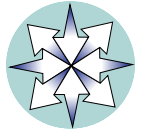




DEWANPERS

EXECUTIVE SUMMARY  
**PRESS COUNCIL REPORT**  
**2022**  
INDONESIA

**Press Freedom  
for Media  
Sustainability**



DEWANPERS

EXECUTIVE SUMMARY  
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**2022**  
INDONESIA

**Press Freedom  
for Media  
Sustainability**

## **EXECUTIVE SUMMARY**

### **Press Freedom for Media Sustainability**

(Press Council Report 2022)

#### **Resource Persons**

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Yadi Heriyadi Hendriana  
Arif Zulkifli  
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# FOREWORD

**P**raise be to Almighty Allah, for His grace and blessings, the Annual Report of the Press Council 2022 can finally be completed.

In 2022 the Press Council faces a number of challenges. Several articles in the Press Law that regulate the duties of the Press Council as guardian of press freedom and professionalism of journalists have been challenged in the Constitutional Court. The Draft Criminal Code - which was later passed into law - also regulates a number of articles that have the potential to undermine the assurances of press freedom. In addition, incidents of violence

against journalists for carrying out their journalistic activities still occur. So does intimidations or threats to journalists due to their journalistic work. These challenges are increasingly testing the Press Council as an independent institution in fighting for the establishment of press freedom.

Another challenge comes from the press itself. The Press Council records a high number of public complaints against journalists' reporting and/or behavior every year. This is also the case with requests to testify as experts in cases at the preliminary investigation or full investigation

involving news or journalists. Some of these cases are declared press cases and are resolved through the mechanism of the Press Law. However, there are also cases that are not press cases but rather as abuse of journalist's profession thus represent the lack of professionalism of the press. This is certainly detrimental to journalists and press companies who are serious about carrying out the function and role of the press as an institution to bring knowledge and for social control.

Meanwhile, efforts to promote professional press companies still remains a challenge. Not all press companies which have already registered to the Press Council are able to fulfill the requirements, especially to provide welfare for journalists. Some do not even produce news in accordance with the Journalistic Code of Ethics.

In fact, the Press Council continues to strive to improve the competence of journalists. The number of competent journalists in the competency tests facilitated by the Press Council throughout 2022 amounted to 1,802 people. Meanwhile, the number of press companies which have been verified throughout 2022 was 106 press companies, out of a

total of all administratively and factually verified press companies of 1,681 as of December 2022. This illustrates the situation of how the media growth is not necessarily accompanied by professionalism as a press.

At the same time, digital transformation makes the press have to find ways to survive financially in the face of global digital platforms. The goal is for press companies to remain capable of producing qualified journalistic work. Regulatory discussions to support media sustainability in 2022 are still moving forward. It is a challenge to ensure that there is no interference from any party to the press, including from the business side, which affects the resilience of the press as an economic institution.

These challenges were noted based on reflections in the programs and activities organized by the Press Council. The implementation of the Press Council's programs is certainly not solely implemented to respond to the challenges in existence. The Press Council carries out its duties as mandated by Article 15 paragraph (2) of the Press Law with the aim of promoting press freedom and fostering a national press. The presentation in this



2022 Annual Report is expected to provide a complete picture of the efforts and achievements of the Press Council in carrying out the mandate of the Law, as well as reflecting on the obstacles and challenges to build mitigation in the future.

The year 2022 also represents the year of the leadership succession of the Press Council from the Members of the Press Council for the 2019-2022 term of office to the Members of the Press Council for the 2022-2025 term of office. This is in line with the provisions of Article 15 paragraph (6) of Law Number 40 of 1999 concerning the Press where the term of office of Members of the Press Council is 3 (three) years. The Press Council for the 2022-2025 term of office expresses its gratitude and appreciation to the Members of the Press Council for the 2019-2022 term of office and all Members of the Press Council for the previous term of office who have built and laid the foundation of the programs to support the implementation of the duties of the Press Council to date. Thus, the various programs and activities organized by the Members of the Press Council for the 2022-2025 term are an inseparable part of the joint efforts to safeguard press freedom and foster the national press

carried out by the Press Council based on the Press Law.

Hopefully, this Annual Report of the Press Council 2022 will inspire all parties to further strengthen the support for the enforcement of press freedom in Indonesia. Happy reading!

Jakarta, April 14, 2023

**Ninik Rahayu**

Chairwoman of the Press Council





# CHAPTER 1

# INTRODUCTION

## A. ABOUT INDONESIA

THE REPUBLIC of Indonesia is the fourth most populous country in the world according to the World Population Review (February 2023).

The total population reaches 276,639,440 people. Indonesia is the country with the largest number of islands in the world with more than 17,000 islands, along the tropics,

stretching between the continents of Asia and Australia. It covers an area of 1.9 million square kilometers. The society is plural, consisting of various tribes, ethnicities, religions and races.

Indonesia's economy has grown rapidly in the last ten years, with GDP soaring to IDR 11,710.4 trillion (approximately USD \$780 billion) by 2022, making Indonesia the largest economy in Southeast Asia



DATA SUMMARY ON INDONESIA



Total Population	<b>276.639.440</b> people
Territory	1,9 million square kilometer
Type of territory	Islands
Total islands	17.508
Diversity	360 ethnic groups
Language	Indonesian with 718 Regional language
Type of government	Republic
Type of state	Unitarian
Gross Domestic Product	USD \$780 billion
Size of Digital Economy	US\$130 billion (in 2025)

Source: Ministry of Communication and Informatics RI (2023), Webershandwick (2022), Napoleon Cat (2022), Kata Data (2022).



with strategic natural resources such as plantations and forestry.

Indonesia is one of the world's emerging market economies. As a middle-income country and a member of the G20, Indonesia is classified as an emerging country. Indonesia's economy is also ranked 17th largest in the world with the 7th largest GDP. Indonesia's Digital Economy is expected to surpass US\$130 billion by 2025.

## **B. DEMOCRACY AND PRESS FREEDOM IN INDONESIA**

Indonesia is a democratic state since its political reform in 1998-1999 which was marked by the transition to democracy with the birth of multi-party, direct parliamentary and presidential elections (one man one vote) and democratically. Freedom of the press, freedom of expression, freedom of information and freedom to disseminate information are guaranteed by new laws such as the Press Law No 40 of 1999 and Law No 14 of 2008 on Freedom of Information Act (FOA). With this new press law, any media business entity can publish without the need for licensing from the government.

Prior to the 1998 reforms, the media had to obtain a license called Surat Izin Usaha Penerbitan Pers (SIUPP) or License for Press Publication which was very difficult to obtain, and therefore the number of print mass media was very limited, controlled and censored by the government. After the reform and with its free press, the number of mass media grew rapidly. Based on data from the Press Council, there are 1,711 media outlets in Indonesia that have been verified as of January 2023. Of these, digital media dominates with 902 outlets.

In 2002, the parliament passed Law No. 32 of 2002 on Broadcasting. This law ended the government's broadcasting monopoly and recognized the existence of community broadcasters. The regulator of the broadcasting media is an independent entity, the Indonesian Broadcasting Commission.

Indonesia is a digital technology giant in Asia. In 2022, Indonesia began the migration from analog television broadcasting to digital television. Currently, Indonesia is a digital society where nearly all sectors of the livelihood of the society use digital technology in their daily activities. Internet users in

DATA OF INTERNET AND  
SOCIAL MEDIA IN INDONESIA  
(2023)



Internet users  
**215,63 million** users



Social Media users  
**277,7 million** accounts



Instagram users  
**106,72 million** accounts



Facebook users  
**191,4 million** accounts



Twitter users  
**24 million** accounts



Smartphone users  
**167,5 million** users



YouTube users  
**139** users

Source: Press Council (2022), Ministry of Communication and Informatics RI (2023), Webershandwick (2022), Napoleon Cat (2022), Kata Data (2022).

DATA OF MASS MEDIA IN  
INDONESIA, VERIFIED BY  
THE PRESS COUNCIL (2023)



Print  
**420** medias



Online  
**878** medias



Television  
**367** stations



Radio  
**16** stations

**TOTAL**  
**1,681** medias

Source: Press Council (2022).

Note: The number of mass media online, print, TV, radio above is the number that has been verified by the Press Council. The number of unverified media is still large.

Indonesia reached 215.63 million people in the period 2022 - 2023 or ranked sixth in the world. This number increased by 2.67% compared to the previous period of 210.03 million users. Active social media users in Indonesia reached 277.7

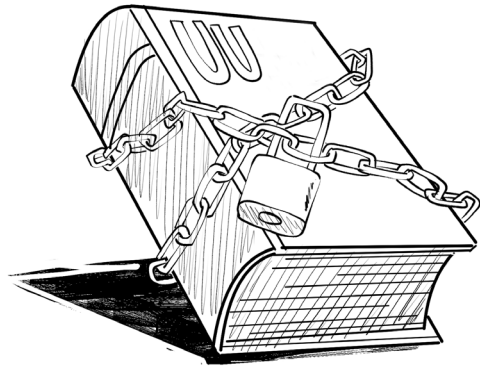
million people in January 2022. This represent a 12.35% increase compared to the previous year.

Some 68% of Indonesians owns a smartphone. There are 106.72 million Instagram users in Indonesia as of February 2023. This number increased by 12.9% compared to the previous month which amounted to 94.54 million users or the fourth largest users in the world. The number of Facebook users in Indonesia until February 2023 was recorded at 191.4 million users; or the third largest in the world. This number increased by 11.09% compared to the previous month which amounted to 172.3 million users.

Twitter users in Indonesia reached 24 million by early 2023, or the fifth largest in the world.

### **C. PRESS LAW AND THE DYNAMICS OF PRESS FREEDOM**

After the collapsed of the New Order regime in May 1998, and the transition towards democracy began, the press community and civil society demanded that the New Order press law and other legal regulations on the press be replaced with new laws which



guarantee press freedom. The old Press Law was a law which represses the press freedom and placed the press under the control of the New Order regime. The Government of President BJ Habibie, which declared itself as a Transitional Government (Towards Democracy), responded to the demands of the press and civil society by drafting a press law jointly with the press community. On September 23, 1999, the press law was passed by parliament under the name Law No. 40/1999 on the Press. The deliberation of this bill was recorded as one of the fastest deliberations of a bill in Indonesia, which took only two weeks. It was first deliberated on August 20, 1999, and it was completed and passed on September 13, 1999. On that same year, the bill on broadcasting and a film were

## EXECUTIVE SUMMARY

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also drafted to end the restrictions on the freedom of broadcasting and film.

The passing of the Press Law ended the practice of press suppression and began the practice of press freedom. Article 4 of the Press Law is an article that guarantees freedom of the press in Indonesia which reads; (1) Freedom of the press is guaranteed as a basic right of citizens; (2) The national press is not subject to censorship, banning (publication ban) or broadcasting ban; (3) To guarantee freedom of the

press, the national press has the right to seek, obtain, and disseminate ideas and information; (4) In facing liabilities for their news reportings before the law, journalists have the Right to Refuse (because of their profession, journalists have the right to refuse to disclosure the identity of their of news sources which must remain confidential).

Article 15 of this law removes the government's authority to control the press. In an effort to develop press freedom and improve the life of the

national press, an independent Press Council was established. Under the Press Law, journalists are given the right to establish journalist organizations and to become its members. This ended the government regulation that only recognizes one journalist organization for all Indonesian journalists.

The Press Law No. 40/1999 is the cornerstone of Indonesia's press freedom, from a press that was not free from censorship of the authoritarian New Order government to a free press on par with press freedom in Western democracies. Press Law No 40/1999 is the result of political reform, a year after the fall of the New Order regime. This Press Law is a *lex specialis de rogat lex generalis* (a specialized law which overrides the general law). As a *lex specialis*, journalists or the media cannot be charged with criminal offenses under other laws when carrying out their duties, but are resolved by a dispute resolution mechanisms regulated by the Press Law.

In addition to the Press Law, parliament also passed political laws that overhauled the political system from an authoritarian to a democratic political

system. In a short period of time, the number of mass media increased, as did the political parties. Parliamentary elections were conducted directly, followed by direct presidential elections. The Law on Human Rights was also passed to endorse the freedom of the press, expression and politics. Since 1999, Indonesia has been in transition to democracy and is now heading towards democratic consolidation.

During the transition to democracy, the Constitutional Court was established. This court is authorized to conduct judicial review of laws against the constitution, so that every citizen has the constitutional right to file a judicial review for laws that jeopardize the constitutional rights of citizens. A number of articles in the Criminal Code which oppressed press freedom and individual freedom, such as articles on insulting the head of state, were overturned by the Constitutional Court, allowing greater press freedom.

Nine years later, Law No 14/2008 on Access to Public Information (Freedom of Information Act - FOA) was issued on the initiative of the civil society, complementing the press freedom,

## EXECUTIVE SUMMARY

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freedom to obtain information, and freedom to disseminate information. However, in that same year, the parliament passed Law No 11/2008 on Electronic Information and Transactions, which in some of its articles threatens press freedom and freedom of speech.

Despite this environment where there is free press, physical violence and even killings of journalists still

occur. Censorship, which in the New Order regime was carried out by the government, is now carried out by, among others, the media owners, mass organizations, corporations, and other forces which influence the independence of news rooms. In 2022, the Criminal Code Law and the Job Creation Law were passed, which contain articles which, again, threaten press freedom.

#### D. EFFORTS TO NURTURE PRESS FREEDOM

The Press Council, with the support of its constituents, is seriously striving to nurture press freedom. The Press Council through its commissions designs advocacy programs to nurture press freedom, such as advocacy on policies, advocacy for journalists who are facing legal problems due to their journalistic work, advocacy for journalists who are victims of violence. On the other hand, the Press Council encourages the improvement of the quality of journalism with various programs such as journalist' competency tests, promoting the understanding of ethics and the Journalistic Code of Ethics, and improving professional standards of journalism.

The Press Council, together with its constituents, namely the organizations of journalists and the organization of press companies, continues to work together to design programs and activities aimed at safeguarding press freedom, such as joint advocacy against articles that threaten press freedom in draft laws.



The Press Council annually conducts a Press Freedom Index survey to measure the level of press freedom from year to year to find out whether the press freedom index is declining or increasing and what should be done so that the freedom index increases from year to year. Within this framework of press freedom, the Press Council, which is mandated by law to resolve press disputes, carries out this task to the best of its ability.





# CHAPTER 2

# ON THE PRESS

# COUNCIL

## A. HISTORY OF THE PRESS COUNCIL

THE PRESS Council was established in 1968 based on Law Number 11 of 1966 concerning The Basic Provisions of the Press signed by President Soekarno on December 12, 1966. The function of the Press Council under this law was to assist the government in fostering the development and growth of the press at the national level. The chairman of

the Press Council at that time was the Minister of Information, who served as ex-officio (Article 7 paragraph (1)).

In 1982, the New Order Government enacted Law No. 21 of 1982, which was signed by President Soerharto on September 20, 1982, under the name Law No. 21 of 1982 concerning Amendments to Law No. 11 of 1966 concerning The Basic Provisions of the Press as amended by Law No. 4

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of 1967. Law No. 21 of 1982 did not fundamentally change the existence of the Press Council, which functions as an advisor to the government, especially the Department of Information of the Republic of Indonesia. The Chairman of the Press Council remains the Minister of Information. The difference: according to Law No. 21 of 1982, it further clearly states the representation of various elements in the membership of the Press Council. Article 6 paragraph (2) of Law No. 21 of 1982 states: Members of the Press Council consist of representatives of press organizations, representatives of the Government and representatives of the public, in this case experts in the field of the press and as well as in other fields. The previous law only explained that the members of the Press Council consisted of representatives of press organizations and experts in the field of the press.

In 1999, after the fall of the New Order regime, there was a significant change with the issuance of Law No. 40/1999 on the Press which was enacted on September 23, 1999 and signed by President BJ Habibie. In line with the spirit of reform, the Press Council, is independent, based on Article 15

paragraph (1) of the Press Law which states: In an effort to develop press freedom and improve the life of the national press, an independent Press Council is established. The Press Council is no longer an advisor to the Government. The Press Council's structural relationship with the Government was cut off, which was reinforced by the dissolution of the Department [Ministry] of Information by President Abdurrahman Wahid. There is no longer a Government representative in the membership of the Press Council as it was during the New Order.

The appointment of members of the Press Council remains by Presidential Decree, but without Government intervention. The positions of chairman and vice chairman of the Press Council are no longer included in the Presidential Decree but are decided by all members through a plenary meeting. According to Article 15 Paragraph 3 of the Press Law, members of the Press Council are democratically elected every three years, with membership consisting of: (a) journalists elected by journalist organizations (three people); (b) leaders of press publishers elected by press publishers' organizations (three people);

and (c) public figures, experts in the field of press and/or communication, and other fields elected by journalist organizations and press publishers' organizations (three people). The total number of Council members is nine.

## B. VISION AND MISSION

The Vision of the Press Council: "To safeguard and promote national press freedom based on the principles of democracy, the rule of law and human rights."

Ten missions of the Press Council:

1. To strengthen the institution of the Press Council.
2. Improve the quality of press resources.
3. Empower press organizations.
4. Promote the effectiveness of the implementation of Law No. 40 of 1999 on the Press.
5. Conduct a review of Law No. 40/1999 on the Press.
6. Empower the ombudsman network and news dispute mediation institutions.
7. Cultivate a press community that adheres to the code of ethics.
8. Strive for press freedom within

constitutional rights.

9. Promoting awareness of media literacy in the community.
10. Promoting diversity journalism.

## C. PROFILE OF THE MEMBERS OF PRESS COUNCIL 2022-2025

### Azyumardi Azra

#### Chairman of the Press Council

(May 18, 2022 - September 18, 2022)



Is a professor of the history of Islamic civilization at the Universitas Islam Negeri Syarif Hidayatullah (Syarif Hidayatullah State Islamic University), Jakarta. He was rector of this university in the period 1998 - 2006, born in Padang Pariaman, West Sumatra on

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March 4, 1955. Azyumardi is one of Indonesia's prominent Muslim intellectuals. He graduated from the Faculty of Tarbiyah, IAIN Jakarta, and studied at the Department of Middle Eastern Language and Culture at Columbia University on a Fullbright scholarship in 1988. He received a Columbia President Fellowship in 1989 to study at the Faculty of History at the same university. Azyumardi earned a master of philosophy degree from Columbia University in 1992 and a doctorate of philosophy at the same university. His dissertation entitled "The Transmission of Islamic Reformism to Indonesia: The Network of Middle Eastern and Malay-Indonesian 'Ulama in the Seventeenth and Eighteenth Centuries". Returned to Indonesia he founded the journal *Studia Islamika*, and was a frequent visitor to Southeast Asian Studies, Oxford Center for Islamic Studies. He also taught at St. Anthony College. In 2010, Azyumardi was honored by the British Empire as Commander of the Order of the British Empire.

Four months in office since May 18, 2022 in accordance with Presidential Decree No. 14/M of 2022, dated April

12, 2022, Azyumardi Azra passed away on September 18, 2022. M. Agung Dharmajaya, Vice Chairman of the Press Council, replaced him as acting Chairman of the Press Council. On January 13, 2023 through its plenary meeting of the Press Council Members, a new definitive chairman of the Press Council was elected to replace the late Azyumardi Azra, namely Ninik Rahayu. Before being elected as the new definitive chairperson, Ninik was the Head of the Press Council's Research, Data Collection and Press Ratification Commission. At this plenary meeting it was also decided that Asep Setiawan would become a substitute member of the Press Council representing the element of community leaders.

### Ninik Rahayu

#### **Chairwoman of the Press Council**

(January 13, 2023-present)

#### **Head of the Press Research, Data Collection and Ratification Commission**

(May 18, 2023-January 13, 2023).

She is a women's activist and legal expert, born in Lamongan, September 23, 1963. She has served as a member



of the Indonesian Ombudsman (2016 - 2021), Commissioner of the National Commission on Violence Against Women (2006 - 2009 and 2010 - 2014), and lecturer at the Faculty of Law, Muhammadiyah University of Jember, East Java. She completed her master's degree in law at Airlangga University Surabaya and her doctorate in the same field at Jember University, East Java. Since 2020 she has been a Professional Personnel of the National Resilience Institute (Lemhannas) RI and as Director of JalaStoria, an association that has a vision in promoting an Inclusive Indonesian Society and is active in efforts to eliminate discrimination. Ninik Rahayu is also known as an author. She

wrote a book entitled "Politik Hukum Penghapusan Kekerasan Seksual di Indonesia" (The Politics of the Law on the Elimination of Sexual Violence in Indonesia) and is one of eight authors of a book entitled "Menjadi Feminis Perempuan" (Becoming a Female Feminist).

### **Muhamad Agung Dharmajaya**

#### **Vice Chairman of the Press Council**

(May 18, 2022-September 18, 2022,  
January 13, 2023-present)

#### **Acting Chairman of the Press Council**

(September 18, 2022-January 13, 2023).





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Completed his doctoral degree at Jenderal Soedirman University, Management Science study program. Agung began his career in 1996 in the management of telecommunications company, magazine publishing company, television and radio broadcasting industries. He is a management and regulatory practitioner, serving as a director and consultant in local TV and radio broadcasting media until now. He represents the Indonesian Local Television Association (ATVLI), as a member of the drafting team for the revision of the Broadcasting Law. He completed the National Defense Institute's (Lemhannas) Regular Education Program (PPRA) Class 55 in 2016. Currently, Agung is active as an administrator of the Lemhannas Alumni Family Association Class 55.

### Yadi Heriyadi Hendriana

#### Head of Complaints and Enforcement of Press Ethics Commission

Born in Ciamis on June 8, 1975, he holds a Bachelor of Social Science (1998) and graduated from the Master



of Political Science program (2019) at Diponegoro University, Semarang. He is currently completing his doctoral degree in Communication Science at Padjajaran University, Bandung. He is currently the News Director of MNC Portal Indonesia. Yadi has worked at MNC Group since 2004 and has held several executive positions, including News Producer Global TV (2004 - 2005), Executive Producer News Global TV (2005 - 2006), News Gathering & Production Head Global TV (2006 - 2007), Deputy Editor-in-Chief Global TV (2007 - 2013), Editor-in-Chief MNCTV (2013 - 2017), and Deputy News Director and Editor-in-Chief iNews (2017 - 2020). He successively became Chairman of



IJTI (The Association of TV Journalists of Indonesia) for the periods 2012 - 2016 and 2017 - 2021.

### **Arif Zulkifli**

#### **Head of the Law and Legislation Commission**



Born in Bandar Lampung, February 8, 1970. He graduated from the Faculty of Social and Political Sciences, University of Indonesia. He joined Tempo Magazine when it was re-published in 1998 after being banned by the government in 1994. At that time Arif was a reporter at Tempo's Data and Analysis Center. In 1994 when Tempo Magazine was

banned from publication he became a reporter at Media Indonesia Daily. In October 2013, Arif was appointed Editor-in-Chief of Tempo Magazine and was appointed President Director of the Tempo Magazine publishing company on July 12, 2021. Arif won the Elizabeth O'Neil Journalism Award from the Australian Government in 2010. He was also a member of the expert team for the drafting of the UN convention on the role of investigative journalism in combating corruption in Vienna, Austria, 2013.

### **Paulus Tri Agung Kristanto**

#### **Head of the Education, Training and Professional Development Commission.**



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Born in Yogyakarta on March 4, 1968. He is a journalist for Kompas Daily. He graduated with a Bachelor of Political Science from Faculty of Social and Political Sciences Universitas Gajah Mada (UGM) Yogyakarta and studied at MMDP Prasetya Mulya Business School - Kompas Gramedia. He is a member of the Honorary Board of the Central Committee of the Indonesian Journalists Association (PWI), Advisor of the Mass Media Language Forum (FBMM) and the Communication Commission of the Indonesian Bible Institute Foundation (YLAI). He is involved as an editor and author of books, including "Jangan Bunuh KPK (Don't Kill KPK)", "Kejahatan Korupsi dan Penegakan Hukum (Corruption Crime and Law Enforcement)", "Demokrasi Konstitusional (Constitutional Democracy)". This Deputy Editor-in-Chief of Kompas Daily has been a member of the drafting team for the Bill on Terrorism and Bill on the Commission for the Eradication of Corruption. He often serves as a judge for various writing competitions. He is a holder of a special award Press Card Number One, and a recipient of the Mohammad Yamin Award for Constitutional Journalists.

He has worked at Radio Unisi FM, Surya Daily, Bernas Daily, written for Hai magazine, Bisnis Indonesia Daily and a number of other mass media.

### Totok Suryanto

**Head of the Inter-Institutional and Foreign Relations Commission**



Born in Blitar on October 16, 1967, he is now the Deputy Editor-in-Chief of TV One. He holds a Bachelor of Public Administration degree from Brawijaya University, Malang and a Master of Management degree from the Open University of Indonesia. He was active

as an organizer and member of the Indonesian Television Journalists Association (IJTI), a member of the Indonesian Scout organization and a member of the Student Cooperative while still in college. He has pursued a journalistic career as senior manager of SCTV's news Liputan 6, journalist of Sinar Jakarta News Magazine, reporter of Surabaya Pos, broadcaster of Radio Puspita FM Malang and editor of Brawijaya University Newspaper. He has attended short courses in London and Saudi Arabia. His network and access to the leadership of the TNI (the Indonesian military) and Polri (the Indonesian police), the Middle East region and journalists and media in the Islamic world are his strengths.

### Asmono Wikan

#### **Head of the Information and Communication Commission.**

Born in Gunungkidul, Yogyakarta July 28, 1971, he has professional competence in the media industry, public relations, and mass communication. He completed his undergraduate degree at the Department of Communication



Science, FISIP, Diponegoro University, Semarang in 1997. He was an Universitas Diponegoro (Undip) student press activist in 1992 - 1996. He worked at Matari Advertising, the largest national advertising company in Indonesia at that time, in the publishing division of CAKRAM magazine, 1997 - 2000. He wrote hundreds of advertorials for various product and service categories for Tempo Magazine and Newspaper from 1998 to 2022. In October 2005, Asmono became the Executive Director of the Central Board of the Press Publishers' Association (SPS), formerly known as the Newspaper Publishers Association. SPS is an organization of print media owners/publishers that has 370 members (as of December 2022)

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

throughout Indonesia. Since February 2019, he has been elected as Secretary General of the Central Board of the Press Publishers' Association (SPS). In February 2015, he pushed for the publication of PR INDONESIA Magazine, becoming Editor-in-Chief and CEO of PT Media Piar Indonesia, the magazine's publisher. During the COVID-19 pandemic, Asmono published three books of his work and collaborative works. Respectively: "Bergerak! Mengakrabi Disrupsi (Moving! Embracing Disruption)," "Menciptakan Peluang (2020) (Creating Opportunities (2020), Public Relations 6.0: Hati, Reputasi (Heart, Reputation)," "Pandemi (Pandemic March, 2021), and "Energi Kebajikan dan Komunikasi Empatik (Kindness Energy and Empathic Communication) (August 2021).

### Atmaji Sapto Anggoro

**Head of the Press Research, Data Collection and Ratification Commission** (January 13, 2023-present)

**Head of the Partnership and Organizational Infrastructure Commission**  
(18 May 2022-13 January 2023).



Born in Jombang, East Java October 4, 1966, a graduate from the College of Communication, and Prasetya Mulya College of Management. He was a reporter for Surabaya Post, (1988-1990), Editor of Buana News (1991), Assignment Editor of Republika Daily (1998), Deputy Chief Editor/Director of Operations of detik.com (1999-2011), Chief Community & Newsroom Officer (CNO) of Merdeka.com (2012-2015), Chief Operation Officer (COO) of KapanLagi (2012-2015), and Co-Founder of Tirto.id. He was Director of Indonesian Internet Service Providers Association (APJII) between 2006-2009, founder of Binokular Big Data Media Analysis, Secretary General of the Indonesian

Internet Service Providers Association (APJII) between 2012-2015, Supervisor of the Indonesian Domain Name Association (PANDI) between 2015-2017 and Chairman of the Supervisory Board of the Indonesian Cyber Media Association (AMSI) 2017 to present.

### Asep Setiawan

**Head of the Partnership and Organizational Infrastructure Commission** (13 January 2023-present).



He started his career as a journalist at Kompas in 1989. As deputy editor of the international desk since 1991, Asep also traveled around various countries

for international coverage such as the 1990-1991 Gulf War. In 1999, he was appointed editor of *kompas.com*, one of the first generation of cyber media in Indonesia. Asep's journalistic experience further developed when he joined the BBC World Service Indonesia Department in London in 2000 from presenter to editor and head of the BBC Indonesia Bureau in Jakarta in 2002 and later on in 2008-2010. In 2012 he returned to Indonesia to become Deputy Editor-in-Chief of Metro TV and then in 2013 became Head of the Media Research Center at Metro TV. His published books include "Jurnalistik Radio" (Radio Journalism) (2012) and "Jurnalistik Praktis" (Practical Journalism) (2012). Asep graduated from the Department of International Relations, Faculty of Social Sciences, Universitas Pajajaran in 1988. His master's degree in International Relations was obtained from the University of Birmingham, UK in 1994. Doctoral Program in International Relations from Faculty of Social and Political Sciences Universitas Pajajaran Bandung in 2019.

## D. ORGANIZATIONAL STRUCTURE

### PRESS COUNCIL ORGANIZATIONAL STRUCTURE (2022-2025)

**Ninik Rahayu**

**Chairwoman of the Press Council**

(January 13, 2023-present)

**Muhamad Agung Dharmajaya**

**Vice Chairman of the Press Council**

(May 18, 2022-Sept 18, 2022, January 13, 2023-present)

**Acting Chairman of the Press Council**

(September 18, 2022-January 13, 2023).

#### **I. Complaints and Enforcement of Press Ethics Commission**

Head of Commission: **Yadi Hendriana**

Deputy Head: **Paulus Tri Agung Kristanto**

#### **V. Research, Data Collection and Ratification of the Press Commission**

Head of Commission: **Atmaji Sapto Anggoro**

Deputy Head: **Asmono Wikan**

#### **II. Law and Legislation Commission**

Head of the Commission: **Arif Zulkifli**

Deputy Head: **Asep Setiawan**

#### **VI. Communication and Information Commission**

Head of Commission: **Asmono Wikan**

Deputy Head: **Atmaji Sapto Anggoro**

#### **III. Education, Training and Professional Development Commission**

Head of Commission:

**Paulus Tri Agung Kristanto**

Deputy Head: **Yadi Hendriana**

#### **VII. Partnership and Organizational Infrastructure Commission**

Head of Commission:

**Asep Setiawan**

Deputy Head: **Totok Suryanto**

#### **IV. Inter-Institutions and Foreign Relations Commission**

Head of Commission: **Totok Suryanto**

Deputy Head: **Arif Zulkifli**

## E. DUTIES AND FUNCTIONS

Legal basis: Article 15 Paragraph (2) of Law No. 40/1999 on the Press. The Press Council carries out seven main functions:

- Protect press freedom from interference from other parties.
- Conduct studies to promote the press.
- Establish and supervise the implementation of the Journalistic Code of Ethics.
- Present consideration and seek resolution of public complaints on cases related to press coverage.
- Promote communication between the press, the public, and the government.
- Facilitate press organizations in drafting press regulations and improving the quality of the journalism profession.
- Data collection of press companies.

## F. PRESS COUNCIL COMMISSIONS 2022 – 2025

### 1. Complaints and Enforcement of Press Ethics Commission

Elaboration of Law No. 40/1999 on the Press, Article 15 Paragraph (2) Letter c: "Establish and

supervise the implementation of the Journalistic Code of Ethics," and Article 15 Paragraph (2) Letter d: "Provide consideration and seek resolution of public complaints on cases related to press reporting."

Head of Commission:

Yadi Hendriana

Deputy Head:

Paulus Tri Agung Kristanto

### 2. Law and Legislation Commission

Elaboration of Law No. 40/1999 on the Press, Article 15 Paragraph (2) Letter a: "Protect press freedom from interference from other parties" and Article 15 Paragraph (2) Letter f: "Facilitate press organizations in drafting regulations in the field of the press."

Head of the Commission:

Arif Zulkifli

Deputy Head: Asep Setiawan

### 3. Education, Training and Professional Development Commission

Elaboration of Law No. 40/1999 on the Press, Article 15 Paragraph



(2) Letter b: "Conduct studies for the development of the press," and Article 15 Paragraph (2) Letter f: ".... improve the quality of the journalism profession."

Head of Commission:

Paulus Tri Agung Kristanto

Deputy Head: Yadi Hendriana

#### **4. Inter-Institutions and Foreign Relations Commission**

Elaboration of Law No. 40/1999 on the Press, Article 15 Paragraph (2) Letter e: "To develop communication between the press, society and government."

Head of Commission:

Totok Suryanto

Deputy Head: Arif Zulkifli

#### **5. Research, Data Collection and Ratification of the Press Commission**

Elaboration of Law No. 40/1999 on the Press, Article 15 Paragraph (2) Letter g: "Data collection of press companies."

Head of Commission:

Atmaji Sapto Anggoro

Deputy Head: Asmono Wikan

#### **6. Communication and Information Commission**

Elaboration of Press Council Decree No: 52/SK-DP/VII/2016

Head of Commission:

Asmono Wikan

Deputy Head:

Atmaji Sapto Anggoro

#### **7. Partnership and Organizational Infrastructure Commission**

Elaboration of Law No. 40/1999 on the Press, Article 15 paragraph 7: "The source of financing for the Press Council comes from : a. press organizations; b. press companies; c. assistance from the state and other non-binding assistance."

Head of Commission:

Asep Setiawan

Deputy Head: Totok Suryanto

### **G. SIGNIFICANT PRESS EVENTS 2022**

Press Council wins a judicial review at the Constitutional Court

On August 31, 2022, the Constitutional

Court in Jakarta rejected an application for judicial review of Law No. 40/1999 on the Press filed by three citizens.

The Constitutional Court rejected the arguments presented by the petitioners. The argument that only the Press Council makes rules for press organizations was rejected by the Court. According to the Court, the role of the Press Council is to hold discussions with the constituents of the Press Council, namely journalist organizations, in the preparation of organizational regulations. In terms of the role of the Press Council as an organizer, the Court is of the opinion that there is no intervention by the government or the Press Council in the preparation of regulations governing press organizations. This function of the Press Council, according to the Court, is in accordance with the spirit of independence and self-reliance of press organizations.

The argument presented by the petitioners that Article 15 paragraph 2 of Law No. 40 on the Press gives a monopoly right to the Press Council in making regulations on the press was rejected by the Court. The Court stated

that Article 15 paragraph 2 letter (f) and Article 15 paragraph 5 of the Press Law do not violate freedom of the press, freedom of association and freedom of expression. Regarding the competency test for journalists, the Court stated that the competency test is a concrete issue and not a norm (rule). In 2019 the Central Jakarta District Court had also decided the same thing.

On July 7, 2021, three Indonesian citizens from an organization which they claimed as the “Dewan Pers Indonesia” (Indonesian Press Council) filed a petition to annul Article 15 paragraph (2) letter f and Article 15 paragraph (5) of Law Number 40 of 1999 concerning the Press with the Constitutional Court. The aim is to have their organization, the Indonesian Press Council, also recognized by the state as a Press Council. Because it concerns the Press Council, the Press Council is a Related Party in this case and must participate in the proceedings at the Constitutional Court. The three applicants for Judicial Review submitted Articles 15 paragraphs 2 and 5 for review. Article 15 paragraph (2) of the Press Law states: “The Press Council shall perform the following functions: facilitating press organizations

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

in formulating regulations in the field of the press and improving the quality of the journalism profession.”

Article 15 paragraph (5) of the Press Law states: “The membership of the Press Council as referred to in paragraph (3) of this article shall be determined by Presidential Decree.”

The Plaintiffs submit that the unclear interpretation of Article 15 paragraph (5) of the Press Law has harmed the constitutional rights of the Plaintiffs who own companies and legal press organizations. They are prevented from forming the Press Council, to elect and be elected as members of the Press Council because of the article. The Plaintiffs feel that their right to determine and ratify members of the Indonesian Press Council has also been impeded.

In their view, Article 15 paragraph (2) letter f of the Press Law should be reviewed because press organizations lose their right to formulate regulations in the field of the press. In practice, these articles are interpreted by the Press Council as its authority based on the Press Council’s function to formulate and stipulate regulations in the press sector.

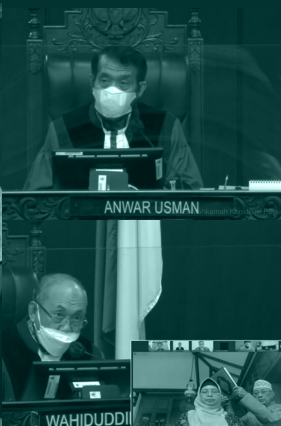
According to them, Article 15 paragraph (2) letter f of Law 40/1999 is contrary to Article 28, Article 28C paragraph (2), Article 28D paragraph (1), Article 28E paragraph (3), Article 28H paragraph (2), Article 28I paragraph (2) of the 1945 Constitution.

The Defendant is the Government, represented by the Ministry of Communication and Informatics, while the Related Party is the Press Council. Director General of Information and Public Communication of the Ministry of Communication and Informatics Usman Kansong gave his statement at the fifth hearing. According to him, the petitioned articles listed in the Press Law are not provisions that are difficult to interpret because the formulation is very clear. The Press Council as the Related Party said that if press organizations formulate rules according to their own version, it will cause chaos and legal uncertainty in the implementation of press freedom and hinder the improvement of the livelihood of the press. Chairman of the Indonesian Journalists Association (PWI) Atal S Depari testified that PWI had suffered no constitutional or operational losses due to the article under review.



Mengawal Konstitusi  
**BERITAMK**

**PENGUJIAN UU PERS, 38/PUU-XIX/2021**  
SELASA, 11 JANUARI 2022



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The Alliance of Independent Journalists (AJI), the Indonesian Cyber Media Association (AMSI), and the Indonesian Television Journalists Association (IJTI) stated that the articles tested were not unconstitutional.

The Constitutional Court's decision confirms that the existence of the Press Council supports press freedom in Indonesia.

### **Criminal Code Law Passed and Threatens Freedom of the Press**

On December 6, 2022, the Draft Criminal Code (RKUHP) was enacted into the Criminal Code Law in a plenary session of the Indonesian Parliament, in Jakarta. The Press Council condemned the passing of the Criminal Code because it threatens press freedom, freedom of expression and democracy. The Press Council is also disappointed that the proposed improvements to the articles in the threatening draft were ignored by the lawmakers. The Press Council believes that the Criminal Code Law will paralyze the press where journalists will be under threat of criminalization. In a democracy, press freedom must be safeguarded, one of which is by ensuring there is no criminalization towards





journalists. This protection is needed so that journalists can freely carry out their duties in monitoring, criticizing, correcting and providing suggestions on matters relating to public interests to prevent abuse of power. Press freedom is shackled because the Criminal Code Law can ensnare journalists and press companies as perpetrators of criminal acts when carrying out journalistic duties.

Since 2018, the Press Council has been advocating to remove or correct articles that threaten press freedom, freedom of expression, and democracy that contradict Law No. 40/1999 on the Press in the draft Criminal Code. On July 15, 2022, Press Council Chairman Azyumardi Azra submitted a list of articles to be corrected to the House of Representatives. The articles to be corrected consisted of 11 clusters and 17 articles that threatened press freedom, as an attempt to prevent criminalization. However, the Press Council's proposal was ignored by the Parliament.

The Press Council noted articles of the Criminal Code Law that have the potential to criminalize journalists and threaten press freedom, freedom of opinion, and expression, as follows: (1)

Article 188 which regulates the crime of spreading or developing the teachings of Communism/Marxism-Leninism; (2) Article 218, Article 219, and Article 220 which regulate the crime of attacking the honor or dignity of the President and Vice President; (3) Article 240 and Article 241 which regulate the crime of insulting the Government; (4) Article 263 which regulates the crime of broadcasting or disseminating false news or notifications; (5) Article 264 which regulates the criminal offense against any person who broadcasts news that is uncertain, exaggerated, or incomplete; (6) Article 280 which regulates interference and obstruction of judicial proceedings; (7) Article 300, Article 301, and Article 302 which contain criminal offenses against religion and belief; (8) Article 436 which regulates the crime of minor insult; (9) Article 433 regulates the crime of defamation; (10) Article 439 regulates the crime of defamation of the dead; (11) Article 594 and Article 595 regulate the crime of publishing and printing.



## CHRONOLOGY OF PRESS COUNCIL'S ADVOCACY AGAINST THE DRAFT CRIMINAL CODE THAT THREATENS PRESS FREEDOM

**September 18, 2018**

Press Council: The Draft Criminal Code interferes with press freedom and hinders journalistic works.



**September 25, 2019**

The Speaker of the House promised to review the articles on the press in the Draft Criminal Code.



**December 3, 2019**

IJTI called for the 10 articles on the press to be removed from the Draft Criminal Code.



**September 24, 2019**

The Press Council, AJI, IJTI, LBH Pers and LPDS met with the Speaker of the House of Representatives to reject articles on the press in the Draft Criminal Code.



**November 3, 2019**

The Press Council called for articles on the press to be removed from the Draft Criminal Code.



**April 16, 2020**

The Press Council refused to allow the Parliament to deliberate the articles on the press in the Draft Criminal Code.

**October 5, 2021**

AJI called for the articles on the press to be removed from the Draft Criminal Code.



SUMBER FOTO: DOK. AJI.COM

**August 8, 2022**

Press Council Chairman Azyumardi Azra submitted corrections to the articles on the press in the Draft Criminal Code.



FOTO: DOK. DEWAN PERS

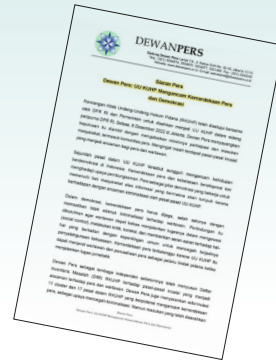


FOTO: DOK. DEWAN PERS

**December 7, 2022**

The Press Council condemns the passing of the Criminal Code Law, which contains articles that threaten press freedom, freedom of expression, democracy, and freedom of religion.



FOTO: DOK. DEWAN PERS

**July 15, 2022**

Press Council Chairman Azyumardi Azra called for the removal of eight articles on the press in the Draft Criminal Code because they threaten press freedom, criminalize journalistic works, and contradict Law No. 40/1999 on the Press.



FOTO: DOK. DEWAN PERS

**December 5, 2022**

AJI urged that 17 articles on the press be removed from the Draft Criminal Code.



# CHAPTER 3

## PERFORMANCE OF THE PRESS COUNCIL 2022

### A. OVERVIEW

THE PRESS Council has many programs which were implemented in many activities to carry out its mission to promote quality media, the quality of journalism, uphold journalistic ethics, and preserve press freedom obtained since 1999. These programs are implemented by seven commissions assisted by the Secretariat and Experts.

The Press Council also collaborates with 11 constituent and non-constituent organizations, government and non-governmental organizations (NGOs) who are involved in media and journalism programs, including media watch organizations. The Press Council receives funding from the state and non-binding non-state funds to manage these programs as well as to cover office



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operational costs. The programs consist of Priority Programs and Supporting Programs. The following are the Press Council's programs for 2022.

### B. PRIORITY PROGRAMS

#### PRESS FREEDOM INDEX

The Press Freedom Index (*Indeks Kebebasan Pers - IKP*) of the Press Council has been conducted since 2017. *IKP* is a method to measure the level of press freedom, both at the global level and at the national level. *IKP* is the responsibility of the Press Research, Data Collection and Ratification Commission. At the global level such Press Freedom Index are compiled by Freedom House (New York), Reporters sans frontière (Paris) and others. The Press Council measures *IKP* at the national level covering 34 provinces. *IKP 2022* is an assessment of indicators from January to December 2021. The completion of the *IKP 2022* report is in the midst of the transition of the membership of the Press Council for the 2019-2022 period to the Press Council for the 2022-2025 period. The preparation processes up to the implementation of the *IKP* survey was held with members of the Press

Council for the 2019-2022 period, while the finalization of the report was held with members of the Press Council for the 2022-2025 period. The *IKP* field research was conducted by PT Sucofindo (Persero), a research service company.

#### Indexing Method

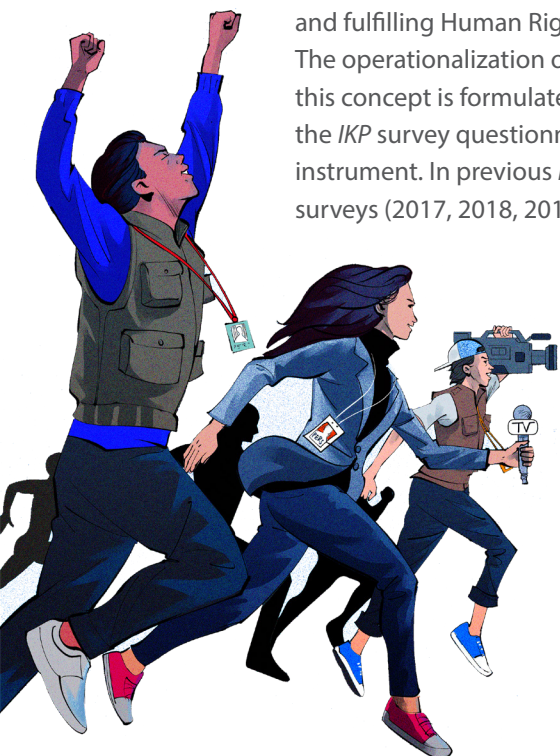
The indexing methods, which are used in research in any sector, always use mixed methods, namely a mixture of qualitative and quantitative methods. The *IKP* method also uses the Mixed Method adopting the indexing method used by Global Media (Freedom Dataset), Freedom Houses (Freedom of the Press Data), Reporters Without Borders/ Reporters sans frontière (World Press Freedom Index) and the International Research & Exchanges Board/IREX (Media Sustainability Index). The method in each of these organizations uses a commonly used indexing method but each has its own characteristics which are reflected in the variables and indicators as well as the weighted value of each variable. *IKP* uses 3 variables that cover 20 indicators. The three variables are (1) Physical and Political Environment; (2) Economic Environment; and (3) Legal Environment (adopting Freedom House variables).

## INDEX RESEARCH INSTRUMENT

Variable	Number of Indicators	Sub Indicators
Physical and Political Environment	9	30
Economic Environment	5	27
Legal Environment	6	18
<b>Total</b>	<b>20</b>	<b>75</b>

The indicators in each environment conceptually describe the principles of the press with human rights perspective, which are divided into the functions of respecting, protecting and fulfilling Human Rights. The operationalization of this concept is formulated in the *IKP* survey questionnaire instrument. In previous *IKP* surveys (2017, 2018, 2019,

2020, 2021), the *IKP* assessment was carried out in 20 indicators divided into three environmental condition variables, namely: (1) Physical and Political Environment consisting of nine indicators; (2) Economic Environment consisting of five indicators; and (3) Legal Environment consisting of six indicators. In the questionnaire, all variables and indicators are detailed into 75 sub-indicators of the Press Freedom Index Assessment. Each indicator has a range of scores that will be decided by a peer group consisting of Expert Informants (IA) at the provincial level consisting of: active journalist organizations, press company leaders, local government, and the public, and the National Assessment Council (NAC). The peer group will assess and calculate the Index score to determine which category it falls into.





## VARIABLE, INDICATOR AND WEIGHT

	Variable and Indicator	Weight (%)
<b>A</b>	<b>Physical and Political Environment</b>	<b>50.21</b>
1	Freedom of Association for Journalists	2.09
2	Freedom from Intervention	9.27
3	Freedom from Violence	10.07
4	Freedom of Alternative Media	2.27
5	Diversity of Views	6.25
6	Accurate and Balanced	5.23
7	Access to Public Information	2.56
8	Education of Journalists	6.09
9	Equal Access for Vulnerable Groups	6.39
<b>B</b>	<b>Economic Environment</b>	<b>23.59</b>
10	Freedom of establishment and operation of press companies	1.74
11	Independence from Powerful Interest Groups	9.88
12	Diversity of Ownership	3.26
13	Good Corporate Governance	4.80
14	Public Broadcasting Corporation	3.91
<b>C</b>	<b>Legal Environment</b>	<b>26.21</b>
15	Judicial Independence and Legal Certainty	4.18
16	Freedom to Practice Journalism	2.60
17	Criminalization and Intimidation towards the Press	8.54
18	Press Ethics	3.81
19	Restoration Mechanism	1.94
20	Legal Protection for Persons with Disabilities	5.13



## CATEGORIES IN IKP

Score Range	Classification	Qualification
1–30	Not Free	Very Poor
31–55	Less Free	Poor
56–69	Slightly Free	Moderate
70–89	Quite Free	Good
90–100	Free	Very Good

### ***IKP 2022 Result***

The Press Freedom Indexing 2022 resulted in a National IKP score of 77.88 which is considered in the classification of “Quite Free” and “Good” qualifications. The value is obtained from three environmental conditions, namely the Physical and Political Environment

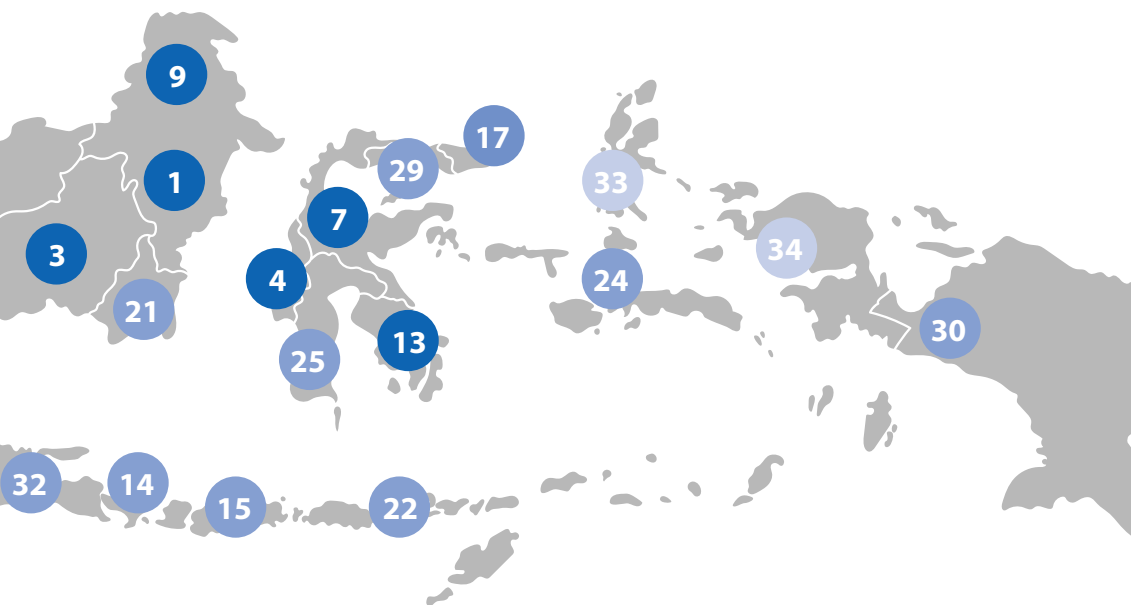
with a value of 78.95, the Economic Environment with a value of 76.86, and the Legal Environment with a value of 76.71. The IKP results as a whole and in each environment fall into a category that illustrates that nationally the press freedom is in a “Moderately Free” condition during 2021 or a level below the classification of “Free”.

IKP Ranking per Province

Ranking	Province	Score
1	East Kalimantan	83.78
2	Jambi	83.68
3	Central Kalimantan	83.23
4	West Sulawesi	82.53
5	West Kalimantan	82.53
6	Riau	82.01
7	Central Sulawesi	81.94
8	West Java	81.53
9	North Kalimantan	81.43
10	South Sumatra	81.40
11	Central Java	80.99
12	Riau Islands	80.95
13	Southeast Sulawesi	80.47
14	Bali	79.78
15	West Nusa Tenggara	79.62
16	Jakarta Capital City	79.42
17	North Sulawesi	79.36
18	Lampung	79.02
19	Yogyakarta Special Region	78.86
20	West Sumatra	78.72

21	South Kalimantan	78.58
22	East Nusa Tenggara	78.24
23	Bengkulu	77.52
24	Maluku	77.28
25	South Sulawesi	77.28
26	Aceh Nanggroe Darusalam	76.39
27	Bangka Belitung Islands	76.19
28	North Sumatra	75.92
29	Gorontalo	75.61
30	Papua	75.57





31	Banten	74.50
32	East Java	72.88
33	North Maluku	69.84
34	West Papua	69.23

The five provinces that received the highest *IKP* scores in the 2022 *IKP* survey were East Kalimantan (83.78), Jambi (83.68), Central Kalimantan (83.23), West Sulawesi (82.53), and West

Kalimantan (82.53). Meanwhile, in the previous year (2021 *IKP* survey), the five provinces that received the highest *IKP* scores were Riau Islands (83.30), West Java (82.66), East Kalimantan (82.27), Central Sulawesi (81.78), and South Kalimantan (81.64). The five provinces with the lowest *IKP* scores are West Papua (69.23), North Maluku (69.84), East Java (72.88), Banten (74.50) and Papua (75.57).

IKP INDONESIA DURING SIX YEARS

Year	Grade	Classification	Qualification
2017	67,92	Slightly Free	Moderate
2018	69,00	Slightly Free	Moderate
2019	73,71	Quite Free	Good
2020	75,27	Quite Free	Good
2021	76,02	Quite Free	Good
2022	77,88	Quite Free	Good

**IKP Indonesia during Six Years  
(2017-2022)**

For six consecutive years, the *IKP* survey results showed an increasing trend in the National *IKP* grades, namely from 67.92 (2017), to 69.00 (2018), 73.71 (2019), 75.27 (2020), 76.02 (2021), and 77.88 (2022). However, during these six years Indonesia has never achieved the classification of “Free” in the *IKP*.

**JOURNALIST COMPETENCY TEST  
AND JOURNALISM TRAINING**

The Education, Training and Professional Development Commission of the Press Council (hereinafter referred to as the Education Commission) has the

main task of organizing studies for the development of press life in order to improve the quality of the journalism profession. The implementation of this main task includes drafting regulations such as news guidelines, creating syllabi and conducting journalistic training, conducting training for prospective examiners for the Journalist Competency Test (JCT), organizing and supervising the implementation of the JCT, and recommending sanctions for journalists who are considered violating or no longer competent as journalists. In 2022, the Education Commission conducted two main activities: Journalist Competency Test and Journalism Training.

### **a. Journalist Competency Test**

The work of journalists is closely related to the public interest, so in carrying out their duties, journalists must have adequate competency standards agreed upon by the press community. These competency standards serve as professional standards for journalists while protecting the public interest and the public's individual rights. These standards are also meant to maintain the dignity of the journalist's work and not to restrict the human rights of citizens to become journalists and hinder the freedom of the press.

Competence relates to a journalist's intellectual ability and general knowledge. This includes the ability to understand press ethics and law, the concept of news, news writing and editing, and language skills. Competence also relates to a journalist's technical skills such as searching, obtaining, storing, possessing, processing, creating and broadcasting news. Indonesian journalists must take a competency test to obtain this competency standards. The Competency

Test is organized by the Journalist Competency Test Agencies (*LU*) that have been verified by the Press Council. The *LUs* can be held by press companies, journalist organizations, universities or journalism education institutions. Until the end of 2022 there are 24 *LUs*. Journalists who have not taken the competency test are considered not to have such competence according to this competency standard. The Journalist Competency Test (JCT) refers to the Press Council Regulation number 01/Peraturan-DP/X/2018 concerning Journalist Competency Standards (*SKW*).

The cost of conducting JCT derived from the State Budget (*APBN*) as well as covered by the JCT participants themselves and other non-binding parties, which are usually called independent JCTs. The JCTs funded by the state budget are directly accountable to the Press Council, but they remain executed by the verified *LUs*. JCTs funded by the state budget, through Ministry of National Development Planning (*Bappenas*), are referred to as Press Council-facilitated JCTs.



In 2022, the target of the Press Council-facilitated JCTs was to be implemented in 34 provinces in Indonesia with a total of 1,700 journalists participating. In its implementation, the number of applicants reached 2,113 journalists (or 124 percent) and 1,962 journalists attended the JCT. The JCTs were held in 34 provinces and then added

four cities, namely Bukittinggi (West Sumatra), Jakarta, Pekalongan (Central Java) and Sidoarjo (East Java). A total of 1,801 journalists were declared competent (91.79% passed) and 7.95% (156 journalists) were not competent. Of the 38 JCTs facilitated by the Press Council, there were four JCTs in four regions with a 100% pass rate and 10 regions with a pass rate below 90%.

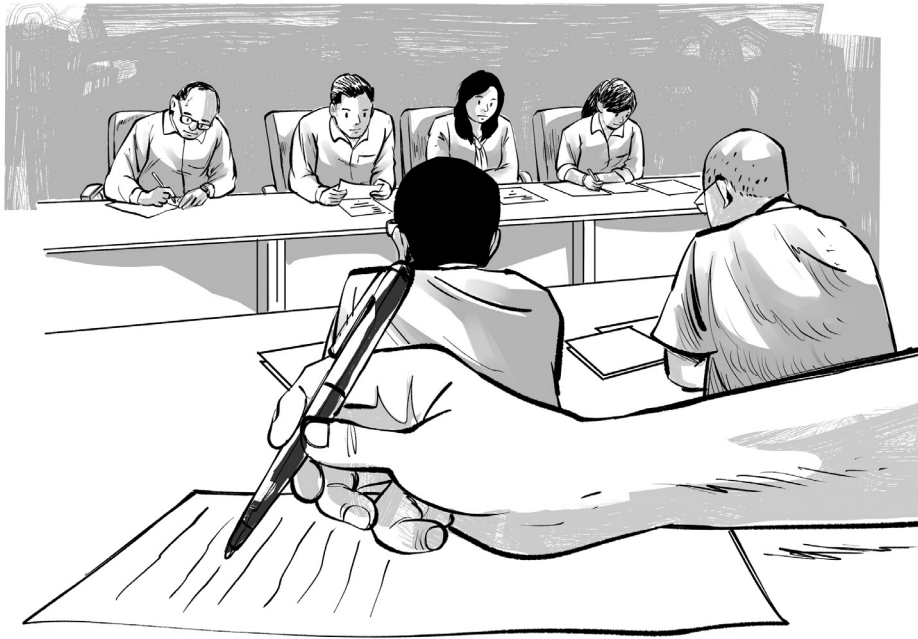
PRESS COUNCIL-FACILITATED JCTS PARTICIPANTS

No	Province	JCT Invited Participants	JCT Attending Participants	Competent	% Competent
1	West Sumatra	54	50	49	98,00%
2	Bengkulu	54	51	47	92,16%
3	Central Kalimantan	53	48	38	79,17%
4	Riau	54	54	41	75,93%
5	North Kalimantan	34	34	31	91,18%
6	Banten	54	46	41	89,13%
7	West Nusa Tenggara	49	43	43	100,00%
8	Yogyakarta	54	54	54	100,00%
9	Aceh	60	58	56	96,55%
10	West Java	64	55	47	85,45%
11	East Java	65	65	62	95,38%
12	Central Java	54	46	42	91,30%
13	South Kalimantan	52	52	46	88,46%
14	Bali	54	54	53	98,15%

15	North Sumatra	64	61	58	95,08%
16	South Sumatra	54	49	44	89,80%
17	West Kalimantan	54	52	44	84,62%
18	East Nusa Tenggara	60	50	50	100,00%
19	Lampung	52	49	48	97,96%
20	Bangka Belitung Islands	50	50	40	80,00%
21	Southeast Sulawesi	54	54	42	77,78%
22	Central Sulawesi	53	46	38	82,61%
23	West Sulawesi	35	35	32	91,43%
24	Jambi	60	53	45	84,91%
25	Maluku	54	49	46	93,88%
26	Riau Islands	154	54	46	85,19%
27	East Kalimantan	54	53	51	96,23%
28	North Sulawesi	54	53	51	96,23%
29	South Sulawesi	60	52	51	98,08%
30	Gorontalo	54	47	36	76,60%
31	West Papua	36	30	28	93,33%
32	Papua	36	35	34	97,14%
33	North Maluku	54	44	42	95,45%
34	Jakarta Capital City	90	82	80	97,56%
35	Bukittinggi, West Sumatra	72	70	63	90,00%
36	DKI Jakarta	72	69	69	100,00%
37	Pekalongan, Central Java	66	55	54	98,18%
38	Sidoarjo, East Java	66	60	60	100,00%
	<b>Total</b>	<b>2.113</b>	<b>1.962</b>	<b>1.802</b>	<b>91,85%</b>

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)



### **b. ToT for JCT Examiner Candidates**

On December 2-4, 2022 in Depok, West Java, a Training of Trainers (ToT) for prospective JCT examiners was held. The ToT was attended by 45 participants from 8 journalist competency testing agencies. The 8 Competency Testing Agencies (*LUs*) are PWI, AJI, IJTI, LPDS, Kompas, Tempo, ANTV, and Pewarta Foto Indonesia (PFI). For the first time, the Press Council held a ToT for prospective examiners. ToT materials include an understanding of

Competency Standards for Journalist, Law Number 40 of 1999 concerning the Press, Journalist' Code of Ethic (*KEJ*), the Code of Conduct and the Standard of Broadcasting Programs (*P3SPS*), and other Regulations on the Press. The ToT materials also include Preparation for Testing JCT: Criteria for Examiners, Materials Prepared for Testing, Insights required by Examiners, the Principles of Examiners, Testing System, Integrity Pact of Examiners and Procedures for JCT: Print, Cyber, Television, Radio and Photo.

### **c. Journalism Training**

In 2022, the Press Council targeted journalism training for 1,700 journalists and by the end of the year, 1,967 journalists had attended the training. Trainers for the training come from members of the Press Council, senior journalists with backgrounds in various media platforms, such as print, cyber, television, photo, radio, and trainers from the Testing Agencies (LUs). The duration of the training was eight hours. The materials taught included Law No. 40/1999 on the Press and press-related laws and regulations, the Journalists' Code of Ethics, Competency Standards for Journalist (CSJ) and Indonesian journalistic language, as well as interview techniques and news writing (straight news, features, editorials).

### **d. Formulating Regulation: Guidelines for Reporting Diversity Issues**

The Education, Training and Professional Development Commission of the Press Council in 2022 completed the formulation of the Press Council Regulation, namely the Press Council Regulation Number: 02 /PERATURAN-DP/ XI/2022 concerning Guidelines for Reporting on Diversity Issues. The

Diversity Issue Reporting Guidelines were discussed for five years. The draft regulation was first proposed by the Journalists Union for Diversity (*Serikat Jurnalis Untuk Keberagaman - Sejuk*) and has been discussed by involving the constituents of the Press Council, experts and other resource persons. The draft has also undergone public testing. Diversity is anything related to differences in identity based on ethnicity, religion, race and intergroup, and gender. On November 1, 2022, the guidelines were approved by the Interim Press Council Chairman, Muhammad Agung Dharmajaya. The Guidelines for Reporting on Diversity Issues encourage Indonesian journalists to: uphold the constitution by upholding human rights and gender principles: comply with the Journalists' Code of Ethics, and prioritize humanity by paying attention to vulnerable groups, disabilities, people in certain regions, and people with certain conditions.

The drafting of this guideline refers to Article 6 b of Law Number 40 of 1999 concerning the Press. Journalists who are tasked with guarding the fact of diversity are obliged to respect diversity, which is regulated in Article 8 of the

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

Journalists' Code of Ethics (*KEJ*). These guidelines encourage journalists to not only inform but also educate the public when reporting on conflict issues. Thus, journalists must have a respect for diversity that is reflected from the selection of ideas and the implementation of coverage, to writing news.

It is hoped that these guidelines may serve as a reference for journalists in reporting on diversity issues, so that the news does not contain prejudices, hatred, and incite conflict. With these guidelines, journalists can contribute to respecting and protecting human rights. This guideline encourages Indonesian journalists to:

- a. Avoiding diction (word choice), sound, images, and graphics that demean, insult, stereotype, and spread prejudice against a group, and encourage hatred and negative labelling.
- b. Maintain accuracy, verification, and balance.
- c. Avoiding sensational and provocative titles, and considering their impact.
- d. Providing appropriate and relevant attribution.

- e. Avoiding quotes that contain hate speech.
- f. Mentioning a clear time and place when displaying material from the archive.
- g. Avoid quotes that are internal messages (narratives) of a group without verification.

## PUBLIC COMPLAINTS

The authority of the Press Council to receive complaints from the public who feel aggrieved by media coverage and the authority to resolve disputes between the public and the press, is regulated in Article 15 of Law No. 40 of 1999 concerning the Press, paragraph 2 point 3 which states that the Press Council provides consideration and seeks to resolve public complaints. This dispute resolution mechanism is regulated by Press Council Regulation Number: 01/Peraturan-DP/VII/2017 concerning Procedures for Complaints to the Press Council. In this Regulation, what is called a Complaint is the activity of a person, group of people or institution/agency that submits objections to matters related to journalistic works and or activities to the Press Council.





## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

The Press Council in its authority to receive public complaints and resolve disputes has the authority to conduct Mediation and Adjudication. Mediation is an effort to resolve complaints between the Complainant and the Respondent through face-to-face meetings or in other forms of communication. Adjudication is an assessment of the complaint material based on Law No. 40/1999 on the Press, the Journalists' Code of Ethics, and the Regulations of the Press Council. With these two authorities, the Press Council has the authority to settle disputes, reject complaints or determine the press guilty and impose sanctions (recommendations) on the press that are found to have violated the Journalists' Code of Ethics in accordance with the jurisdiction of Law No. 40/1999 on the Press. The decision on this dispute is called the Statement of Assessment and Recommendation (*Pernyataan Penilaian dan Rekomendasi - PPR*), which is a document containing the final assessment and recommendation on the complaint taken through the Press Council Plenary Meeting Decision.

Throughout 2022, the Commission for Complaints and Enforcement of Press

Ethics of the Press Council received 691 cases. Of these, 663 cases have been resolved (95.95%) and 28 cases are still in the process of being resolved (4.05%). Of the 663 resolved cases, 91 cases were resolved through mediation, 45 cases through Statement of Assessment and Recommendation, 452 cases through correspondence process, and the rest were kept as archives. With the target of resolving complaint cases in 2022 of at least 90%, the number of settlement recapitulations carried out has exceeded the target set by the Commission. The number of Complaints is quite high but the settlement performance is also high. Of the 691 complaint cases, around 95% of the complaints were public complaints about cyber (online) media coverage.

In addition to public complaints related to the news, the Complaints Commission also found on its own initiative journalistic works that violated the *KEJ*, regarding pornography and indecent news. In this case, the Complaints Commission tries to resolve quickly, namely contacting the editor-in-chief of the media concerned and asking to immediately remove (take down) the news item for it is not worthy to be



called news and not worthy of being read by the public.

This is due to the nature of cyber media work which is different from that of print and broadcast media, which prioritize in speed over accuracy and depth. The most common violations by cyber media are generally violations of the Journalists' Code of Ethics article 1 (inaccurate) and article 3 (not verifying the information, unbalanced and judgmental). There is no serious effort to verify the information by the cyber media. Cyber media generally also violate point 2 letters a and b, Press Council Regulation Number: 1/Peraturan-DP/III/2012 on Cyber Media News Reporting Guidelines in terms of news verification and accuracy. The regulation states that every news item must undergo verification. Cyber media generally also write titles that do not match with the content of the news just so that readers are tempted to open the link (pursuing clickbait). Cyber media also often write hoaxes, slander and pornographic (indecent) news. Other mistakes include quoting viral information from the social media without verification, confirmation and clarification; posting news releases from agencies, government institutions and



### COMPLAINT CASES RESOLUTION PERFORMANCE 2022

Complaint	691 cases
Resolved	663 cases (95%)
On Process	28 cases (4.05%)

### COMPLAINT CASES RESOLUTION METHOD 2022

Mediation	91 cases
PPR *)	45 cases
Correspondece	452 cases

\*) PPR = Statement of Assessment and Recommendation

companies; plagiarism. Plagiarism is a serious violation of the *KEJ*.

Throughout 2022, the Covid-19 Pandemic is still ongoing in Indonesia so that the settlement of public complaints is carried out through correspondence and face-to-face through video conference. The settlement through correspondence uses two forms, namely the Provisional Assessment Letter and the Final Assessment Letter. If the parties agree with the Provisional Assessment, the Complaints Commission will issue a Final Assessment Letter. If one or even both parties disagree with the provisional assessment, the Press Council will organize a clarification and mediation-adjudication meetings, as a form of enforcement of the press ethics in accordance with the authority mandated by the Journalists' Code of Ethics, namely that "The final assessment of violations of the Journalists' Code of Ethics is carried out by the Press Council". In mediation, if an agreement is reached between the parties, the case shall be presented to the Press Council Plenary Session. The Press Council shall issue a Statement of Assessment and Recommendation (*PPR*), which is final and binding.

### DATA COLLECTION OF MEDIA COMPANIES

In accordance with its duties, the Press Research, Data Collection and Ratification Commission (*Komdat*) organizes programs related to data collection of press companies by conducting administrative and factual verification. This task is mandated by Law No. 40/1999 on the Press, which states that one of the functions of the Press Council is to collect data on press companies. The main purpose of this data collection is to promote press freedom and improve the quality of journalism. The other objectives are: Encourage credible and professional press companies; Protect press companies; Encourage sound, self-sustained, and independent press companies; and to have an Inventory of press companies quantitatively and qualitatively.

Data collection of press companies is a passive and independent system. This means that press companies themselves take the initiative to submit themselves to be verified by the Press Council in accordance with existing regulations. Data collection of media companies is carried out through



two stages and verification methods, namely administrative verification and factual verification. Administrative verification is an examination of the required documents in accordance with Press Council Regulation Number 03/Peraturan-DP/X/2019 on Press Company Standards, and related regulations, namely Press Council Regulation Number 01/Peraturan-DP/X/2018 on Competency Standards for Journalist, and Press Council Regulation Number 05/Peraturan-DP/IV/2008 on Journalist Professional Protection Standards.

Factual Verification is a field verification after the press company passes the Administrative Verification by checking at the premises of their office to check their newsrooms and their working environment. Factual verification can also be conducted virtually using video streaming facilities. The Press Council's Press Company Verification Program has been going on for years and is ongoing. From 2020 to 2022, 468 media companies have been verified. The target until 2024 is to have 736 press companies verified.

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

During 2022, 326 press companies were verified. Of that number, 106 press companies passed and received status as Factually Verified media. The rest must undergo improvements through the mentoring activity program organized by the Press Council. Thus, until the end of December 2022 the number of media with verified status, both administrative and factual, reached 1,681 media. Consisting of 420 print media, 367 televisions, 16 radios and 878 cyber media.

### C. SUPPORTING PROGRAMS

#### PRESS COUNCIL EXPERT SERVICES

In 2008, the Supreme Court issued Supreme Court Circular Letter (*SEMA*) No. 13 dated December 30, 2008 on Requesting Expert Witness Testimony. The Press Council then issued the Press Council Regulation on Expert Testimony Number: 10/Peraturan-DP/X/2009. Since 2010, the Press Council has been recruiting, training and certifying Press Council Experts.

The Press Council provides press experts to serve as mitigating witnesses in court for criminal cases involving journalists and other media workers based on Law No. 40/1999 on the Press. Although Law

No. 40 on the Press is a *lex specialis* that overrides criminal penalties under other laws and although the Press Council has an agreement with the Indonesian National Police Headquarters that criminal cases involving the press must go through the mechanisms set out in the Press Law, nevertheless, journalists and media workers often have to face criminal charges due to their journalistic duties. Therefore, during the examination by the police, prosecutor and court, the Press Council provides press experts as expert witnesses for journalists and media workers facing criminal charges. The Press Council's press experts can also serve as expert witnesses in civil and other legal cases involving journalists, media workers and press companies.

During 2022, the Legal and Regulatory Commission of the Press Council held press expert training (refresher course) on August 31 - September 2 in Bali and September 29 to October 1, 2022 in Batam. A total of 17 Press Council's press experts attended the training. The training in Bali was organized for press experts from Eastern and Central Indonesia. They came from 14 regions such as Maluku, Papua, Central

Sulawesi, Southeast Sulawesi, North Sulawesi, South Sulawesi, West Sulawesi, Kalimantan, East Java, Central Java and Bali. In Batam, the refresher course was attended by 20 press experts from Western Indonesia. These two refresher courses will increase the number of press experts as Press Council's Press Experts in 34 Provinces so that each province will have four Press Council's Press Experts.

The refresher course provided participants with knowledge of press law and other laws related to the press and strategies for becoming press experts in court. One of the methods was a court simulation. The participants acted as prosecutors, defense lawyers or complainants (witnesses). One example of the simulation is being a press expert to testify in defense of a foreign journalist who entered Indonesia and was prosecuted for doing journalistic work without having a visa as a journalist.

What should a press expert do when undertaking the task of serving as a press expert for a foreign journalist on trial in Indonesia? Press expert witnesses must also understand various immigration rules. A press expert must have extensive knowledge and

understanding of other rules and regulations relating to the press. Those who become press experts must not only be familiar with Law No. 40 of 1999 on the Press, *KEJ*, the Journalist's Code of Conduct, but also understand other rules and regulations related to the press

### **PRESS COUNCIL AWARD 2022**

The Press Council first held the Press Council Award in 2021. The Press Council has certain considerations for honoring journalists. The Press Council Award is a form of appreciation for all journalists and member of the society who have contributed to producing quality journalistic works and contributed in maintaining and striving for press freedom.

So far, many other organizations or institutions have awarded quality journalistic works. For the Press Council, the increasing number of parties giving journalistic awards is actually a positive sign. It will increasingly become a driver and encourage journalists to continuously strive to improve professionalism and produce quality work. Thus, the press will have a greater contribution in fostering a knowledge society through its quality journalistic work.

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

There are three main objectives of the 2021 Press Council Award:

- To appreciate mass media that have carried out their functions in maintaining press freedom.
- To appreciate journalists who have fulfilled their function in creating journalistic works that support press freedom.
- To appreciate institutions and individuals who are committed to and contribute to press freedom.

For this award, the Press Council also commissioned a specially designed trophy by artist Dolorosa Sinaga. The trophy will remain in use until the 2022 Press Council Awards.

The 2021 Press Council Award Night was held on December 9 at Hotel Sultan, Jakarta. The total number of participants in the 2021 Press Council Awards reached 164. Among them, 118 participants are media/government/prominent persons/communities and 46 are journalists.

In 2022, the Press Council Award night was held on December 13 at the Trans Luxury Hotel, Bandung. The Press Council decided to continue the award on the basis that there is still a need

to give appreciation to journalists so that they continue to be motivated to improve the quality and professionalism of journalists. The objectives of the 2022 Press Council Award are:

- To give appreciation to journalists who have worked and contributed to quality journalism and press freedom.
- To provide motivation for the press ecosystem to always maintain press freedom through quality journalism works.
- To promote press freedom and quality journalism in building a glorious national civilization.

In addition, the Press Council award will serve as a barometer or benchmark for quality journalistic work. For the journalists, naturally, this will serve as a form of appreciation for their works and to encourage and motivate them to continue in producing the best journalistic work for the audience.

For the press companies or mass media, this award is also an effort to achieve professional press company governance. In recent years, there has been a lot of criticism and even denunciation from various elements of the society

about the unprofessionalism of press organizations. Although the Press Council has set guidelines or standards for press companies, but the facts remain otherwise. By awarding press companies, the Press Council hopes to encourage or motivate others to manage their businesses in a more professional manner.

This award also has another objective, namely to create positive conditions or ecosystems for journalists to produce quality journalistic works. The presence of quality journalistic works to the public will clearly help improve the literacy process for the society. And with that, this prodigious contribution of the press in fostering a knowledge society shall not remain merely as a slogan.

The theme of the 2022 Press Council Award is “Quality Journalism for National Civilization”. Since its registration opened on September 12, 2022, a total of 177 participants have joined the 2022 Press Council Award. Of this number, 109 of them are journalists and 68 are media / prominent persons / communities / government.

There has been a slight increase in the number of participants compared to

the previous year. Last year, the total number of participants in the Press Council Awards reached 164. This increase in the number of participants is certainly encouraging. It also means that the enthusiasm of journalists is getting higher to produce quality works. This passion and positive energy must be maintained in order to provide accurate and finest information for the public.

On the other hand, the increase in the number of participants is also a positive sign behind the flooding of information from the social media that has shaken the existence of print media. With the enthusiasm of journalists, the habitat and ecosystem of the press can still be expected and to guarantee the role of the press as a medium of information, education, entertainment, and social control.

Another encouraging aspect is the response of third parties as sponsors. In 2021 there were still very limited sponsors participating, but for the 2022 Press Council Award there were 6 private companies and 4 state-owned enterprises (*BUMN*) participating and contributing to make the event a success.



## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

Slightly different from the previous year's awards, in 2022 the Press Council also gave awards for the photojournalist category. Photojournalistic works are indeed different from narratives in print and broadcast media. That is why the Press Council sees the need for a photojournalist category to award the best photojournalism work.

Through a rigorous selection process, the 2022 Press Council Award Jury determined the winners as follows:

### **Print Journalist Category**

Title of the work: The Mudarat of Emergency Procurement  
Name: Agung Sedayu  
Media: TEMPO Magazine

### **Cyber Journalist Category**

Title of work: Victims of Bechi: Tortured, Raped, Strangled, Accused of *PKI* [The Indonesian Communist Party]  
Name: Ahmad Thovan Sugandi  
Media: detik.com

### **Photojournalist Category**

Title of work: Street Clown Phenomenon  
Name: Heru Sri Kumoro  
Media: KOMPAS

### **Category Radio Journalist**

Title of work: Bandaging Wounds in the

Land of Papua

Name: Ardi

Media: RRI Merauke

### **Category TV Journalist**

Title of work: Looking for Me

Name: Riandi Akbar

Media: DAAI TV Jakarta

### **Media Category (<100 Employees)**

Tempo Magazine

### **Media Category (>100 Employees)**

KOMPAS TV

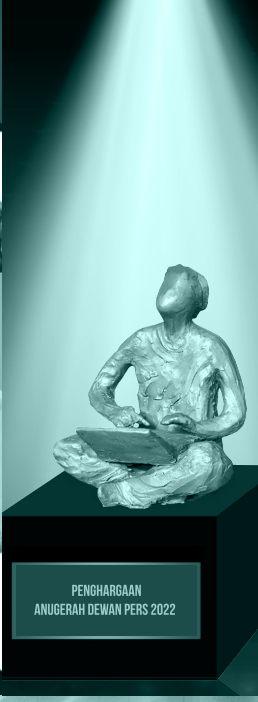
For the categories of communities, individuals, and government institutions, the jury decided not to give awards. This is because from the proposals that came to the committee, they were deemed insufficient to meet the specified qualifications.

### **The Judges**

The Press Council appointed a panel of judges for the 2022 Press Council Award from press experts and academics. The following is the list of judges:

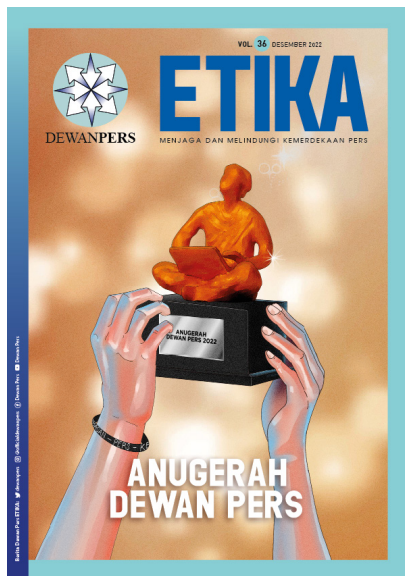
Judges for Photo category:  
Arbain Rambey and Oscar Motuloh

Judges for Television category:  
Gaffar Yudtadi and Uni Z Lubis



## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)



Judges for Radio category:

Asep Setiawan and Frans Dadak Daemon

Judges for the print media category:

Ahmad Djauhar and Asmono Wikan

Judges for the Cyber category:

Atmaji Sapto Anggoro, Hendry Ch

Bangun, and Citra Dyah Prastuti

Final judges: Ninik Rahayu, Muhamad Agung Dharmajaya, Yosep Adi Prasetyo, Dadang Rahmat Hidayat, Bambang Harymurti, Ninuk Mardiana Pambudi, and Atal Depari.

### PRESS COUNCIL GOES TO CAMPUS

The Press Council Goes to Campus is a new program of the Press Council that started in October 2022. Students and citizens on college campuses are one of the strategic stakeholders for the Press Council. They are partners in maintaining press freedom and strengthening democratic consolidation. Students are also future media workers, who need to understand the media and journalism's ecosystem, especially about quality journalism.

The Press Council Goes to Campus program started from the Faculty of Social and Political Sciences (*FISIP*) Diponegoro University, Semarang,

October 5, 2022. The chosen theme: Press Freedom, Citizen Journalism, and the Role of social media. The event involved 260 students in a talk show format featuring four speakers. They were Vice Chairman of the Press Council, M Agung Dharmajaya, Chairman of the Semarang City Alliance of Independent Journalists (AJI), Aris Mulyawan, social media observer, Shafiqh Pahlevi

L, and Head of the Department of Communication Science, Nurul Hasfi. The moderator of this event was the Head of the Press Council's Organizational Empowerment Commission, Asmono Wikan. In addition to the talk show, the Press Council Goes to Campus also organized a student press coaching clinic involving 48 participants from 24 student press organizations in Semarang and surrounding areas.

#### **MEDIA MONITORING (MEDIA WATCH)**

Press freedom in Indonesia is fought for by both the press and the public. In a free press, the public hands over the mandate of its right to know to the press through works of the press to carry out activities in journalism. Therefore, in a free press, the press is accountable to the public, unlike in the authoritarian New Order era before 1999 where the press was accountable to the government. As the mandate giver of the right to know, the public has the right to monitor the media, the extent to which the media tries to fulfill the public's right to know and especially the extent to which the media carries out quality journalism for the benefit of the public. That is why the main objective of





## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

media monitoring (media watch) is to improve the quality of journalism so that the citizens' right to know is fulfilled.

The Press Council's Media Monitoring Program began in 2022 in conjunction with the Press Council Goes to Campus program". Media monitoring is part of the mandate given to the Press Council to encourage the activation of community groups to monitor the work of the media. Press Law Number 40 of 1999 Article 17 mandates community involvement in developing press freedom and guaranteeing the right to obtain necessary information. Community involvement can be in the form of monitoring and reporting analysis of legal violations and technical errors in reporting by the press, as well as submitting proposals and suggestions. Activities to encourage the public to conduct media monitoring began on October 5-6, 2022 in Semarang. The activity was in the form of a public discussion with the theme "Media Monitoring and Quality Journalism". A total of 50 participants from various elements (government, academics, corporations, constituents and press companies) attended this discussion.

## DEVELOPMENT OF INFRASTRUCTURE

Through the Organizational Partnership and Infrastructure Commission, the Press Council launched a digitization program on the Press Council's website. This digitization is an effort to modernize data and information at the Press Council as a whole. This program will reduce the workload of employees to handle the website so that their energy can be diverted to other tasks. Certain types of work on the website will be taken over by digital applications. Digitization aims to make it easier for outsiders, users or data owners to find or access the information they need. In addition to enriching the data on the website, the digitization program will update the data presented on an ongoing basis. The digitization process is designed not to interfere with existing data (journalist competency test application, data collection, and complaints). The digitization includes several parts. First, the enrichment of journalist data. Each verified journalist will be listed on the website.

Journalists will be given keywords so that they can add the necessary data/reputation or remove data that is no longer useful. In addition to

curriculum vitae, there are columns for achievements, coverage experience, expertise, and so on. Journalists who have participated and passed the competency test are expected to be able to print their own certification cards from this site. Second, loading media company data. Media company admins will be given keywords and can update the required information. This information can include ownership, media type classification, management changes, achievements, and others. This program also makes it easy for media who have registered themselves to be verified. Third, ease of complaint handling. The high level of complaints requires ease of handling. Standard complaints will be answered by the application engine. Then, the application will provide the next steps that must be taken by the complainant by fulfilling the requirements/filling out the forms and evidence set or appearing on the application machine. The next step is for the officer to process the complaint.

Fourth, the addition of an application for *PPID* (Information Management and Documentation Officer). This is also to facilitate people who need certain information from the Press Council. At

the same time, it fulfills the elements of information disclosure for public bodies such as the Press Council.

Fifth, providing a data center application on the Press Council website. This application is intended to fulfill requests from various groups for information related to the Indonesian press world to be available at the Press Council. The design of the digitization program began at the end of last year and is expected to be completed by 2023.





## CHAPTER 4

# PRESS AND MEDIA SUSTAINABILITY PRESS FREEDOM

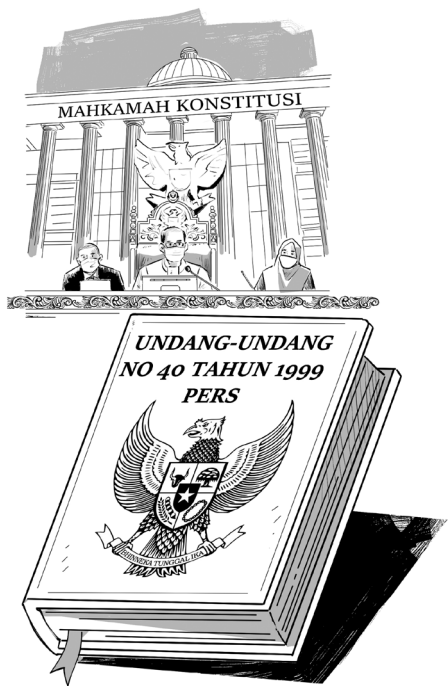
PRESS freedom does not only belong to the press but also to the public, therefore the public also has an interest in maintaining press freedom. Press freedom in Indonesia is guaranteed by Article 28 F of the 1945 Constitution, through the second amendment during the democratic transition (1999), which reads: “Everyone has the right to communicate and obtain information

to develop their personal and social environment, and has the right to seek, obtain, own, store, process, and convey information by using all types of available channels”.

Press freedom is also guaranteed by Law No. 40/1999 on the Press. Article 4 states that press freedom is guaranteed as a basic right of citizens and the press

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)



is not subject to censorship, banning or prohibition of broadcasting; To guarantee press freedom, the press has the right to seek, obtain, and disseminate ideas and information; and in taking responsibility for reporting before the law, journalists have the Right of Refusal (the right not to disclose sources that are treated as confidential).

Indonesia's constitution and laws are adequate to guarantee press freedom.

The climate of democracy and openness also supports press freedom. However, disturbances towards press freedom continue to emerge in various forms.

### QUALITY JOURNALISM

Quality journalism is journalism that prioritizes accuracy, confirmation, fact-checking, verification, coverage from all sides, applying the Journalists' Code of Ethics, journalism ethics, and other news reporting standards such as the Broadcast Code of Conduct and Broadcast Program Standards. In journalism, many guidelines have been developed by various journalist organizations and organizations concerned with quality journalism. They include guidelines for election of coverage, guidelines for covering conflicts, guidelines for interviewing child victims of sexual violence, and other guidelines that aim to guide journalists to produce quality journalism.

Journalist organizations also develop Codes of Journalists' Ethics from their ethical own consciousness. In Indonesia, each organization of journalists that is a constituent of the Press Council has its own code of ethics and has agreed to the Journalists' Code Ethics (*KEJ*), which

was initiated by the Press Council. Each of these organizations also has an ethics board to oversee ethical violations of its members. In a number of mayor media outlets, an Ombudsman has been established to oversee their journalists whose stories receive complaints from public.

The Press Council advocates the importance of balancing quality journalism with media sustainability. According to the Press Council, an independent media/press is one that is able to balance quality journalism with a sustainable media business. The Press Council also encourages citizen participation in monitoring the media to promote quality journalism.



## MEDIA SUSTAINABILITY

We are facing rapid changes full of surprises and uncertainties called disruptions. Scientists are devising concepts and theories to identify what is happening now. The most obvious disruption is the digital revolution that led to digital transformation that changed almost all sectors of human life including media life. Digital transformation, in short, is the transformation of technology from analog systems to digital systems. Digital disruption causes the destruction of print mass media that does not have a strong capacity to survive in its media business. Mayor prints mass media in many countries are closed and moved to digital platforms as an adaptation due to the shock of digital disruption. However, the number of mass media that use digital platforms causes business competition to become increasingly fierce so that the sustainability of these digital platform media cannot be predicted.

In responding to the impact of digital disruption on media sustainability in Indonesia, the Press Council established the Media Sustainability

## EXECUTIVE SUMMARY

Press Freedom for Media Sustainability (Press Council Report 2022)

Working Group in January 2020. The Media Sustainability Working Group is a working group formed based on Press Council Decree Number 14/SK-DP/I/2020, with a working period of one year, starting January 7 (when this Decree was issued) until December 31, 2020. The team is tasked with unraveling

media problems in the digital era and formulating alternative regulations for the government and media stakeholders to maintain the sustainability of the media in Indonesia. This working group was formed on the premise that there must be protection for the sustainability of national media in the face of the digital revolution that has resulted in disruption in the media sector as foreign digital platforms drain off the economic income of national media.

There are six tasks of this task force or working group which were carried out until the end of 2020, namely: (1) Identify media sustainability issues faced by the national press related to the development of digitalization; (2) Review forms of regulation on media sustainability in democratic countries; (3) Formulate media sustainability principles in accordance with the mandate of Press Law No. 40 of 1999; (4) Formulate regulatory initiatives on media sustainability; (5) Communicate the principles of media sustainability regulation with the Government, Parliament and others; and (6) Submit a report on the performance of the Media Sustainability Working Group to the Chairman of the Press Council.



The Sustainable Media Working Group has finalized the Academic Paper of the Draft Presidential Regulation (*Perpres*) on Corporate Responsibility of Digital Platforms to Support Quality Journalism. This academic paper has been submitted to the Government to be issued as a regulation. The academic paper consists of 181 pages containing academic studies on the legal basis, arguments on economic justice for national media, news quality, digital sovereignty and other philosophical arguments. The final part of the academic paper contains the Draft Presidential Regulation on the Responsibility of Digital Platform Companies to Support Quality Journalism. It consists of 9 chapters and 67 articles. The economic justice part of the Draft Presidential Regulation is the remuneration (financial reward) for national press companies from digital platform companies such as Google, Facebook, Twitter and others. One of the considerations for this remuneration is that these digital platform companies help distribute news produced by national press companies.

In addition to the obligation to share remuneration with national press companies, digital platform companies

also have obligations to support quality journalism, the obligation to carry out transparency in sharing user data, the obligation to notify algorithm changes, the obligation to prohibit discriminatory treatment, the obligation to comply with taxation provisions, and the obligation to share advertising revenue fairly and transparently. In the obligation to support quality journalism, digital platform companies are obliged to ensure that the news respects the public interest with quality information, can be accounted for, is useful, does not contain lies, slander, misleading, pitting, and to respect the copyright of the news owner. Digital platform companies are also obliged to remove information containing the above matters no later than 24 hours after the information is available and spread through the digital platform services operated. Digital platform companies have the obligation to create a climate of press freedom that supports the presence of quality journalism and the institutionalization of democratic values.

The Ministry of Communication and Informatics is deliberating this draft media sustainability regulation and the Press Council for the 2022-2025

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Period continues to deliberate with the Ministry, media owners, and Press Council constituents. The draft is called the Draft Presidential Regulation on Cooperation between Digital Platforms and Media to Support Quality Journalism.

After being submitted by the Press Council to the Ministry of Communications and Informatics in late 2021 and deliberated by the Ministry's team with the Press Council, constituents and media owners, in April 2022, the Ministry submitted the draft to the State Secretariat as an initiative license. In June 2022, the State Secretariat returned the draft and requested that it be made more complete. The Ministry of Communications and Informatics deliberated for the improvements of the draft with the Media Sustainability Working Group of the Press Council, the Indonesian Journalists Association, the Indonesian Private Television Association, and other media industry communities. In response to the draft, Google issued a statement that the digital platform giant believes that the best solution for Indonesia is not to choose between having or not having regulations, but to develop



useful regulations. Google hopes to be involved in this effort and would like to be included.

The reference for this regulation in other countries are Australia and the European Union who have taken concrete steps by regulating digital platform activities in a number of regulatory frameworks

and laws. In this Academic Paper, the authors refer to the News Media and Digital Platforms Mandatory Bargaining Code (Bargaining Code) proposed by the Australian Competition and Consumer Commission (ACCC) which recognizes that there is an imbalance of power between digital platforms and press companies in Australia, especially





President Joko Widodo poses for a photo with the members of the Press Council for the 2022-2025 period at the Merdeka Palace, Jakarta, 6 February 2023. The Press Council met with the President to propose that the drafting of a presidential regulation on media sustainability refer to Law Number 40 of 1999 concerning the Press. The President agreed with the Press Council's proposal. (PHOTO BY RI STATE SECRETARIAT).



because press companies do not benefit from any content used by digital platforms.

The ACCC assessed that there was a need for government intervention, especially to ensure benefit sharing. The Bargaining Code consists of 11 chapters that generally regulate bargaining, compulsory arbitration, non-differentiation requirements, contracting out, and standard offers specifically aiming to establish a mandatory rule to assist the sustainability of Australian media companies by establishing a forum that allows bargaining power between digital platform companies and Australian press companies.

The European Union is concerned about the importance of rules regarding the activities of digital platforms. Currently, the EU is intensively discussing the Digital Service Act (DSA) and the Digital Market Act (DMA) which are aimed at creating a climate of competition that allows new platforms to more easily enter the digital market including encouraging transparency, user safety, and accountability from platforms. From further developments, there is a discourse that the existing DSA and

DMA in the EU also intends to adopt Australia's approach regarding the Bargaining Code.

The International Federation of Journalists (IFJ), an organization of journalists based in New York, said it is time for countries to maximize income tax collection from the five global platform companies namely Google, Apple, Facebook, Amazon, and Microsoft. These digital corporate giants are believed not to have fully paid their income tax in most countries where they have their businesses. The IFJ estimates that the value of these revenues worldwide accumulatively reaches US\$ 900 billion. A 6% income tax would raise US\$54 billion. Considering the role of mass media in that process, the IFJ believes that this fund should be managed by media workers' unions together with media company organizations to promote and save the institution of journalism.





# CHAPTER 5

## CLOSING

### **CHALLENGES TO DEMOCRACY, PRESS FREEDOM AND QUALITY JOURNALISM**

INDONESIA is a democracy that is moving from democratic transition to democratic consolidation. This movement is full of risks because at any moment the journey towards democratic consolidation may fail and return to an anti-democratic regime. This risk is conceivable and this is the

biggest challenge for press freedom in Indonesia. Indonesia is considered as a barometer of democratic freedom and press freedom in Southeast Asia and a role model in the region as a typical Southeast Asian model of democracy.

Another challenge to press freedom is violence against journalists. This maybe in the forms of (1) Physical violence, which includes maltreatment, severe

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maltreatment, torture, confinement, kidnapping, and murder; (2) Non-physical violence, which includes verbal threats, insults, use of derogatory words, and harassment; (3) Destruction of reporting equipment such as cameras and recording devices; Attempts to obstruct the work of journalists in seeking, obtaining, possessing, storing, processing, and conveying information, such as seizing journalists' work equipment or other actions that prevent journalists from being able to process their journalistic work; (4) Criminalization of journalists, namely the use of criminal law to try and imprison journalists.

Threats to press freedom will increase in the coming years after the passing of the Criminal Code Law, which contains articles that could imprison journalists. The previous law that threatened press freedom was the Electronic Information and Transaction Law. A number of journalists have been tried and imprisoned under this law and will continue to be. However, to reduce the criminalization of journalists, the Press Council has signed a cooperation agreement with the Indonesian Police Headquarters in which any

criminalization of journalists must go through the recommendation of the Press Council.

The biggest challenges to quality journalism include the human resources of media workers on the one hand and the fierce competition in the media business on the other. Social media is rowdy and full of hoax news, which greatly affects the views of professional media workers in producing quality journalism and drifting into producing unqualified news.

## **MEDIA SUSTAINABILITY PROJECTIONS AND CHALLENGES**

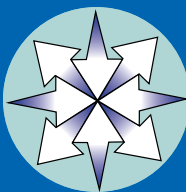
Digital disruption caused by digital revolution and transformation will not stop today but will continue to be unpredictable. Not only the media in Indonesia is shaken by digital disruption, but also other sectors such as the retail sector which is tumbling because it is unable to compete against online shops in the market place. In the media sector, digital disruption forced print media to migrate to online platforms as the reading habit of readers swifts from paper to smart phones. A smart phone

in this digital disruption is a single tool that can be used for anything, from making transactions, to communicating and receiving information with ease. Digital technology is constantly evolving and this will lead to surprising new challenges.

Therefore, anticipation, adaptation and developing strategy are the keys to dealing with the unpredictability of digital disruption. In Indonesia, the draft regulation of Sustainable Media may help the media in the medium term, so all media forces must continue to find a way out of this digital disruption upsurge for media sustainability.

NOTE





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