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- **Source:**
Freedom House
- **Title:**
Freedom of the Press 2015 - Indonesia
- **Publication date:**
28 April 2015
- **ecoi.net summary:** Annual report on press freedom (covering 2014) [ID 311945]
- **Countries:**
Indonesia
- [Original link](#)

Recommended citation:

Freedom House: Freedom of the Press 2015 - Indonesia, 28 April 2015 (available at [ecoi.net](#))
http://www.ecoi.net/local_link/311945/436119_en.html (accessed 04 April 2016)



Freedom of the Press 2015 - Indonesia

2015 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

49

Legal Environment

(0 = best, 30 = worst)

16

Political Environment

(0 = best, 40 = worst)

18

Economic Environment

(0 = best, 30 = worst)

15

The 2014 presidential election illustrated both the positive and negative progress that the Indonesian press system has made since the fall of Suharto in 1998. Although print and electronic media are generally independent of government interference and allowed for lively and unfettered reporting leading up to the election of political outsider Joko Widodo, coverage of the campaign itself highlighted the ability of media tycoons to distort election news through their control of major media outlets. Use of the 2008 Electronic Transaction Information (ITE) Act continued to raise concerns about freedom of expression on the internet.

Legal Environment

Constitutional and legal provisions allow for freedom of speech and freedom of the press. However, both the government and private actors sometimes obstruct these rights. A 2011 Constitutional Court decision to uphold a law prohibiting blasphemy had negative implications for freedom of expression, as did the judges' apparent endorsement of the government's argument that prohibition of blasphemy is vital to protecting religious harmony. In December, the chief editor of the *Jakarta Post*, Indonesia's leading English-language daily, was named a suspect in a blasphemy case following the July publication of a cartoon showing a man raising a flag with the Arabic phrase "There is no God but Allah" over a skull and crossbones. The Jakarta Muslim Preachers Corps filed the complaint even though the paper had issued an apology and retracted the cartoon five days after publication, stating that the cartoon was intended to "critique the use of religious symbols" and to be a "reproach" to the Islamic State militant group (IS). The charge carries a punishment of up to five years in prison.

Defamation is an offense covered by more than 40 provisions of the criminal code. Although the independent Indonesian Press Council, created by the 1999 Law on the Press, is supposed to adjudicate all media disputes, authorities still undermine the council's mandate by bringing defamation charges to the courts. The Alliance of Independent Journalists (AJI) also continues to express concerns about use of the 2008 ITE Act to muzzle internet users with spurious defamation

claims. According to Indonesia Corruption Watch, as of October 2014, 71 people had faced defamation charges under Article 27 (3) of the ITE Law since it was passed, with 40 cases in 2014.

The 2008 Law on Public Information Transparency provides for the right to freedom of information, but implementation remains flawed. The State Intelligence Law (SIL), passed in 2011, can easily conflict with the 2008 law. SIL Article 26 prohibits individuals or legal entities from revealing or communicating state secrets, with penalties of up to 10 years in prison and fines exceeding 100 million rupiah (\$10,000). This article is open to misinterpretation and abuse by state officials, as state secrets are not clearly defined.

Print media are regulated through the press council, while broadcast media must be licensed by the Ministry of Communication and Information Technology and the Indonesian Broadcasting Commission (KPI). Both the press council and the KPI appear to operate for the most part independently. Although there are hundreds of community radio stations in Indonesia, the World Association of Community Radio Broadcasters (AMARC) has called for legal reform and equitable distribution of frequencies to promote the growth of community radio in the country, pointing to the slow process of licensing, the lack of proper enabling legislation, and a lack of transparency and fairness in licensing decisions as the major obstacles to the sector's development.

Political Environment

Media coverage of the 2014 election campaign was biased due to the control of major news outlets by Aburizal Bakrie and Surya Paloh. Bakrie—a powerful business magnate, chairman of the Golkar party, and owner of tvOne and ANTV—openly supported candidate Prabowo Subianto. Conversely, Paloh, founder and patron of the National Democratic Party, whose rival media group includes Metro TV and the newspaper *Media Indonesia*, supported Widodo. There were widespread complaints of top-down pressure to report favorably on one candidate and not the other, even going as far as the broadcast of misleading election returns based on dubious “quick counts.”

iLab, an Indonesian nongovernmental organization that promotes open data and transparency, reported in 2014 that more than 10 million websites have been blocked over the past three years by Indonesia's filtering system because of content that is deemed either to be “negative” or “culturally inappropriate.” If a post is labeled blasphemous, authorities can block the entire site. Similar wholesale bans have occurred on video-sharing site Vimeo.

Media coverage of the sensitive issue of Papuan separatism continued to draw special scrutiny and restrictions from the government in 2014. Before taking office, President Widodo pledged that he would allow international journalists and organizations access to Papua and West Papua; however, this did not happen by year's end. The Indonesian authorities effectively block foreign media from reporting in the two provinces by restricting access to those with official government approval, which is rarely granted. The few journalists who do gain permission are closely monitored by government agents, who control their movements and access to local residents. In August, Indonesian police detained journalists Thomas Dandois and Valentine Bourrat, who were filming undercover a documentary for the French-German television network Arte. The two were charged with misusing their visas, as they had entered Indonesia as tourists but conducted journalism work in Papua. They were detained for 11 weeks and sentenced to two and a half months in prison on

October 24. They were released four days later due to their time in pretrial detention, though the prosecutor had requested a four-month sentence. At the end of the year one of their sources, Areki Wanimbo, was still in prison, and may be tried on a charge of “rebellion.”

Although domestic media face fewer restrictions in Papua, the documented presence of government informers within the press corps of Papua and West Papua has led to serious concerns about the reliability of news coming from the provinces. According to Human Rights Watch, the military has also financed and trained journalists and bloggers, citing alleged foreign interference in the region, including by the U.S. government.

Under the 2002 Broadcast Act, local stations are prohibited from disseminating foreign broadcasts. The act has drawn criticism for its limits on content and severe penalties for violations, and the government has occasionally used it to restrict broadcasting.

Journalists remain subject to attacks and physical harassment from both the authorities and nonstate actors, although violent attacks against journalists have decreased in recent years. The AJI reported that the number of incidents of violence against the press held more or less steady at 41 in 2014, down from 56 in 2012. Many of the 2014 cases involved harassment and assaults against reporters as they attempted to cover sensitive news stories or protests. In November, police were accused of assaulting as many as 10 journalists in Makassar who were covering students demonstrating against a hike in subsidized fuel prices.

Economic Environment

In general, the Indonesian public has access to a variety of news sources and perspectives provided by a large number of private print and broadcast outlets. Television is the most popular medium, and the sector is competitive, with 10 national commercial networks in addition to the state-owned Televisi Republik Indonesia. In 2013, the internet was accessed by 17 percent of the population.

A 2011 study conducted by the nonprofit groups Hivos Southeast Asia and the Center for Innovation, Policy, and Governance found that nearly all of the 12 most prominent media companies had ties to political parties in some respect. These 12 companies also own the country’s 10 major national television stations and five of the six major newspapers. Although a wide range of privately owned local publications operate across Indonesia’s provinces, the print sector is dominated by two media conglomerates, Jawa Pos Group and the Kompas Gramedia Group. Media coverage of the 2014 presidential election campaign confirmed fears about the ability of political parties, large corporations, and powerful individuals to control media content, with major media outlets openly reflecting the political affiliations of their owners. Tabloid newspaper *Obor Rakyat* reportedly ran libelous anti-Widodo material that is suspected to have been produced by associates of former president Susilo Bambang Yudhoyono.

There are no government restrictions on internet access, but the lack of high-speed infrastructure outside major cities limits the medium’s use as a news source in rural areas. Social-media sites such as YouTube, Twitter, and Facebook have become extremely popular among users in Indonesia.

Under the 2002 Broadcast Act, foreign ownership of broadcast media is banned.

Advertising remains a robust source of income for newspapers and television companies, and the shift to online news sources has been slow, though this appears to be changing. Working conditions for Indonesian journalists are poor. According to AJI, media companies do not pay competitive salaries, leading many journalists to take second jobs with corporate sponsors or accept bribes for coverage. In 2013, Bambang Harymurti, a former press council member and publisher of *Tempo* magazine, described bribery as “a rampant problem in Indonesia, especially among the small and regional media.”

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