

Document #2001003

Freedom House

Freedom on the Net 2018 - Indonesia

Key Developments:

June 1, 2017 - May 31, 2018

- Social media platforms suffered from blocking under the pretext of countering fake news, terrorism, and pornography, while LGBTI content was continually targeted for censorship (see Blocking and Filtering).
- The government launched “Cyber Drone 9” a crawler system driven by artificial intelligence (AI) tools designed to proactively detect content violations and flag content for blocking (see Blocking and Filtering).
- In May 2018, the parliament adopted amendments to the 2003 Eradication of Criminal Acts of Terrorism Law (CT Law) that give the authorities sweeping surveillance powers in the fight against terrorism, which is broadly defined (see Surveillance, Privacy, and Anonymity).
- Fewer incidents of physical violence and threats aimed at internet users who posted critical content about dominant religious groups were reported in the past year (see Intimidation and Violence).

Introduction:

Internet freedom in Indonesia improved slightly in the past year due to decreasing violent attacks and threats against citizens for their online activities compared to the previous year.

Nevertheless, censorship of online content remained prevalent. Over the past year, more social media platforms suffered from blocking under the pretext of countering fake news, terrorism, and pornography. In July 2017, the MCI blocked 11 Telegram domain name system (DNS) servers due to terrorism-related content. The blocking was reversed after Telegram’s chief executive met the minister and committed to comply with national regulations and undertake internal filtering aimed at terrorism-related material. LGBTI-related content was also continually subject to blocking. In January 2018, in response to a government request, Google reportedly agreed to remove 73 applications from its online Play store whose content included LGBTI themes.

The government’s capacity for blocking and filtering increased in January 2018 with the launch of “Cyber Drone 9,” a crawler system driven by artificial intelligence (AI) tools designed to proactively detect content violations. A specialized task force of 58 people monitor the new system and review the material it flags for blocking.

Revisions to the Information and Electronic Transactions Law passed in November 2016 were designed to decrease the use of pretrial detention measures in online defamation cases. But lengthy detentions continued to be documented during the coverage period, particularly in cases involving powerful complainants. In a positive development, there were fewer incidents of physical violence and threats aimed at internet users who posted critical content about dominant religious groups compared to the previous year.

Obstacles to Access:

While smartphone use is increasing, overall internet penetration in Indonesia remained reached 50 percent. This is mainly due to the geography of the country, which consists of 17,000 islands, and a concentration of economic development in the western islands of Java and Sumatra.

Availability and Ease of Access

Although internet penetration is steadily increasing, connectivity remains highly concentrated in the western part of the archipelago, particularly on the island of Java. This pattern continued in 2018 despite the fact that infrastructure development in the underserved eastern part of the country is an official priority. The disparity is evident in the information and communication technology (ICT) development index issued by the National Bureau of Statistics, in which five eastern provinces received the lowest ranking from 2015 to 2017.¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote1sym>)

The rise in internet penetration is driven largely by rapid growth in the number of mobile subscriptions. The low number of fixed-line subscribers stems from the lack of infrastructure, which limits coverage and keeps the price of monthly subscriptions high.

This year, internet penetration reached 50 percent of the population, or about 132.7 million people.² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote2sym>) A survey conducted by the Indonesian Internet Service Provider Association (APJII) recorded a slightly higher number, with 143.26 million people online.³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote3sym>) Mobile phones remain the most popular means of access. The We Are Social consultancy found that 60 percent of the adult population are smartphone users, and the average time spent online through any device is about 8 hours and 51 minutes per day.⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote4sym>) It is common for mobile internet users to own multiple SIM cards and devices, as many shop around for better signal quality and lower prices. However, in October 2017, the Ministry of Communication and Information (MCI) introduced a new regulation for SIM card users, limiting each owner to a maximum of four active cards and requiring users to register them by submitting their national identity and family card numbers.⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote5sym>)

Affordable devices are available; phones with Android operating systems start at about US\$30. However, affordable prepaid mobile packages are not as readily available in underserved areas of the country. Mobile internet users in Papua, Nusa Tenggara, and the Maluku Islands pay more for the same amount of data than those in Java due to market domination by Telkomsel.⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote6sym>)

The MCI has committed to allocating Universal Service Obligation Funds to subsidize internet access in the eastern part of the country.⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote7sym>)

Uneven costs exacerbate a significant digital divide. Over 70 percent of internet users are based in urban areas, according to official 2015 statistics.⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote8sym>) In 2017, the APJII survey reported that internet users in Papua and Maluku accounted for just 2.5 percent of the country's total, with a penetration rate of 42 percent. By contrast, Java accounted for over 58 percent of the user population, with a penetration rate of 57.7 percent.⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote9sym>) The survey also recorded an increase in women's representation in the internet-using population, to 48.6 percent from 47.5 in 2016; men make up 51.4 percent of those using the internet.

In urban areas, most shops, cafés, public libraries, and schools provide free Wi-Fi.

Restrictions on Connectivity

In general, restrictions on connectivity arise from technical constraints, as the internet infrastructure is not equally distributed across the country. Another factor is the ICT market structure, in which infrastructure development depends on major telecommunications companies that benefit from public-private partnership schemes.

Only recently has internet connectivity been restricted for religious reasons, as in March 2018, when the island of Bali observed a day of silence (Nyepi) as part of its Hindu New Year practices. The local government asked major mobile network operators to switch off internet service for the day, and the plan spurred considerable debate on social media. The APJII, which was similarly asked to switch off home internet connections, said it needed to study the request, leaving open the option of delaying enforcement until the following year’s Nyepi observance. The controversy led the MCI to intervene, and the service suspension was ultimately applied only to mobile connections provided by major telecom companies; fixed-line connections remained active during the Nyepi period.¹⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote10sym>)

PT Telekomunikasi Indonesia Tbk, a majority state-owned company known as Telkom Indonesia, dominates the telecommunications market and is a major player in infrastructure development. Internet infrastructure in Indonesia is otherwise decentralized, with several connections to the global internet.¹¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote11sym>)

Most base transceiver stations (BTS) and other components of the telecommunications infrastructure are built by private providers. Therefore the distribution of transceiver stations to a large extent reflects the market dominance of the major players, led by Telkomsel, the top BTS owner and a subsidiary of Telkom Indonesia.

In 2017, the government reported completing 74 percent of the 2,275 km “West” section of the Palapa Ring project, a three-part network of broadband backbone infrastructure extending across the country.¹² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote12sym>) The “East” section, which presumably is the most crucial for eliminating the disparity in access between the western and eastern provinces, had much further to go, with just 18 percent of 6,878 km completed as of late 2017. The “Central” section had reached 35 percent of a planned 2,995 km. Telkom Indonesia had previously connected Papua and other eastern areas with the existing broadband network through the Maluku Ring cable system,¹³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote13sym>) and in 2015 launched the Sulawesi Maluku Papua Cable System (SMPCS), an undersea fiber-optic cable that connected 34 million people formerly served by satellite connections with limited bandwidth.¹⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote14sym>)

The first internet exchange point, the Indonesia Internet Exchange, was created by APJII to allow internet service providers (ISPs) to interconnect domestically.¹⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote15sym>) An independent internet exchange point, Open IXP, was launched in 2005,¹⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote16sym>) and starting in 2016 membership in the APJII was opened to non-ISPs.¹⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote17sym>)

ICT Market

Internet and mobile service is generally provided by large telecom companies, some of which have partial state ownership.

In 2017, of the 500 telecommunication service licenses issued by the MCI, 312 were ISP licenses.¹⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote18sym>) The APJII has criticized the high costs associated with obtaining an ISP license under the Law on Post and Telecommunication.¹⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote19sym>)

The fixed-line market is still in an early stage of development, with about 4 percent penetration in 2016, while fixed-line broadband penetration stood at 1.7 percent.²⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote20sym>) The lack of existing

infrastructure requires ISPs to invest heavily in development, so only major companies are able to compete. As a result, Telkom Indonesia has dominated this market.²¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote21sym>)

As the mobile market approaches saturation, four providers serve roughly 90 percent of subscribers.²² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote22sym>) As of 2016, market leader Telkomsel, Telkom Indonesia’s mobile subsidiary, reported 174 million subscribers.²³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote23sym>) Its closest rival, Indosat Ooredoo, reported 86 million subscribers for the same period.²⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote24sym>) Telkom Indonesia and Indosat Ooredoo are 51 percent and 14 percent state owned, respectively.²⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote25sym>)

Regulatory Bodies

The Directorate General of Post and Telecommunication Resources and the Directorate General for Informatics Application oversee internet services under the MCI. Their mandates include supervising private telecom providers and regulating the allocation of frequencies for telecoms and data communications, satellite orbits, and ISP licenses. The latter directorate also has some responsibility for content regulation. In 2016, new directors general were appointed in an internal restructuring.²⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote26sym>)

In 2003, a more independent regulator, the Indonesia Telecommunication Regulatory Body (BRTI), was established to ensure fair competition among telecommunications business entities, to resolve industry conflicts, and to develop standards for service quality. However, the body lacks executive power and can only make recommendations. As a result, it fails to intervene in relevant fraud or corruption cases,²⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote27sym>) and its effectiveness remains limited.²⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote28sym>) The appointment of the head of the MCI’s Directorate General of Post and Telecommunication Resources as chair of the BRTI raised concerns over its independence;²⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote29sym>) since 2016, following the MCI restructuring, both the BRTI chair and the vice chair have represented the MCI.³⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote30sym>) Otherwise, the composition of the 2015–2018 BRTI is fairly balanced, with members including three government officials and six from civil society.³¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote31sym>)

Limits on Content:

Social and political content continued to be blocked during the coverage period as the government asserted control over social media platforms. Services including Telegram and Tenor were subject to blocking due to pornographic material and national security issues. Political content on the Papua region and applications serving the LGBTI (lesbian, gay, bisexual, transgender, and intersex) community were also blocked. The government’s capacity for blocking and filtering increased as the MCI launched a new system operated by a special task force within the ministry. Content manipulation and fake news remained common, especially targeting President Joko Widodo and his administration’s performance.

Blocking and Filtering

Online content is frequently blocked for violating laws or social norms. The affected material can include political information, criticism of Islam, and websites serving the LGBTI community. Authorities also target “hate speech,” though police have sometimes interpreted the term to include hostile expression against public officials as well as attacks on minority groups.

Several government agencies are able to restrict online content under the Information and Electronic Transactions Law (ITE Law), provided that limitations are in the public interest and intended to maintain public order.³² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote32sym>) A separate statute provides a legal framework to block content considered pornographic,³³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote33sym>) while a 2014 decree

issued under the ITE Law expanded official powers to allow blocking of "negative content."³⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote34sym>) Amendments to the ITE Law passed in November 2016 further strengthened the legal foundation for blocking content, but they failed to improve transparency, oversight, or the process for appeal (see Legal Environment).³⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote35sym>)

Under Article 40 of the amended law, the MCI may now prevent access to online information directly, or order ISPs to do so.³⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote36sym>) The MCI announced plans in 2015 to automate and potentially centralize the blocking process, but updates regarding the new censorship system had yet to be made public during the coverage period.³⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote37sym>) Separately, in May 2017, a presidential decree established a new National Cyber and Encryption Agency, which operates under the Ministry of Politics, Law, and Security.³⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote38sym>) The agency has the authority to filter and monitor online content, adding to the list of institutions empowered to censor the internet.

In January 2018, the MCI launched "Cyber Drone 9," a crawler system driven by artificial intelligence (AI) tools designed to proactively detect content violations. It replaces the Trust+ system, which relied on a passive database.³⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote39sym>) A specialized task force of 58 people monitor the new system and review the material it flags for blocking; the blocking itself is still carried out by ISPs. Each ISP may employ its own software for blocking and thus may blacklist additional sites at their own discretion. This has increased the likelihood of arbitrary, inconsistent blocking, creating uncertainty for users seeking redress when content is wrongfully blocked.

For example, Netflix continued to be inaccessible for Telkomsel's users despite the absence of a formal blocking notification from the MCI.⁴⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote40sym>) The ministry did not intervene when Telkom first blocked Netflix in early 2016, declaring that the company was operating illegally without proper licensing, and that it was exposing internet users to violence and pornographic scenes prohibited by law. Although Netflix remained available via other ISPs, it is excluded from Telkomsel connections pending an agreement to partner with Telkom subsidiaries.

In 2017, the MCI reported that a total of 787,662 pieces of content were blocked, based in part on 60,135 reports filed by internet users.⁴¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote41sym>) The number of reports increased tenfold over the total of 6,357 received in 2016.⁴² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote42sym>) However, the total number of items blocked due to "negative content"—mostly pornography—increased only slightly, from 773,097 in 2016.⁴³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote43sym>) In July 2018, the MIC announced it had blocked around 850,000 items of "negative content."⁴⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote44sym>)

Over the past year, more social media platforms suffered from blocking under the pretext of countering fake news, terrorism, and pornography. In July 2017, the MCI blocked 11 Telegram domain name system (DNS) servers due to terrorism-related content. The blocking was reversed after Telegram's chief executive met the minister and committed to comply with national regulations and undertake internal filtering aimed at terrorism-related material.⁴⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote45sym>)

LGBTI-related content continued to be subject to blocking. In January 2018, in response to an MCI request, Google reportedly agreed to remove 73 applications from its online Play store whose content included LGBTI themes.⁴⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote46sym>) The MCI had initially ordered service providers to block social networking apps serving the LGBTI community, including Grindr, Blued, and BoyAhoy, in September 2016. MCI spokesperson Noor Iza said the apps would be blocked for promoting "sexual deviance."⁴⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote47sym>)

Pornography remained one of the most common pretexts for blocking online information, and more platforms have reportedly been blocked entirely by one or more ISPs based on explicit content shared by a small subset of users. For example, in November 2017, following a report on nudity-related GIF content in WhatsApp, the most popular messaging application in the country, the MCI blocked Tenor, a content provider for WhatsApp.⁴⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote48sym>) Six of Tenor’s DNS servers were blocked, and no further information was available at the end of the coverage period on whether the blocks had been lifted.

In July 2018 (after this report’s coverage period), the popular video-sharing application Tiktok was also temporarily blocked due to pornography and other content violations. The MCI confirmed that it had blocked eight DNS servers after receiving 2,853 complaints from users.⁴⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote49sym>) In addition, two online petitions calling for the application to be blocked received more than 165,000 and 85,000 signatures, respectively.⁵⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote50sym>) The blocking was removed several days later after company leaders met with child protection officials and pledged to collaborate with the government on maintaining child-friendly content.⁵¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote51sym>)

Political content is also subject to blocking. Academic and civil society researchers have found that numerous blogs and other sites carrying criticism of the government or of Islam are blocked.⁵² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote52sym>) Online news outlets and websites with information about the provinces of Papua and West Papua, where military forces have been accused of violently suppressing a Papuan independence movement, have similarly been blocked in recent years.⁵³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote53sym>)

Four multistakeholder panels established by the MCI to respond to public complaints about arbitrary blocking completed their terms in 2015 and were not renewed.⁵⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote54sym>) During this report’s coverage period, blocking of major websites or social media platforms was usually announced through the MCI’s official press briefings, which became the only source of public information on the decisions.

Content Removal

The unprecedented level of “fake news” circulated online has led to stronger control over platform providers. The MCI requires companies providing “over-the-top” (OTT) video streaming and download services to remove negative content posted by users. This includes social media and communication apps, as well as other providers of apps that rely on an internet connection, though implementation is mixed.

Platforms that do not remove banned content risk being blocked entirely. For example, between December 2016 and January 2017, the video-streaming service Bigo Live was blocked until its owners agreed to open a branch in Indonesia and recruit Indonesian staff to monitor and remove content that violates Indonesian regulations.⁵⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote55sym>)

An MCI circular letter issued in March 2016 had warned OTT providers to filter content (point 5.5.4) and censor information transmitted on their services in accordance with existing laws and regulations (point 5.5.3).⁵⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote56sym>) The warning targeted providers of games, videos, music, animation, images, and other forms of content available via streaming and download, and said such providers must establish domestic business entities and allow legal interception for law enforcement purposes.⁵⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote57sym>)

The growing pressure on companies to police content has resulted in censorship of political and social material, although the extent is difficult to assess. In one documented example from February 2016, the LINE messaging app removed emojis depicting LGBTI themes from its Indonesian store at the MCI’s request.⁵⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote58sym>)

Amendments to the ITE Law passed in November 2016 have implications for content removal by intermediaries. Article 26 established a “right to be forgotten” for Indonesian citizens, largely modeled on a 2014 decision by the Court of Justice of the European Union. Electronic system providers will be required to delete irrelevant electronic information on request, but only when supported by a court order. Further details were expected in subsequent regulations.⁵⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote59sym>) In the EU, content in the public interest is exempt, but critics of the system say companies are more likely to take down content than they are to dispute removal requests that could undermine free expression.⁶⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote60sym>)

Other content removal requests are periodically documented. Google reported receiving requests to remove 52 items between July and December 2017, a significant increase from the 17 items reported between January and June 2017.⁶¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote61sym>) The company complied in 25 percent of the cases.

Media, Diversity, and Content Manipulation

Media freedom has generally improved since the end of the Suharto dictatorship in 1998, with journalists and news outlets facing far less interference from state agencies. However, some recent trends are transforming and destabilizing the online news environment. A burgeoning digital media market has introduced thousands of unfamiliar outlets with variable standards, eroding user trust in the quality of information available online. The Press Council said there were about 43,000 media outlets operating online in 2017.⁶² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote62sym>)

In addition, the popularity of social media services—such as WhatsApp, Facebook, and Instagram—as a key source of news and information has significantly eroded the market position of mainstream media.⁶³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote63sym>) According to APJII’s survey on internet users in 2017, social media continued to be the second most popular form of application accessed by users, after chatting applications.⁶⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote64sym>)

In this environment, content manipulation has reached unprecedented levels in recent years, particularly since 2016. Even before then, however, anonymous and pseudonymous social media accounts had circulated rumors and blackmail threats, including around the presidential election in 2014.

Such content is often disguised to resemble news articles or manipulated to make the target appear to be attacking Islam. The phenomenon was vividly illustrated during the 2017 Jakarta gubernatorial election, when protests sparked by online content contributed to the electoral loss and subsequent imprisonment of the city’s first Christian, ethnic Chinese governor, Basuki Tjahaja Purnama, also known as Ahok.⁶⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote65sym>) In 2018, many politicians and parties reportedly used paid commenters, known as “buzzers,” and automated accounts to generate political propaganda ahead of local elections in June and general elections in April 2019.⁶⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote66sym>)

The creators of fabricated news or hoaxes circulated through social media channels and messenger applications routinely exploit religious and ethnic tensions to achieve their aims. In March 2018, police carried out a series of arrests targeting an alleged fake-news syndicate known as the Muslim Cyber Army (MCA), which used automated, fraudulent, or hacked accounts to spread socially divisive messages and undermine the government. The group reportedly had links to opposition parties and the military.⁶⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote67sym>) In August 2017, the police exposed a smaller network known as Saracen, which fabricated ethnically and religiously polarizing news and hoaxes largely for financial motives. This group claimed to control about 800,000 social media accounts.⁶⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote68sym>)

In an attempt to combat fake news online, the Press Council in January 2017 created a barcode designed to help readers identify reliable media outlets. Outlets must register with the council and undergo further verification before being issued with a barcode, which users can scan to view

registration details. The initiative got mixed reactions from journalists.⁶⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote69sym>) Some feared it could be used to marginalize unregistered outlets and noted that it benefited established, professional institutions while potentially excluding competitors. Within weeks of the program's introduction, 74 websites had been issued with a barcode.⁷⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote70sym>)

Increasing concentration of media ownership across print, broadcast, and online outlets heightens the potential impact of self-censorship and undermines the diversity of viewpoints available to consumers. The fact that some major media owners are actively involved in politics contributes to an increasingly partisan information landscape online. At the local level, many online news outlets have become extensions of certain political parties, hampering their credibility and raising the possibility of retaliatory criminal charges. Journalists from the provinces of Papua and West Papua are more likely to self-censor and face economic constraints due to the ongoing antagonism between the government and indigenous independence movements.⁷¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote71sym>)

Online media face unique challenges due to enforcement of the ITE Law, particularly the threat of criminal penalties for posting certain information online (see Prosecutions and Arrests for Online Activities). While the Press Council often intervenes to defend registered news outlets in criminal cases, less than 10 percent of digital news outlets are registered with the council.⁷² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote72sym>) This is partly because many fall short of official requirements for establishing a media company, such as the creation of a legal entity like a limited liability company, a cooperative, or a foundation.

Indonesia otherwise enjoys a thriving blogosphere. Members of the growing urban middle class are fervent users of social media and communication apps, and local blog and website hosting services are either free or inexpensive. Tools to circumvent censorship are subject to some restrictions, though many remain accessible. In one 2017 test, three tools offering virtual private network (VPN) services or anonymous browsing were subject to blocking.⁷³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote73sym>)

Digital Activism

With the urban middle class expanding, digital activism has become a popular way to organize support for social and political change. In July 2017, a stand-up comedian known as Acho was reported to the police for allegedly using social media to defame the management of the Green Pramuka City apartment complex in Jakarta. He faced up to four years in prison. Internet users mobilized on Twitter and Instagram to urge the prosecutor's office to drop the case under the hashtag #AchoGakSalah ("Acho Not Wrong").⁷⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote74sym>) As the comedian's online support mounted, the complainant finally decided to withdraw its criminal report and resolved the case through negotiation.

Responding to the massive circulation of hoaxes and fake news, a group of 22 media outlets and journalist associations collaborated in May 2017 to launch Cekfakta.com, a website where users can individually fact-check news or information circulated through social media. The website has been used widely to verify online content, particularly information exchanged on messaging apps and group chats.

Violations of User Rights:

Fewer incidents of physical violence and threats aimed at internet users who posted critical content about dominant religious groups were reported in the past year. Prosecutions under the ITE Law continued; several individuals were convicted and handed lengthy prison sentences for defamation. Parliament adopted amendments to the 2003 Eradication of Criminal Acts of Terrorism Law (CT Law) that give the authorities sweeping surveillance powers in the fight against terrorism, which is broadly defined.

Legal Environment

Freedom of expression was initially protected through the adoption of the Law on Human Rights shortly after the 1998 transition to democracy and strengthened through the second amendment of the constitution in 2000. The third amendment guarantees freedom of opinion.⁷⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote75sym>) The constitution also includes the right to privacy and the right to obtain information and communicate freely.⁷⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote76sym>) These rights are further protected by various laws and regulations.⁷⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote77sym>) Indonesia ratified the International Covenant on Civil and Political Rights (ICCPR) in 2005.⁷⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote78sym>)

However, the amended constitution included language allowing the state to limit rights based on political, security, moral, and religious considerations.⁷⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote79sym>) This wording provides policymakers with ample room for interpretation.⁸⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote80sym>)

Provisions of the 2008 ITE law have been used repeatedly to prosecute Indonesians for online expression. The law's penalties for criminal defamation, hate speech, and inciting violence online are harsh compared with those established by the penal code for similar offline offenses.⁸¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote81sym>) In November 2016, amendments to the ITE Law introduced a number of important changes.⁸² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote82sym>) Article 27(3) featured new definitions of terms that formally expanded defamation to include content published unintentionally or by third parties, for instance through the tagging of Facebook posts with another user's name. Private chat messages can also be considered violations, as only one recipient is necessary for the offense of “transmitting” defamatory content.

The amended Article 27(3) includes a broad clause covering “all acts other than distributing and transmitting” that make the content accessible to others, creating further room for aggressive enforcement. The maximum penalties for online defamation were lowered from six years in prison to four, and from IDR 1 billion in fines to IDR 750 million (US\$72,000 to US\$54,000), but these remained harsher than most offline defamation sentences and fell short of advocates' demands for decriminalization.⁸³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote83sym>)

Other notable provisions of the ITE Law amendments strengthened the government's powers to cut off or limit access to electronic information or electronic documents whose contents violate the law and granted individuals the “right to be forgotten” (see Content Removal).

Other laws infringe on user rights, despite legal experts' assertions that they conflict with the constitution.⁸⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote84sym>) The anti-pornography law introduced in 2008 contains a definition of pornography that can be loosely interpreted to ban artistic and cultural expression.⁸⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote85sym>) A 2011 State Intelligence Law prescribes penalties of up to 10 years' imprisonment and large fines for revealing or disseminating vaguely defined “state secrets.”⁸⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote86sym>) Some civil society groups challenged that law in the Constitutional Court, which rejected their petition in 2012.⁸⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote87sym>) This legal framework provides authorities with a range of powers to penalize internet users, even though not all are regularly invoked in practice.

Prosecutions and Detentions for Online Activities

Revisions to the ITE Law passed in November 2016 were designed to decrease the use of pretrial detention measures in online defamation cases. But lengthy detentions continued to be documented during the coverage period, particularly in cases involving powerful complainants.

The Southeast Asia Freedom of Expression Network (Safenet) recorded at least 58 new cases under the ITE Law involving online expression from January 2017 to June 2018.⁸⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote88sym>) As most cases are

tried at the district court level, experts believe that the numbers could be higher. The national police reported handling a total of 3,325 cases on hate speech, including 444 defamation cases, during 2017.⁸⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote89sym>) However, there is no further information available on the number of cases that ultimately proceeded to prosecution and conviction or were resolved through out-of-court mechanisms.

The rapidly expanding online news market has resulted in several defamation cases, with both state officials and private individuals exploiting the law to retaliate against journalists and outlets.

- In September 2017, three media outlets—including an online news portal—were reported by the director of investigations of the Corruption Eradication Commission (KPK), who claimed that their coverage defamed him. The Alliance of Independent Journalists (AJI) condemned his actions, arguing that they threatened media freedom.⁹⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote90sym>)
- Also in September, an Indonesian Democratic Party of Struggle (PDI-P) activist filed a defamation complaint against journalist Dandhy Dwi Laksono after she wrote a Facebook post criticizing former president Megawati Sukarnoputri for her party's handling of the Papua issue.⁹¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote91sym>)
- In another incident reported in November 2017, police arrested and briefly detained internet user Dyann Kemala Arrizqi as part of a defamation case in which at least nine other people faced charges. They were accused of sharing derisive memes on social media based on a photo of House of Representatives speaker Setya Novanto in a hospital bed. Setya had avoided hearings with corruption investigators by citing health problems.⁹² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote92sym>)
- Lindung Silaban, chief editor of the local news site Sorotdaerah.com in North Sumatra, was arrested in March 2018 for allegedly publishing false information accusing the province's police commander of accepting bribes. The site's owner was also briefly detained, and the outlet itself was shut down.⁹³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote93sym>)

Several individuals were convicted and handed prison sentences for defamation in the past year:

- In November 2017, villager Alnoldy Bahari was reported by his neighbor in Banten Province for alleged religious defamation in his Facebook posts. He was detained that December and reportedly denied due process rights. In April 2018 he was convicted and sentenced to five years in prison and a fine of IDR 100 million (US\$7,200).⁹⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote94sym>)
- In January 2018, an 18-year-old student was sentenced to a year and a half in prison for Facebook posts in which he insulted the president and the national police chief using fake accounts. He had initially been arrested in August 2017.⁹⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote95sym>)
- In May, a Christian man in Banten Province was sentenced to four years in prison and an IDR 50 million (US\$3,600) fine for religious defamation after he uploaded recordings of his efforts to convert a Muslim man to Christianity.⁹⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote96sym>)

Surveillance, Privacy, and Anonymity

Although the right to privacy is constitutionally guaranteed, there is no particular law designed to protect it. Article 40 of Law No. 46/1999 on Post and Telecommunication prohibits the interception of information transmitted through any form of telecommunications channel.⁹⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote97sym>) Yet there are at

least 10 other laws, including the ITE Law, and seven executive regulations that allow certain government or law enforcement agencies to conduct surveillance, including electronically.⁹⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote98sym>) These include the KPK, the National Narcotics Board, and the National Intelligence Service, among others. The laws do not clearly explain the scope of interception, despite the fact that the Constitutional Court issued a decision in 2010 requiring that detailed interception procedures be regulated by law.⁹⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote99sym>) The legal framework also fails to provide for judicial or parliamentary oversight of surveillance activity and a remedy for possible abuse.

The November 2016 amendments to the ITE Law revised some provisions governing interception in response to the Constitutional Court decision, introducing penalties for interception conducted outside the context of law enforcement, but indicated that further details concerning interception procedures would be addressed in future regulations.¹⁰⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote100sym>)

In May 2018, the parliament adopted amendments to the 2003 Eradication of Criminal Acts of Terrorism Law (CT Law) that give the authorities sweeping surveillance powers in the fight against terrorism, which is broadly defined under the legislation. Article 31 permits security officials to “intercept any conversation by telephone or other means of communication suspected of being used to prepare, plan, and commit a Criminal Act of Terrorism.” Civil society groups including Human Rights Watch warned that the language could be interpreted to facilitate disproportionate surveillance that violates privacy rights.¹⁰¹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote101sym>)

Various regulations place requirements on companies to store user data. A government regulation issued in 2000 requires telecommunications providers to retain records of customer usage for at least three months.¹⁰² (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote102sym>) Some companies are known to have complied with law enforcement agencies’ requests for data. Regulation introduced in 2012 requires electronic system providers that offer “public services” to build local data centers, and a draft regulation in 2014 laid out technical requirements for compliance with the rule.¹⁰³ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote103sym>) In March 2016, an MCI circular letter instructed providers of OTT services to establish domestic business entities and allow legal interception for law enforcement purposes (see Content Removal).¹⁰⁴ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote104sym>)

Anonymity and pseudonymous activity in cyberspace are not formally prohibited by law. Mobile phone users have technically been obliged to register their numbers with the government by text message when they buy a phone since the MCI introduced the requirement in 2005. This rule was widely ignored, but in October 2017, the MCI introduced a new regulation requiring SIM card users to register by submitting their national identity numbers and their family card registration numbers.¹⁰⁵ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote105sym>) As of late February 2018, failure to comply with this requirement could lead to temporary blocking of data services to the unregistered SIM cards. If users fail to register in the 15 days after temporary blocking is applied, the SIM cards can be permanently blocked from any telecommunications services.

Intimidation and Violence

While the previous coverage period featured an increase in physical violence and threats aimed at internet users who posted critical content about dominant religious groups, fewer such incidents were reported over the past year. In November 2017, however, hundreds of motorcycle taxi drivers gathered at a university to search for a student who had criticized them on social media.¹⁰⁶ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote106sym>) The student, Redi Oktar, was forced to make a public apology, though the drivers continued to threaten him with legal action for defamation.¹⁰⁷ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote107sym>)

Technical Attacks

The so-called Muslim Cyber Army, an alleged content-manipulation group that the police sought to break up through a series of raids and arrests in March 2018 (see Media, Diversity, and Content Manipulation), has reportedly used a number of malicious techniques to harass its political targets, particularly allies of the president. These include false complaints to Facebook to have accounts unfairly shut down, hacking of opponents' accounts, the release of personal information about perceived enemies, and use of viruses to damage recipients' devices.¹⁰⁸ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote108sym>)

At least two websites run by civil society groups were disabled by cyberattacks in the previous coverage period. *Suara Papua*, a West Papua-based news website that was blocked by the government in 2016, became inaccessible again in February 2017. Investigations revealed that a massive attack by automated accounts had overwhelmed the server and disabled the website.¹⁰⁹ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote109sym>) The site eventually migrated to another server and resumed operations several weeks later.

Also that February, the website operated by Safenet was defaced with Japanese text. The site's hosting service provider then notified the group that the site had been blocked for sending a large quantity of spam emails. It remained blocked despite several attempts to restore it, and it was ultimately forced to move to a different hosting service.¹¹⁰ (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote110sym>)

Notes:

1 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote1anc>) They are Papua, East and West Nusa Tenggara, and Sulawesi. See, National Statistics Bureau, 2017, <https://bit.ly/2GLCAbK> (<https://bit.ly/2GLCAbK>); also, BPS, Laporan Bulanan Data Sosial Ekonomi April 2018, pp190-191, accessible at <https://bit.ly/2HI8FZc> (<https://bit.ly/2HI8FZc>)

2 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote2anc>) See, We are Social, Indonesia Digital landscape 2018, accessible at <https://bit.ly/2F8pj5P> (<https://bit.ly/2F8pj5P>)

3 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote3anc>) APJII, 2017, Survey Penetrasi dan Perilaku Pengguna Internet Indonesia 2017, accessible at <https://bit.ly/2L6E02R> (<https://bit.ly/2L6E02R>)

4 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote4anc>) See, We are Social, 2017, <https://bit.ly/2F8pj5P> (<https://bit.ly/2F8pj5P>)

5 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote5anc>) See, MCI regulation no 14/2017 on the amendment of the Ministry of Communication and Information Regulation no 12/2016 on registration of telecommunication service subscriber, available at <https://bit.ly/2KZYFZA> (<https://bit.ly/2KZYFZA>) In Indonesia, each citizen is registered both through national identity number and as a family unit through a family card registration numbers. These are basic civic data to access most public services provided by the government.

6 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote6anc>) Maria Yuniar Ardhiati, "Monopoli Bisnis Telekomunikasi Terjadi di Luar Jawa-Bali," *Katadata*, June 20, 2016, <http://bit.ly/2w1xraW> (<http://bit.ly/2w1xraW>).

7 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote7anc>) <http://bit.ly/2rAjl8T> (<http://bit.ly/2rAjl8T>). Universal Service Obligation Fund is made up of a small percentage of the total annual revenues of ICT companies operating in Indonesia. The fund is managed by a Commission on Badan Penyedia dan Pengelola Pembiayaan Telekomunikasi (BP3TI). See <http://bit.ly/2rAjl8T> (<http://bit.ly/2rAjl8T>).

8 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote8anc>) Central Statistic Bureau, 2015, Telecommunication Statistic in Indonesia 2015, 29, <http://bit.ly/2xt9VDm> (<http://bit.ly/2xt9VDm>).

9 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote9anc>) APJII, 2017, Profil

Pengguna Internet di Indonesia 2017, <https://bit.ly/2KQP34g> (<https://bit.ly/2KQP34g>)

10 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote10anc>) See, Kumparan, Paket data smartphone di Bali dipastikan mati saat Nyepi, kumparan <https://bit.ly/2NiLLas> (<https://bit.ly/2NiLLas>) also, "Bali switches off internet services for 24 hours for New Year 'quiet reflection,'" The Guardian, March 15, 2018, <https://bit.ly/2GusbCd> (<https://bit.ly/2GusbCd>)

11 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote11anc>) Citizen Lab, "IGF 2013: An Overview of Indonesian Internet Infrastructure and Governance (Part 1 of 4)," October 25, 2013, <https://citizenlab.org/2013/10/igf-2013-an-overview-of-indonesian-internet-infrastructure-and-governance/> (<https://citizenlab.org/2013/10/igf-2013-an-overview-of-indonesian-internet-infrastructure-and-governance/>).

12 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote12anc>) See, Katadata, 21/10/2017, *Bagaimana Progres Proyek Palapa Ring?*, <https://bit.ly/2GShA6H> (<https://bit.ly/2GShA6H>)

13 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote13anc>) Ardhi Suryadhi, "Tifatul Resmikan Pembangunan Palapa Ring Indonesia Timur," detik inet, May 28, 2013, <http://bit.ly/1eiA9qE> (<http://bit.ly/1eiA9qE>). See, Kementerian Komunikasi dan Informasi, "Palapa Ring Percepat Pembangunan KTI," May 13, 2015, <http://bit.ly/1laI8Pc> (<http://bit.ly/1laI8Pc>).

14 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote14anc>) Lintas Teknologi Indonesia, "Jokowi Resmikan Kabel Optik Bawah Laut Sulawesi-Maluku-Papua Rp 3,6 Triliun," <http://bit.ly/1mU7eoz> (<http://bit.ly/1mU7eoz>); "The President of the Republic of Indonesia inaugurates the Sulawesi Maluku Papua Cable System (SMPCS)," press release *Jakarta Globe*, <http://jakartaglobe.beritasatu.com/press-release/president-republic-indonesia-inaugurates-sulawesi-maluku-papua-cable-system-smpcs/> (<http://jakartaglobe.beritasatu.com/press-release/president-republic-indonesia-inaugurates-sulawesi-maluku-papua-cable-system-smpcs/>).

15 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote15anc>) Alam, Johar, "Indonesia Internet Exchange," http://www.iix.net.id/library/lix_history.pdf (http://www.iix.net.id/library/lix_history.pdf), and See, <http://inet.detik.com/read/2011/12/15/155758/1792092/328/indonesia-internet-exchange-membuka-diri> (<http://inet.detik.com/read/2011/12/15/155758/1792092/328/indonesia-internet-exchange-membuka-diri>).

16 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote16anc>) Robbie Mitchell, "IDSeries: An Open exchange: history of Indonesia's IXP, APNIC, August 26, 2015, <https://blog.apnic.net/2015/08/26/an-open-exchange-history-of-indonesias-ixp/> (<https://blog.apnic.net/2015/08/26/an-open-exchange-history-of-indonesias-ixp/>)

17 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote17anc>) Apjii, "Rilis Media APJII 20th ANNIVERSARY," <https://apjii.or.id/content/read/17/204/Rilis-Media-APJII-20th-ANNIVERSARY> (<https://apjii.or.id/content/read/17/204/Rilis-Media-APJII-20th-ANNIVERSARY>)

18 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote18anc>) Jasa Telekomunikasi: <http://bit.ly/2w5W5cf> (<http://bit.ly/2w5W5cf>)

19 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote19anc>) Twelve ISPs were closed down by the government in 2012 after failing to produce the fee. See, "FPI dan APJII Gugat Biaya Tinggi Usaha Telekomunikasi," *Jurnal Parlemen*, January 17, 2014, <http://bit.ly/1nYlxSW> (<http://bit.ly/1nYlxSW>). In March 2015, the Indonesian Constitutional Court upheld the law. See, Denny Mahardy, "Gugatan PNPB Ditolak MK, APJII Merasa Tak Masalah," *Liputan 6*, March 19, 2015, <http://bit.ly/1Q28wXI> (<http://bit.ly/1Q28wXI>).

20 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote20anc>) Budde.com, 2017 Indonesia - Telecoms, Mobile, Broadband and digital media - Statistics and Analyses, <https://bit.ly/2mdEae4> (<https://bit.ly/2mdEae4>)

21 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote21anc) See <http://bit.ly/2iytQhs> (http://bit.ly/2iytQhs) In 2016, a new license to offer fixed-line broadband service was given to Smartfren who operate My Republic, see <http://bit.ly/2wwfQe5> (http://bit.ly/2wwfQe5)

22 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote22anc) Indonesia Investment, "Telecom Sector Indonesia: saturated mobile phone market," 24/6/2016, <http://bit.ly/2oj1lxf> (http://bit.ly/2oj1lxf).

23 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote23anc) Telkom Indonesia, above ; p22, 37 accessible at <http://bit.ly/2pt4fj9> (http://bit.ly/2pt4fj9)

24 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote24anc) Hermansyah, Anang, "Indosat Ooredoo net income soars 184.4 percent," *Jakartapost*, March 16, 2017, <http://bit.ly/2oLnmcW> (http://bit.ly/2oLnmcW)

25 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote25anc) Citizen Lab, "IGF 2013: An Overview of Indonesian Internet Infrastructure and Governance (Part 1 of 4)," October 25, 2013, <https://citizenlab.org/2013/10/igf-2013-an-overview-of-indonesian-internet-infrastructure-and-governance/> (https://citizenlab.org/2013/10/igf-2013-an-overview-of-indonesian-internet-infrastructure-and-governance/). Indosat rebranded to Indosat Ooredoo in 2015. The Qatar Telecom (Qtel), which operates as Ooredoo. See, <https://indosatooredoo.com/en/about-indosat/company-profile/history> (https://indosatooredoo.com/en/about-indosat/company-profile/history). Asia Pte. Ltd, holds 65 percent of shares

26 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote26anc) See <http://bit.ly/2r0fZ3o> (http://bit.ly/2r0fZ3o)

27 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote27anc) Examples include a high profile case of SMS fraud involving the PT Colibri Network CEO and the vice director of Telkomsel Antara. See, "Kasus Pencurian Pulsa Mandeg, Ini Penyebabnya," *GresNews*, March 12, 2014, <http://bit.ly/1GsTmW4> (http://bit.ly/1GsTmW4).

28 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote28anc) Amal Nur Ngazis and Agus Tri Haryanto, "Disorot, Regulator Telekomunikasi Tak Independen," July 28, 2015, <http://bit.ly/1NhjKKe> (http://bit.ly/1NhjKKe).

29 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote29anc) In November 2005, the MCI issued Ministerial Regulation no. 25/2005 justifying the appointment of a directorate general representing the government to chair the body. See, Peraturan Menteri Komunikasi Dan Informatika, No. 25, November 2005, <http://bit.ly/1OTK79s> (http://bit.ly/1OTK79s); Badan Regulasi Telekomunikasi Indonesia, "Overview Tentang BRTI," April 5, 2010, <http://bit.ly/1cEejla> (http://bit.ly/1cEejla) and Badan Regulasi Telekomunikasi Indonesia, "Fungsi dan Wewenang," March 29, 2010, <http://bit.ly/1hd11ON> (http://bit.ly/1hd11ON).

30 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote30anc) See BRTI membership: <http://bit.ly/2r0fZ3o> (http://bit.ly/2r0fZ3o)

31 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote31anc) Reska K. Nistanto, "Ini Dia Nama-nama Anggota BRIT 2015-2018," *Kompas*, May 20, 2015, <http://bit.ly/1OipRy0> (http://bit.ly/1OipRy0).

32 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote32anc) Law No. 11/2008, Article 40.

33 (https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote33anc) Civil society and cultural groups challenged the law before the Constitutional Court in 2009 for its narrow and obscure definition of pornography and pornographic content, which includes LGBTI content and folk traditions which expose the female form, such as the Jaipongan folk dance from West Java and Papuan traditional clothes; the Court upheld the law.

34 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote34anc>) Article 7(1), "Permenkominfo 19/2014," <http://bit.ly/UZIkY5> (<http://bit.ly/UZIkY5>).

35 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote35anc>) For details of the amended law, see, <http://bit.ly/2qlwo1S> (<http://bit.ly/2qlwo1S>).

36 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote36anc>) "Revised ITE Law could hamper freedom of expression: Researcher," *Jakarta Post*, October 31, 2016, <http://www.thejakartapost.com/news/2016/10/31/revised-ite-law-could-hamper-freedom-of-expression-researcher.html> (<http://www.thejakartapost.com/news/2016/10/31/revised-ite-law-could-hamper-freedom-of-expression-researcher.html>).

37 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote37anc>) Dyta, "Kominfo Finalisasi DNS Nasional," accessible at <http://bit.ly/29XjqTM> (<http://bit.ly/29XjqTM>) and <http://bit.ly/2a9BCuu> (<http://bit.ly/2a9BCuu>); Reska, N, Nistanto, "DNS Nasional untuk Blokir Pornografi Sedang Diuji Coba," *Kompas*, <http://bit.ly/1LkcDw7> (<http://bit.ly/1LkcDw7>).

38 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote38anc>) Presidential decree, May 2017, <http://bit.ly/2si0VSo> (<http://bit.ly/2si0VSo>)

39 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote39anc>) Trust Positif, website, <http://trustpositif.kominfo.go.id/> (<http://trustpositif.kominfo.go.id/>).

40 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote40anc>) Initially Netflix was reported inaccessible by Telkomsel users in January 2016, see, <https://bit.ly/2qAztg3> (<https://bit.ly/2qAztg3>); while no official notification of blocking from the MCI, the Minister appreciated Telkomsel for blocking the platform, for Minister statement, see <https://bit.ly/2vhgzjY> (<https://bit.ly/2vhgzjY>). Until January 2018, the blocking has yet been lifted, and the platform continued to be inaccessible for Telkomsel users.

41 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote41anc>) Sollahuddin Al Ayyubi, *Bisnis Indonesia*, Konten Negatif: Kominfo terima 8575 Aduan Selama Januari 2018, <https://bit.ly/2H0EBAZ> (<https://bit.ly/2H0EBAZ>)

42 (<https://freedomhouse.org/report/freedom-net/2018/indonesia#sdfootnote42anc>) Tri Agus Haryanto, Konten Porno paling banyak dilaporkan sepanjang 2017, *Detik.com* 1/8/2018, <https://bit.ly/2qy8MJK> (<https://bit.ly/2qy8MJK>)

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ecoi.net summary:

Report on digital media and internet freedom (reporting period June 2017 - May 2018)



Country:

Indonesia

Source:

Freedom House ([/en/source/11154.html](https://en/source/11154.html))

Original link (no longer valid):

<https://freedomhouse.org/report/freedom-net/2018/indonesia>

Document type:

Periodical Report

Language:

English

Published:

1 November 2018

Document ID:

2001003

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ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

