

**Submission by ARTICLE 19, the Southeast Asian Press Alliance,
Media Defence Southeast Asia, Aliansi Jurnalis Independen,
and Institut Studi Arus Informasi to the UN Universal Periodic Review of the
Republic of Indonesia**

Thirteenth Session of the Working Group of the Human Rights Council, May-June 2012

Executive summary

1. ARTICLE 19 is a non-governmental human rights organisation that works globally to promote and protect freedom of expression and information. ARTICLE 19 was founded in 1987 and has observer status with ECOSOC. ARTICLE 19 first worked on Indonesia in 1996 on a report entitled *Muted Voices: Censorship and the Broadcast Media in Indonesia*, and has since provided evidence before the Indonesian Constitution Court to challenge imprisonment for defamation, campaigned against defamation of religions and book-banning, contributed to the stakeholders' report for Indonesia's first cycle of the Universal Periodic Review (UPR) during the eighth session, and supported the drafting and implementation of the Freedom of Information Law, amongst others.
2. The Southeast Asian Press Alliance (SEAPA) is a regional network of free expression groups that was established in 1998, with two of its founding members from Indonesia. SEAPA supports its national partners in promoting and defending press freedom and citizens' rights to access to information. In 2004, SEAPA mobilised a trial observation in a criminal defamation case; is currently monitoring the implementation of the access to information law in Indonesia; and co-facilitated the visit of Special Rapporteur on Freedom of Expression and Opinion in July 2011 to hear cases of violations of freedom of expression.
3. Media Defence Southeast Asia (MD-SEA) is a regional non-governmental organisation that comprises of lawyers, journalists and media activists focusing on the defence of the media and the promotion of freedom of expression within the Southeast Asia region. MD-SEA provides legal assistance to journalists and news media organisations, support training in media law and promote the free exchange of information, litigation tools and strategies for lawyers working on media freedom cases.
4. Aliansi Jurnalis Independen (Alliance of Independent Journalists, AJI) is a membership based professional organisation for journalists in Indonesia. Established in 1994, AJI works to provide an alternative platform to journalists with the aim of raising professional standards and representing the media community in demanding for, and protecting, media rights and freedom.
5. Institut Studi Arus Informasi (Institute for the Study on the Free Flow of Information, ISAI) was set up in 1994 to promote and campaign for the rights of citizens' access to information in Indonesia and freedom of expression.
6. Given the expertise and scope of activities of ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI, this submission focuses on Indonesia's compliance with its international human rights obligations in protecting the right to freedom of expression and right to freedom of information. Indonesia is a party to the ICCPR, and the Second Amendment of the 1945 Constitution provides protections for freedom of expression and freedom of information.

7. During the first session of UPR, Indonesia endorsed the recommendations to, *inter alia*, support the work of those engaged in defending human rights, combat impunity, and continue to ensure the promotion and protection of all the components of the Indonesian people. Indonesia continues to have a vibrant press, and has taken a step in the right direction by reversing a law that gave the Attorney General's office the power to ban books, which was in place since the 1960s. Despite such improvements, the government has still fallen short of meeting its obligations and fulfilling the agreed recommendations as set out during its first UPR cycle. The major issues of concern are:

- The **State Intelligence Law** and its potential to violate freedom of expression;
- Discrimination against **minority religious groups**, particularly the Ahmadiyah;
- Restricted access to **West Papua** and prevention of pro-independence activities;
- **Violence against journalists**;
- **Control of the media** by the government;
- The use of **criminal defamation laws** to silence critics;
- Ineffective implementation of the **Law on Public Information Disclosure**.

The State Intelligence Law and its potential to violate freedom of expression

8. The State Intelligence Law (SIL), which broadens the power of the State Intelligence Agency, Badan Intelijen Negara (BIN), was passed on 11 Oct 2011. The SIL is the result of a nine-year long government initiative to respond to the changing security situation, or perceived as such, following the 9/11 terrorist attacks. Officially, the SIL intends to provide a legal framework to BIN and to strengthen coordination and information flows between various agencies. The SIL was rejected three times until it was redrafted in 2010. However, the SIL as passed provides BIN with sweeping powers and the opportunity to violate the right to freedom of expression.

9. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI believe that the State Intelligence Law violates freedom of expression standards for the following reasons:

- (a) *Vague terminology*. Article 6 of the SIL permits BIN “to prevent and/or to fight any effort, work, intelligence activity, and/or opponents that may be harmful to national interests and national security”, without clearly defining the “opponents”, what it means to “prevent and/or to fight” or what constitutes “harm” to “national interests and national security”. The law’s vague terminology equips BIN with the ability to use legal mechanisms to suppress critical voices and political opponents.
- (b) *Potential to conflict with other laws*. Article 26 of the SIL establishes that individuals or legal entities are prohibited from revealing or communicating “state secrets”, with violations amounting up to 10 years imprisonment and fines greater than 100 million rupiah (\$11,000 USD). The term 'state secrets' is vague and is not made distinct from the term 'state information' as used under the 2008 Law on Public Information Disclosure, the difference of which is critical for the functioning of the media and civil society.
- (c) *Overly broad crimes*. Articles 44 and 45 establish that “any person” who leaks confidential information about BIN activities, whether intentionally or negligently, will be held accountable and subject to imprisonment and heavy fines. The vague phrasing of the crime and the inclusion of a negligent clause make human rights defenders particularly vulnerable to criminal prosecution, and can lead to a culture of self-censorship whereby individuals fear reporting on human rights abuses.

- (d) *Broad and unchecked power.* Article 31 provides BIN with the authority to intercept communications and to examine funds suspected to be linked to “terrorism and separatism”. Despite the requirement of court orders, the Indonesian legal system is prone to political interference and this oversight mechanism is insufficient to prevent BIN from spying on their critics, activists, and civil society. Furthermore, Article 17 has the potential to protect BIN officials and their families from criminal proceedings, stating that they are entitled to “protections” while an intelligence officer is carrying out “intelligence duties, efforts, work and activities.”
 - (e) Article 29 of the law provides BIN with authority over foreigners or foreign institutions intending to take citizenship, or visit, work, study or open an office in Indonesia. This power allows BIN to potentially inhibit international monitoring of human rights developments within the country, and particularly to contentious regions such as West Papua.
10. The SIL is a step backwards from the recommendations accepted by the Indonesian delegation during its first UPR cycle. Rather than combat impunity, Article 17 provides BIN officials and their families with immunity to criminal prosecutions. Furthermore, the vague terminology of the SIL greatly threatens the work and security of human rights defenders, and makes them susceptible to imprisonment or large fines for simply exercising their right to freedom of expression.

Discrimination against minority religious groups, particularly the Ahmadiyah

11. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI believe that the Indonesian government’s laws, policies and practices discriminate against religious minorities, particularly members of the Ahmadiyah.
- (a) *Ban on minority religious practices.* Although the Indonesian Constitution protects religious freedom, the 1965 Defamation of Religions Law imposes criminal penalties of up to five years imprisonment on individuals or groups that “deviate” from the basic teachings of the official religions. Furthermore, The Joint Decree of the Minister of Religious Affairs, the Attorney General and the Minister of Interior (SKB) from June 9 2008, forbids the Ahmadiyah from “conveying, endorsing or attempting to gain public support”. This denies them the right to freely express their religious beliefs and further erodes religious tolerance in Indonesia. On 13 October 2011 the acting mayor of Bekasi Municipality, Rahmat Effendi, signed a decree officially banning the minority sect from conducting activities. Furthermore, the Indonesian Christian Church (Gereja Kristen Indonesia, or GKI), in the Yasmin area of Bogor was issued an order on 12 March 2010 to stop all church activity and cease construction of their building, despite having been issued a valid building permit in 2006. Since then, GKI members have been forced to gather in the streets to worship.
 - (b) *Violence and impunity.* On 6 February 2011, approximately 1,500 Islamist militants descended upon Umbulan Village, Cikeusik Sub-District in what was a pre-mediated plan to ‘sweep’ the Ahmadiyah. The police had arrived earlier amid the threats to provide security, but their small presence proved to be grossly insignificant to prevent the attack. Using extreme brutality, the militants killed three Ahmadiyah members and seriously injured five. On 28 July 2011, a district court sentenced 12 Islamist militants to three to six

months imprisonment for the incident, with the prosecutors in the case also criticising the Ahmadiyah for posting online videos of the attack and citing it as reason for a sentence reduction for the defendants. This judgment, grossly inadequate for the nature of the crime, is largely symptomatic of the justice system's handling of violence against religious minorities and religious discrimination. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI believe that the Indonesian judicial system is failing to protect religious minorities against acts of violence and discrimination, thus contributing to a regime of impunity.

(c) *Religious Tolerance Bill (RTB)*. The RTB, known nationally as the Rencana Undang-undang (RUU) Kerukunan Beragama, was initially proposed in 2003 by the Ministry for Religious Affairs, the same ministry that had called for a complete ban on the Ahmadiyah. The RTB was revived by the Ministry of Religious Affairs, along with the Interior Ministry and the Ministry for People's Welfare, and presented to the Indonesian House of Parliament in February 2011. Article 1(4) of the RTB defines blasphemy as any act or interpretation of a religion beyond the scope of that religion's basic teachings. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI consider that the RTB's restrictions on proselytizing, building places of worship and religious education, are affecting disproportionately religious minorities and are incompatible with Article 18 of the ICCPR.

12. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI believe that the government's respect for, and protection of, religious freedom has gone backward and deteriorated since the first UPR cycle. There is ample evidence that the recommendations accepted by the Indonesian government then have not been implemented. The government committed then to ensuring the promotion and protection of all the components of the Indonesian people. Instead it has institutionalised inequality and a hierarchy between religious beliefs, with religious minorities at the bottom. This has led to a sharp increase of insecurity for members of religious minorities, limited their abilities to openly practise their religion, and has fostered a culture of impunity for perpetrators of religious violence.

Restricted access to West Papua and prevention of pro-independence activities

13. In the lead up to Indonesia's first UPR review, Stakeholders highlighted the Indonesian government's deep mistrust of West Papuan activities, stating that "peaceful political expressions are often stigmatized as being 'separatist', which is the most common justification for indiscriminate operations against 'suspected militants'." It was noted then that "foreign journalists, human rights researchers and human rights organisations are not granted access to West Papua or are very restricted in their movements" and that a number of individuals have been faced with criminal prosecutions for displaying regional symbols.

14. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI are of the view that the situation in West Papua has not progressed for the following reasons:

(a) *Military surveillance*. Internal military documents between the Indonesian government and the Indonesian Special Forces (Komando Pasukan Khusus, or Kopassus) and military command in West Papua were uncovered in August 2011. They revealed unlawful surveillance of activists, civil society and religious groups in West Papua from 2006 to 2009. A recently leaked letter dated 30 April 2011 from the head of the Indonesian Army in Papua, Triassunu, to the Governor of Papua, Barnebus Suebu, (file number R/773/IV/2011 and marked "secret") made evident that high-level, unlawful military spying continues in West Papua. The letter reveals that the Indonesian authorities are more

wary of peaceful activists than armed separatist groups because the former has stronger foreign influence. Triassunu, the letter's author, refers to what he perceived as a larger plan for "the [Kingmi Papua] church to become a political vehicle" for Papuan separatism on a whole. He threatens that "if the conflict cannot be resolved through discussion then assertive action must be taken". The surveillance of individuals and groups in West Papua, without a court order, is a violation of both the Indonesian Constitution and international law protecting personal life and data and has an additional chilling effect on freedom of expression.

(b) *Ban on Morning Star flag and violence against West Papuans.* The Morning Star has long been a regional symbol associated with Free Papua Movement rebels and remains banned by the Indonesian government and provincial authorities. The raising of a flag or displaying of symbols is a non-violent act protected under the right to freedom of expression, however individuals displaying the Morning Star flag or partaking in peaceful pro-independence activities have been met with aggression, violence and imprisonment by the government and military. Reports include:

- On 19 October 2011, Indonesian security forces arrested approximately 300 members of the Papuan Peoples' Congress after a declaration of independence was made during the gathering. The authorities claimed that the Congress violated its permit, which was only to discuss basic rights of Papuans. Soldiers dispersed the Congress by using excessive force—firing hundreds of shots, pistol-whipping and using batons and canes to fight the crowd. There are reports of approximately three to seven deaths, with the Papua police Senior Commissioner claiming that there were two fatalities.
- From September to November 2011, Papuan students carried out a series of protests throughout the country to highlight human rights issues in their homeland. The authorities, sometimes suspected to be dressed as civilians, responded by carrying out raids in houses rented by the students and using intimidation tactics to force students to move to other areas. On 3 November, student Yusuf Hiluka, 23, was stopped by two officers outside the office of the Regent of Jayawijaya District from Satpol PP (Satuan Polisi Pamong Praja), the district civil security unit, whereupon the officers poured glue over his head and set it on fire. An investigation into the incident is being conducted and the two officers are expected to pay reparations to the victim's family.
- In Jayapura, on 16 August 2011, members of the Free Papua Organization (OPM) raised the Morning Star flag on Tanah Hitam mountain. A joint team of military officers and police arrived to take it down and there was an exchange of gunfire between the two parties. Witnesses report seeing the separatists suspected of raising the flag fleeing into the mountains.

Although it is acknowledged that members of the OPM often use aggressive tactics to assert their views, it is the obligation of the Indonesian government to respond proportionally to all cases of pro-independence activities, and to ensure that West Papuans can fully exercise their right to freedom of expression.

(c) *Restricted access and violence against journalists.* The access of foreign journalists, human rights researchers and human rights organisations to West Papua remains highly limited. When there, their movements are restricted and monitored. The Indonesian authorities continue to fear that foreigners in West Papua will further support the separatist

movement or discredit Indonesia by reporting on the conditions within the province. Additionally, violence against Indonesian or West Papuan journalists reporting in West Papua has increased in recent years. For example:

- On 30 July 2010, reporter Ardiansyah Matra'is was found dead after going missing for two days. Matra'is, who worked for local broadcaster Merauke TV in the southern tip of Papua province, had received a series of death threats along with other local journalists. AJI connected the threats to the imminent local elections, to be held in August or September. Initial reports said the body showed signs of torture, but local police later denied finding signs of abuse.
- In Jayapura on 3 March 2011, Papua journalist Banjir Ambarita was stabbed twice by unknown assailants on motorbikes. The exact motives are unknown, but it is suspected to be in response to his articles in local newspapers exposing abuse committed by police officers in Jayapura.
- Indonesia expelled the International Committee of the Red Cross (ICRC) from West Papua in February 2009, stating that the ICRC was operating without proper legal documentation. In its annual report for 2010, the ICRC noted that its office in West Papua remained closed.

Violence against journalists

15. Violent attacks against individuals exercising their right to the freedom of expression and impunity are a countrywide problem. Stakeholders in Indonesia's first UPR cycle noted that between August 2006 and August 2007, 58 cases of violence against journalists were recorded, an increase from 43 cases the year before. The assaults varied from verbal attacks and intimidation to physical harassment and, in some cases, murder. Since then, the level of violence against journalists has remained relatively constant, with 37 cases recorded in 2009 and approximately 46 in 2010, three of which resulted in deaths. In 2011, there have been multiple attacks against journalists while they have been on duty. Both state and non-state actors have perpetrated these attacks. Between January and October 2011 only, 30 such cases have been recorded by AJI. Offices of local publications have also been raided and equipment destroyed. For example:

- On 15 March 2011, a bomb package was delivered to the office of Utan Kayu Community, which is also the office of 68H Radio News Agency and the Institute for Studies on Free Flow of Information (ISAI). The package was intended for Liberal Islam Network activist Ulil Abshar Abdalla, a critical Moslem intellectual who advocates diversity in Indonesia. Two men were injured, including a police officer who lost one of his hands in the explosion. In April, seven suspects allegedly affiliated with a local terror network were arrested for this case, and a series of mail bomb attacks. The trial began on 31 October and in November prosecutors announced they would seek the death penalty for Pepi Fernando the leader of the terrorist network.
- On 14 December 2010, Alfrets Mirulewan, the editor of *Pelangi Weekly*, disappeared while investigating illegal gasoline trading in the Maluku archipelago. His body was discovered on a beach three days later, 600 kilometres away from the provincial capital of Ambon. The police attempted to write-off his death as an accident, but autopsy results revealed that he had been violently attacked. The police chief was subsequently

dismissed, and proper investigations were initiated. Four perpetrators have been found guilty and sentenced to between three and four years, but they have filed an appeal against the court decision.

- *Sun TV* cameraman Ridwan Salamun was killed on 21 August 2010. He was stabbed repeatedly with machetes whilst covering a conflict between Banda Eli and Fiditan villagers in the southeastern Tual area of the Maluku islands. On 9 March 2011, a court in the eastern province of Maluku acquitted the three men suspected of the murder, stating that the prosecution had failed to prove the case. Several witnesses to Salamun's murder refused to testify or provide information to the authorities for fear of reprisals. The prosecution has filed an appeal against the acquittal.

16. The consistent attacks against journalists from 2006 until 2011 highlight the ineffectiveness of government officials in curbing the attacks and setting up adequate deterrence mechanisms.

Control of the media by the government

17. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI are concerned with the use of the Indonesian Criminal Code (Kitab Undang-Undang Hukum Pidana) to regulate media content, instead of the more progressive Press Law No. 40/1999. In addition, the government has drafted new laws and amendments to existing ones that further control the media and expression.

- (a) *Crimes against decency.* Article 282(a) of the Criminal Code provides that “[a]ny person who either disseminates, openly demonstrates or puts up a writing of which he knows the content or a portrait or object known to him to be offensive against decency [...] shall be punished by a maximum imprisonment of one year and four months or a maximum fine of three thousand rupiahs.” However, Article 282(c) states that “[i]f the offender makes an occupation or a habit of the commission of the crime described” in Article 282(a), the maximum penalty increases to two years and eight months or a fine of five thousand rupiahs. For example:

- After a protracted legal battle that began in 2006, Erwin Arnada, Editor-in-Chief of *Playboy Indonesia*, was convicted and sentenced in August 2010 to two years imprisonment for publishing and selling to adults a news and entertainment magazine that contained no visual depictions of sexual activity or even nudity. *Playboy Indonesia* magazine was declared criminally indecent for editorial features that are commonplace in numerous magazines and newspapers in Asia and around the world. ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI welcome the Indonesian Supreme Court’s acquittal of Arnada in June 2011, but still remain critical of Arnada’s criminal charges and imprisonment in Cipinang high-security prison in the first place, all of which appeared to be politically motivated.

Article 282 of the Indonesian Criminal Code threatens legitimate news reporting and entertainment features on all topics relating to human sexuality, an issue of unquestionable public interest both in Indonesia and the world over. Article 282 must be applied in a narrow manner to conform with Indonesia’s constitutional guarantees and its obligations under international law governing free expression.

- (b) The Broadcasting Law, together with the Press Law, promotes free and independent media, and advances public interest. However, the Broadcasting Law, which was enacted

in 2002, is currently under revision at the House of Representatives. The proposed changes include limiting the power of the Indonesian Broadcasting Commission, reducing its function to a monitoring role, and allowing for media monopolies. Civil society groups, including ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI, are concerned over the proposed changes and the government's anticipated reversal on media freedom.

- (c) The government is also considering a Telematics Convergence Law that would require online media outlets and other entities involving information and communication technologies to obtain licenses from the ministry. This draft law is contrary to the Press law, which states that the press does not need publication licenses. The government conducted a consultation on the law in 2010, however it has yet to be discussed by House of Representatives.

The use of criminal defamation laws to silence critics

18. Provisions and penalties for defamation are provided for within the Indonesian Criminal Code (under Articles 207-208, 310-21, and 335) and the Electronic Information and Transaction Law (Undang-Undang Informasi dan Transaksi Elektronik, No. 11/2008). The vague terminology of these provisions allows public officials to use defamation as a means to criminalise critical voices, which includes complaints or reports of government corruption and misconduct.
19. The media continues to face the threat of large defamation suits, for such activities as tackling public interest issues. Defamation suits initiated by those in power give them an unfair advantage against the media, creating a chilling environment and promoting self-censorship. The media should have the rights and freedom to perform its functions and courts must consider the interests of the public in deciding cases involving large defamation suits.
 - On 25 May 2011, the youngest son of Indonesia's former President Suharto, Hutomo Mandala Putra, was awarded damages worth 12.5 billion rupiah (\$1.46 million) for a magazine article that described him as a "convicted murderer." Commonly known as "Tommy Suharto," the 48-year-old was previously convicted in 2002 for ordering the murder of a Supreme Court judge. Under international standards on freedom of expression, truth is a complete defense to an allegation of defamation. Individuals or media outlets should never be found liable for defamation unless they are shown to have made a false assertion of fact.
 - In July 2010 the Indonesian National Police filed defamation charges under Articles 207 and 208 of the Criminal Code against *Tempo* magazine. The charges stemmed from a caricature on the cover of the 28 June issue of *Tempo* depicting a police officer with pigs on leashes, an image they considered insulting to Islam. The related story alleged that high-ranking police officers had accrued illegal funds in their bank accounts. While the situation was resolved through mediation between the two parties by the Indonesian Press Council, cases of this nature create an undeniable chilling effect on the media and investigative journalism.
20. Under the Electronic Information and Transaction Law, individuals face up to six years in prison and fines as high as one billion rupiah for online defamation (Article 45), though no cases were reported in 2010. There is concern that the government is considering a revision of the law that would retain its potential to be used to punish citizens for the expression of opinions via electronic and social media. The changes were made a legislative priority in 2010 by the House

of Representatives, but it has also been postponed. The government must reconsider its plan, conduct wide scale consultation with all stakeholders, and ensure that any changes are consistent with human rights standards.

Ineffective implementation of the Law on Public Information Disclosure

21. The Law on Public Information Disclosure (Undang-Undang Keterbukaan Informasi Publik no. 14/2008, or UU KIP) was passed on 4 April 2008 in accordance with Articles 28(f) and 28(j) of the Constitution, which guarantees citizens the legal right to access to information held by public institutions. During its first UPR cycle, the delegation of Indonesia ensured that the law will come into effect two years from the day it was passed, utilising this time to construct legal and technical infrastructures, such as the establishment of an information commission.
22. Over three and half years on, the legal and practical enforcement of this right remains weak. As of 28 September 2011, only nine Provincial Information Commissions (Komisi Informasi Provinsi/KIP) have been established since the official enactment of UU KIP and only one District Information Commission has been established in Bangkalan. Meanwhile, most public bodies have not appointed Information and Documentation Managing Officers (Pejabat Pengelola Informasi dan Dokumentasi/PPID). This lack goes to show that UU KIP has not been effectively implemented.
23. In addition, the recent passage of the State Intelligence Law, with its provisions on state secrets, poses serious threats to the effective and just implementation of the Law on Public Information Disclosure.

Recommendations

24. In response to these concerns, ARTICLE 19, SEAPA, MD-SEA, AJI and ISAI call on the UN Human Rights Council to make the following recommendations to the Indonesian government:
 - Review all laws affecting freedom of expression for compliance with the Constitution and international standards. Those that fail to meet the standards should be repealed or amended as necessary to remedy the problem;
 - Ensure that all restrictions on freedom of expression meet international standards and particularly meet the three part test: that restrictions on freedom of expression be provided by law, pursue a legitimate aim and are 'necessary in a democratic society';
 - Extend official invitations to the Special Rapporteurs on freedom of religion or belief; the promotion and protection of freedom of expression and opinion; and extrajudicial, summary or arbitrary executions to visit Indonesia and facilitate the discharge of their mandates;
 - Repeal the State Intelligence Law, or amend it immediately to meet international human rights standards. Vague terminology in the law should be clearly defined. There must be a clear working definition of 'state secrets' as opposed to 'state information' under the Law on Public Information Disclosure. Furthermore, BIN must have independent oversight mechanisms and the SIL should be restricted to extenuating circumstances such as civil or military emergencies;
 - Repeal the 1965 Defamation of Religions Law and the 2008 Joint Ministerial Decree prohibiting the Ahmadiyah. The government must ensure that acts of violence against religious minorities and attacks on their homes, religious symbols and places of worship are thoroughly investigated and those responsible are held to account;

- Allow foreign journalists, human rights groups and non-governmental organisations full access to West Papua, and cease unlawful monitoring immediately;
- Conduct full and fair investigations into all media-related killings and violence, and bring the perpetrators to justice to send a signal that impunity is not tolerated;
- Uphold the Press Law No. 40/1999 and ensure that standards of rights to freedom of expression and press freedom are adhered to in enacting new laws or amending existing ones. The government should also conduct widespread and meaningful public consultations before drafting the laws;
- Repeal criminal defamation and impose limits on the use of civil defamation charges by public bodies and officials, and on the amount of damage claims;
- The Law on Public Information Disclosure should be fully and effectively enforced. The Indonesian government should expedite the process of setting up of all provincial and district information commissions throughout the country and ensure that they are fully operational and functional; and at the same time conduct nationwide public awareness campaign on the law among public officials and the public on how to use the law effectively.