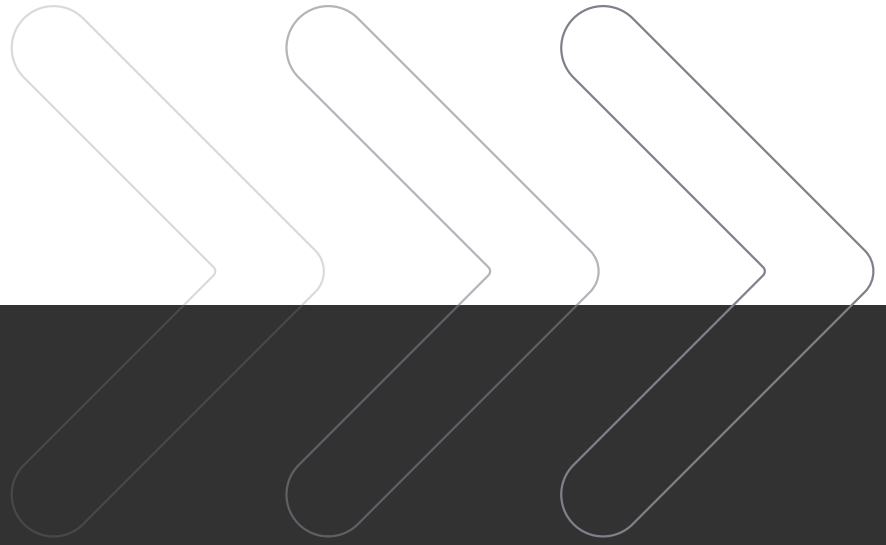
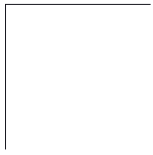
On Security

Indonesia's regulatory apparatus needs to ramp up its efforts to create a robust regime to oversee data protection and cyber security. This need grows more urgent as Indonesia moves to create integrated digital national data banks for citizenship purposes, such as BPJS (universal healthcare) and E-KTP (national electronic identity card system). Such projects necessarily entail the collection of massive amounts of personal information from each citizen, including data that cannot be changed in the event of a leak (e.g. fingerprints). As it stands, this information is not adequately protected; a data breach could put privacy rights at serious risk. The government must issue specific guidelines on what can be collected, how the data is stored, and whether and how it is encrypted. Concerns around the database structure and how data will be shared should also be raised. This threat is not hypothetical; as the recent 2021 leak of BPJS data⁸⁷ has shown, government agencies can and do fall victim to leaks. This is especially concerning when personal data—such as BPJS data—travels between government agencies, allowing for multiple potential points of vulnerability susceptible to breaches or attacks by malicious actors.

On Infrastructure

Universal access to information, including access to the internet and its services, should entail access to the necessary infrastructure and equity in area coverage. Commercial telecommunications providers and internet service providers intending to operate in specific areas should ensure that a meaningful portion of their infrastructure covers underserved 3T areas. Affirmative action policies, such as subsidised pricing for cellular networks for citizens in non-profitable areas, should also be considered.

87 Rahmat, "Polri."



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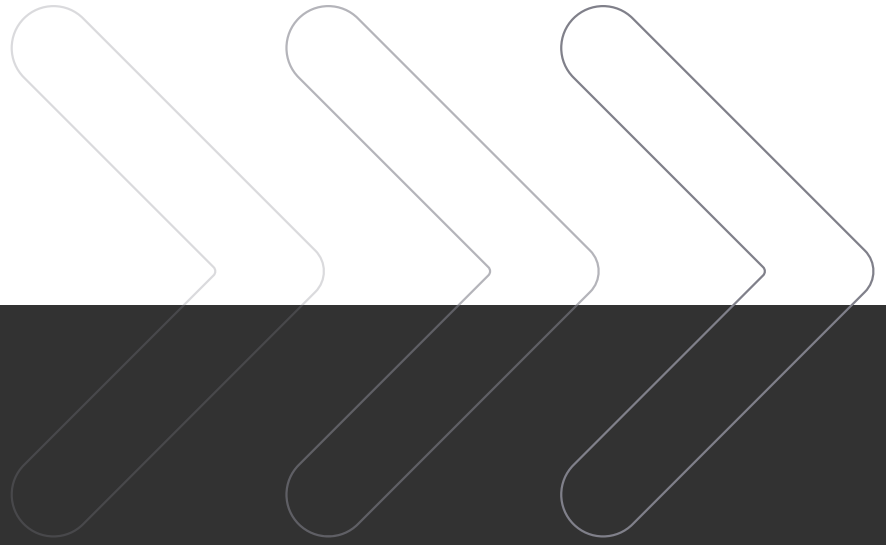
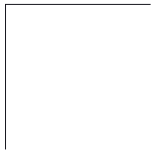
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ANNEX I.
INTERVIEW
RESPONDENTS



Nr.	Names	Names
1.	Ade Wahyudin	LBH Pers
2.	Agung Riyadi	AirPutih
3.	Abdul Manan	AJI Indonesia
4.	Elisabeth Asrida	N/A
5.	Biyanto Rebin	Wikimedia Indonesia
6.	Syaldi Sahude	Datum Indonesia
7.	Dhyta Caturani	PurpleCode Collective
8.	Damar Juniarto	Southeast Asia Freedom of Expression Network (SAFE-net)
9.	Mardiyah Chamim	PuanIndonesia
10.	Ignatius Haryanto	Lembaga Studi Pers and Pembangunan Nusantara (LSPP) Universitas Multimedia Nusantara
11.	Anonymous Respondent 1	N/A
12.	Anonymous Respondent 2	N/A
13.1	Anonymous Respondent 3	Indonesia ICT Partnership Association (ICT Watch)
13.2	Anonymous Respondent 4	N/A
14.	Imung Yuniardi	Combine Resource Institution
15.	Emmanuella Kania Mamonto	Asia Justice and Rights (AJAR)
16.	Anonymous Respondent 5	Kelas Muda Digital (KEMUDI)
17.	Anonymous Respondent 6	N/A
18.	Anonymous Respondent 7	N/A
19.	Mirta Amalia	Centre for Innovation Policy and Governance (CIPG)
20.	Anonymous Respondent 8	N/A
21.	Luviana	Serikat Sindikasi
22.	Shita Laksmi	Yayasan Tifa
23.	Wardiyono	Senayan Developer Community
24.	Firdaus Cahyadi	Yayasan SatuDunia

25.1	Lintang Setianti	Lembaga Studi dan Advokasi Masyarakat (ELSAM)
25.2	Alia Yorifa Karunian	Lembaga Studi dan Advokasi Masyarakat (ELSAM)
26.	Dr. Sigit Puspito Wigati Jarot	Masyarakat Telematika Indonesia (MASTEL)
27.	Anonymous Respondent 9	N/A

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