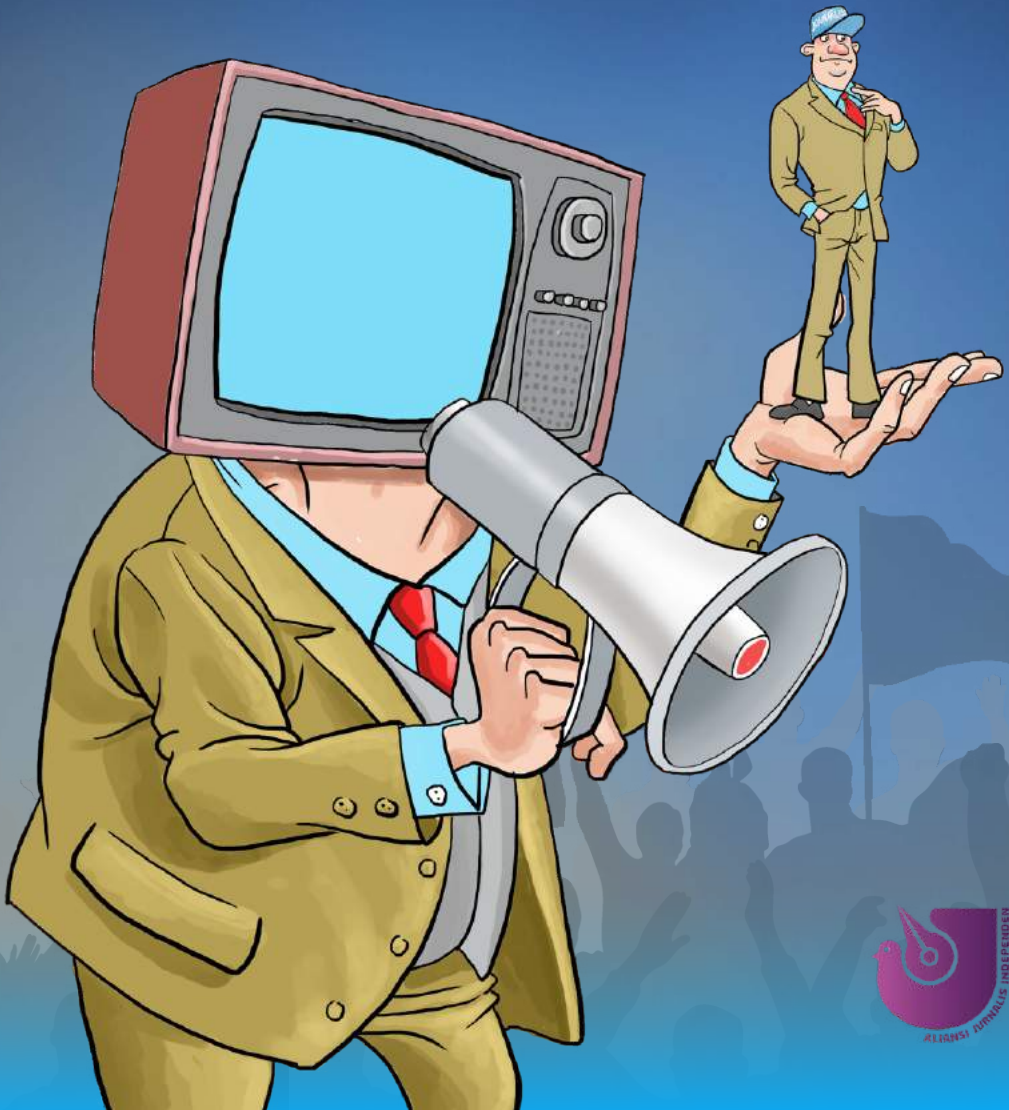


Press Freedom Crisis Amid Climate Emergency and Democratic Erosion

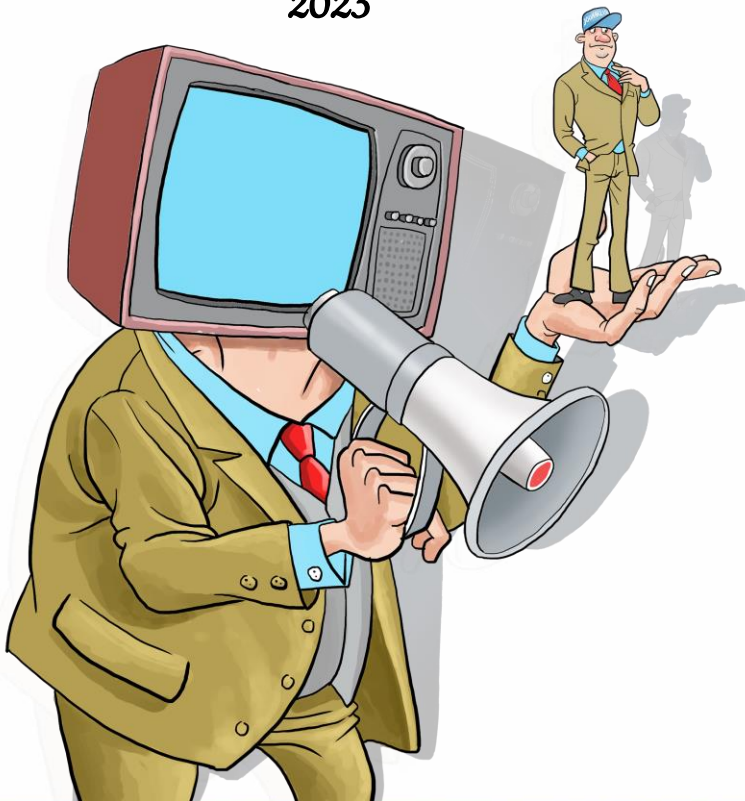
Press Freedom Situation Report 2023





Press Freedom Crisis Amid Climate Emergency and Democratic Erosion

Press Freedom Situation Report
Alliance of Independent Journalists
2023



Press Freedom Crisis Amid Climate Emergency and Democratic Erosion

2023 Indonesian Journalist Safety Situation Report

Editor in chief : Sasmito

Editor : Ika Ningtyas

Team of writers :

Adi Marsiela, Dyah Ayu Pitaloka, Edy Chan, Erick Tanjung, Ika Ningtyas,
Musdalifah, Nani Afrida, Shinta Maharani

Data Analysts :

Adib Asfar, Musdalifah, Nurika Manan

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Jakarta 12820, Telp (6221)3151214, Fax (6221)3151261

Email: sekretariat@ajindonesia.or.id

Web: www.aji.or.id

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Press Freedom Crisis Amid Climate Emergency and Democratic Erosion Indonesian Press in the Need of a Breakthrough to Serve the Public

For over 24 years, Indonesia has been governed by Indonesian Law Number 40 of 1999 pertaining to the Press. Despite this extensive period, Indonesia's Press Freedom Index (PFI) has continuously fallen short of attaining the label of "free". Analysis of reports issued by Reporters Without Borders (RSF) over the past decade revealed that Indonesia's PFI has remained static within the categories of "difficult" or "not free."

The assessment conducted by RSF closely mirrored the research findings of the Press Council regarding the Press Freedom Index (IKP). In the 2023 IKP survey, the National IKP score dropped by 6.30 points to 71.57, in contrast to the 2022 IKP survey where it registered a score of 77.87. This decline in the IKP figure signified the initial decrease in the past six years, although it still retains its classification within the category of relatively independent.

RSF's assessments are grounded in at least five key indicators: politics, law or regulation, economics, socio-cultural factors, and security. Unfortunately, the majority of these indicators remain problematic within this country. From a regulatory standpoint, laws such as the ITE Law and the Criminal Code (KUHP) are frequently employed to criminalize journalists. From a security perspective, journalists and media organizations persistently face violence as a result of their reporting. Moreover, economic challenges and media sustainability are encountering external obstacles, often stemming from digital disruptions and the Covid-19 pandemic.

Therefore, it is highly essential that the press community could contemplate an innovative approaches or new strategies to transform press freedom in Indonesia into a state of complete "freedom." This necessitates addressing the various challenges present across the five indicators forming the basis of RSF

assessments. Seeing from security perspective of journalists, the press community must advocate for tangible action from the government, which has thus far overlooked the protection of journalists. In addition, Indonesia can draw lessons from any other countries with press freedom classified as "free" and boasting effective measures for safeguarding journalists such as emulating the creation of a "National Mechanism for the Protection of Journalists" akin to several European countries.

Additionally, Indonesia can also draw insights from other countries in ensuring guarantees for the press, which operates to serve the public interest effectively such as implementing funding initiatives for public interest media supported by both governmental and societal contributions. For instance, in the United States, there is this non-profit organization called "Corporation for Public Broadcasting" that oversees federal government investments in public broadcasting and funding sources for public radio and television. Alternatively, in the Indonesian context, a simpler approach could involve revitalizing the Public Broadcasting Institutions (LPP) TVRI and RRI to fulfill their role in serving the public interest. This would entail refraining from their current function of serving the government's agenda, especially considering that the funding for these LPPs is derived from public taxes. Furthermore, addressing the issue of private media companies being influenced by investors, who may also hold political interests, is crucial.

Assessing from economics perspective, particularly concerning employment, it should theoretically be more straightforward for the state to ensure the job security of journalists and media workers. Nonetheless, the reality is starkly different, with nearly 50 percent of freelance journalists in Indonesia earning wages below the Regional Minimum Wage (UMP) each month. Furthermore, the enactment of the Job Creation Law has facilitated media entrepreneurs in laying off journalists more easily. Consequently, the position of journalists in Indonesia is becoming increasingly precarious and uncertain within the economic sector.

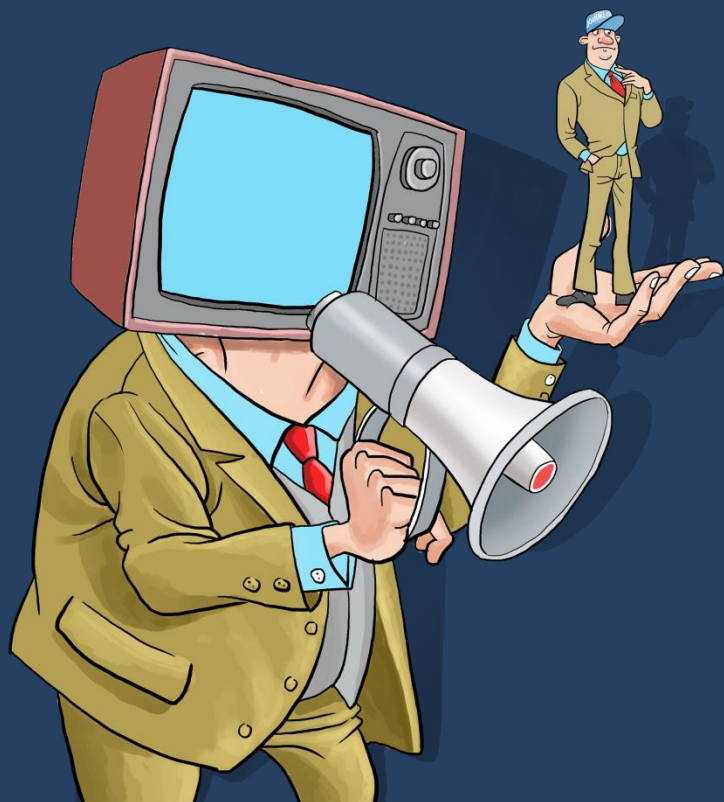
Therefore, the press community cannot afford to delay any longer in generating innovative solutions or new strategies to confront the myriad challenges outlined above, thereby ensuring that press freedom in Indonesia is fully realized. It is widely recognized that the press plays a pivotal role in securing democracy in Indonesia facing ongoing degradation. Freedom of the press stands as a

fundamental prerequisite for fostering climate resilience and sustainability. As a consequence, there is no alternative; the press and the public must unite in devising breakthroughs to secure press freedom, ultimately fostering a stronger democracy and a more sustainable environment.

The Alliance of Indonesian Independent Journalists (AJI) urged the press community to thoroughly examine and utilize this "2023 Press Freedom Situation Report" to gain a deeper understanding of the current state of the press. This document serves not only as a valuable resource for understanding the prevailing press conditions but also as a foundation for devising innovative strategies and breakthroughs collaboratively with the press and the public. Together, let us work towards the betterment of our society and our nation.

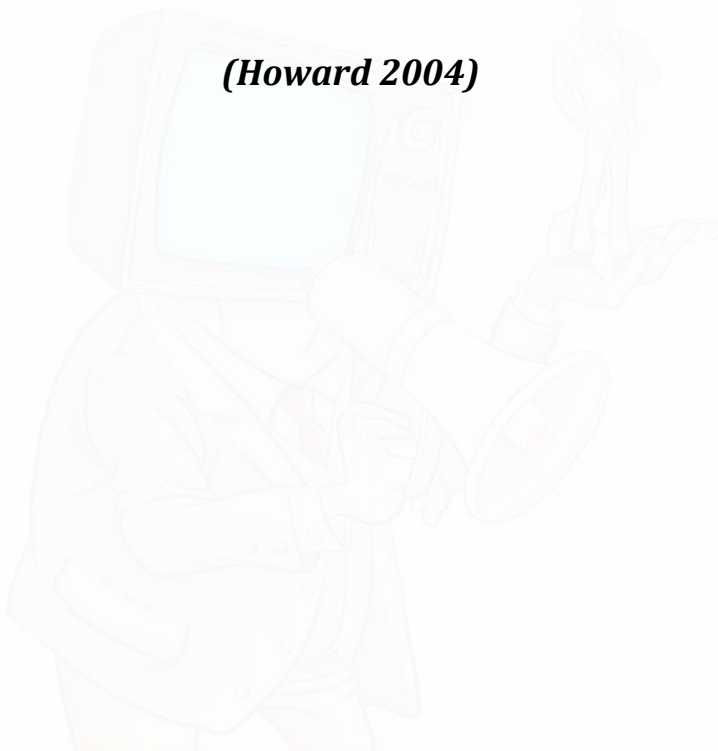
Sasmito

Head of AJI Indonesia



***Freedom is when the people can speak.
Democracy is when the government listens.
The media is the messenger.***

(Howard 2004)



List of Content

Executive Summary	8
Recommendation Key	10
Chapter 1 - Introduction	
Alarming Crises for the Future of Indonesia	12
a. Climate Emergency and Democratic Erosion	12
b. Press Freedom Crisis	15
c. Data Collection Method	18
Chapter 2 - The Crisis of Media Independence and Watchdog Journalism amid Political Year	
19	
a. Perpetuated Partisan Media	19
b. Digital Business Dilemma VS Journalism Ethics	24
c. Disinformation and Hateful Narratives in Our Media	28
Chapter 3 - OMNIBUS Law Versus the Future	
33	
a. Down by OMNIBUS Law	33
b. Post-Pandemic Layoffs Emergency	34
c. "Meager Incomes, Mounting Expenses"	39
Chapter 4 - Escalating Risks in Environmental Issues and Corruption, Perpetuating Impunity and Repression	
44	
a. Increasing Attacks in Political Year	44
b. Sources Being Targeted	52
c. Just Law Enforcement	55
Chapter 5 - 2024 Outlook; Challenges and Hopes	
65	
a. Challenges: From Regulation to Security Risks	65
b. Is there still a glimmer of hope?	67
List of Problematic Articles in the Second Revision of the ITE Law	69
Reference	75

Executive Summary

The deterioration of Indonesian democracy extensively has been highlighted in various indices and research. It is set to worsen in 2023 with the elevation of President Jokowi's son, Gibran Rakabuming, as the vice-presidential candidate alongside Prabowo Subianto. This decision, determined by the Constitutional Court, was marred by significant conflicts of interest.

As getting worse, this trend is further exacerbated by numerous allegations of power abuse to secure dynastic politics in the 2024 elections. President Jokowi's backing of a specific candidate and allegedly attempts to hinder political adversaries all raise concerns about the integrity of the electoral process. While, the state of the planet continues to deteriorate, underscoring the urgency for more serious, ambitious, and consistent efforts to combat the climate crisis, the declining state of democracy could pose a significant barrier to addressing the climate crisis equitably.

In the face of such dual crises, the role of independent and critical media has become increasingly more vital. Nonetheless, the operating environment for such media outlets becomes increasingly challenging as well amidst the backdrop of shrinking press freedom and democracy throughout 2023.

To date, AJI Indonesia has observed with concern how the ITE Law, Criminal Code, and Law 1/1946 are still frequently misused to target journalists and their sources under accusations of defamation and spreading false information. As a result of these circumstances, Journalists and independent media outlets acknowledge that intimidation, physical and digital assaults, as well as instances of sexual harassment, are on the rise. Unfortunately, there is a lack of serious law enforcement efforts to identify and prosecute all perpetrators involved in these incidents.

During 2023, AJI documented 89 cases of attacks and obstruction involving 83 individual journalists, 5 groups of journalists, and 15 media outlets as victims. This represents an increase compared to 61 cases in 2022 and 41 cases in 2021.

Of all cases, the highest incidence of violence occurred among journalists or media reporting on issues related to accountability and corruption, totaling 33 cases. This was followed by social issues and crime with 25 cases, and environmental issues and agrarian conflicts with 14 cases. The remaining 5 cases pertained to political and election issues, while 15 cases were categorized as other issues falling outside the four criteria.

Meanwhile, the enduring strength of media oligarchy, intertwined with political parties and power, poses a significant barrier for the media to operate with freedom and independence. These media owners also wield influence over the natural resources business sector, which explains the lack of serious attention given to environmental issues and those related to the climate crisis in mainstream media.

Further, digital disruption continues to ravage the media industry, leading to the downfall of print media outlets such as Republika Print and Koran Sindo, along with a surge of layoffs at NET TV, Metro TV, CNN TV, and Tirto. Even become more concerning, the plight of journalists and media workers grows increasingly precarious in this landscape, exacerbated by the re-ratification of the Job Creation Law in early 2023 by President Jokowi and the DPR RI. This legislative move has weakened protections for the rights of workers, including those in the media industry.

Lastly, the predominance of a click-based digital media business model has also driven online media outlets to increasingly prioritize producing sensationalized news with a heavy emphasis on entertainment. This trend is considered concerning as it fosters the proliferation of disinformation, propaganda, and hate narratives. The resulting decline in reporting quality directly can affect the public's ability to make informed decisions, perpetuates stigma and hatred towards marginalized groups, and diminishes participation in monitoring potential election irregularities and fraud.

Key Recommendation

AJI Indonesia has offered several key recommendations for press stakeholders to tackle the diverse challenges to press freedom that have implications for democracy and the climate crisis.

1. The Government and House of People's Representatives (DPR)

- The government and DPR are obligated to adhere to the Press Law, which guarantees legal protection for journalists in carrying out their profession. Therefore, various regulations that pose threats to the work of journalists and media companies must be repealed.
- The government, in collaboration with the Press Council and the press community, should establish a National Mechanism for the Protection of Journalists. This protection mechanism should encompass four key pillars of journalist security: prevention, protection, prosecution, and promotion.
- Furthermore, the government should strive to eliminate discriminatory political policies in the press sector, particularly in regions such as Papua, where foreign journalists face difficulties in access, and native Papuan journalists are unjustly labeled as anti-NKRI (anti-Unitary State of the Republic of Indonesia) journalists.
- Moreover, the government must ensure the welfare of journalists and media workers by enhancing the supervisory function of the Ministry of Manpower. This includes ensuring the fulfillment of the normative rights of journalists as workers.

2. Press Council

- The Press Council has to diligently seek diverse and sustainable media business models, including those that support the non-profit or public interest media ecosystem, which is beginning to emerge in Indonesia.
- Additionally, the Press Council must intensify lobbying efforts and exert pressure on the executive, legislative, and judicial branches to repeal regulations that pose threats to press freedom. Moreover, it should

advocate for the enactment of other regulations that promote press freedom.

- The Press Council has to endure the independence of journalists and media companies in the face of media ownership by politicians or political party leaders.
- Additionally, the Press Council should re-evaluate budgetary policies to effectively address various challenges encountered by the press, including journalist professionalism, journalist welfare, and press freedom.

3. Media Company

- Press companies must uphold the Press Law, which declares that press freedom is a manifestation of people sovereignty. Therefore, the press should prioritize serving the public interest over catering to the interests of specific political and business elites.
- Additionally, companies are obligated to ensure the safety of journalists and media workers, safeguarding them from violence associated with reporting and ensuring their economic security.

4. Pers Organization

- Journalist organizations and media companies should collaborate to actively seek solutions to pressing challenges in the press, presenting recommendations to state and government institutions.
- Additionally, press organizations has to ensure the safety, professionalism, and ethical conduct of their members, whether they are journalists or media companies.

5. Journalists

- Journalists and media workers should consider joining labor unions, both within their own companies and across different companies, to ensure that their rights as workers are fully protected.
- Additionally, journalists need to enhance their professionalism to effectively serve the public interest, including seeking solutions to address both the democracy crisis and the climate crisis.

Chapter 1

Introduction

Alarming Crises for the Future of Indonesia

Climate Emergency and Democratic Erosion

Currently, Indonesia is facing a dual crisis: the climate crisis and a crisis in democracy. These two issues are deeply interconnected.

Experts have issued warnings that 2023 is projected to be the hottest year on record globally, with temperatures approximately 1.48°C warmer than the average temperature during the pre-industrial era of 1850-1900. In Indonesia, 2023 is expected to be the second warmest year, following 2016, with a temperature anomaly of 0.5°C.¹

This report serves as a wake-up call for all of us, indicating that the condition of our planet is deteriorating. It underscores the urgent need for more serious, ambitious, and consistent efforts to address the climate crisis.

Allowing the climate crisis to worsen will result in more frequent natural disasters, increased food insecurity, water scarcity, social unrest, and other threats to human life's future, potentially destabilizing democracy. While crisis

¹ BBC, "2023 jadi tahun terpanas sepanjang sejarah, apa yang perlu diwaspadai tahun ini?" Retrieved from <https://www.bbc.com/indonesia/articles/c8722p5pgrmo>

situations can sometimes unite societies to correct policies and advocate for changes in leadership, regimes may exploit crises as a pretext to suppress civil liberties, as witnessed in many countries during the Covid-19 pandemic.

A robust democracy with strong institutions is crucial for accelerating efforts to address the climate crisis. A healthy democracy facilitates a participatory governance system, safeguards media freedom to monitor, access, and disseminate information, and ensures equality for all citizens.

Conversely, in many fragile democracies, corruption acts as a barrier to an effective climate policymaking and impedes the efficient implementation of such policies. Additionally, the fossil fuel industry continues to wield significant influence over politics in some democratic nations. The absence of reliable and independent public institutions capable of combatting corruption, upholding human rights, and enforcing the principles of the rule of law and good governance presents a significant obstacle to achieving justice and a sustainable future (Lindvall, 2021).²

Considering the intertwined nature of the climate crisis and democracy, it is concerning to observe the decline in the quality of Indonesian democracy, as indicated by various global indices. The Economist Intelligence Unit (EIU) classifies Indonesia as having a flawed democracy, ranking 54th out of 167 countries with a score of 6.71,³ a decrease from its previous ranking of 52nd. Furthermore, according to Freedom House, Indonesia's democracy score has declined from 65 in 2013 to 59 in 2022, placing the country in a *partly free* position.⁴ The 2023 Democracy Report issued by V-Dem also identifies Indonesia as a country experiencing democratic decline, citing weakening academic freedom, increasing media censorship, and attacks on civil society as contributing factors.⁵

² Daniel Lindvall, "Democracy and the Challenge of Climate Change" Retrieved from: <https://www.idea.int/publications/catalogue/democracy-and-challenge-climate-change>

³ Retrieved from: <https://www.eiu.com/n/campaigns/democracy-index-2022/>

⁴ Retrieved from: <https://freedomhouse.org/explore-the-map?type=fiw&year=2023>

⁵ Retrieved from: https://www.v-dem.net/documents/29/V-dem-democracyreport2023_lowres.pdf

The ongoing democratic crisis discussed above poses a significant impediment to taking equitable steps toward addressing climate justice. As a result, public participation is increasingly restricted, transparency is minimal, and media freedom is shrinking, making it challenging to hold the government accountable and susceptible to corruption or influence from powerful fossil fuel industries or high-emission industries.

Next, participation in climate and environmental issues, for instance, has been severely hindered by criminalization under the Information and Electronic Transactions Law, as well as violence and other forms of suppression. Auriga has documented 133 cases of attacks on environmental defenders from 2014 to 2023.⁶

Presently, the deterioration of Indonesian democracy worsens with the rise of President Jokowi's son, Gibran Rakabuming, as Prabowo Subianto's vice presidential candidate, following a Constitutional Court decision marred by ethics violations due to a conflict of interest. This is coupled with various allegations of power abuse to secure dynastic politics in the 2024 elections, support for President Jokowi, and efforts to suppress political opponents, all of which undermine the integrity of the election. Aspinall (2023)⁷ suggested that these developments are ominous signs for the future of democracy. Setyowati (2024)⁸ asserted that power abuse has the potential to breed corruption, collusion, nepotism, human rights violations, and impede progress.

⁶ Retrieved from: https://auriga.or.id/press_release/detail/50/status-pembela-lingkungan-di-indonesia-2014-2023-ancaman-kian-tinggi-saatnya-negara-hadir?lang=id

⁷ Edward Aspinall, "*Indonesia's election bears the signs of weakening democracy*" Retrieved from: <https://eastasiaforum.org/2023/12/10/indonesias-election-bears-the-signs-of-weakening-democracy/>

⁸ Agnes Setyowati, "*Melawan Penyalahgunaan Kekuasaan*" Retrieved from <https://nasional.kompas.com/read/2024/01/26/09425521/melawan-penyalahgunaan-kekuasaan?page=all>



The civil society network, including AJI Indonesia, has launched the platform www.kecuranganpemilu.com to monitor the conduct of the 2024 elections. This platform utilizes a crowdsourcing approach to gather complaints from the public, which will then be investigated by journalists.

Democracy cannot exist without elections. A high-quality democracy relies on elections that are free, fair, and conducted with integrity. If concerns arise regarding the future of democracy in the upcoming election, this will also become a trouble for effectively addressing the climate crisis in Indonesia.

Press Freedom Crisis

As previously mentioned, effectively addressing the climate crisis requires a free media capable of monitoring all actions taken to combat climate change while providing information for the public to participate. Press freedom thrives in a healthy democracy, where journalists and media outlets are free from various forms of intervention, censorship, and fear, allowing them to fulfill their role as watchdogs of power and disseminators of credible and accurate information.

In contrast to that, the decline in democracy in Indonesia has also had a detrimental impact on press freedom. The Press Freedom Index, released annually by Reporters Without Borders (RSF), indicated that Indonesia's press freedom score dropped from 63.23 in 2019 to 54.83 in 2023.⁹

⁹ Processed from <https://rsf.org/en/index>

In situations where democracy faces decline, the role of independent and critical media becomes increasingly vital in monitoring authoritarian practices, often associated with widespread corruption and human rights abuses. Unfortunately, authoritarian regimes often frequently target critical media and journalists using tactics such as violence, criminalization, or co-option through media ownership, lucrative advertising deals, and lawsuits aimed at bankrupting media organizations.

Musgrave (2021), in an analysis of media freedom across 16 nations, has identified several notable trends in media deterioration, often prime targets for leaders seeking to erode democratic freedoms to consolidate power. In some cases, the space for independent voices diminishes as a prelude to undermining other democratic institutions. Alternatively, media outlets may experience a gradual erosion of their ability to function independently due to capture or increased regulation, taxes, and official intimidation.¹⁰

The degree of press freedom is profoundly shaped by the surrounding environment, which exerts a direct influence on its functioning. For instance, RSF assesses press freedom based on a range of indicators spanning the political landscape, economic conditions, legal framework, socio-cultural context, and journalist security.¹¹ Similarly, Freedom House evaluates press freedom through the lenses of legal, political, and economic factors.¹² Consequently, any efforts to enhance press freedom should prioritize safeguarding civil liberties and promoting freedom of expression, which enable political participation. Additionally, there is a need for comprehensive legal protections for journalists and media organizations, alongside efforts to combat impunity.

¹⁰ Kate Musgrave, “*Tipping Point: Democratic Erosion and the Assault on Press Freedom*” retrieved from: <https://www.cima.ned.org/publication/tipping-point-democratic-erosion-and-the-assault-on-press-freedom/>

¹¹Metodologi yang digunakan RSF untuk menyusun Indeks Kebebasan Pers: https://rsf.org/en/methodology-used-compiling-world-press-freedom-index-2023?year=2023&data_type=general

¹² Metodologi Freedom House retrieved from: <https://freedomhouse.org/freedom-press-research-methodology>

In Indonesia, the decline in press freedom, particularly since the second term of President Jokowi's tenure, has been attributed to various factors. These include the misuse of laws such as the ITE Law, the Criminal Code, and Law 1/946 to target journalists and their sources, a rise of violence with inadequate law enforcement, the consolidation of media ownership in the hands of politicians and elite figures, and the impact of digital disruption leading to low-quality journalism and diminished public trust in mainstream media.

In line with that, the erosion of independent media has been accompanied by the weakening of other democratic institutions, such as the Corruption Eradication Commission (KPK) and the Constitutional Court of Indonesia (MK). Additionally, election committees have observed a decline in public trust.

The crisis in press freedom also coincides with a period where internet penetration reached 77 percent in 2023, indicating that Indonesians now rely more on internet sources for information compared to the 2019 and 2014 elections. Regrettably, the business model and inadequate social media content moderation policies caused these platforms vulnerable to exploitation, including the spread of misinformation, disinformation, hate speech, and propaganda for electoral purposes. Consequently, there is a heightened risk of internet users being exposed to manipulated information.

Accordingly, the press freedom crisis has direct repercussions for the public and the future of democracy, especially leading up to the 2024 elections. Firstly, there is a lack of independent, credible, and quality information available to the public to comprehend the various threats to election integrity, which could influence their choice of leadership. Secondly, public engagement in monitoring the misuse of state resources and instances of election fraud is considered suboptimal.

Collection Data Method

The 2023 Indonesian Press Freedom Security Situation report has provided a comprehensive analysis of the political, legal, economic, and security conditions impacting journalists and media outlets. The data collection process involved direct daily monitoring across 40 city-based AJIs, along with surveys, focus group discussions on specific topics, media tracking, and insights from studies conducted by other organizations.

On daily basis, AJI conducts monitoring activities that involved documenting instances of attacks on journalists and media organizations, as well as encouraging the public to submit reports. Each report received undergoes verification by city based Aji and is promptly published in real-time on the advocacy platform: advocacy.aji.or.id. Additionally, data related to the economic security of journalists within media organizations is gathered through complaints received by AJI Indonesia's Employment Division, as well as through interviews and surveys.

The analysis of laws and regulations posing risks to the safety of journalists stems from AJI Indonesia's involvement in public policy advocacy with civil society coalitions. AJI actively participates in various coalitions, including the Journalist Safety Committee, the Serious Coalition for the Revision of the ITE Law, and the Personal Data Protection Coalition. The review and analysis of articles threatening journalists' security presented in this report were collaboratively developed with partners within each coalition's network.

Chapter 2

The Crisis of Media Independence and Watchdog Journalism amid Political Year

Perpetuated Partisan Media

Accompanied by the esteemed members of the Perindo Party's elite ranks, Hary Tanoesodibjo made a notable appearance at the KPU, as the legislative candidate registration period drew to a close on May 14, 2023. He presented a comprehensive bundle of documents containing the administrative details of his party's 580 legislative candidates. Notably, within this list of candidates were Hary Tanoesodibjo himself, alongside his wife and five children, all vying for legislative positions across various electoral districts.¹³

Adding to the intrigue of his candidacy, Hary Tanoe also included two journalists from the MNC Group among the registered legislative candidates: including Prabu Revolusi, who was the Managing Director of the iNews Media Group and served as Editor-in-Chief of iNews TV and Aiman who was the Editor-in-Chief of

¹³CNN Indonesia, "Hary Tanoe Sekeluarga Maju Caleg DPR dari Perindo" retrieved from <https://www.cnnindonesia.com/nasional/20230824182909-617-990147/hary-tanoe-sekeluarga-maju-caleg-dpr-dari-perindo>

MNC News and hosted the program "AIMAN on iNews."¹⁴ To note, Aiman and Prabu Revolusi declared their abdication from all editorial roles at MNC Group¹⁵, in November 2023, prior to the campaign period.

It is widely known that Hary Tanoë is not only the founder of the Perindo Party but also the proprietor of the MNC Group, a media conglomerate with a sprawling network encompassing television channels such as RCTI, MNC, Global TV, and iNews, as well as numerous websites and radio stations.

According to the latest research by Masduki et al. (2023), the MNC Group maintains and open and direct affiliations with political parties, often engaging in extreme forms of association. This type of affiliation elucidates Hary Tanoë's role as a shareholder in the MNC Group and his position as a director. Furthermore, alongside his family and journalists, he has also embarked on a journey as a legislative candidate.¹⁶



In November 2023, the Regulatory Monitoring Team and Media Regulator (PR2Media), along with AJI Indonesia, convened with the Press Council. The purpose of this meeting was to seek solutions regarding the issue of media ownership by politicians, which poses a risk of the media being used as a political mouthpiece or biased platform. This discussion stemmed from a research initiative conducted by PR2Media titled "Ownership and Media Political Affiliates in Indonesia."

Photo: PR2Media Archives

¹⁴Kompas.com., "Perindo Daftarkan Jurnalis MNC Group Aiman Witjaksono dan Prabu Revolusi Jadi Caleg 2024" retrieved from: <https://nasional.kompas.com/read/2023/05/14/18165701/perindo-daftarkan-jurnalis-mnc-group-aiman-witjaksono-dan-prabu-revolusi>

¹⁵ Herald.id., "Jadi Jubir Ganjar-Mahfud Sekaligus Caleg Perindo, Aiman Witjaksono Mundur sebagai Wartawan" diakses melalui: <https://herald.id/2023/11/04/jadi-jubir-ganjar-mahfud-sekaligus-caleg-perindo-aiman-witjaksono-mundur-sebagai-wartawan/>

¹⁶ Masduki dkk., "Kepemilikan dan Afiliasi Politik Media di Indonesia", retrieved from: <https://pr2media.or.id/publikasi/kepemilikan-dan-afiliasi-politik-media-di-indonesia/>

Hary Tanoë is certainly not the sole media owner with direct ties to political parties. Surya Paloh, known as the General Chair of the National Democratic Party (Nasdem), also owns the Media Group, which oversees Metro TV and Media Indonesia. Masduki et al. classify the Media Group as having significant political affiliations. Paloh holds shares, serves as a commissioner, and sits on the board of directors at Media Group. Moreover, Paloh's son is currently running as a legislative candidate. Both MNC and Media Group exemplify the rare connection among media owners, journalistic content, media entities, and political structures in Indonesia and the world.¹⁷

Next, Aburizal Bakrie, The chairman of the Golkar, Party Advisory Council and former General Chair of Partai Beringin, owns the Viva Group network, including TVOne, AnTV, and Viva.co.id. These media outlets operate not only at the national level but also across various regions.

Subsequently, Mahaka Media is likewise intertwined with political affiliations. Its majority shareholder, Erick Thohir, served as the Minister of BUMN in the Joko Widodo government. Thohir was also speculated by several high-ranking political party officials to be a potential vice-presidential candidate in the 2024 elections. Through PT Beyond Media, Thohir holds a majority stake in Mahaka Media, which serves as the parent company of Republika and a network of radio stations in Indonesia.

On the other hand, the Lippo Group, initially the controlling entity of Berita Satu Media Holdings, is no longer the majority shareholder. In 2022, the Lippo Group sold some of its shares to Enggartiasto Lukita, a former trade minister and politician from the National Democratic Party (Nasdem).

Relating to that matter, media owners affiliated with political parties often utilize their media platforms as political mouthpieces, advocating for their parties and the candidates they endorse. This support for candidates has been evident since the 2014 elections, which saw alliances forming between the Prabowo Subianto-Hatta Rajasa and Jokowi-Jusuf Kalla pairs. In the previous election, the Golkar

¹⁷ Ibid

Party and Hary Tanoe supported Prabowo Subianto in 2014, while Nasdem sided with Jokowi.

Subsequently, these parties rallied behind Jokowi in the 2019 presidential election and emerged as key supporters of his government. Angela Tanoesoedibjo, Hary Tanoe's daughter, currently serves as the Deputy Minister of Tourism and Creative Economy. Additionally, three Nasdem Party politicians held ministerial positions, with two later implicated in corruption scandals. Meanwhile, the Golkar Party appointed five ministers in the Onward Indonesia Cabinet.

It's worth noting that the political landscape for the 2024 elections has undergone a temporary shift, altering the trajectories of several parties and their leaders. Notably, the Golkar Party now has backed the Prabowo Subianto-Gibran Rakabuming ticket, symbolizing the dynastic politics within Jokowi's regime. On the other hand, the Perindo Party has thrown its support behind Ganjar Pranowo-Mahfud MD, while the Nasdem Party aligned with Anies Baswedan-Muhaimin Iskandar.

This shift is bound to impact the support of mainstream media outlets owned by political elites. It underscores the enduring influence of media under the oligarchy of political elites, where owners often leverage media— including those utilizing public frequencies— to pursue power (partisanship) rather than serve the public interest.

At the national level, this trend has proliferated into regional territories, posing latent issues: local media proprietors or journalists assume roles as political party administrators or even run as legislative candidates without severing ties with the journalistic realm [VOA, 2023]¹⁸.

¹⁸ VOA Indonesia, “*Independensi di tengah Kelindan Media dan Politik Indonesia*”, retrieved from: <https://www.voaindonesia.com/a/independensi-di-tengah-kelindan-media-dan-politik-indonesia/7403103.html>

Despite the Press Council's appeal for journalist-legislative candidates to resign, as articulated in Circular Letter Number 01/SEDP/XII/2022, the plea has largely been disregarded, failing to reach media owners.

The direct alignment of mass media with political entities poses significant risks for the public. It renders newsrooms susceptible to political interference, leading to biased news coverage and compromised independence.

Journalists working within politically affiliated media companies find themselves navigating uncomfortable and constrained environments, vulnerable to intervention. They grapple with conflicts of interest and intimidation if they deviate from the interests of media owners and high-ranking officials. In the absence of media outlets presenting quality, balanced, and accurate information, the public faces the potential of making uninformed decisions.

According to Article 6 of Law Number 40 of 1999 concerning the Press, media outlets are mandated to fulfill their role in shaping public opinion based on accurate and truthful information, conduct oversight, criticism, corrections, and provide suggestions on matters pertaining to the public interest, and advocate for justice and truth. Media outlets lacking independence will encounter challenges in fulfilling their crucial role as watchdogs of power.

Analyzing past elections, numerous studies have highlighted how media owned by political elites often serve as mouthpieces for their owners' political agendas. For instance, observations by Remotivi (2014)¹⁹ and Dahlia et al. (2021)²⁰ indicated that partisan media tend to allocate a disproportionate amount of coverage to candidates they support.

¹⁹ Muhammad Heychael dan Holy Rafika Dhona, "*Independensi Televisi Menjelang Pemilu 2014: Ketika Media Menjadi Jadi Corong Kepentingan Politik Pemilik*", retrieved from: <https://admin.remotivi.or.id/storage/pdf/6OkZXRM6QvUj0Te2EBPCsiRvfusXBki.pdf>

²⁰ Rembulan Randu Dahlia, "*Oligarki Media Dalam Pemilu Presiden 2019. Studi Kasus: Keberpihakan MNC Media dan Partai Persatuan Indonesia (Perindo) pada Pemenangan Joko Widodo dan Ma'ruf Amin dalam Pemilu Presiden 2019*", retrieved from <https://lib.ui.ac.id/detail?id=20524081&lokasi=lokal>

Moreover, the rise of media oligarchy is closely associated with the erosion of democracy in Indonesia. As Ross Tapsel (2021) has pointed out, following the 2019 election, Indonesian media became less diverse, increasingly controlled by oligarchs, and subject to significant government influence.²¹

These developments carry profound implications for the quality of Indonesian democracy: the independence and reliability of media reporting are declining, weakening the media's essential function of holding the government accountable and preventing the abuse of power; the norm of freedom of expression is under critical threat; and the quality of democratic discourse is deteriorating.²²

Digital Business Dilemma VS Journalism Ethics

News coverage immediately inundated online media platforms every time a debate hosted by the KPU has concluded. For instance, the article published by Liputan6 titled *"Sepatu Gibran Rakabuming Saat Debat Cawapres Bikin Salfok Warganet, Ternyata Harganya Cuma Rp139 Ribuan"*²³ or the photo news from CNBC capturing Prabowo's Silat Style in the First Debate of the 2024 Presidential Election.²⁴ Additionally, there are instances of sexist news coverage, as seen in Merdeka's headline: *"Dua Sosok Wanita 'Bening' yang Curi Perhatian Usai Debat"*.²⁵

²¹ Ross Tapsel, "Media dan Kemunduran Demokrasi" dalam *Demokrasi di Indonesia dari stagnasi ke regresi (2021)*.

²² Ibid.

²³ Liputan6.com., "Sepatu Gibran Rakabuming Saat Debat Cawapres Bikin Salfok Warganet, Ternyata Harganya Cuma Rp139" retrieved from: <https://www.liputan6.com/lifestyle/read/5489011/sepatu-gibran-rakabuming-saat-debat-cawapres-bikin-salfok-warganet-ternyata-harganya-cuma-rp139-ribuan>

²⁴ CNBC., "Gaya Silat Prabowo di Debat Pertama Pilpres", retrieved from: <https://www.cnbcindonesia.com/news/20231212205436-7-496668/gaya-silat-prabowo-di-debat-pertama-pilpres-2024/3>

²⁵ Merdeka., "Dua Sosok Wanita 'Bening' yang Curi Perhatian Usai Debat" retrieved from: <https://www.merdeka.com/trending/dua-sosok-wanita-bening-yang-curi-perhatian-usai-debat-capres-2024-mertuanya-bukan-orang-sembarangan-61486-mvk.html>

These examples highlighted just a fraction of how the media delivers news to the public in the lead-up to the 2024 elections. Instead of delving into substantive issues, mass media outlets often find themselves entangled in political theatrics (gimmicks). Driven by the pursuit of clicks and page views, the mass media tends to prioritize reporting on sensational topics such as "*gemoy*," "*omon-omon*," and "*selebet*," rather than critically analyzing the ideas, proposals, or policy platforms put forth by potential presidential-vice presidential pairs and legislative candidates.

Observations by Remotivi (2023) revealed a concerning trend in online media, where politainment or the blending of politics and entertainment into a new type of political communication, often takes center stage. These news stories frequently focus on candidates' personal lives, which hold little relevance to the public interest.²⁶

Furthermore, Remotivi highlighted journalistic practices that center around narratives of elite drama and conflict, interpretations of political gestures, and the perpetual speculation on who is leading or trailing in such political "*race*." Such news coverage falls under the categories of the game frame and strategy frame, often overshadowing substantive discussions on policy issues and governance.²⁷

²⁶ Surya Putra B., "*Pemberitaan Pemilu 2024: Banjir Drama, Kering Substansi*" retrieved from: <https://www.remotivi.or.id/artikel/847>

²⁷ Ibid.



AJI conducted training sessions for local journalists in nine cities throughout 2023, aimed at equipping them with the necessary skills to cover election-related issues. This initiative by AJI served as a proactive measure to prepare journalists for the upcoming 2024 Election. Furthermore, journalists were reminded to uphold principles of independence, critical thinking, and ethical journalism throughout their reporting. The training was preceded by the publication of a guidebook titled "2024 Election Coverage for Journalists."

Remotivi's observations hold significant weight as a critique of the media landscape. In the midst of declining democracy, the media's role as a watchdog has become even more crucial during elections. AJI Indonesia asserted that the prevalence of politainment and game frames directly hampers the public's access to comprehensive information, ranging from candidate profiles to election procedures and violations.

Moreover, this trend led to voters making irrational decisions based on superficial factors rather than candidates' track records, visions, missions, and

policies—elements vital for democracy. As a result, the public receives subpar information, diminishing their ability to effectively monitor election integrity. Should this pattern persist into the 2024 elections, its repercussions could significantly impact the future quality of democracy.

The proliferation of low-quality or trivial news has become pervasive in online media, largely due to the prevailing business model choices. Adiprasetyo (2020) noted that many online media outlets prioritize user numbers as the primary parameter in their business model, relying heavily on advertising revenue where clicks drive profitability.²⁸

In line with that, Ruiz (2023) succinctly described the digital advertising model as the more clicks, views, or engagement the more increased revenue from advertisers. Unfortunately, such sensational and provocative content—whether factual or not—becomes an enticing strategy to capture attention, thereby enabling the funding of fake news and hate speech.²⁹

This kind of dominant business practice often precipitates a profound clash between journalistic ethics and media economics. Consequently, the pursuit of quantity and clicks can lead online media outlets to prioritize shallow and sensationalist news stories over substantive reporting.

Stanley Adi Prasetyo (2023), former Chairman of the Press Council, emphasized the crucial role of the press in providing political education to the public, particularly first-time voters, on exercising their democratic rights. He also highlighted the importance of journalists amplifying voters' voices, reporting on election campaign developments, disseminating information about political parties' platforms and candidates' track records, facilitating debates between political parties, also monitoring vote counting and reporting its results.³⁰

²⁸ Justito Adiprasetyo., "Reynhard Sinaga dan kegagalan ekosistem media daring kita" retrieved from: <https://theconversation.com/analisis-reynhard-sinaga-dan-kegagalan-ekosistem-media-daring-kita-129705>

²⁹ Carlos Diaz Ruiz., "*Disinformation is part and parcel of social media's business model, new research shows*" retrieved from: <https://theconversation.com/disinformation-is-part-and-parcel-of-social-medias-business-model-new-research-shows-217842>

³⁰ Stanley Adi Prasetyo., "*Independensi dan Netralitas Pers dalam Pemilu*" dalam Jurnal Dewan Pers Vol 25 Juli 2023 retrieved from: https://dewanpers.or.id/assets/ebook/jurnal/2308251143_Jurnal_Pers_vol_25_terbit_Juli_2023.pdf

Meanwhile, the traditional media business model reliant on direct advertising spending is witnessing a decline. AJI Indonesia's data revealed a significant drop in advertising revenue for major media conglomerates like the MNC Group (16%), Surya Citra Media (SCMA) for 2.53%, and the VIVA Group (32%) during the third quarter of 2023 compared to the previous year.

This decline in advertising revenue could potentially lead to new vulnerabilities, such as media companies compromising editorial independence to appease advertisers in order to sustain their business operations. Additionally, fierce competition for a share of the limited advertising market may prompt media outlets to engage in *self-censorship*, particularly on contentious issues.

The erosion of the boundary between news and advertising further exacerbates these challenges. Journalists are increasingly tasked with producing advertorials alongside news content, a practice justified in the name of business efficiency. Relating to that matter, many journalists recognize that working on advertorials violates journalistic ethics and introduces conflicts of interest. Nevertheless, they often feel powerless to refuse such assignments for fear of losing their jobs as admitted during AJI training with regard to 2024 election coverage.

The potential intensification of these problems, including the blurring of boundaries between news and advertising, is anticipated in the 2024 elections. Regulatory gaps, such as the absence of regulations prohibiting the publication of presidential and vice-presidential candidates who hold state official status, may exacerbate these challenges.

Disinformation and Hateful Narratives in the Media

In addition to fostering the production of low-quality journalism, click-based digital media businesses are highly susceptible to amplifying propaganda, disinformation, and hate narratives. Idris (2023)³¹ revealed how business

³¹ Ika Idris, "Money for nothing and clicks for free" retrieved from: <https://360info.org/money-for-nothing-and-clicks-for-free/>

models reliant on income incentives such as AdSense, contribute to the production and dissemination of unverified news, thereby facilitating the spread of disinformation and propaganda in Indonesia, as evidenced in coverage of the Russia-Ukraine war.

In the late December, an investigative report by NarasiTV titled "Revealing Foreign Propaganda for YouTube Viewers in Indonesia" shed light on how an online media outlet's digital business model amplified videos containing Russian propaganda for YouTube viewers.³²

The vulnerability of the click-based business model is particularly concerning given that internet penetration in Indonesia has surged to 77%, a significant increase from around 50 percent in 2019.³³ The majority of internet users are active on five social media platforms: WhatsApp (92.1 %), Instagram (86.5%), Facebook (83.8%), TikTok (70.8%), and Telegram (64.3%).

With internet users increasingly turning to social media for information, citizens are becoming more susceptible to various forms of information manipulation, including disinformation and hate speech, particularly during the 2024 elections. While fact-checking initiatives by the media and civil society organizations are gaining momentum, these efforts must be complemented by high-quality journalism rooted in factual reporting.

Mainstream media outlets that propagate disinformation and hatred can inadvertently reinforce public belief in misinformation, exacerbating polarization and perpetuating stigma against vulnerable groups such as the LGBTIQ community, whose issues are frequently politicized during elections.

To address this challenge, AJI, SEJUK, and Arus Pelangi conducted an analysis of 113 online media reports on LGBT issues nationally between January and February 2023 following Medan Mayor Bobby Nasution's declaration of Medan

³² Narasi TV., "Menguak Propaganda Asing untuk Penonton YouTube di Indonesia" retrieved from: <https://narasi.tv/video/buka-mata/menguak-propaganda-asing-untuk-penonton-youtube-di-indonesia>

³³ We Are Social and Meltwater., "Digital 2023: Indonesia" retrieved from: <https://datareportal.com/reports/digital-2023-indonesia>

as anti-LGBT.³⁴ It revealed that 100 news stories showed no gender perspective. Additionally, it showed that the media often quote discriminatory statements, extensively from various figures, including mass organization leaders accounting for 35 times, 31 DPRD members, 25 mayors, regents, vice of regents, and 16 heads of office.

Moreover, the media often employs language containing stigma and misinformation, such as referring to LGBT individuals as engaging in deviant behavior for 29 times, being prohibited by religion 28 times, or violating moral or cultural norms for 13 times.



In addition to providing training on election coverage, AJI Indonesia is enhancing journalists' understanding of election-related information disruptions and monitoring politicians' online campaigns.

Furthermore, AJI, in collaboration with the Cek Fakta coalition and other media networks, conducted fact-checking initiatives on political statements made by candidates during debates and on a regular basis.

³⁴ The complete monitoring outcome can be accessed from: <https://aji.or.id/read/press-release/1530/jelang-tahun-politik-pemberitaan-media-online-diskriminatif-terhadap-lgbt.html>

This monitoring highlights how the media often amplifies and endorses discriminatory policies through statements made by politicians and officials. These discriminatory remarks can serve as a pretext for the enactment of regulations that curtail the rights of the LGBT community. This trend was evident in Makassar, where there were preparations for an anti-LGBT regional regulation to be prioritized for discussion in the regional legislative program. Similarly, in Garut, West Java, the Regional People's Representative Council has entertained proposals for the formation of anti-LGBT regional regulations from community organizations.

In respond to that, Arus Pelangi expressed concern that these draft regional regulations will further contribute to the already extensive list of discriminatory regulations against the LGBT community in Indonesia, which currently stands at 48. These examples included the circular letter issued by the Cianjur Regency Government in West Java prohibiting LGBT activities, the Regional Regulation on the Prevention and Control of Sexual Deviant Behavior issued by Bogor, and the Regional Regulation regulating LGBT affairs in Pariaman City, West Sumatra. Shockingly, from 2006 to 2018, a total of 1,840 LGBT individuals were victims of persecution.

In addition to the LGBTIQ community, AJI also discovered numerous online media reports amplifying disinformation and hatred from social media directed at Rohingya refugees. For instance, there were reports falsely accusing Rohingya refugees of destroying flats in Sidoarjo³⁵ and seeking land in Malaysia³⁶.

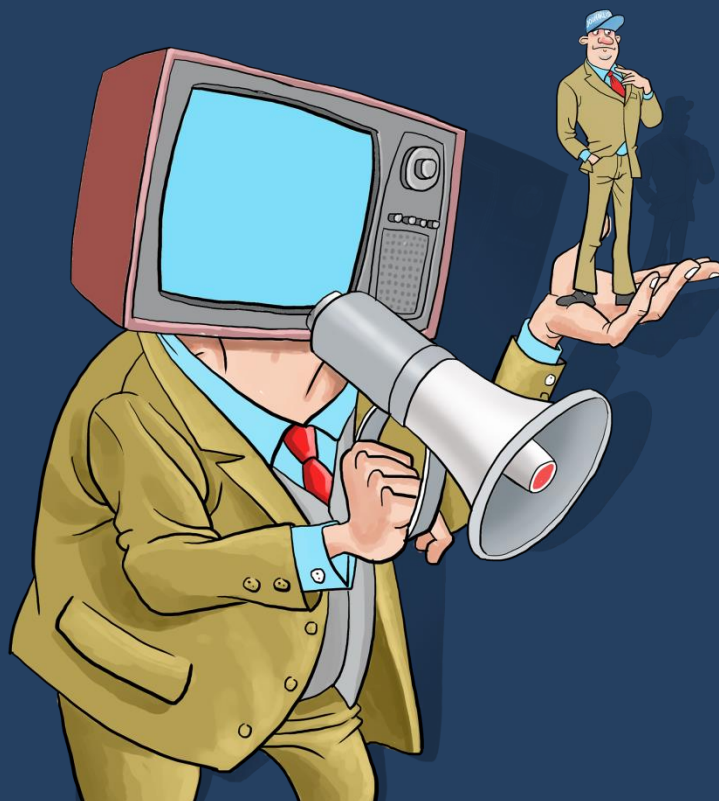
These attacks on social media occurred shortly after a wave of Rohingya refugees arrived on several coasts in Aceh Province in mid-November 2023. The deteriorating conditions in refugee camps in Bangladesh prompted them to undertake perilous sea migration to other countries. The dissemination of disinformation on social media, some of which was amplified by the mainstream media, exacerbated negative sentiments among the people of Aceh and led to acts of violence against the Rohingya refugees who were previously accepted.

³⁵ Berita tersebut beberapa di antaranya di muat oleh Jawapos.com retrieved from: <https://www.jawapos.com/surabaya-rama/013454701/viral-pengungsi-rohingya-di-sidoarjo-ngamuk-dan-rusak-rusun-pemberian-karena-listrik-padam-selama-24-jam> dan Viva <https://bandung.viva.co.id/news/35672-geger-warga-indonesia-dibuat-geram-pengungsi-rohingya-rusak-rumah-susun-di-sidoarjo>

³⁶retrieved from: <https://www.viva.co.id/video/1663749-heboh-pengungsi-rohingya-ngelunjak-minta-hak-tanah-selayang-malaysia>

As a matter of fact, media coverage should prioritize the perspective of upholding the rights of refugees, including refugees who are children and women. This involves reporting the facts about the violence experienced by the Rohingya ethnic group in their home country, their dire conditions as refugees prompting their search for safety in other countries, as well as the responsibilities of the regional and Indonesian governments in dealing with refugees.

It's crucial for the media to recognize that while Indonesia has not ratified the 1951 Refugee Convention and the 1967 Protocol, it is bound by international principles such as non-refoulement, which prohibits the rejection of individuals seeking asylum and protection from persecution in their home countries. Moreover, Indonesia has issued Presidential Regulation (Perpres) No. 125/2016 concerning the Handling of Refugees from Abroad, which comprehensively outlines the division of roles and responsibilities between the central and regional governments, with funding from international organizations to address emergency situations like those currently affecting refugees.



CHAPTER 3

OMNIBUS Law Versus the Future

Down by Omnibus Law

President Jokowi displayed legal acrobatics at the end of December 2022 by signing Government Regulation in Lieu of Law (Perppu) Number 2 of 2022 concerning Job Creation. This Perppu replaced Law Number 11 of 2020 concerning Job Creation, which had been conditionally declared unconstitutional by the Constitutional Court (MK).

Rather than addressing the Constitutional Court's decision to improve the Job Creation Law procedurally and substantively, Jokowi opted for a shortcut to attract investment, disregarding the concerns of workers. Despite widespread protests, the DPR RI, dominated by political parties supporting the Jokowi government, passed the Perppu into law in March 2023.

With this ratification, both the DPR and the government repeated the same mistake in the legislative process by failing to provide meaningful opportunities for public participation. This neglected the principles of forming legislative regulations in a deliberate and inclusive manner, as emphasized in the Constitutional Court's decision.

The Job Creation Law faced significant backlash due to its profound impact on all workers in the country, including those in the media industry. Several provisions in the employment cluster of the Job Creation Perppu are detrimental to workers, covering areas such as severance pay, outsourcing, contract workers, working time arrangements, and collective leave.

The Job Creation Law makes it easier for companies to terminate employment relationships with reduced severance pay compared to the previous Employment Law. For instance, layoffs for efficiency reasons, which previously entitled workers to severance pay twice as stipulated in Article 156 paragraph (2) of the Manpower Law, are now reduced to once. Furthermore, severance pay in some cases fell below the minimum required, citing financial crises within the company.

Additionally, the Job Creation Law impacts the wages of journalists nationwide. The Ministry of Manpower determined that the national average minimum wage only increased by 1.09 percent, a result of the new provision Number 36 of 2021 concerning Wages, directly stemming from the Omnibus Law on Job Creation. The determination of minimum wage under this provision excludes worker involvement.

With insufficient state protection for workers, including journalists, their vulnerability escalates in the digital era. This underscores the *autocratic legalism* evident in the government's approach, characterized by a blend of democratic and authoritarian traits. One symptom of this is the drafting of laws that ostensibly promote people's welfare but conceal autocratic elements within their clauses.³⁷

Post-Pandemic Layoffs Emergency

A letter from Republika Management to its partners, widely circulated on Twitter and other online media on December 14, 2022, brought significant news: they would cease publishing the Republika newspaper edition as of January 1, 2023.

³⁷ Unair News., "Herlambang P. Wiratraman: Hak Asasi Manusia Berparadigma Pasar adalah Politik Hukum dari UU Cipta Kerja", retrieved from: <https://news.unair.ac.id/2020/11/25/herlambang-p-wiratraman-hak-asasi-manusia-berparadigma-pasar-adalah-politik-hukum-dari-uu-cipta-kerja/?lang=id>

"Starting January 1, 2023, we will be fully digital. "We will publish the printed newspaper until the Saturday, December 31, 2022 edition," wrote Arys Hilman, as quoted from IDN Times.³⁸

After three decades since its first publication on January 4, 1993, Republika discontinued its print edition. The newspaper, owned by a group under BUMN Minister Erick Thohir, decided to shift its focus entirely to online services.

The closure of Republika marked the beginning of an increasingly bleak year for print media in 2023. The gloom persisted four months later when PT Media Nusantara Indonesia (MNI) management announced the closure of Koran Sindo on April 17, 2023.

In a letter later published by other online media, PT MNI CEO Sururi Alfarug stated:

"In response to the latest developments and increasing challenges in the media business, the management of PT Media Nusantara Indonesia (MNI) has decided to cease publishing the print and e-paper versions of Koran SINDO starting Monday, April 17, 2023, until a deadline to be determined later."

The decline of print media has become almost annual news due to digital disruption. The Press Companies Union (SPS) reported that in 2021, there were 593 registered print media with the union, but by 2022, only 399 remained. Not only did the number decrease, but print media circulation also dropped from approximately 7.5 million copies per publication to around 5 million copies in 2022.³⁹ There is no latest data for 2023.

³⁸ IDN Times., "Pindah ke Digital, Koran Republika Setop Terbit Per 31 Desember 2022" retrieved from <https://www.idntimes.com/news/indonesia/sonya-michaella/pindah-ke-digital-koran-republika-setop-terbit-per-31-desember>

³⁹ KataData., "Jumlah Media Cetak Terus Merosot, Pers Hadapi Tantangan Distribusi" retrieved from: <https://katadata.co.id/rezzaaji/berita/63ddda9326a15/jumlah-media-cetak-terus-merosot-pers-hadapi-tantangan-distribusi>

The closure of print media has had a severe impact on media workers, especially journalists. The end of print media signifies the end of an era for media workers, including journalists.

The unfortunate trend is not limited to print media; television and online media also faced challenges in 2023, even after the official lifting of the Covid-19 pandemic in June. Several television stations also reduced their workforce in 2023. In mid-September, PT Net Visi Media Tbk, the parent company of Net TV, announced layoffs affecting around 30 percent of its total employees.

"With all considerations in mind, the company has decided to downsize its employees, affecting around 30% of the company's total employees," stated the management of PT Net Visi Media Tbk in an information disclosure on the Indonesian Stock Exchange. As of the end of June 2023, the issuer, codenamed NETV, still had a total of 910 employees, according to KataData.⁴⁰

In the first semester of 2023, PT Net Visi Media Tbk recorded a net loss of IDR 146.4 billion, a 67% increase compared to the first semester of 2022, where the loss was IDR 87.34 billion.

⁴⁰ KataData., "Ada PHK di Net TV, Berapa Jumlah Karyawannya?" retrieved from: <https://databoks.katadata.co.id/datapublish/2023/09/14/ada-phk-di-net-tv-berapa-jumlah-karyawannya>



On May 1, 2023, Labor Day (May Day) was commemorated with the participation of AJI alongside other civil society networks. To assess the welfare conditions of journalists following the enactment of the Job Creation Law, AJI conducted a national survey involving over 400 journalists from across Indonesia.

Photo: AJI Jakarta Archives

Layoffs also affected 12 journalists from the Akurat.co Yogyakarta Bureau. The dismissal occurred when 12 journalists, including reporters and assistant editors, objected to the workload of producing 200 articles per day. While they were still negotiating, the announcement of their dismissal was delivered to them.

Not only were they terminated, but the rights of laid-off workers were often ignored. According to an AJI survey of 428 journalist respondents, around 48 percent were layoffs from previous media companies, with 30 percent of them not receiving severance pay rights.

Initially, the twelve journalists dismissed by Akurat.co management did not receive severance pay rights as stipulated in the Employment Law (which has provisions reduced through the Job Creation Law). Akurat Journalists attempted to assert their rights through bilateral and tripartite means, but to no avail. Seven journalists then decided to take their fight to the Yogyakarta Industrial Relations Court (PHI).

Before the second trial, PT Akurat Sentra Media, the company behind Akurat.co, finally responded to the workers' demands by providing severance pay. It was a hard-fought victory after ten months of struggle.⁴¹

The wave of media worker layoffs, expected to continue in large numbers throughout 2023, signaled an uncertain and potentially bleak future for the journalism profession. Journalists who were laid off often find themselves seeking employment at other media companies, sometimes starting from scratch and facing similar employment challenges.

Some of them opt to become media entrepreneurs, launching their own media ventures—though success is not guaranteed. Others transition to freelance journalism or pursue individual endeavors, such as creating content on social media. Many also explore opportunities outside of journalism altogether.

Data Table of the 2023 Layoff in Media Companies

No	Media	Number of workers laid off
1	Republika	1 wave: around 150 people 2 wave: around 70 people
2	Net TV	30% of employee total
3	Lampung Pos	2 people
4	Tribun Lampung	10 people
5	Radar Lampung	12 people
6	Akurat.co	12 people
7	Tirto	16 people

⁴¹ AJI Yogyakarta, “10 Bulan Digantung, Kasus PHK Jurnalis Akurat Jogja Akhirnya Direspons Perusahaan” retrieved from: <https://ajiyogyakarta.com/10-bulan-digantung-kasus-phk-jurnalis-akurat-jogja-akhirnya-direspons-perusahaan-23221/>

8	METRO TV	12 people
9	CNN TV	around 200 people
10	Viva Grup	Hundreds of people
11	MNC Grup	around 150 people

Source: Processed from various media and interviews

Meager Incomes, Mounting Expenses

Any journalists who are still working do not necessarily have their normative rights fulfilled. AJI has assessed the welfare situation of 428 journalists from all regions in Indonesia, with 57.6 percent working in online media, 22.6 percent in television, 8.8 percent in multiplatform roles, and 5.3 percent in print media.

Among these journalists, 17 percent have worked for less than a year, 21 percent between 1-2 years, 21 percent between 3-4 years, 15 percent between 5-6 years, and 28 percent for more than 7 years.

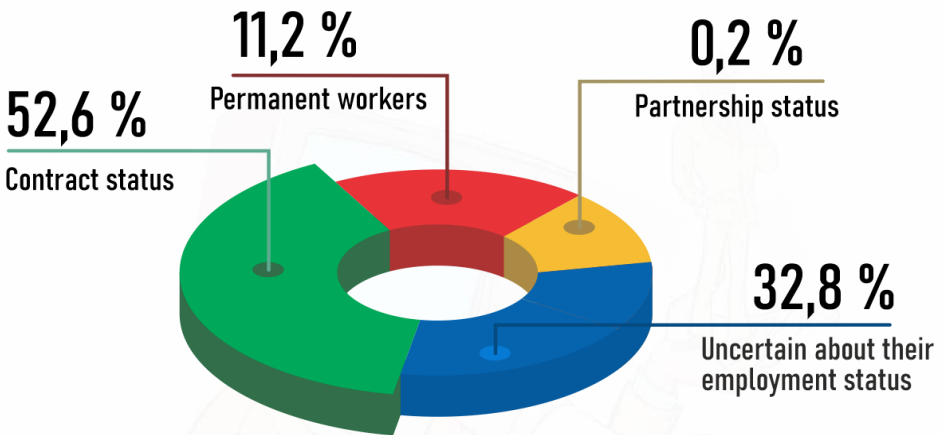
Surprisingly, 32.8 percent of journalists worked without a formal work agreement. Work arrangements were often communicated verbally, via email, or through messaging applications. Meanwhile, only 67.2 percent have signed the work agreement, and merely 43 percent of them possessed a copy of the agreement.

With regard to the work agreement, it outlines the rights and obligations of both employers and employees, including salary, position, work conditions, and responsibilities. While verbal agreements are permissible according to Employment Law No. 13/2003, they are typically only suitable for specific time-bound contracts (PKWTT/contract). Agreements for a fixed duration must be documented in writing.

For journalists who have signed contracts, obtaining a copy is crucial to understanding their work scope and rights protection. Having a copy helps journalists avoid arbitrary treatment by their employers.

Considering the length of service among surveyed journalists, many have been continuously employed for several years, indicating a status akin to permanent employment (PKWT/permanent worker) necessitating a written work agreement.

The survey also revealed that 52.6 percent of journalists have contract status, 11.2 percent are permanent workers, 32.8 percent are uncertain about their employment status, and 0.2 percent claim a partnership status.

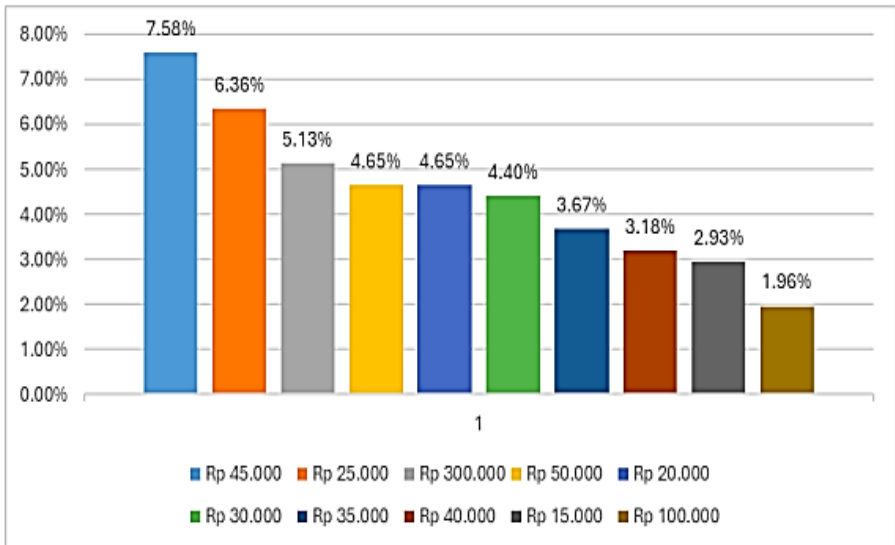


It is evident that journalists are often categorized as perpetual contract workers under titles like correspondent or contributor, enabling companies to evade responsibilities for normative rights, such as monthly wages or allowances. Instead, they are compensated based on the output or viewership of their news reports.

Moreover, 81 percent of journalists' wages, regardless of permanent or contract status, are determined by the number of news units produced and their viewership. Only 18.9 percent are paid based on time units.

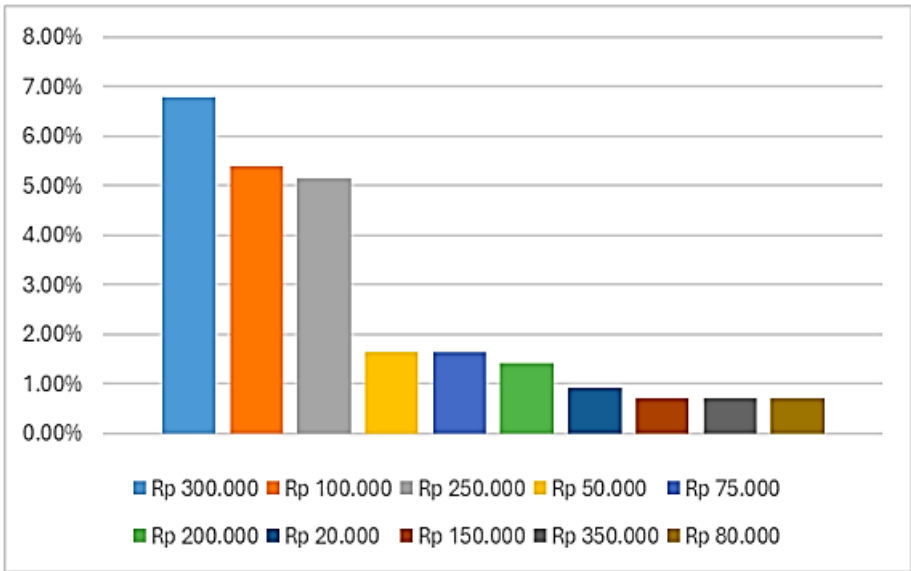
For instance, a journalist in Lampung working for a national press company on a permanent basis for four years earned based on output units. The rates were IDR 35,000 for straightforward news, IDR 75,000 for in-depth coverage, and IDR 15,000 for photos, resulting in an average monthly wage of IDR 800,000—well below Lampung's minimum wage of IDR 2.9 million.

To date, Indonesia is still lack of a standardized minimum wage for any news output units across media companies. News prices are unilaterally set by companies without input from working journalists, allowing some to undervalue news unit prices. This practice often results in very low rates, such as IDR 15,000 to IDR 30,000 for straight news, and even lower for more complex coverage like in-depth reports.



The graph illustrated the findings of straight news unit prices in 2023, sourced from AJI Indonesia

According to the data, the lowest price for photos ranged from IDR 5,000 to USD 300, approximately IDR 4,448,100. Another variation of photo prices fell within the range of IDR 10,000 to IDR 150,000. However, 9 percent of respondents mentioned that photos were not adequately appreciated. On the other hand, the lowest price for audio-visuals (videos) was IDR 15,000, while the highest reached IDR 3.5 million. Other prices fell between IDR 150,000 and IDR 300,000.



The graph illustrated the prices of audio-visual news from several media companies in 2023 in 2023, sourced from AJI Indonesia.

This low wage was significantly disproportionate to the workload journalists bear in the digital era, where quantity and viewership were often prioritized. Although 82.4 percent of respondents did not receive specific targets from their companies, around 5.6 percent had to produce 100 news items. Other respondents reported having to produce 30 (6.5 percent) or 20 (5.6 percent) news stories.

The heavy workload contributes to the mental health challenges faced by journalists. The survey revealed that 35 percent of journalist respondents felt stress levels ranging from 5 to 7, indicating significant mental pressure approaching the level of depression.

In such a work system, journalists become increasingly financially vulnerable and individualized, according to research by Wisnu Prasetya Utomo, a PhD candidate at the School of Journalism, Media, and Communication, University of Sheffield.⁴² Individualization refers to the isolation of journalists due to having to master multiple skills simultaneously, without fostering collective solidarity within the workforce. Consequently, any issues are often seen as individual rather than structural problems requiring structural solutions.

This finding is pertinent to the stagnant number of media workers' unions, with many becoming dormant in recent years. In 2019, out of 210 media companies in Jakarta, only 12 had active media workers unions.⁴³

Independent research conducted by FSPM in collaboration with AJI in 2015 found that out of approximately 2,000 media companies in Indonesia, only 40 labor unions were formed, with only 24 of them being active. This lack of union representation exacerbates journalists' vulnerability in the face of employment challenges in the digital era.⁴⁴

In the end, this low welfare directly impacts journalists' quality of life, their future career prospects, and the quality of the news they produce. Journalists may prioritize sensational and shallow news to attract views due to financial constraints, risking the accuracy and integrity of their reporting, ultimately impacting the public.

⁴² Wisnu Prasetya Utomo, "*Beban kerja besar, finansial rentan: riset temukan 3 dilema profesi jurnalis*", retrieved from: <https://theconversation.com/beban-kerja-besar-finansial-rentan-riset-temukan-3-dilema-profesi-jurnalis-219830>

⁴³ Martinus Danang Pratama Wicaksana, "*Keluh Kesah Pekerja Media di Era Ekonomi Digital*" retrieved from: <https://www.kompas.id/baca/linimasa/2022/06/04/keluh-kesah-pekerja-media-digital>

⁴⁴ Ibid

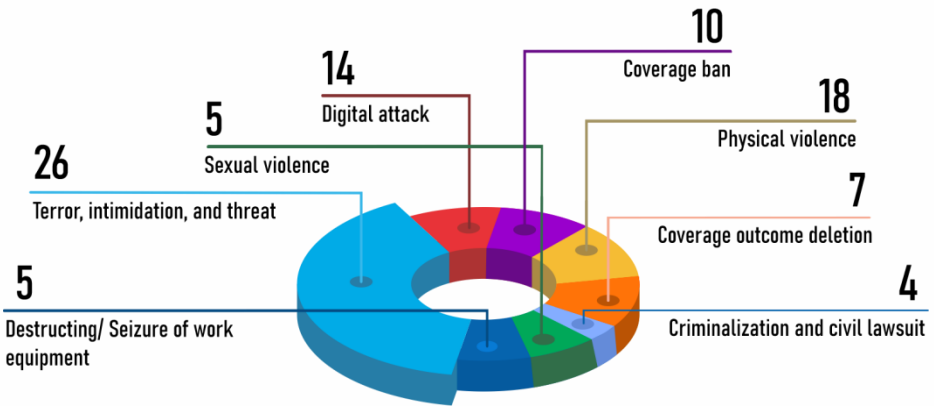
Chapter 4

Escalating Risks in Environmental Issues and Corruption, Perpetuating Impunity and Repression

Increasing Attacks in Political Year

The escalating concern over the security of journalists and media personnel has underscored the critical responsibility they need to bear in delivering credible, accurate, and critical news to the public, especially during political year. In 2023, AJI Indonesia documented a staggering 89 cases of attacks and obstruction, involving 83 individual journalists, 5 journalist groups, and 15 media outlets. This represented a significant uptick from the 61 cases reported in 2022 and the 41 cases in 2021.

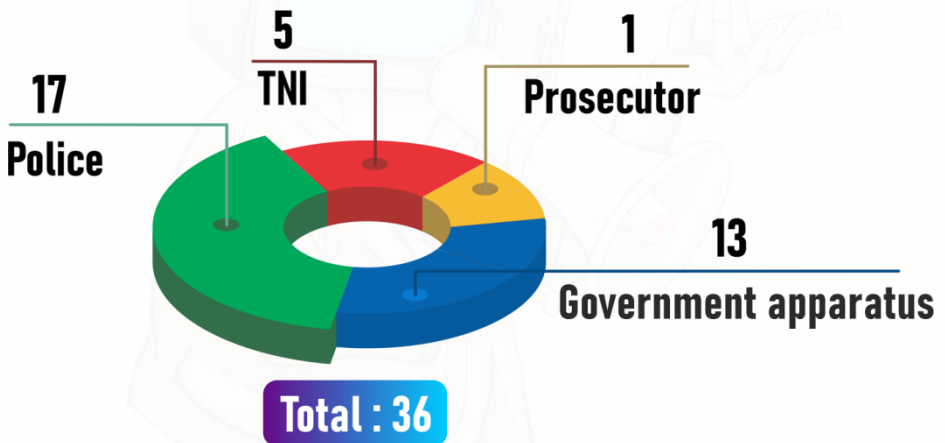
AJI classified these incidents into eight categories. The most prevalent types of attacks in 2023 were terror, intimidation, and threats, with 26 reported cases, followed by physical violence in 18 cases, and digital attacks in 14 cases. Other categories included prohibition of coverage, deletion of coverage results, destruction and confiscation of work equipment, and criminalization and civil lawsuits.



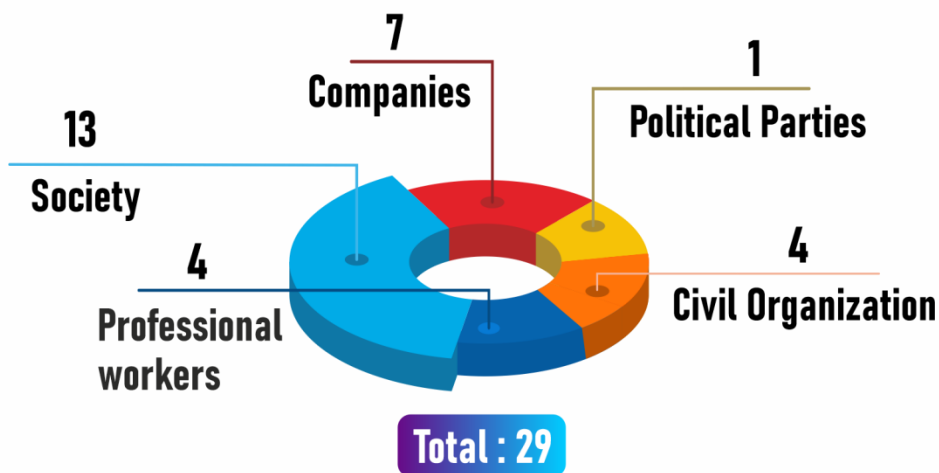
State actors were identified as the perpetrators in 36 cases, with police officers accounting for 17 cases, government officials for 13, TNI (Indonesian National Armed Forces) for 5, and prosecutors for 1. Non-state actors were responsible for 29 cases, including citizens (13 cases), companies (7 cases), community organizations (4 cases), professional workers (4 cases), and political parties (1 case). Additionally, 24 cases involved unidentified perpetrators.

Perpetrators

State Actors



Non-State Actors



Unknown: 24

This pattern mirrors that of 2022, where state actors also topped the list of perpetrators. This underscored a troubling lack of awareness regarding the importance of press freedom, particularly among entities funded by the public, whose duty should be to serve and safeguard public interests. However, the prevalence of violence by state actors reflected a concerning trend toward repression.

AJI also highlighted the challenge of identifying perpetrators in cases of digital attacks, where accountability is elusive. As such, the effective law enforcement by the state is crucial in uncovering and prosecuting such criminals.

In terms of coverage topics, AJI found that the highest incidents of violence occurred in reporting on accountability and corruption (33 cases), followed by social issues and crime (25 cases), and environmental issues and agrarian conflicts (14 cases). These challenges highlight the risks journalists face in their efforts to uphold transparency and accountability.

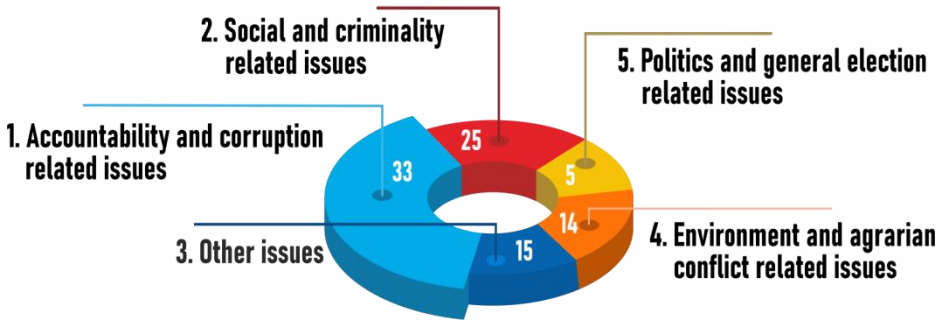
Examples of violence against journalists include a kasamea.com journalist being stabbed while covering alleged corruption in a South Buton cargo airport construction project, female journalists experiencing verbal sexual harassment while reporting on a corruption investigation of Syahrul Yasin Limpo while serving as minister of agricultural, and journalists of Beritasatu.com facing forced deletion of videos while covering irregularities in a school admission process at Bogor Regency.

Other examples related to social and crime topics include five journalists in Surabaya who faced abuse and intimidation while reporting on the closure of discotheques; several journalists in Medan encountered physical violence while covering the reconstruction of an abuse case; and two journalists in Bojonegoro were assaulted by a group of youths affiliated with the Brotherhood of Setia Hati Terate (PSHT) silat school.

The increasing role of journalists in monitoring natural resource exploitation for energy transition and infrastructure development has led to a rise in agrarian conflicts and environmental impacts. Cases such as intimidation of journalists seeking confirmation from a public relations officer and assaults during coverage of riots underscored the challenges faced by journalists in fulfilling their watchdog role.

Further to this, AJI has documented several cases, including the case of Deutsche Welle, a journalist who faced intimidation while attempting to verify information with PT IWIP's public relations in the Central Halmahera district of North Maluku. Next, two journalists in Bandung were assaulted while reporting on the riots at the Dago Elos housing complex. Additionally, a group of journalists in West Sumatra encountered intimidation from the police while covering the forced repatriation of individuals from Air Bangis, West Pasaman district, who were victims of PSN.

Coverage Topics



Intimidation to Sexual Harassment

Terror, intimidation, and verbal threat

AJI documented numerous cases of violence against journalists in 2023, including terror, intimidation, verbal threats, physical abuse, and digital attacks.

In one alarming case of terror, Victor Mambor, a senior journalist in Papua, narrowly escaped harm when a bomb exploded near his home in Angkasapura Village, North Jayapura District.

Victor recounted the terrifying moment when the explosion rocked his home, likening the impact to that of an earthquake. He described how the walls of his house shook violently, and a pungent smell of sulfur filled the air, indicating the severity of the explosion. Crucially, evidence captured by CCTV cameras installed around Victor's residence revealed a motorbike passing by just moments before the blast occurred. Armed with this crucial footage, Victor wasted no time and promptly reported the incident to the Jayapura City Police, hoping to shed light on the circumstances surrounding the alarming attack.

Intimidation tactics were also employed against journalists, as seen in Labuan Bajo, where journalists from Floresa.co were harassed by members of the TNI (Indonesian National Armed Forces) after reporting on a contentious road inauguration by President Jokowi.

Physical Violence

Until now, physical violence against journalists remained a serious concern, with notable incidents such as the assault of two journalists, Awla Rajul and Agung Eko Sutrisno, during coverage of riots at the Dago Elos housing complex in Bandung. The journalists endured brutal attacks by police officers, highlighting the risks journalists face in the line of duty.

During that time, when the demonstration spiraled into chaos, Rajul sought refuge in a nearby resident's house. Despite clearly identifying himself as a journalist, the police proceeded to physically assault Rajul, striking him repeatedly in the stomach, thighs, and arms. They then resorted to pulling his hair and striking his head, leaving noticeable bumps and bruises. Subsequently, Rajul was forcibly taken by the police to another location, where the brutality continued. Even during the transfer, police officers who encountered him continued their assault, grabbing his hair and issuing terrifying threats of "kill or die."

Similarly, Agung Eko Sutrisno, a journalist with Radar Bandung, was targeted by police, sustaining a blow to his shoulder. Fortunately, Eko managed to evade further harm by fleeing and seeking refuge in another resident's house. These distressing accounts underscored the grave risks journalists face while carrying out their duties, as they become victims of violence even in the pursuit of objective reporting.

In another harrowing incident, LM Irfan Mihzan, a journalist in Baubau City, Sulawesi, was viciously attacked by masked assailants outside his home. The attack, believed to be linked to Irfan's investigative reporting on corruption, underscored the dangers journalists confront while exposing wrongdoing.

Digital Attack

In 2023, AJI documented 15 cases of digital attacks, involving 8 media organizations, 5 media crews, and the AJI Indonesia organization. While this figure remains consistent with the previous year's count, it represented a significant increase compared to 2020 and 2021, which saw 7 and 5 cases respectively.

Among the various types of digital attacks, social media and WhatsApp hacking were the most prevalent, comprising 5 cases. Additionally, there were 3 cases each of news web defacement and DDoS attacks, while instances of media site deactivation, social media account deactivation, and doxing each accounted for 1 case.

Illustrating the severity of these attacks, Project Multatul was targeted by two DDoS assaults. The initial attack coincided with the publication of a report detailing a harrowing personal account titled *"Dua Putri Saya Dicabuli, Saya Lapor ke Polres Baubau, Polisi Malah Tangkap Anak Sulung Saya."* Concurrently, a data scraping threat was detected, indicating an attempt to exploit vulnerabilities in the Project Multatul website.

Subsequently, the platform faced another assault, following the release of an investigative report titled *"Rekayasa Gamifikasi Ojol, Memaksa Mitra Bekerja Lebih Lama dan Giat, Bikin Sengsara Level Terendah, dan Memecah Solidaritas "* as part of the #SmallScrews in the BigTech Industry series.

Furthermore, three media organizations, including Flores, Balebengong, and Tribun News, became the victim of news web defacement. Such attacks on non-mainstream news portals like Flores and Balebengong are particularly alarming, as these independent media outlets often prioritize public journalism. These incidents underscored the broader threat posed to press freedom and freedom of expression in the digital age.

Sexual Violence

In 2023, five cases of sexual violence involving female journalists. Among the victims was a journalist from *apahabar.com*, who was assaulted while covering the Ummat Party's National Working Meeting (Rakernas) at the Haji Dormitory in Pondok Gede, East Jakarta, on February 14, 2023.

Furthermore, female journalists from various national media outlets faced verbal harassment while reporting at the Jakarta Corruption Eradication Commission (KPK) building on June 19, 2023. The incident occurred in Building C1, where journalists were present to cover the examination of the Minister of Agriculture, Syahrul Yasin Limpo, who was a witness in a case of alleged corruption. A video circulating from the scene depicted KPK officers making sexist remarks towards female journalists who approached Syahrul for a live interview.

Criminalization and Civil Lawsuits

AJI documented four cases related to criminalization under the ITE Law and one civil lawsuit against journalists in 2023.

One instance involved Patrianus Meo Djawa, a journalist from *flores.tribunnews.com*, who was accused of defamation by a tribal leader. This accusation stemmed from Patrianus' reporting on the blocking of Nagekeo Police Chief Yudha Pranata's car by a group of youths in Aesesa.

Similarly, Sumantri, a journalist from *Wawainews*, faced criminal allegations under the ITE Law and was reported to the Tanggamus Police in Lampung on April 20, 2023. Sumantri's report addressed cuts in Direct Cash Assistance (BLT) from Village Funds in 2022, based on testimonies from local village residents.

Additionally, one media company was subjected to a civil lawsuit involving PT. Banten Berita Merdeka or Media Banten Pos. The lawsuit stemmed from a video podcast featuring NFK, a teacher who allegedly faced criminalization for criticizing the Acting Governor of Banten, Al Muktabar.

Sources Being Targeted

In addition to documenting attacks on journalists and media outlets, AJI also recorded several cases of attacks on news sources throughout 2023. These incidents involved four cases, affecting a total of five individuals.

No	Sources	Form of attacks
1	<p>11 December 2023</p> <p>Agus Rahardjo, former chairman of the Corruption Eradication Commission (KPK), was reported to the Indonesian National Police Headquarters (Mabes Polri) by the Central Leadership Council of the Brotherhood of Activists and Citizens of the Archipelago (DPP Pandawa Nusantara). He was reported following his disclosure of alleged interference in the investigation of the e-ID card case by President Jokowi in 2017, during the Rosi program on Kompas TV on Thursday evening, January 30th.⁴⁵</p>	<p>Reported to the police on allegations of defamation and defamation of the President of the Republic of Indonesia.</p>
2	<p>May 2023</p> <p>Ega Mahendra was accused of defamation in a video podcast aired by PT Banten Berita Merdeka or Banten Pos media, based in Serang. During the podcast, they discussed a</p>	<p>Facing a civil lawsuit filed in the District Court of Serang.</p>

⁴⁵<https://www.cnnindonesia.com/nasional/20231212082102-12-1035988/agus-rahardjo-diadukan-ke-polisi-buntut-sentil-jokowi-di-kasus-e-ktp>

	<p>teacher who was allegedly criminalized for criticizing the Acting Governor of Banten, Al Muktabar.</p>	
<p>3</p>	<p>March 2023</p> <p>The mother of the victims (S) and her legal representative (SS), who disclosed to the media regarding the case of sexual violence against two girls in the city of Baubau, Buton Island, have been reported to the Bau Bau Police Resort.</p>	<p>Reported for alleged defamation under Article 310 paragraph (2) of the Indonesian Criminal Code (KUHP) and Article 27 paragraph (3) of the Information and Electronic Transactions Law (UU ITE) in conjunction with Article 45 of Law No. 19/2016.</p>
<p>4</p>	<p>Reported in February 2021, the case involving Kosala Limbang Jaya, the manager of a gas station in Pasuruan, East Java, was escalated to investigation in October 2023. He was initially reported to the Pasuruan Kota Police on March 15, 2021, after uncovering a military business behind the alleged extortion at Gas Station Number 54.671.08, suspected to be carried out by the Commander of the Combat Engineer Battalion 10/JP Kostrad Pasuruan during the period of 2019-2021. Kosala disclosed this case in the February 28, 2021 edition of Tempo Magazine, titled "Stuck at the Gas Station of Yonzipur." The case involving Kosala was elevated from inquiry to investigation on October 25, 2023.</p>	<p>Reported under Article 310 paragraph (2) of the Indonesian Criminal Code (KUHP) or Article 311 paragraph (1) of the Indonesian Criminal Code (KUHP) regarding the offense of attacking someone's honor or reputation.</p>

Attacks on sources also pose a significant threat to press freedom, as sources are crucial components of journalistic work and are afforded protection under the Press Law. Disputes or objections regarding reporting should ideally be addressed using legal mechanisms such as the right of reply, the right of correction, and complaints to the Press Council.



AJI Indonesia accompanied Kosala Limbang Jaya and Kontras Surabaya to meet with the Press Council to lodge a complaint regarding the issues faced by Kosala. He is a source and the owner of a gas station in Pasuruan City who is facing criminalization after exposing allegations of military involvement in Tempo Magazine's February 28, 2021 edition.

Indonesia boasted important jurisprudence concerning the protection of sources. In 2019, the Supreme Court (MA) issued a landmark ruling in the cassation case of defendant Mohammad Amrullah, who had been reported by a mining company due to statements made as a source in a press report back in 2016.

The decision numbered 646 K/Pid.Sus/2019, resulted in Amrullah being acquitted of all charges. The judges emphasized that news sources cannot be prosecuted under the Defamation Article of the ITE Law. Moreover, they affirmed that the responsibility for journalistic products lies solely with the press media and not with the sources themselves.

The court's conclusion stated, "Persons who are interviewed and subsequently covered, broadcast, and written about do not engage in the distribution and/or transmission and/or making accessible electronic information and/or electronic

documents as long as they do not directly insert them into the electronic system."⁴⁶

This underscores the importance of protecting sources and upholding their right to express opinions and information freely. Robust protection encourages broader public participation in disclosing crimes through whistleblowing. Consequently, it is appropriate for law enforcement agencies to refrain from pursuing criminal cases against sources, and for courts to reject civil lawsuits aimed at silencing them.

Just Law Enforcement

Out of the 89 cases that occurred throughout 2023, 20 of them have been reported to the police. However, the majority, specifically 13 cases that have been reported, have not seen any follow-up, with no updates or suspects identified. Meanwhile, seven other cases have seen progress: Four cases have resulted in the arrest of the perpetrators, two cases have received verdicts from the judges then, one case that was previously closed has had its investigation reopened.

Below is a detailed table outlining the reported cases and their developments:

No	Province	Cases	Reported	Process
1	Nusa Tenggara Timur	Ferdi Talok's house, a journalist from Kilas Timor, was targeted twice by unidentified individuals. The first attack hit the wall of his house on Friday, December 1, 2023. The second assault targeted his window, shattering it on December 4,	Unknown	No suspect has been arrested

⁴⁶ Amar Putusan Kasasi atas perkara Mohammad Amrullah can be downloaded via: <https://putusan3.mahkamahagung.go.id/direktori/putusan/zaeb353f4483fbf8954b313531323231.html>

		2023. Ferdi was subjected to these acts of terror after exposing a gambling case. He has reported the incidents to the Belu Police Resort with police report number: LP.B/309/XII/2023/S PKT/Polres Belu/Polda Nusa Tenggara Timur. ⁴⁷		
2	Nusa Tenggara Timur	Fredrikus Royanto Bau, a journalist from timordailynews.com, along with his family, was intimidated by two unidentified individuals on Monday, November 27, 2023. This intimidation followed Edy's coverage of a gambling case in his area. Subsequently, Edy filed a report with the Belu Police Resort on November 30, 2023.	Unknown	Two individuals have been arrested in connection to the intimidation
3	Nusa Tenggara Timur	The house of journalist Weren Timo, who works for batastimor, was set on fire by unknown individuals on November 26, 2023, shortly after he wrote an article about gambling.	Unknown	Crime scene investigation has been conducted by the regional police station. ⁴⁸
4	Kepulauan Bangka Belitung	Journalist Ichsan Mokoginta from Trasberita.com was attacked with acid on	Unknown	Investigation is on process

⁴⁷<https://www.timordailynews.com/teror-dan-intimidasi-terkait-pemberitaan-judi-terus-terjadi-rumah-wartawan-di-belu-dilempar-otk/>

⁴⁸<https://www.batastimor.com/news/80511085661/polres-belu-ungkap-fakta-hasil-olah-tkp-kasus-kebakaran-rumah-jurnalis-begini-kata-korban>

		<p>November 25, 2023. The incident is strongly suspected to be related to his coverage of several fishermen from Penagan Village, who reported the involvement of certain individuals in backing illegal tin mining in the waters of Penagan to the Commander of the Indonesian National Armed Forces (Panglima TNI). The case has been reported to the West Mendo Police Sector for investigation.</p>		
5	<p>Maluku Tenggara</p>	<p>Journalist Yoseph Leisubun from Carang TV, in the city of Tual, Southeast Maluku, was approached by several individuals driving a car, one of whom struck the journalist's right cheek. The violence occurred in connection with allegations of sexual violence involving the Regent of Southeast Maluku, M. Taher Hanubun. The victim has reported this assault to the Southeast Maluku Police Resort on Tuesday night, September 26, 2023.</p>	<p>DR</p>	<p>An individual has been arrested by Maluku Tenggara Police Station in connection to the crime.⁴⁹</p>
6	<p>Jawa Timur</p>	<p>A journalist in Sumenep district, identified by the initials ER, was assaulted</p>	<p>Unidentified</p>	<p>No further information</p>

⁴⁹ <https://malukupost.com/2023/10/tersangka-pelaku-penganiayaan-wartawan-di-malra-resmi-ditahan/>

		<p>under gun threat while covering allegations of fuel misappropriation at Kaliangget Port in July 2023. ER has reported the incident to the Sumenep Police Resort. However, as the perpetrator is suspected to be a member of the Indonesian National Armed Forces (TNI), the case will be transferred to the Military Police for further investigation.</p>		
7	Lampung	<p>Journalist Diyon Saputra from Lampung TV became the victim of violence while covering the trial of the defendant, Akbar Bintang Putranto, for embezzlement at the District Court of Tanjung Karang, Lampung, on Thursday, July 27, 2023. The victim has filed a report with the Bandar Lampung Police Resort. The report has been registered with the number: LP/B/1108/VII/2023/SPKT/Polresta Bandar Lampung/Polda Lampung.⁵⁰</p>	Ajudan Bupati Lampung Selatan Lampung Selayan Regent Aide	No suspect has been arrested
8	DKI Jakarta	<p>CNN Indonesia TV and Kompas TV journalists were intimidated while covering the Generasi Muda Partai Golkar (GMPG) event at Pulau</p>	Unknown	No suspect has been arrested

⁵⁰<https://www.teraslampung.com/aji-ijti-dorong-kepolisian-usut-tuntas-kasus-ajudan-bupati-lampung-selatan-piting-jurnalis/>

		Dua restaurant in Jakarta on Wednesday, July 26, 2023. A journalist from CNN Indonesia TV officially reported the violent incident to the Jakarta Metro Police on Friday, July 28, 2023.		
9	Sulawesi Tenggara	LM Irfan Mihzan, a journalist from kasamea.com in Baubau City, Southeast Sulawesi (Sultra), experienced violence at the hands of masked assailants. Irfan was attacked with a sharp weapon by two individuals wearing masks.	Unidentified	Two suspects have been arrested
10	Sulawesi Tengah	A female journalist in Palu, identified by the initial N, was harassed while en route to the Central Sulawesi Regional Police Headquarters on Tuesday, June 13, 2023, to cover the National Police Commission (Kopolnas) supervision at the Central Sulawesi Regional Police Headquarters.	Unidentified	No suspect
11	Papua Barat	Mathias Reyaan, a journalist from Nokennews.com and Inews TV stationed in Manokwari, experienced violence and had his equipment confiscated while covering a fire at Wosi Market in West Manokwari District, Manokwari Regency, West Papua, on Tuesday, June 6, 2023.	Unidentified	No suspect

<p>12</p>	<p>Sulawesi Selatan</p>	<p>Sudirman, a journalist from iNews TV (MNC Media) in Bulukumba Regency, South Sulawesi, fell victim to police violence while covering a student demonstration demanding the repeal of the Omnibus Law in Bulukumba on Monday, April 10, 2023.</p>	<p>Police Member</p>	<p>This case has been reported to the Internal Affairs Division (Propam) of Bulukumba District Police, but there has been no information regarding any further action.</p>
<p>13</p>	<p>Papua Barat Daya</p>	<p>The editorial office of Teropong News Media, located at S. Kamundan Km.12 Street, Sorong City, Southwest Papua Barat, was visited by a group of people on Monday, March 13, 2023, around 1:00 PM WIT. They threatened to set fire to the office and kill the employees.</p>	<p>Unidentified group</p>	<p>Under investigation</p>
<p>14</p>	<p>Lampung</p>	<p>Journalist Sumantri from Wawainews faced intimidation by the Head of Way Nipah Village, Tanggamus, in Pematang Sawa Sub-district, Tanggamus Regency, Lampung, identified by the initials APR, on Tuesday, February 28, 2023, after reporting on the</p>	<p>Kakon Way Nipah Apriyal</p>	<p>The defendant Apriyal bin Hanafi was sentenced to 3 months in prison under Article 335 of the Indonesian</p>

		misallocation of Direct Cash Assistance (BLT) Village Funds in 2022.		Criminal Code. ⁵¹
15	Sumatera Utara	Several journalists in Medan experienced physical violence while covering the reconstruction of a case involving assault by two members of the Medan Regional Legislative Council (DPRD), who have been designated as suspects. The reconstruction took place at Higs5 Bar & Lounge on Abdullah Lubis Street, Medan City, on Tuesday, February 27, 2023.	Rakesh	The defendant was sentenced to 1 year under Article 18 paragraph 1 of Law No. 40 of 1999 concerning the Press. ⁵²
16	DKI Jakarta	A female journalist working for an online media outlet in Jakarta was harassed on Tuesday, February 21, 2023. That day, the victim was heading home from her office in South Jakarta, around 7:00 PM WIB. This case has been reported to the South Jakarta Metropolitan Police.	Unidentified	No further information
17	Sulawesi Barat	A female journalist in Mandar was harassed by an unknown man while heading home after completing several activities and interviews with	Unidentified	No further information

⁵¹<https://harianjaraknews.id/terdakwa-apriyal-kakon-waynipah-di-vonis-3-bulan-penjara-ternyata-tidak-langsung-di-tahan/>

⁵²<https://www.detik.com/sumut/hukum-dan-kriminal/d-6823176/preman-ancam-jurnalis-divonis-1-tahun-bui-jadi-contoh-penegakan-uu-pers>

		sources that evening. The victim has reported the incident to the Wonomulio Police Substation.		
18	Papua	Jubi journalist, Victor Mambor, was targeted with an improvised bomb, which exploded right next to his house in Jayapura, Papua, on Monday, January 23, 2023. The terror attack has been reported to the Jayapura City Police.	Unidentified	The Jayapura Police issued a SP3 (Termination of Investigation Letter) on May 12, 2023, but later issued a letter for the plan of further investigation activities.
19	Jawa Timur	Five journalists in Surabaya were subjected to assault and intimidation while covering the sealing of Ibiza nightclub on Jl. Simpang Dukuh, Surabaya, on Friday afternoon, January 20, 2023. The assault was carried out by a group of thugs at the entertainment venue. This incident has been reported to the Surabaya City Police.	A dozen of people, Unidentified	Two suspects have been arrested
20	Jawa Timur	Journalist Misbahul Munir from Jatimnow.com and journalist Mohammad Rizky from Blokbojonegoro.com were assaulted by a group of youths affiliated with the	A young people from PSHT	Under investigation

		Persaudaraan Setia Hati Terate (PSHT) martial arts group in Bojonegoro, East Java, on Thursday, January 5, 2023. The case has been reported to the District Police.		
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Source: Compiled from various media reports.

The Alliance of Independent Journalists (AJI) appreciated the Judges of the Medan District Court for ruling against the perpetrator of journalist violence, Jai Sanker alias Rakes, sentencing him to 1 year in prison. The panel of judges invoked Article 18 paragraph (1) of Law No. 40 Year 1999 concerning the Press to adjudicate the case, as it was proven that he obstructed journalistic work by threatening journalists in the field.

Until now, Article 18 of Law No. 40 Year 1999 has rarely been used by any judges to adjudicate cases of violence against journalists. Most cases involving journalists were adjudicated under the Indonesian Criminal Code (KUHP), as seen in the case of journalist violence against Sumantri from Wawainews, who was intimidated by the Village Head of Way Nipah, Tanggamus, Lampung.

The Panel of Judges at the District Court of Kota Agung Tanggamus, handling the case above, sentenced the defendant to 3 years in prison by charging him under Article 335 of the Indonesian Criminal Code concerning offensive acts.

To note, the use of Press Law in every law enforcement action against crimes committed against journalists and media is crucial to demonstrate that the attacks differ from ordinary violence. Any assault on journalists related to journalistic activities constitutes an attack on press freedom guaranteed by various international human rights instruments, constitutions, and Indonesian laws. Any direct attacks made on journalists directly impede other human rights, particularly the public's right to information. This indicates that law enforcement agencies, from the police institution to judges, have not fully understood Press Law and the importance of protecting press freedom.

AJI also condemned the North Jayapura Police Substation for issuing Termination of Investigation Letter (SP3) No. S.TAP/45/V/2023/Reskrim on May 12, 2023, regarding the bomb terror case targeting Papua journalist, Victor Mambor, on January 23, 2023. The SP3 decision concluded that investigators only obtained indicative evidence and did not find any chemical substances potentially used as explosives in the evidence.

Whereas forensic laboratory results showed that the evidence, including 14 packets of plastic samples, tested positive for containing explosive compounds and easily flammable substances. Additionally, 27 packets of cotton samples also tested positive for containing easily flammable chemicals. Moreover, the North Jayapura Police Substation's Criminal Investigation Unit has examined 6 witnesses, including the reporting witness and one expert witness, as well as two CCTV videos recording the perpetrator.

The SP3 issued on May 12, 2023, was never notified to Victor Mambor as the reporter. Victor only learned about the SP3 after receiving a copy of a letter from the Papua Regional Police from the Papua Representative of the National Human Rights Commission (Komnas HAM) on October 14, 2023. The letter from the Regional Police contained an explanation in response to Komnas HAM Papua's inquiry on May 2, 2023, regarding the progress of the investigation into the bomb terror case against Victor Mambor.

After civil society protested the issuance of the SP3 in October 2023, investigators then sent a notice of investigation progress (SP2HP) with Number B/20.a/XI/2023/Reskrim on November 28, 2023, regarding the plan for further investigation activities.

The unclear status of law enforcement in Victor Mambor's case contributed to the threat to press freedom in Papua, which may worsen in the future. Thus far, Papua has been the most dangerous area for journalists due to the difficulty in accessing information and foreign journalists. The terror against Victor Mambor is not the first incident, yet none of the cases have been successfully solved.

Chapter 5

2024 Outlook; Challenges and Hopes

Challenges: From Regulation to Security Risks

The media and journalists will face increasingly significant challenges in 2024, coinciding with colossal agendas such as the General Election on February 14, 2024, and simultaneous regional elections on November 27, 2024, featuring 37 gubernatorial elections and 508 elections for regents/mayors. As mentioned earlier, the 2024 General Election is a crucial turning point for the future of democracy in Indonesia.

From a regulatory standpoint, 2024 is once again overshadowed by the second revision of the ITE Law, enacted by President Jokowi in early January. Instead of addressing longstanding problematic articles, AJI and the Civil Society Coalition found that the changes to this law still retain old issues. Problematic articles include Article 27 paragraphs (1) to (4), often used to criminalize civilians; Article 28 paragraphs (1) and (2), frequently used to silence criticism; and sentencing provisions in Articles 45, 45A, and 45B.

The DPR (House of Representatives) together with the Government also added new provisions, including Article 27A regarding attacks on honor or reputation. This provision remains flexible and has the potential to criminalize critical citizens. Additionally, there are Article 28 paragraph 3 and Article 45A paragraph (3) regarding false information notification, which already have equivalents in the new Criminal Code. This article has the potential for multiple interpretations

as there is no further explanation of what constitutes false information in this provision.

Furthermore, alongside the clauses pertaining to penalties, the second iteration of the ITE Law maintains Article 40, which confers substantial authority upon the government to obstruct access to information believed to disrupt public order and infringe upon legal statutes.

The compilation of contentious provisions within the second amendment of the ITE Law is appended to this documentation.

In addition to the ITE Law, the Personal Data Protection (PDP) Law will also be enacted in October 2024. AJI and the Legal Aid Institute for the Press (LBH Pers) assessed that the implementation of the PDP Law could pose dangers to press freedom because it did not include exemptions for the processing of personal data for journalistic purposes, based on the content of the PDP draft regulation at that time.

It is imperative to include provisions for journalistic purposes in order to prevent the imposition of restrictions or censorship on reporting under the pretext of infringing upon individuals' privacy rights. Indonesia should also take heed of the lessons from other nations, where laws governing personal data protection have been utilized to launch Strategic Litigation Against Public Participation (SLAPP) lawsuits targeting journalistic endeavors aimed at serving the public interest.

Moreover, exemptions for journalism within personal data protection laws have been incorporated into legislation across numerous countries. For instance, the General Data Protection Regulation (GDPR) within the European Union acknowledges that privacy rights are not absolute and acknowledges the importance of accommodating journalistic interests in order to strike a balance between safeguarding personal data and upholding the rights to freedom of expression and information.

Therefore, a failure to accommodate the matter by the Ministry of Communication and Information Technology (Kominfo) to consider journalistic

concerns during the enforcement of the PDP Law may pose a risk to press freedom.

Meanwhile, local journalists and media face significantly higher security risks. Violence may not always be directly linked to their coverage of electoral issues but can also intersect with matters of local government accountability, public official corruption, and agrarian conflicts.

According to data collected in 2023, the overall number of violent incidents is notably higher outside of DKI Jakarta. Another concerning aspect is that not all journalists have received comprehensive security training, and there remains a low level of media responsibility in safeguarding their journalists. Furthermore, legal assistance and advocacy services are predominantly centralized in provincial capitals.

In terms of economic security, if media businesses fail to improve, ongoing waves of layoffs are expected to persist, posing a continued challenge to the welfare of journalists.

Is there still a glimmer of hope?

In light of the concerning news mentioned earlier, it's crucial to nurture and spread hope. Preserving democracy in the future necessitates encouraging more media organizations to rediscover their core purpose of serving the public and holding those in power accountable.

Media and journalists cannot operate in isolation; they must collaborate with a wider range of independent civil society groups to promote electoral integrity. Let's mobilize as many supportive entities as possible to inspire hope for all:

1. Indonesia is fortunate to have numerous independent media outlets across the country, from Jakarta to Papua, dedicated to upholding public-interest journalism. These outlets should be reinforced through backing for business models that facilitate the practice of critical journalism.

2. Collaborative efforts within civil society to oversee elections through various initiatives should be complemented by media outlets, which should thoroughly investigate any reports of alleged misuse of state resources to benefit specific candidates.
3. Civil coalitions addressing numerous public issues such as the ITE Law, the Criminal Code, Personal Data Protection, content moderation, fact-checking, or election-related matters will have a direct impact on press freedom.
4. The expansion of public attorney networks for press freedom issues, initiatives to establish Journalist Safety Committees in various regions, and coalitions advocating for journalist independence and security are crucial for providing advocacy services and legal assistance.
5. Diverse fellowship programs for journalists covering various topics provide initial support for sustaining the journalism profession while enhancing their independence and capacity to monitor electoral integrity.
6. The establishment of an Anti-Violence Against Journalists Task Force under the Press Council could present an opportunity to advocate for law enforcement that supports press freedom.
7. Credible and independent foreign media outlets serve as critical allies in monitoring democracy and the conduct of Indonesian elections.
8. The continued presence of several labor unions and the emergence of new media worker unions are essential assets in addressing welfare issues.

Hopefully, there are still many other pieces of good news!

Appendices

Potentially Problematic Articles in the Second Revision of the ITE Law

No	Vulnerable Articles	Potential Issue
1.	<p>Article 27, Paragraph 1</p> <p>Any person who intentionally and without authority disseminates, exhibits, distributes, transmits, and/or makes electronically stored Information and/or Electronic Documents accessible to the public, which contain content that violates decency, to be known publicly.</p>	<p>This article may pose risks to journalists who are victims of online gender-based violence (GBV). The element of decency is quite vague and often misinterpreted by law enforcement authorities. Its interpretation does not show bias towards women who are victims of GBV/GBE. Moreover, Indonesia already has passed the Anti-Sexual Violence Law.</p>
2.	<p>Article 27A</p> <p>Anyone intentionally attacking the honor or reputation of another person by accusing them of something with the intention of making it known to the public through Electronic Information and/or Electronic Documents conducted through Electronic Systems.</p> <p>Explanation The term "attacking the honor or reputation" refers to acts that degrade or damage the reputation or dignity of another person to their detriment, including defamation and/or slander.</p>	<p>The explanation provided for Article 27A is also ambiguous as there is no clear standard for what constitutes behavior that degrades. Meanwhile, criminal law is supposed to be <i>lex certa</i>, meaning it must be clear to provide certainty. Thus, the explanation of this article still has the potential to criminalize critical members of society advocating for their rights when expressing opinions but are subject to power relations and criminalization.</p>

	<p>Article 45 paragraph (4)</p> <p>Any person who intentionally attacks the honor or reputation of another person by accusing them of something, with the intention of making it known to the public in the form of Electronic Information and/or Electronic Documents, carried out through Electronic Systems as referred to in Article 27A, shall be punished with imprisonment for a maximum of 2 (two) years and/or a fine of up to Rp400,000,000.00 (four hundred million Indonesian Rupiah).</p> <p>Article 45 paragraph (6)</p> <p>In the event that the act as referred to in paragraph (4) cannot be proven true and is contrary to what is known, despite being given the opportunity to prove it, the offender shall be punished for defamation with imprisonment for a maximum of 4 (four) years and/or a fine of up to Rp750,000,000.00 (seven hundred and fifty million Indonesian Rupiah).</p>	
<p>3.</p>	<p>Article 28 paragraph (2)</p> <p>Any person who intentionally and without authority distributes and/or transmits Electronic Information and/or Electronic Documents that incite, invite, or influence others to generate</p>	<p>Although hate speech should be conducted in public, the term "transmission" is still used. Also, the inclusion of the word "individual" has the potential to complicate implementation, making it difficult to distinguish between individual insults and</p>

	<p>feelings of hatred or enmity towards individuals and/or certain groups of society based on race, nationality, ethnicity, skin color, religion, beliefs, gender, mental disability, or physical disability.</p> <p>Article 45A paragraph (2)</p> <p>Any person who intentionally and without authority distributes and/or transmits Electronic Information and/or Electronic Documents that incite, invite, or influence others to generate feelings of hatred or enmity towards individuals and/or certain groups of society based on race, nationality, ethnicity, skin color, religion, beliefs, gender, mental disability, or physical disability as referred to in Article 28 paragraph (2) shall be punished with imprisonment for a maximum of 6 (six) years and/or a fine of up to Rp1,000,000,000.00 (one billion Indonesian Rupiah).</p>	<p>hate speech.</p>
<p>4.</p>	<p>Article 28 paragraph 3</p> <p>(3) Any person intentionally disseminating electronic information and/or electronic documents known to contain false information causing public unrest.</p> <p>Explanation</p> <p>"Riot" refers to conditions that disrupt public order in physical</p>	<p>The determination of whether an information is false or not can be biased, especially when involving specific institutions with conflicts of interest. Journalists who disseminate critical news via social media may be ensnared by this article. Additionally, the criteria for defining public unrest that disrupts public order are unclear.</p>

	<p>spaces, not conditions in the digital/cyber realm.</p> <p>Article 45A paragraph (3)</p> <p>Any person intentionally disseminating Electronic Information and/or Electronic Documents known to contain false notifications causing public unrest as referred to in Article 28 paragraph (3) shall be punished with imprisonment for a maximum of 6 (six) years and/or a fine of up to Rp1,000,000,000.00 (one billion rupiahs).</p>	
<p>5.</p>	<p>Article 40</p> <p>(2) The Government protects the public interest from all types of disruptions resulting from the misuse of Electronic Information and Electronic Transaction that disturb public order, in accordance with the provisions of the legislation.</p> <p>(2a) The Government is obliged to prevent the dissemination and use of Electronic Information and/or Electronic Documents that contain prohibited content in accordance with the provisions of the legislation.</p> <p>(2b) In carrying out prevention as referred to in paragraph (2a), the Government is authorized to</p>	<p>Article 40, paragraph (2a): The qualification provisions regarding information deemed to violate the legislation as a prerequisite for preventing dissemination and use of information may refer to legislation that is multifaceted and lacks clear standards. The Government is required to prevent the dissemination and use of electronic information as long as the prerequisite conditions are met, which are too easy to fulfill, thus opening up the potential for abuse of power. Definitional issues occur from umbrella regulations to their derivative regulations.</p>

<p>terminate access and/or instruct Electronic System Providers to terminate access to Electronic Information and/or Electronic Documents that contain illegal content.</p> <p>(2c) Instructions to electronic system providers as referred to in paragraph (2b) in the form of access termination and/or content moderation independently against electronic information and/or electronic documents containing pornography, gambling, or other content as referred to in the provisions of the legislation as far as possible technologically.</p> <p>(2d) In carrying out prevention as referred to in paragraph (2a), the Government is authorized to instruct electronic system providers to moderate content against electronic information and/or electronic documents containing content harmful to the safety of life or the health of individuals and society.</p>	<p>Article 40, paragraph (2b):</p> <ol style="list-style-type: none"> 1. The authority to define information containing illegal content is considered too broad because it can be linked to problematic articles, especially those with ambiguous interpretations, thus opening the potential for categorizing any information as illegal. 2. The mechanism for access termination is entirely in the hands of the Government, with no oversight mechanism from other institutions regarding access termination actions. 3. The unclear scope of access termination allows it to be carried out extensively, potentially resulting in significant losses both materially and immaterially. <p>Article 40, paragraph (2c):</p> <p>The phrase "other content as referred to in the provisions of the legislation" can be abused for excessive censorship. This phrase may refer to content deemed illegal in Indonesia. Research from the Center for Digital Society (2023) found that Indonesia has no clear distinction</p>
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		<p>between illegal content and harmful content. Terms like hate speech and defamation in Indonesian national law are ambiguous. In the 2023 revision of the Criminal Code, these articles were maintained, including defamation against the president/vice president and state institutions. Thus, this phrase can lead to excessive censorship, including content considered to defame the government.</p> <p>Article 40, paragraph (2d): There is no clear definition of content moderation. Content moderation can be understood by law enforcement authorities as blocking or removing content or users.</p>
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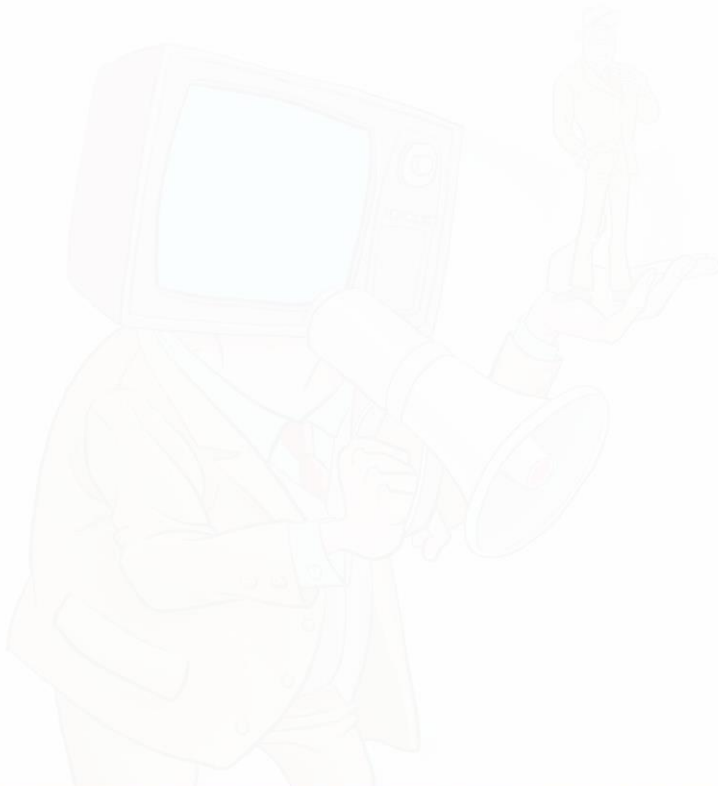
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Alliance of Indonesian Independent Journalists, 2024
Jl. Kembang Raya No 6 Kwitang, Senen, Jakarta Pusat
Daerah Khusus Ibukota Jakarta 12820
Telepon : (6221)3151214, Fax (6221)3151261
E-mail : sekretariat@ajiindonesia.or.id
Web : www.aji.or.id

