

# INDONESIA

	2011	2012
<b>INTERNET FREEDOM STATUS</b>	<b>Partly Free</b>	<b>Partly Free</b>
<b>Obstacles to Access (0-25)</b>	14	11
<b>Limits on Content (0-35)</b>	13	11
<b>Violations of User Rights (0-40)</b>	19	20
<b>Total (0-100)</b>	<b>46</b>	<b>42</b>

\* 0=most free, 100=least free

**POPULATION:** 241 million  
**INTERNET PENETRATION 2011:** 18 percent  
**WEB 2.0 APPLICATIONS BLOCKED:** No  
**NOTABLE POLITICAL CENSORSHIP:** No  
**BLOGGERS/I USERS ARRESTED:** Yes  
**PRESS FREEDOM STATUS:** Partly Free

## INTRODUCTION

Internet communication in Indonesia began developing in 1994 when the first commercial internet service provider (ISP) introduced it to the public. Internet access and its ability to expand avenues for freedom of expression gained further momentum after 1998, when the authoritarian ruler Suharto resigned in the face of public protests. Since then, Indonesia has moved along the path of democratization, a process that has brought about new social, economic and political dynamics for society.

Since 2010, internet and mobile phone usage has continued to grow at a fast pace. Meanwhile, the popularity of social-networking applications has increased exponentially, with Indonesia becoming home to some of the largest contingents of Twitter and Facebook users in the world. The authorities have subsequently sought to regulate online content, citing fears of the internet's use for the spread of pornographic, blasphemous, and terrorism-related content. In the process, a number of actions taken, including passage of the Law on Information and Electronic Transactions (ITE Law) of 2008, have fallen short of international democratic standards. This trend continued in 2011 with the passage of the State Surveillance Law and increased filtering of content loosely defined as sexually explicit. Meanwhile, a surprising criminal conviction under the ITE Law of a housewife who disseminated critical information about a hospital and a series of other questionable criminal cases filed under the ITE exacerbated the atmosphere of legal uncertainty surrounding freedom of expression online and raised concerns of greater restrictions on internet freedom in the future.

## OBSTACLES TO ACCESS

Access to the internet has increased consistently in recent years, rising from 5 percent of the population in 2006 to 18 percent—or about 45 million people—by the end of 2011, according to the International Telecommunications Union (ITU).<sup>1</sup> The consulting firm Business Monitor International (BMI) estimated an even higher population of internet users, citing 26 percent (65 million people).<sup>2</sup> Access has not been evenly distributed across the country, however, due to poverty and poor infrastructure in rural areas.

Given Indonesia's archipelagic geography, cable infrastructure is costly to provide and mostly confined to urban areas, particularly on the islands of Java and Bali. Consequently, although the largest broadband provider reported a 40 percent jump in fixed-line subscribers from 2010 to 2011,<sup>3</sup> broadband service remains prohibitively expensive or otherwise unavailable to many Indonesians. A personal broadband connection averages 150,000 Indonesian rupiah per month (US\$15); by comparison, the average monthly per capita income among the poorest segments of the population is 200,000 rupiah (US\$22),<sup>4</sup> and in Jakarta the minimum wage for workers is about 1.1 million rupiah (around US\$122) per month.<sup>5</sup> Most of those with home broadband connections are therefore middle- or upper-class urban residents. Cybercafes have played a key role in enabling internet access to penetrate every corner of Indonesia at a relatively low price.

Internet access via mobile phones had grown exponentially in recent years, emerging as a key avenue for accessing the internet. A 2011 market survey found that 43 percent of Indonesian users cited mobile phones as their main device for internet access.<sup>6</sup> This increase is a combined result of already ubiquitous mobile phone usage and a price war among telecommunications operators. According to the ITU, in 2011 there were 236 million mobile phone users in the country, a penetration rate of nearly 98 percent and a dramatic

<sup>1</sup> International Telecommunication Union (ITU), "Percentage of individuals using the Internet, fixed (wired) Internet subscriptions, fixed (wired)-broadband subscriptions," 2006 & 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

<sup>2</sup> "The Connected Archipelago: The Role of the Internet in Indonesia's Economic Development," Deloitte, December, 2011, [http://www.deloitte.com/assets/Dcom-Australia/Local%20Assets/Documents/Services/Corporate%20Finance/Access%20Economics/Deloitte\\_The\\_Connected\\_Archipelago\\_Eng\\_Dec\\_2011.pdf](http://www.deloitte.com/assets/Dcom-Australia/Local%20Assets/Documents/Services/Corporate%20Finance/Access%20Economics/Deloitte_The_Connected_Archipelago_Eng_Dec_2011.pdf).

<sup>3</sup> "Info Memo Q3 2011," Telkom Indonesia Investor Report, accessed September 19, 2012, <http://www.telkom.co.id/download/File/UHI/Tahun2011/InfoMemo9M11.pdf>.

<sup>4</sup> "Badan Pusat Statistik, Jumlah dan Presentase Penduduk Miskin, Garis Kemiskinan, Indeks Kedalaman Kemiskinan, dan Indeks Keparahan Kemiskinan, Menurut Propinsi, pada Maret 2009" [Central Bureau of Statistics, Number and Percentage of Poor Population, Poverty Line, Poverty depth index, and index of severity of Poverty, by Province, March 2009], [http://www.bps.go.id/tab\\_sub/view.php?tabel=1&daftar=1&id\\_subyek=23&notab=3](http://www.bps.go.id/tab_sub/view.php?tabel=1&daftar=1&id_subyek=23&notab=3).

<sup>5</sup> "UMP Jakarta 2010 Naik 4,5 Persen" [Jakarta Per Capita Minimum Wage increases 4.5 percent in 2010], Kompas.com, November 13, 2009, <http://megapolitan.kompas.com/read/2009/11/13/18491935/UMP.Jakarta.2010.Naik.4.5.Persen>.

<sup>6</sup> Nielsen, "Southeast Asia Digital Consumer Report 2011," p9, <http://www.slideshare.net/actionstartup/the-digital-media-and-habits-attitudes-of-south-east-asian-consumers>.

increase from the 30 percent rate in 2006.<sup>7</sup> BlackBerry devices by the Canadian firm Research in Motion (RIM) have especially grown in popularity by offering affordable plans. By May 2012, an estimated five million people were using these devices.<sup>8</sup>

The Indonesian government, and especially the Ministry of Communications and Information Technology (MCI), has made the expansion of internet usage a priority. To connect rural areas, the MCI launched a program to establish so-called Smart Villages (Desa Pintar), which would have high quality internet access and mobile phone reception. By 2011, Municipal Internet Service Centers had reportedly been built in 5,330 villages out of a total of 5,748,<sup>9</sup> though not all were fully functional yet.<sup>10</sup>

Indonesia has a range of digital media service providers, though some privately-owned ones are known to have close ties to government ministers. As of 2011, there were 252 ISPs operating throughout Indonesia, the two largest being PT Telecom (a majority state-owned firm) and Indosat, followed by a number of medium-sized ISPs.<sup>11</sup> Their dominance, together with regulatory obstacles imposed by the government, have created a significant barrier for small ISPs to enter the market legally. As of early 2010, there were nine mobile phone service providers, of which the most prominent were PT Telkomsel, PT Indosat, and PT XL Axiata, with Telkomsel itself covering 50 percent of the market.<sup>12</sup> The country's main network-access providers (NAPs), which link retail level ISPs to the internet backbone, are concentrated on Java, and particularly in Jakarta.

The MCI, with its Directorate General of Post and Telecommunication (DGPT), is the primary body overseeing telephone and internet services; it is responsible for issuing licenses

<sup>7</sup> International Telecommunication Union (ITU), "Mobile-cellular telephone subscriptions," 2011, accessed July 13, 2012, <http://www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx#>.

<sup>8</sup> Rizagana, "Blackberry Mania Shows No Signs of Slowing in Indonesia," Jakarta Globe, May 23, 2012, <http://www.thejakartaglobe.com/business/blackberry-mania-shows-no-signs-of-slowng-in-indonesia/519269>

<sup>9</sup> Ministry of Communication and Information, "Siaran Pers No. 1/PIH/Kominfo/1/2012 tentang Catatan Strategis dan Prestasi Kementerian Kominfo" [Press Release No. 1/PIH/Kominfo/1/2012 on Strategic Notes and Achievements of Ministry of Communication and Information], January 2, 2012, [http://kominfo.go.id/siaran\\_pers/detail/2365/Siaran+Pers+No.+1-PIH-Kominfo-1-2012+tentang+Catatan+Strategis+dan+Prestasi+Kementerian+Kominfo](http://kominfo.go.id/siaran_pers/detail/2365/Siaran+Pers+No.+1-PIH-Kominfo-1-2012+tentang+Catatan+Strategis+dan+Prestasi+Kementerian+Kominfo).

<sup>10</sup> The Failure of PLIK (Program Layanan Internet Kecamatan/Subdistrict Internet Service Program), Summary from various sources on Open Wiki, 2012, Kegagalan PLIK, [http://opensource.telkomspeedy.com/wiki/index.php/Kegagalan\\_PLIK](http://opensource.telkomspeedy.com/wiki/index.php/Kegagalan_PLIK).

<sup>11</sup> Ronald J Deibert et al., "Indonesia" in *Access Contested: Security, Identity, and Resistance in Asian Cyberspace*, ed. (Massachusetts Institute of Technology, 2012), [http://www.apjii.or.id/index.php?option=com\\_content&view=article&id=53&Itemid=11](http://www.apjii.or.id/index.php?option=com_content&view=article&id=53&Itemid=11).

<sup>12</sup> Hendarsyah Tarmizi, "Mergers and acquisitions inevitable in mobile phone industry," Jakarta Post, March 1, 2010, <http://www.thejakartapost.com/news/2010/03/01/mergers-and-acquisitions-inevitable-mobile-phone-industry.html>;

"Direktorat Jenderal Pos dan Telekomunikasi, Kementerian Komunikasi dan Informasi, Buku Statistik Bidang Pos dan Telekomunikasi 2009" [The Directorate General of Post and Telecommunication, The Ministry of Communication and Information, Statistics Book on Post and Telecommunication 2009],

[http://www.postel.go.id/webupdate/Download/Data\\_Statistik\\_Smt-1\\_09.pdf](http://www.postel.go.id/webupdate/Download/Data_Statistik_Smt-1_09.pdf); Chanuka Wattagama, Juni Soehardjo, and Nilusha Kapugama, "Telecom Regulatory and Policy Environment in Indonesia: Results and Analysis of the 2008 TRE Survey," March 18, 2008, p. 8 [henceforth "TRE Survey"], [http://www.lirnesia.net/wpcontent/uploads/2009/07/TRE\\_Indonesia\\_2009Mar18.pdf](http://www.lirnesia.net/wpcontent/uploads/2009/07/TRE_Indonesia_2009Mar18.pdf).

for ISPs, cybercafes, and mobile phone service providers. In addition, the Indonesia Telecommunication Regulation Body (BRTI) conducts regulation, supervision, and control functions related to telecommunications services and networking. In practice, there is an unclear overlap between the mandates and work of the two agencies. Based on the ministerial decree that established it, BRTI is supposed to be generally independent and includes nongovernment representatives. However, observers have questioned its effectiveness and independence, as it is headed by the DGPT director, and draws its budget from DGPT allocations.<sup>13</sup> In April 2011, the MCI Minister added two more members to BRTI for a total of nine members, with six of them representing the public. In September 2011, the MCI began the process for electing new public representatives to BRTI for the 2012-2015 term.<sup>14</sup>

## LIMITS ON CONTENT

The internet has expanded Indonesians' access to information, as they are no longer dependent on traditional media (television, radio, and newspapers) for news. Many Indonesians, especially those from the urban middle and upper classes, have adopted the internet as their main information source. In response, the government's approach to the internet has shifted as well. In March 2008, the government passed the ITE Law, which broadened the authority of the MCI to include supervision of the flow of information and possible censorship of online content.<sup>15</sup> Also passed in 2008 was an Anti-Pornography law, which was upheld by the courts in 2010.<sup>16</sup> Since then, filtering of pornographic and violent content has increased. Strong opposition from civil society and, to an extent, from ISPs has successfully derailed some plans for more stringent censorship.

To date, the authorities are not known to have placed any restrictions on content addressing domestic political issues or criticizing the authorities. A draft Regulation on Multimedia

<sup>13</sup> TRE Survey, 16.

<sup>14</sup> "Press Release No. 64/PIH/KOMINFO/9/2011, "Opening Position for 6 Candidates Member of Telecommunication Regulation Committee (BRTI) from Public Element, Kominfo, Sep 7, 2011" [Siaran Pers No. 64/PIH/KOMINFO/9/2011, "Pembukaan Lowongan Bagi 6 Calon Anggota Komite Regulasi Telekomunikasi BRTI (Badan Regulasi Telekomunikasi Indonesia) Dari Unsur Masyarakat], Indonesian Telecommunications Regulatory Authority, September 8, 2011, <http://brti.or.id/component/content/article/75-press-release/236-seleksi-brti-2012>.

<sup>15</sup> Article 40(2) of ITE Law states that "the government, in compliance with the prevailing laws and regulations, aims at protecting public interest from all forms of disturbances that result from the abuse of electronic information and electronic transaction. Law No. 11 of 2008 on Electronic Transaction and Information, available at [http://www.setneg.go.id/components/com\\_perundangan/docviewer.php?id=1969&filename=UU%2011%20Tahun%202008.pdf](http://www.setneg.go.id/components/com_perundangan/docviewer.php?id=1969&filename=UU%2011%20Tahun%202008.pdf).

<sup>16</sup> Karishma Vaswani, "Indonesia Upholds Anti-pornography Bill," BBC News, <http://news.bbc.co.uk/2/hi/8586749.stm>; "Indonesia To Ask Internet Providers To Block Porn," Reuters, July 14, 2010, <http://www.reuters.com/article/2010/07/14/us-indonesia-porn-idUUSTRE66D2MQ20100714>; "Government Orders ISPs To Start Anti-porn Filtering," Reporters Without Borders, August 11, 2010, <http://en.rsf.org/indonesia-government-orders-isps-to-start-11-08-2010,38118.html>.

Content introduced in early 2010 prompted a public outcry and fears of increased internet censorship, but it remained on hold since. In July 2011, MCI Minister Tifatul Sembiring commented to the media that the authorities should do more to control social media, which he said had been used to destabilize governments in Tunisia and Libya.<sup>17</sup> His statement was widely criticized in the blogosphere, and no subsequent action was taken to restrict dissemination of information via social media tools.

Websites related to pornography, violent extremism, or censorship circumvention are blocked. Efforts to restrict access to pornography gained momentum after sexual videos of several celebrities were posted online and began circulating widely in mid-2010. Testing by the OpenNet Initiative conducted on several ISPs in late 2010 found that internet filtering was inconsistent across providers, but that most blocked various websites related to pornography.<sup>18</sup> Several ISPs also blocked a wider range of content, including information related to sex education, LGBT material, or websites like Freespeechcoalition.com run by representatives of the adult entertainment industry in the United States. Also blocked by some ISPs was the website Freespeech.org belonging to a U.S. online news network, as well as sites providing anonymizing and circumvention tools.<sup>19</sup> As of May 2012, the situation remained the same, with the inconsistency across ISPs particularly notable. In January 2011, RIM agreed to begin filtering pornographic websites on their BlackBerry devices in Indonesia after the government regulator warned that the firm's market access could be restricted if it failed to comply.<sup>20</sup> When attempting to access a blocked site, BlackBerry users reportedly encounter a technical error rather than a message informing them that access to the site has been deliberately restricted.

In September 2011, the MCI announced that it would begin blocking Islamist websites with content promoting violence, radicalism and terrorism. The announcement came one week after a suicide bomber attacked a church in Central Java.<sup>21</sup> According to the ministry, initially 300 websites would be blocked based on provisions in the ITE law.<sup>22</sup> This was out of

<sup>17</sup> "Tifatul Calls for Social Media Control," Jakarta Globe, July 14, 2011,

<http://www.thejakartaglobe.com/home/tifatul-calls-for-social-media-controls-to-avoid-arab-spring-style-uprisings/452907>.

<sup>18</sup> "Country Profile—Indonesia," OpenNet Initiative, August 9, 2012, <http://opennet.net/research/profiles/indonesia>.

<sup>19</sup> Ronald J Deibert et al., "Indonesia" in *Access Contested: Security, Identity, and Resistance in Asian Cyberspace*, ed. (Massachusetts Institute of Technology, 2012), <http://access.opennet.net/wp-content/uploads/2011/12/accesscontested-indonesia.pdf>

<sup>20</sup> Femi Adi, "RIM Says Committed To Indonesia, Will Block Porn on BlackBerrys," Bloomberg, January 17, 2011, <http://www.bloomberg.com/news/2011-01-17/rim-says-committed-to-indonesia-will-block-porn-on-blackberrys.html>;

Ardhi Suryadhi, "Sensor di Blackberry terus diawasi" [Censorship on Blackberry Continuously Observed], Detik Inet, January 21, 2011, <http://www.detikinet.com/read/2011/01/21/142056/1551687/328/sensor-di-blackberry-terus-diawasi>.

<sup>21</sup> Patrick Barta, "Suicide Attack Strikes Church in Indonesia," Wall Street Journal, September 26, 2011,

<http://online.wsj.com/article/SB10001424052970204831304576592103793435480.html>.

<sup>22</sup> Ardhi Suryadhi, "Kominfo: 300 Situs Radikal Sudah Diblokir" [MCI: 300 radical websites has been blocked], Detik Inet, September 28 2011, <http://www.detikinet.com/read/2011/09/28/122150/1732179/398/kominfo-300-situs-radikal-sudah-diblokir>; Ratri Adityarani, "To Fight Terrorism Indonesia Blocks 300 Websites," TechinAsia, September 29, 2011, <http://www.penn-olson.com/2011/09/29/terrorism-indonesia-blocks-300-websites/>.

a list of 900 website compiled from public submissions. The specific criteria used to select the blocked sites remain unclear. The list of sites has not been published, rendering it impossible to independently confirm if they were indeed blocked.<sup>23</sup>

The government also signaled that it would begin blocking or shutting down file-sharing websites. In July 2011, representatives of the Indonesian music industry urged the MCI to shutter 20 websites that enabled users to download songs without permission from the artists.<sup>24</sup> As of May 2012, four of the 20 sites were no longer operational, while the others remained accessible.<sup>25</sup>

There were no reports of the Indonesian authorities engaging in significant administrative deletions. According to Google's Transparency Report, the Indonesian government had made fewer than 10 requests for content removal from the company's various services between January and June 2011.<sup>26</sup>

Transparency surrounding the online censorship has improved somewhat, but much remains unclear as evident from the above discussion of terrorism-related blocks. The government maintains a website called Trust Positif that provides a database of blacklisted domains and URLs deemed illegal (such as those involving pornography, hate speech, etc). The purpose of the database is to serve as a reference for ISPs and other providers on what content to filter on their networks.<sup>27</sup> As of mid-2012, there were 745,235 domain names and 54,795 URLs related to pornographic content listed on the site. The site also provides an email address and form for individuals to report illegal content. The MCI decides which sites to blacklist and no judicial order is required.

Indonesians are avid social media users. With growing access to the internet via mobile phones, engagement on social media surpassed email as the number one online activity in 2011, according to a recent market survey.<sup>28</sup> The video-sharing site YouTube, the social-

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<sup>23</sup> Camelia Pasandaran, "Tifatul Says Websites Promoting Terrorism Would Be Blocked," Jakarta Globe, April 29, 2011, <http://www.thejakartaglobe.com/home/tifatul-says-web-sites-promoting-terrorism-would-be-blocked/438194>.

<sup>24</sup> Achmud Rouzni Noor II, "Menkominfo Didesak Tutup 20 Situs Musik Ilegal" [MCI Pushed to Close Down 20 Illegal Music Website], Detik Inet, July 21 2011, <http://www.detikinet.com/read/2011/07/21/161521/1686205/398/menkominfo-didesak-tutup-20-situs-musik-ilegal>.

<sup>25</sup> The sites Mp3lagu.com, Pandumusica.info, Musik-flazher.com, Freedownloadmp3.org are no longer accessible, but there was no confirmation that they were shut down by the authorities rather than being discontinued for some other reason. See, "Situs 4shared Akan Diblokir Menkominfo" [The website 4shared.com will be blocked by MCI], August 8 2011, Okezone.com, <http://music.okezone.com/read/2011/08/08/386/489495/situs-4shared-akan-diblokir-menkominfo>.

<sup>26</sup> "Google Transparency Report," Google, January-June, 2011, accessed August 21, 2012, [http://www.google.com/transparencereport/governmentrequests/ID/?p=2011-06&t=CONTENT\\_REMOVAL\\_REQUEST](http://www.google.com/transparencereport/governmentrequests/ID/?p=2011-06&t=CONTENT_REMOVAL_REQUEST)

<sup>27</sup> MCI TRUSTPOSITIF Database, last modified February 28 2012, <http://trustpositif.kominfo.go.id/files/downloads/index.php?dir=database%2F>.

<sup>28</sup> Nielsen, "Southeast Asia Digital Consumer Report 2011," p12, Slideshare, October 2011, <http://www.slideshare.net/actionstartup/the-digital-media-and-habits-attitudes-of-south-east-asian-consumers>

networking site Facebook, and the microblogging platform Twitter are generally available without interference. By May 2012, Indonesia had 42 million Facebook users (the fourth highest globally),<sup>29</sup> and at least 19 million Twitter accounts registered (the fifth highest globally), of which five million were active.<sup>30</sup> One study found that Indonesians send 1.3 million tweets per day, over 80 percent of them from mobile devices.<sup>31</sup>

The development of Indonesia's blogosphere began around 1999, with most early blogs written by Indonesians living abroad who worked in the information technology industry. In 2001, the younger generation came to dominate Indonesian blogs, largely writing about their daily lives. By 2005 and 2006, blogs had begun to specialize in various topics, including politics, economics, media, food, and entertainment. However, as Facebook and Twitter use has grown, the popularity of blogging has declined. Nevertheless, according to Salingsilang.com, a directory of Indonesian bloggers, there were over 5.2 million Indonesian blogs as of the end of 2011.<sup>32</sup> An analysis of the topics covered by these blogs reveals that most of them are more concerned with popular culture, like Korean artists, or international current events, like the Tsunami in Japan, rather than domestic politics.

Traditional media outlets and professional journalists—rather than bloggers or citizen journalists—typically cover important political developments and corruption investigations. Nevertheless, in 2011, several Twitter accounts gained prominence as they posted messages with up-to-date information on corruption cases or behind-the-scenes details about political affairs. For example, the Twitter account “@benny\_israel,” allegedly belonging to a user with a background in intelligence, was created in November 2010. By early 2011, it had gathered thousands of followers for its tweets whose topics range from past human right violation cases to corruption cases to predictions on political developments, though some netizens doubted their credibility.<sup>33</sup> In April 2011, another user created the Twitter account “@TrioMacan2000,” which quickly became famous for its Twitter lectures, a stream of sometimes 200 tweets at a time relaying background information about widely reported corruption cases.<sup>34</sup>

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<sup>29</sup> “Facebook Statistics By Country,” Social Bakers, accessed August 21, 2012, <http://www.socialbakers.com/facebook-statistics/?interval=last-6-months>.

<sup>30</sup> “Geolocation Analysis of Twitter Accounts by Semiocast,” Semiocast, January 31, 2012, [http://semiocast.com/publications/2012\\_01\\_31\\_Brazil\\_becomes\\_2nd\\_country\\_on\\_Twitter\\_supersedes\\_Japan](http://semiocast.com/publications/2012_01_31_Brazil_becomes_2nd_country_on_Twitter_supersedes_Japan).

<sup>31</sup> Salingsilang, “Indonesia Social Media Landscape Report: A Snapshot of Indonesian User Behavior,” SlideShare, August 5, 2011, <http://www.slideshare.net/salingsilang/indonesia-social-media-landscape-h1-2011-3rd-salingsilangcom-report>.

<sup>32</sup> Direktori Blog: Salingsilang.com, <http://blogdir.salingsilang.com/>.

<sup>33</sup> Stefanus Yugo Hindarto, “Kicauan' Benny Israel Timbulkan Pro-Kontra” [Procons surrounding Tweets from Benny Israel], Okezone.com, January 23 2011, <http://news.okezone.com/read/2011/01/23/339/417003/kicauan-benny-israel-timbulkan-pro-kontra>.

<sup>34</sup> “Wajar Muncul Akun Psidonim di Twitter” [It's common to see pseudonym account on Twitter], Tempo.com, February 11, 2012, <http://www.tempo.co/read/news/2012/02/11/072383226/Wajar-Muncul-Akun-Psidonim-di-Twitter>.

In November 2011, Indonesia and its newly established local chapter of the Association of Southeast Asian Nations (ASEAN) Blogging Community hosted the first regional ASEAN Blogger conference.<sup>35</sup> About 200 bloggers from across Southeast Asia gathered in Bali in parallel to the main ASEAN summit. At the conclusion of the one-day meeting, they issued a collective declaration<sup>36</sup> committing to cooperate at using social media to realize ASEAN's political, economic, and cultural potential and to promote international understanding, while also aspiring to uphold freedom of expression based on the Universal Declaration of Human Rights.<sup>37</sup>

## VIOLATIONS OF USER RIGHTS

Indonesia's constitution guarantees freedom of opinion in its third amendment, adopted in 2000.<sup>38</sup> The constitution also includes the right to privacy and the right to gain information and communicate freely.<sup>39</sup> These rights are further protected by various laws and regulations.<sup>40</sup> However, a range of other laws limit free expression, despite legal experts' claims that they conflict with the constitution.<sup>41</sup> Approximately seven different laws address internet freedom in one respect or another, the most prominent being the 2008 ITE Law. This legal framework is fairly harsh, although the authorities do not always use the full range of powers granted by the laws.<sup>42</sup> In October 2011, the Indonesian parliament passed a new State Intelligence Law, which adds severe penalties (including up to ten years imprisonment

<sup>35</sup> Haz Pohan, "Indonesia Established First Chapter of ASEAN Blogger Community," ASEAN Blogger, May 12, 2011, <http://aseanblogger.com/?p=636>

<sup>36</sup> Aris Heru Utomo, "The role of bloggers in the ASEAN Community," Jakarta Post, November 17, 2011, <http://www.thejakartapost.com/news/2011/11/17/the-role-bloggers-asean-community.html>.

<sup>37</sup> Iman, "ASEAN Blogger Declaration," Iman Brotoseno (blog), November 16, 2011, <http://blog.imanbrotoseno.com/?p=1521>.

<sup>38</sup> Constitution of 1945, Article 28E(3).

<sup>39</sup> Ibid., Articles 28F and 28G(1).

<sup>40</sup> Among others, Law No. 39 of 1999 on Human Rights, available at <http://www.legalitas.org/incl-php/buka.php?id=1900+99&f=uu39-1999eng.htm>; Law No. 14 of 2008 on Freedom on Information, available at [http://www.setneg.go.id/components/com\\_perundangan/docviewer.php?id=1971&filename=UU%2014%20Tahun%202008.pdf](http://www.setneg.go.id/components/com_perundangan/docviewer.php?id=1971&filename=UU%2014%20Tahun%202008.pdf); and Law No. 40 of 1999 on the Press, available at <http://www.legalitas.org/incl-php/buka.php?id=1900+99&f=uu40-1999.htm>.

<sup>41</sup> Wahyudi et al., "Elsam, Asesmen Terhadap Kebijakan Hak Asasi Manusia dalam Produk Legislasi dan Pelaksanaan Fungsi Pengawasan DPR RI" [Assesment to the Human Rights Policy in Legislation Product and the Implementation of the Parliament Monitoring Function], 2008. Hard copy on file with the author.

<sup>42</sup> Pieces of legislation that limit free expression in Indonesia, include: Criminal Code, Law No 1 Year 1946 on Regulation of the Criminal Law, Law No 1/PNPS/1965 on Blasphemy, Law No 27 Year 1999 on Crimes against State Security, Law No 32 Year 2002 on Broadcasting, Law No 32 Year 2004 on Regional Government, Law No 10 Year 2008 on General Election, Law No 11 Year 2008 on Information and Electronic Transaction (ITE), Law No 42 Year 2008 on Presidential Election, Law No 44 Year 2008 on Pornography, Law No 24 Year 2009 on Flag, Official Language, State Emblem and National Anthem, and Intelligence Law.

and fines of over US\$10,000) for revealing or disseminating “state secrets,” a term defined very vaguely in the legislation.<sup>43</sup>

Provisions of the 2008 ITE Law have been repeatedly used to prosecute Indonesians for online expression. The law calls for heavier penalties for criminal defamation, hate speech, and inciting violence than those set out in the penal code. For example, anyone convicted of committing defamation online may face up to six years in prison, and a fine of up to 1 billion rupiah (US\$111,000).<sup>44</sup> The landmark online defamation case of Prita Mulyasari is perhaps the most important among eight indictments issued since 2008 under the ITE Law. Prita, a young housewife, was arrested in May 2009, held for three weeks, and charged with defamation for an email message she circulated to friends and relatives in which she criticized her treatment at a private hospital in Tangerang.<sup>45</sup> The hospital also filed a parallel civil suit. She soon gained popular support, including from bloggers and local civil society groups.<sup>46</sup> In December 2009, the Banten High Court ruled against Prita in the case, ordering her to pay 204 million rupiah (US\$19,600) in damages to the hospital.<sup>47</sup> The blogging community responded with a huge campaign called Koin Keadilan, or Justice Penny, and succeeded in collecting over 600 million rupiah on her behalf.<sup>48</sup> By the end of 2010, the Supreme Court had decided in Prita’s favor regarding the civil suit,<sup>49</sup> and she won her criminal case in Tangerang District Court, which acquitted her on all charges.<sup>50</sup> However, an appeal by prosecutors to the Supreme Court in 2011 resulted in an unexpected guilty verdict in July under the ITE Law.<sup>51</sup> Though she did not serve any jail time, Prita was given a six-month suspended sentence and placed on probation for one year, during which she must be careful not to commit a similar offense. The decision was widely criticized by legal

<sup>43</sup> “Indonesian Parliament passes controversial intelligence bill,” Engage Media, October 25, 2011, <http://www.engagemedia.org/Members/emnews/news/indonesian-parliament-passes-controversial-intelligence-bill>.

<sup>44</sup> ITE Law, Article 45.

<sup>45</sup> Nadya Kharima, “UU ITE Makan Korban Lagi” [ITE Bill creates a victim again], Primaironline, May 28, 2009, <http://primaironline.com/berita/detail.php?catid=Sipil&artid=uu-ite-makan-korban-lagi>.

<sup>46</sup> Hertanto Soebijoto, “Kasus Prita: Lima LSM Ajukan ‘Amicus Curiae’” [Prita case: 5 NGOs submit Amicus Curiae], Kompas, October 14, 2009,

<http://megapolitan.kompas.com/read/2009/10/14/16474375/Kasus.Prita.Lima.LSM.Ajukan..quot.Amicus.Curiae.quot>.

<sup>47</sup> Cyprianus Anto Saptowalyono, “Humas PT Banten: Putusan buat Prita belum berkekuatan hukum tetap” [Banten Corporate Public Relations: Verdict for Prita does not have legal power], Kompas, December 7, 2009, <http://m.kompas.com/news/read/data/2009.12.07.13135791>.

<sup>48</sup> Mega Putra Ratya, “Penghitungan selesai total koin Prita Rp. 650.364.058” [Counting of Coins for Prita has collected a total of Rp. 650,364,058], Detikcom, December 19, 2009,

<http://m.detik.com/read/2009/12/19/113615/1262652/10/penghitungan-selesai-total-koin-prita-rp-650364058>.

<sup>49</sup> Ina Parlina, “Supreme Court Overturns Acquittal of Housewife Prita,” The Jakarta Post, July 9, 2011, <http://www.thejakartapost.com/news/2011/07/09/supreme-court-overturns-acquittal-housewife-prita.html>.

<sup>50</sup> Ismira Lutfia, Heru Andriyanto, Putri Prameshwari, and Ronna Nirmala, “Prita Acquitted, But Indonesia’s AGO Plans Appeal,” Jakarta Globe, December 29, 2009, <http://www.thejakartaglobe.com/home/prita-mulyasari-cleared-of-all-charges/349844>; Yudi Rahmat, “PBHI Apresiasi putusan hakim PN Tangerang di Kasus Prita” [PBHI appreciates verdict of Tangerang State Court judge in Prita Case], Primaironline, December 29, 2009,

<http://primaironline.com/berita/detail.php?catid=Sipil&artid=pbhi-apresiasi-putusan-hakim-pn-tangerang-di-kasus-prita>.

<sup>51</sup> Faisal Maliki Baskoro and Rangga Prokoso, “Shock Guilty Verdict in Prita Mulyasari Saga,” Jakarta Globe, July 9, 2011, <http://www.thejakartaglobe.com/jakarta/shock-guilty-verdict-in-prita-mulyasari-saga/451797>.

analysts and bloggers, who argued that it was inconsistent with the court's decision on the civil suit and set a dangerous precedent that any consumer who complained online about service by a private entity could face criminal punishment.<sup>52</sup> Prita and her lawyers filed a request for review of the case by the Indonesian Judicial Committee, but no further developments had been reported by May 2012.<sup>53</sup>

In another case reminiscent of Prita's, criminal defamation charges were filed in January against Ira Simatupang, a doctor from a hospital in Tangerang, over a series of private emails to colleagues and friends. According to some news reports, the messages contained accusations of sexual harassment against a colleague, while others asserted the content was legitimately offensive and defamatory.<sup>54</sup> The trial was ongoing as of May 2012.<sup>55</sup> Meanwhile, throughout 2011 and early 2012, several other criminal cases were filed under the ITE Law, in some instances for acts that under international free expression standards would typically draw civil rather than criminal penalties.<sup>56</sup> The cases ranged from a news website editor filing a police complaint over a copyright violation by an aggregator site,<sup>57</sup> to defamation charges filed by a member of parliament against someone who circulated over Twitter alleged photos of her drunk and dancing at a cafe,<sup>58</sup> to a politician claiming another politician had defamed him via mobile phone text messages.<sup>59</sup> Most of the cases were ongoing as of

<sup>52</sup> "Membaca Putusan Kasasi MA Dalam Kasus Prita" [Reading into Supreme Court Decision in Prita Case], Dunia Angara, July 22, 2011, <http://anggara.org/2011/07/22/membaca-putusan-kasasi-ma-dalam-kasus-prita/>.

<sup>53</sup> Prita Mulyasari, "Prita Laporkan Tiga Hakim Agung ke KY" [Prita report on 3 Supreme Court Judges to Indonesian Judicial Commission], Republika, August 15, 2011, <http://www.republika.co.id/berita/nasional/hukum/11/08/15/lpyijj-prita-laporkan-tiga-hakim-agung-ke-ky>.

<sup>54</sup> "Indonesian Doctor Facing Defamation for Telling Friends of Sexual Harassment," Jakarta Globe, January 26, 2012, <http://www.thejakartaglobe.com/home/indonesian-doctor-facing-defamation-for-telling-friends-of-sexual-harassment/493949>; "Prosecutor Demands Six Months in Prison for Doctor Who Sent Offensive Emails," Jakarta Globe, June 13, 2012, <http://www.thejakartaglobe.com/lawandorder/prosecutor-demands-six-months-in-prison-for-doctor-who-sent-offensive-emails/524137>; "Language Expert: Ira Email Meaningful Defamation" [in Bahasa], Satelit News, May 1, 2012, <http://satelitnews.co.id/pakar-bahasa-email-ira-bermakna-fitnah>.

<sup>55</sup> In July, Simatupang was found guilty and received a five-month suspended sentence. See, "Ira Simatupang Sentenced To Five Months, The Prosecutor Appeals," Satelit News, July 18, 2012, <http://satelitnews.co.id/ira-simatupang-divonis-5-bulan-jaksa-banding>.

<sup>56</sup> A series of other cases involved crimes such as fraud or child pornography that would draw criminal penalties in most democratic societies. See, Mega Putra Ratya, "Cabuli Anak-anak, Warga Inggris Ditangkap di Batam" [British child sex offender caught in Batam], Detik News, June 11, 2011, <http://news.detik.com/read/2011/11/06/143126/1761334/10/cabuli-anak-anak-warga-inggris-ditangkap-di-batam>; E Mei Amelia R, "Catut Nama Erwin Aksa di Facebook Seorang PNS Dituduk Polda Metro" [Pretending to be Erwin Aksa on Facebook a civil servant detained by Jakarta Police], Detik News, April 26, 2011, <http://news.detik.com/read/2011/04/26/132049/1625793/10/catut-nama-erwin-aksa-di-facebook-seorang-pns-dituduk-polda-metro>.

<sup>57</sup> Wahyu Romadani, "Laporkan CEO Perusahaan Grup Djarum ke Polisi" [CEO of Djarum Grup to Police], Gres News, August 15, 2011, <http://www.gresnews.com/berita/hukum/1326158-gresnews-com-laporkan-ceo-perusahaan-grup-djarum-ke-polisi>.

<sup>58</sup> Lia Harahap, "Kartika Siap Hadapi Laporan Anggota F-Gerindra Noura Gara-gara Twitter" [Kartika ready to report Gerindra Faction Member Noura because of Twitter], Detik News, May 13, 2011, <http://news.detik.com/read/2011/05/13/095041/1638812/10/kartika-siap-hadapi-laporan-anggota-f-gerindra-noura-gara-gara-twitter>

<sup>59</sup> Aprisal Rahmatullah, "Yusuf Supendi Coba Jerat Presiden PKS Dengan Pasel ITE" [Yusuf Supendi use ITE law to report PKS (Social Justice Party) President], Detik News, March 29, 2011, <http://news.detik.com/read/2011/03/29/180409/1604007/10/yusuf-supendi-coba-jerat-presiden-pks-dengan-pasal-ite>.

May 2012, but there were nor reported indictments. Such prosecutions under the ITE Law have contributed to an increased atmosphere of caution and self-censorship among online writers and average users. They have also spurred public demand for amendment of the ITE Law. However, as of mid-2012, there had been no proposed changes made, although several ministries were reportedly reviewing it.<sup>60</sup>

Online users may also face criminal charges based on the penal code and a 1965 law that criminalizes blasphemy and the dissemination of atheism.<sup>61</sup> In January 2012, police arrested Alexander Aan, a 30-year-old civil servant in West Sumatra, on blasphemy charges after radical Islamists beat him and reported to the authorities that he had created a Facebook page titled “Ateis Minang” (Minang Atheist) that received about 1,200 “likes.”<sup>62</sup> Among the items Aan had posted to the page was a cartoon involving the Prophet Muhammad. He was charged under blasphemy provisions of the penal code and the ITE Law for allegedly disseminating via the internet information that “incites religious hatred and animosity.”<sup>63</sup>

Several other laws relating to online communications have been passed or considered in recent years. Law No. 44 of 2008 on Pornography regulates the publication of pornographic materials. Critics say the law defines the crime of disseminating “pornography” very broadly, while requiring cybercafe owners to monitor their customers. In 2010, the government introduced another draft law to parliament called the Computer Crimes Law (Tindak Pidana Teknologi Informasi (TPT)).<sup>64</sup> Although the draft bill mostly deals with penalties related to electronic business transactions, it also stipulates numerous restrictions on computer and internet usage, often prescribing harsher penalties for offenses already covered in the criminal code and other legislation.<sup>65</sup> Passage of the new measure would increase the number of laws regulating criminal defamation to eight, with each calling for a different

<sup>60</sup> “Siaran Pers No. 1/PIH/Kominfo/1/2012 Tentang Catatan Strategis dan Prestasi Kementerian Kominfo”, Kementerian Komunikasi dan Informatika Republik Indonesia, January 2, 2012 [Press Release No. 1/PIH/Kominfo/1/2012 on Strategic Notes and Achievements of Ministry of Communication and Information” Indonesian Department of Communications and Information, January 2, 2012], [http://kominfo.go.id/siaran\\_pers/detail/2365/Siaran+Pers+No.+1-PIH-Kominfo-1-2012+tentang+Catatan+Strategis+dan+Prestasi+Kementerian+Kominfo](http://kominfo.go.id/siaran_pers/detail/2365/Siaran+Pers+No.+1-PIH-Kominfo-1-2012+tentang+Catatan+Strategis+dan+Prestasi+Kementerian+Kominfo).

<sup>61</sup> Law No 1/PNPS/1965 on Blasphemy.

<sup>62</sup> Stofardi Bachyul, “Atheist civil servant arrested for blasphemy,” The Jakarta Post, January 20, 2012, <http://www.thejakartapost.com/news/2012/01/20/atheist-civil-servant-arrested-blasphemy.html/>.

<sup>63</sup> In June 2012, Aan was found guilty and sentenced to two and a half years imprisonment and a fine of 100 million Rupees (US\$10,500). See, “Indonesia: Atheist in Padang sentenced to two and a half years imprisonment,” Asia Pacific Solidarity Network, June 15, 2012, [http://asia-pacific-solidarity.net/southeastasia/indonesia/statements/2012/ahrc\\_indonesiaatheistinpadangs\\_150612.htm](http://asia-pacific-solidarity.net/southeastasia/indonesia/statements/2012/ahrc_indonesiaatheistinpadangs_150612.htm); Kimberly Winston, “Atheists rally for persecuted unbeliever in Indonesia,” Washington Post, July 19, 2011, [http://www.washingtonpost.com/national/on-faith/atheists-rally-for-persecuted-unbeliever-in-indonesia/2012/07/19/gJQAfg2JwW\\_story.html](http://www.washingtonpost.com/national/on-faith/atheists-rally-for-persecuted-unbeliever-in-indonesia/2012/07/19/gJQAfg2JwW_story.html).

<sup>64</sup> Wendy Zeldin, “Indonesia: Cyber Crime Bill,” Library of Congress, January 13, 2012, date accessed August 21, 2012, [http://www.loc.gov/lawweb/servlet/lloc\\_news?disp3\\_l205401769\\_text](http://www.loc.gov/lawweb/servlet/lloc_news?disp3_l205401769_text).

<sup>65</sup> Muhammad Aminudin, “Cyber Crime Menggurita, DPR Kebut UU Tindak Pidana TI” [Cybercrimes Imminent, Parliament Speedup Cybercrime Law], Detik Inet, March 3, 2012, <http://inet.detik.com/read/2012/03/25/091604/1875607/399/cyber-crime-menggurita-dpr-kebut-uu-tindak-pidana-ti>.

sentence. MCI Minister Tifatul Sembiring told media that he expected the law to pass during 2012.<sup>66</sup> Also under discussion has been a draft law on ICT convergence, one that would collectively replace the Telecommunications Law, Broadcasting Law, and possibly the ITE Law. Critics have raised concerns that under the law, ICT applications (including websites) would be required to obtain a license from the MCI for a fee, a process that could place restrictions on freedom of expression, as well as for the open source community,<sup>67</sup> and expansion of WiFi hotspots.<sup>68</sup>

Fears of abusive surveillance practices increased in 2011 with the passage in October of a new State Intelligence Law, though several problematic provisions were removed prior to passage.<sup>69</sup> Previously, surveillance was not a serious concern. The new law, however, was widely criticized by international and domestic human rights groups for granting broader authority to the State Intelligence Body (Badan Intelijen Negara, or BIN) to intercept communications. Although a court order is required in most cases, concerns remain that due to limits on judicial independence, permission will be granted too easily.<sup>70</sup> The State Intelligence Law is one of at least nine laws that allow the authorities to conduct surveillance or wiretapping.<sup>71</sup> The only other one that explicitly states the need for judicial oversight is Law No. 35 of 2009 on Narcotics, and even in that instance the requisite procedures are unclear. There is little oversight or checks in place to prevent abuse by agencies conducting monitoring for the purposes of combating terrorism and identifying terrorist networks, the most known use of surveillance techniques. At present, the police,<sup>72</sup> the Indonesian Corruption Commission (KPK),<sup>73</sup> and the National Narcotics Board (Badan Narkotika

<sup>66</sup> “Pemerintah Berharap UU Tindak Pidana TI Rampung Tahun Ini” [Government Hope Cybercrime Law Finalized This Year Kompas Tekno], July 17, 2012, <http://tekno.kompas.com/read/2012/07/17/16365063/Pemerintah.Berharap.UU.Tindak.Pidana.TI.Rampung.Tahun.Ini>.

<sup>67</sup> Taken from his tweet “@sufehmi” on 8 October 2010, 23:30, Harry Sufehmi is 2<sup>nd</sup> Deputy Chairperson of AOSI and IT Practitioner.

<sup>68</sup> Interview with Harry Sufehmi, 2<sup>nd</sup> Deputy Chairperson of AOSI and IT Practitioner.

<sup>69</sup> Ezra Sihite and Anita Rachman, “Indonesia’s Intelligence Bill Passage Prompts ‘Big Brother’ Fears,” Jakarta Globe, October 12, 2011, <http://www.thejakartaglobe.com/home/indonesias-intelligence-bill-passage-prompts-big-brother-fears/471058>; International Crisis Group, “Indonesia: Debate over a New Intelligence Bill,” Asia Briefing No 124, July 12, 2011, <http://www.crisisgroup.org/en/regions/asia/south-east-asia/indonesia/B124-indonesia-debate-over-a-new-intelligence-bill.aspx>.

<sup>70</sup> “Indonesia: Repeal new Intelligence Law. Overbroad Provisions Facilitate Repression,” Human Rights Watch, October 26, 2011, <http://www.hrw.org/print/news/2011/10/26/indonesia-repeal-new-intelligence-law>.

<sup>71</sup> The laws are, among others, (1) Chapter XXVII Indonesian Criminal Code, Article 430—434; (2) Law No. 5 of 1997 on Psychotropic Drugs; (3) Law No. 31 of 1999 on Eradication of Corruption; (4) Law No. 36 of 1999 on Telecommunication; (5) Government Regulation in Lieu of Law No. 1 of 2002 on Combating Terrorism; (6) Law No. 18 of 2003 on Advocates; (7) Law No. 21 of 2007 on Combating Human Trafficking; (8) Law No. 11 of 2008 on Electronic Transaction and Information; and (9) Law No. 35 of 2009 on Narcotics.

<sup>72</sup> Law No. 16 of 2003 on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2002 on the Eradication of Crimes of Terrorism (State Gazette No. 46 of 2003, Supplement to the State Gazette No. 4285), available at: [http://www.setneg.go.id/components/com\\_perundangan/docviewer.php?id=1548&filename=PP\\_Pengganti\\_UU\\_No\\_1\\_t\\_h\\_2002.pdf](http://www.setneg.go.id/components/com_perundangan/docviewer.php?id=1548&filename=PP_Pengganti_UU_No_1_t_h_2002.pdf).

<sup>73</sup> Law No. 30 of 2002 on the Anti-Corruption Commission, available at: [http://www.setneg.go.id/components/com\\_perundangan/docviewer.php?id=300&filename=UU\\_no\\_30\\_th\\_2002.pdf](http://www.setneg.go.id/components/com_perundangan/docviewer.php?id=300&filename=UU_no_30_th_2002.pdf).

Nasional) also have the legal authority to conduct surveillance.<sup>74</sup> In January 2012, the Alliance for Independent Journalists (AJI), four other civil society groups, and 13 individuals filed a request for judicial review of the State Intelligence Law with the Constitutional Court.<sup>75</sup>

Mobile phone users are obliged to register their numbers upon purchasing a phone by submitting their identity information directly to the government via text message. In practice, however, this obligation is often ignored. The government continued in 2011 to pressure RIM to set up local servers for its BlackBerry devices in Indonesia—whose users number over five million—amidst concerns that the encrypted communication network would hinder anti-terrorism and anti-corruption efforts.<sup>76</sup> In December 2011, the BRTI threatened to terminate RIM's BlackBerry services in the country if they refused to comply, though no deadline was set. Throughout 2011, RIM reportedly accommodated isolated requests for user data from law enforcement agencies.<sup>77</sup>

Apart from the above-mentioned beating of Alexander Aan, there have been no reports of extralegal attacks, intimidation, or torture of bloggers or other internet users. However, it is common for police—and sometimes Islamic fundamentalist groups—to conduct searches of cybercafés without prior notice, since the venues are perceived as places conducive to accessing pornography.<sup>78</sup> Most of the searches are conducted without warrants and are rarely followed by court proceedings, leading observers to believe the raids are carried out by police for the purpose of extracting bribes from cybercafé owners.

<sup>74</sup> Law No. 35 of 2009 on Narcotics, available at:

[http://www.setneg.go.id/components/com\\_perundangan/docviewer.php?id=2351&filename=UU%2035%20Tahun%202009.pdf](http://www.setneg.go.id/components/com_perundangan/docviewer.php?id=2351&filename=UU%2035%20Tahun%202009.pdf).

<sup>75</sup> "Indonesia: State Intelligence law challenged in court," Southeast Asian Press Alliance, January 25, 2012,

<http://www.seapabkk.org/alerts/36-updates/100558-indonesia-state-intelligence-law-challenged-in-court.html>.

Ezra Sihite; Keyko Ranti Ramadhani, "Indonesian Rights Activists Challenge to Intelligence Law," Jakarta Globe, January 6, 2012, <http://www.thejakartaglobe.com/home/indonesian-rights-activists-challenge-to-intelligence-law/489358>.

<sup>76</sup> Associated Press, "Indonesia Says Blackberry Will Filter Out Porn," Ipolitics, January 11, 2011,

<http://ipolitics.ca/2011/01/11/indonesia-says-blackberry-to-filter-out-porn/>; John Ribeiro, "Indonesia Presses RIM Over its Blackberry Service," Network World, August 5, 2010, <http://www.networkworld.com/news/2010/080510-indonesia-presses-rim-over-its.html>.

<sup>77</sup> Arientha Primanita and Faisal Maliki Baskoro, "Pressure on BlackBerry Maker to Build Servers in Indonesia," Jakarta Globe, December 14, 2011, <http://www.thejakartaglobe.com/business/pressure-on-blackberry-maker-to-build-servers-in-indonesia/484588>;

John Terauds, "RIM must install local data centre, demands Indonesia," The Star, December 12, 2011, <http://www.thestar.com/business/article/1100543--rim-must-install-local-data-centre-demands-indonesia>;

Ardhi Suryadhi, "Nasib Blackberry Ditentukan Hari ini" [Fate of Blackberry Decide Today], Detik Inet, January 17, 2011, <http://www.detikinet.com/read/2011/01/17/101648/1548007/328/nasib-blackberry-ditentukan-hari-ini>.

<sup>78</sup> "Police Bust High School Students for Cutting Class in Favor of Facebook," Jakarta Globe, March 3, 2010,

<http://www.thejakartaglobe.com/home/police-bust-high-school-students-for-cutting-class-in-favor-of-facebook/361673>;

"Indonesia rounds up students in cybercafés," Agence France-Presse, February 23, 2010,

<http://newsinfo.inquirer.net/breakingnews/infotech/view/20100223-254794/Indonesia-rounds-up-students-in-cybercafes>.

Politically motivated cyberattacks against civil society groups have not been reported in Indonesia. However, several government websites including those of the Indonesian Police Force (POLRI), the MCI, and the Indonesian state-owned oil company Pertamina were victims of cyberattacks in May 2011 that defaced their home pages.<sup>79</sup> Blaming the incompetence of the websites' administrators, a hacker by the name of Yogyacardlink left a message warning them to be more careful in the future.<sup>80</sup> The attacked websites were quickly restored without incurring permanent damage.<sup>81</sup>

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<sup>79</sup> Rachmatunisa, "Situs Kominfo Dibobol Lagi" [MCI website hacked again], Detik Inet, May 31, 2011, <http://www.detikinet.com/read/2011/05/31/151008/1651012/398/situs-kominfo-dibobol--lagi->.

<sup>80</sup> Fajar Widianoro, "Giliran Situs Pertamina Disambangi Hacker" [It's Pertamina Website turn now Hacked], Detik Inet, May 19, 2011, <http://www.detikinet.com/read/2011/05/19/104928/1642239/398/giliran-situs-pertamina-disambangi-hacker->.

<sup>81</sup> Ardhi Suryadhi, "Tidak Diurus Situs Polri Gampang Dibobol" [With no maintenance Indonesian Police website easily hacked], Detik Inet, May 19, 2011, <http://www.detikinet.com/read/2011/05/19/142347/1642552/323/tidak-diurus-situs-polri-gampang-dibobol->.