

MAPPING DIGITAL MEDIA: INDONESIA



Mapping Digital Media: Indonesia

A REPORT BY THE OPEN SOCIETY FOUNDATIONS

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Mapping Digital Media

The values that underpin good journalism, the need of citizens for reliable and abundant information, and the importance of such information for a healthy society and a robust democracy: these are perennial, and provide compass-bearings for anyone trying to make sense of current changes across the media landscape.

The standards in the profession are in the process of being set. Most of the effects on journalism imposed by new technology are shaped in the most developed societies, but these changes are equally influencing the media in less developed societies.

The **Mapping Digital Media** project, which examines the changes in-depth, aims to build bridges between researchers and policymakers, activists, academics and standard-setters across the world. It also builds policy capacity in countries where this is less developed, encouraging stakeholders to participate in and influence change. At the same time, this research creates a knowledge base, laying foundations for advocacy work, building capacity and enhancing debate.

The Media Program of the Open Society Foundations has seen how changes and continuity affect the media in different places, redefining the way they can operate sustainably while staying true to values of pluralism and diversity, transparency and accountability, editorial independence, freedom of expression and information, public service, and high professional standards.

The Mapping Digital Media project assesses, in the light of these values, the global opportunities and risks that are created for media by the following developments:

- the switch-over from analog broadcasting to digital broadcasting;
- growth of new media platforms as sources of news;
- convergence of traditional broadcasting with telecommunications.

Covering 60 countries, the project examines how these changes affect the core democratic service that any media system should provide—news about political, economic and social affairs.

The **Mapping Digital Media** reports are produced by local researchers and partner organizations in each country. Cumulatively, these reports will provide a much-needed resource on the democratic role of digital media.

In addition to the country reports, the Open Society Media Program has commissioned research papers on a range of topics related to digital media. These papers are published as the **MDM Reference Series**.

Mapping Digital Media: Indonesia

Executive Summary

The emergence of digital media in Indonesia coincided with the country's transition to democracy beginning in 1998. In some ways, digitization has catalyzed the development of diverse and independent media. Market reforms in favor of liberalization have gone hand in hand with convergence and proliferation to produce a radical increase in the number of media outlets. The number of national television channels has doubled since 1998; commercial radio stations have tripled; and the number of print newspapers has more than quadrupled. This has occurred alongside and in tandem with a rapidly growing online news sector populated by a mixed ecology of established brands and new entrants.

In other ways, however, digitization has merely helped to shift the locus of concentrated power from the state to an increasingly consolidated media elite. Despite the growing number of outlets, new entrants in conventional sectors have been rare and have been hampered by policies that have tended to favor commercial incumbents.

The government's plan for digital switch-over in the television sector is particularly problematic. Imposed through controversial ministerial regulations issued in 2011, it allowed for a simulcast and transition period spanning six years leading to switch-over in 2018. But the plan has been criticized on a number of fronts and by a range of stakeholders. Some questioned its legitimacy from the outset in light of the government's apparent efforts to sidestep the legislative process; others highlighted the absence of a clearly defined schedule or guidelines for existing broadcasters (both private and public) and the seemingly empty promises of support for underprivileged households: a subsidy scheme for set-top boxes (STBs) announced in 2012 did not materialize in the state budget the following year.

From the government's perspective, the new rules enhanced the transparency and accountability of the broadcast licensing process, requiring initial bids to be sealed and anonymous, and restricting any single operator from owning licenses in more than one regional "zone." This did not deter civil society activists, who mounted a successful judicial review of the new licensing rules in 2012. The Supreme Court ruled that digital licensing should be suspended pending a review of the rules, and that all digital licensing tenders since

February 2012 should be declared void. But the government dismissed this on the grounds that the court's decision could not be applied retrospectively.

Beyond the television sector, digital media are taking hold in Indonesian society via a plethora of devices. Ownership of household personal computers (PCs) trebled between 2005 and 2010, and the proportion of the population with regular access to the internet rose from 5 percent in 2005 to 32 percent in 2012. Although internet penetration remains low compared with other South-East Asian countries, those who are online have shown a tendency to eschew conventional platforms for news and information, with the exception of television. In the big cities, even television is losing its edge and online news sites are rising up the ranks of the most popular websites.

The volume and range of news sources have also been boosted by the growth of social media. The proportion of internet users participating in social networks is second only to Brazil in global rankings. Indonesians have also demonstrated a relatively strong appetite for both consuming and participating in news through social media platforms. There is a vibrant blogging culture reflected partly in regular offline conferences and gatherings of blogging communities around the country. Participation in mainstream news is also increasing, as established providers widen opportunities for user-generated content.

Somewhat counterbalancing this, the supply of professional news services has been bolstered by the development of public service broadcasting since the early 2000s. In 2008, the public service broadcaster announced four new digital channels that promised to widen its spectrum of national and local programming, alongside websites with streaming facilities. However, its online presence remains underdeveloped and it has failed to attract more than a marginal share of the television audience. Hampered by financial struggles and accused of religious bias and culturally backward programs, public service broadcasting has failed to keep pace with the growing commercial sector.

A closer look at television content suggests that the proliferation of channels has not produced a corresponding increase in the diversity of output. Herd behavior among broadcasters is a particular problem in news programming, according to several recent studies. In the print world, diversity has been constrained by intense market concentration.

Nevertheless, the rise of the local press has marked a tendency toward decentralization of print news, which has helped to reduce the traditional focus on Jakarta in setting the news agenda for the country as a whole. At the same time, news websites have demonstrated a tendency to diversify their content—albeit in favor of food, entertainment, and health-related topics rather than hard news. Social media have also demonstrated the potential to weaken the gatekeeping power of professional news editors.

Perhaps digital media's most meaningful contribution to diversity is found in the widening space for representation of and expression by women, religious and political minorities, and rural communities. In this context, digital platforms have interacted with new political freedoms to effect genuine social and cultural

change. Civil society groups and activists are also exploiting new opportunities to communicate, expand, and mobilize through digital channels, with Facebook proving a particularly popular campaigning tool.

Digital tools have become equally valuable to professional journalists, the majority of whom now source stories regularly through the internet and maintain an active social media presence. But there remains a significant digital divide between the major cities and the rest of the country, where traditional journalistic practices remain the norm. For those who use them, digital tools have had a profound and largely liberating impact on news-gathering operations. Mobile and wireless tools in particular have enabled journalists to produce and submit stories remotely from the field with ever increasing speed and efficiency. The extent of convergence between digital and traditional newsrooms varies among different organizations. But the general trend is toward online newsrooms functioning as hubs for news produced on different conventional platforms, rather than engaging directly in original news gathering.

As in most countries, the speed of news delivery has fostered a compromise in journalistic ethics, particularly in respect of accuracy and copyright. A recent survey suggested that half of all journalists neglected to verify or corroborate online sources before using them in reports. This has also affected television journalism to some extent through its increasing interaction with the internet, and is no doubt reflected in the number of registered complaints about news quality, which have grown steadily in recent years.

In response to these problems, the Press Council issued the Cyber Media News Coverage Guidelines in 2012. (See section 7.2.2 for more information about the Press Council.) This outlined ethical standards for online journalism covering—among other things—verification, impartiality, and the right of reply.

For investigative journalism, enhanced access to sources afforded by digital tools and a developing culture of transparency has been counterbalanced by violations of the freedom of information on the part of the authorities, and the growing threat of surveillance faced by journalists and their sources. Investigative journalism has also suffered as a result of the acceleration of the news cycle, which is shrinking the space and resources for longer-form and in-depth reporting.

Nevertheless, media funding on the whole is relatively buoyant and advertising spends in all sectors rose steadily over the last five years. Conglomeration has enabled dominant media groups to cross-subsidize as a means of supporting the launch of new services. But it has also inhibited plurality and competition within and across sectors. Twelve groups dominate the total media market. In television, they account for over 97 percent of all viewing with the small remainder split more or less evenly between public broadcasting and new entrants. Radio is comparatively less concentrated thanks to community stations. But despite there being over 1,000 newspaper titles in circulation, just five command over half of all newspaper readership. Digital convergence has also provided the rationale for intensifying cross-media consolidation over recent years. Against this backdrop there has been anecdotal evidence of media proprietors interfering in news output on behalf of political interests.

What seems certain is that the lobbying power of media elites has increased in tandem with ownership consolidation. Ironically, the relative formal independence of the media regulator from government may have made it more vulnerable to capture by commercial interests. While the government plays no direct role in regulatory appointments by the Commissioner Selection Committee, a recent investigative report found that television owners had successfully pressured the committee to select favorable candidates. There also appears to be a significant revolving door between regulatory board appointments, senior executive roles in commercial television groups, and members of the Commissioner Selection Committee. The lobbying influence of television owners is thought to extend even to professional journalist and administrative associations. This in turn can enhance leverage over issues dealt with by the regulator.

However, the digital licensing process is generally considered to be independent and transparent, despite providing structural advantages to commercial incumbents. There is also some evidence to suggest that the government is responsive to criticism with regards to digital media policymaking. A draft ministerial regulation was issued in 2010 stipulating controls over internet content based on vague definitions of moral codes. But the regulation was attacked by a member of the Press Council, among others, for threatening freedom of speech. As a result, it was heavily revised and a new version in 2013 was limited to regulation of e-commerce.

All such regulations have been subject to some form of public consultation in recent years, but in the case of the new rules for digital licensing and switch-over, considerable pressure and objection from civil society groups apparently fell on deaf ears. This suggests that the government's willingness to listen depends at least partly on the issue at stake. Digital licensing is clearly one area where the government has retained significant discretionary powers of oversight. Although it nominally receives input from the regulator, the Minister of Communication and Informatics is the ultimate authority on all license awards and this power was consolidated by the new regulations issued in 2011.

The regulations also left significant areas of digital media policy partly or wholly unaddressed, including internet protocol television (IPTV), video-on-demand, bundled services, electronic programming guides, conditional access and subscription management systems, the digital dividend, and the digital divide.

Context

Indonesia is located along the equator in the South-East Asian region. It is a tropical archipelago consisting of over 17,000 islands, with a population of over 246 million people in 2013, making it the fifth most populous country in the world. It consists of more than 58 million households.

The country maintains a complex social structure with multiple social divisions. Dozens of ethnic groups live together, the largest being the Javanese who live in the central and eastern part of Java Island. They represent over 40 percent of the total population. The second largest group is formed by the Sundanese (15.5 percent) who inhabit the western part of Java; the third and fourth largest groups are the Bataknese (3.6 percent) in Sumatra and the Maduranese (3 percent) on Madura Island. The rest consist of smaller ethnic groups such as the Buginese, Balinese, Acehnese, and Papuan.

Islam is the majority religion and is professed by 87.3 percent of the total population. The proportion of Catholics and Protestants combined is 9.8 percent. Buddhists, Hindus, and Confucians make up much smaller proportions. The social structure is also marked by a rural–urban division: half (50.2 percent according to the 2010 census) live in rural areas.

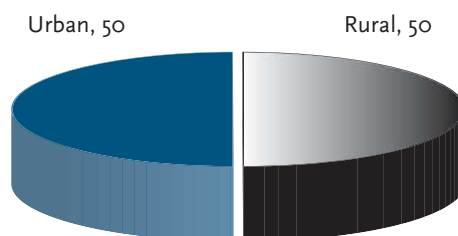
During the years of 1997 and 1998, Indonesia was hit by a severe economic crisis. Since then, its economy has bounced back, which is indicated by the steady yearly growth of the total gross domestic product (GDP) and GDP per head in the past seven years. Indonesia has succeeded in becoming a country where middle- and lower-sized incomes predominate.

Social Indicators

Population: 246 million (2013)¹

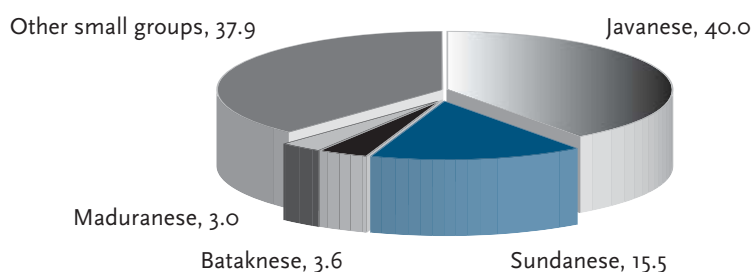
Households: 58 million (2013)

Figure 1.
Rural–urban breakdown (% of total population), 2011



Source: Central Agency of Statistics (*Badan Pusat Statistik*, BPS), 2010 Census²

Figure 2.
Ethnic composition (% of total population), 2010



Note: The category “Other small groups” includes Minangnese, Buginese, Balinese, Acehnese, Papuan, and many others

Source: Central Agency of Statistics, 2010 Census³

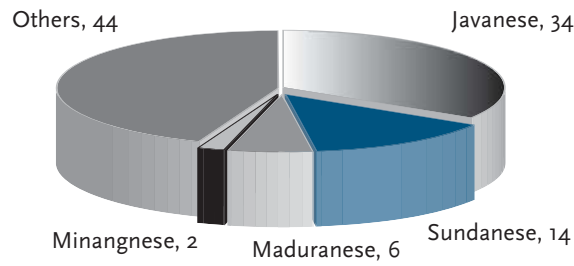
1. See <http://data.worldbank.org/country/indonesia>. According to the 2010 Census data from the Central Agency of Statistics (*Badan Pusat Statistik*, BPS), Indonesia’s total population was 237.6 million; see <http://www.measuredhs.com/pubs/pdf/FR275/FR275.pdf> (accessed 13 January 2014).

2. See <http://www.measuredhs.com/pubs/pdf/FR275/FR275.pdf> (accessed 13 January 2014).

3. See <http://www.bps.go.id> (accessed 8 September 2013).

Figure 3.

Linguistic composition (% of total population), 2010

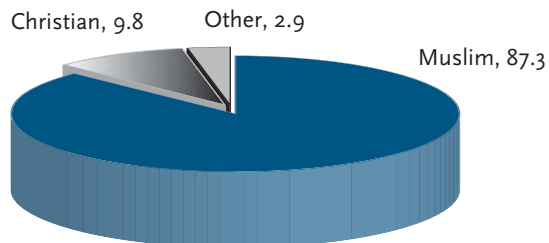


Note: The category “Others” includes Acehnese, Buginese, Balinese, Papuan, and others

Source: *Ethnologue Languages of the World*⁴

Figure 4.

Religious composition (% of total population), 2010



Note: The category “Christian” consists of Catholics and Protestants

Source: Central Agency of Statistics, 2010 Census⁵

4. See <http://www.ethnologue.com/country/ID/languages> (accessed 8 September 2013).

5. See <http://www.bps.go.id> (accessed 8 September 2013).

Economic Indicators

Table 1.
Economic indicators

	2005	2006	2007	2008	2009	2010	2011	2012	2013 ^f	2014 ^f
GDP (current prices, US\$ billion)*	286	365	432	510	540	709	846	878	867	863
GDP (current prices, US\$), per head*	1,273	1,601	1,871	2,178	2,272	2,947	3,510	3,593	3,498	3,432
Gross National Income (GNI), (current US\$), per head	2,990	3,230	3,490	3,750	3,910	4,180	4,480	4,810	n/a	n/a
Unemployment (% of total labor force)	11.2	10.3	9.1	8.4	7.9	7.1	6.6	6.1	5.9	5.8
Inflation (average annual rate, % against previous year)	14.3	14.1	11.3	8.1	8.3	8.3	8.1	4.5	n/a	n/a

Notes: * Rounded up; ^f: forecast; n/a: not available

Sources: World Bank; International Monetary Fund (IMF)

1. Media Consumption: The Digital Factor

1.1 Digital Take-up

1.1.1 Digital Equipment and Literacy

There was a yearly increase in the ownership of television sets, radio sets, and PCs between 2005 and 2010. However, it is not clear how many of these devices were digital. Television dominated among the electronic audiovisual equipment, followed by radio. However, the highest increase in electronic device ownership was recorded for PCs, whose penetration rate trebled between 2005 and 2010.

Table 2.
Households owning equipment, 2005–2012

	2005		2006		2007		2008		2009		2010		2011		2012	
	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH	No. of HH ('000)	% of THH
TV set	36,909	65.9	n/a	n/a	39,782	68.7	41,068	70.1	42,430	71.6	n/a	n/a	n/a	n/a	n/a	n/a
Radio set	n/a	n/a	n/a	n/a	28,374	49.0	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
PC	2,016	3.6	2,423	4.3	3,358	5.8	4,804	8.2	6,044	10.2	6,471	10.8	7,263	12.0	n/a	15.0

Notes: HH: households; THH: total households; n/a: not available

Source: Calculations by OSF editors based on data from the International Telecommunication Union (ITU)

The Central Agency of Statistics (*Badan Pusat Statistik*, BPS) provides a slightly different figure for the PC-owning household proportion, which stood at 7.45 percent in 2010 (see Table 3). While there was a PC ownership decrease from 2009 to 2011, the number of laptops and notebooks increased.

Table 3.

Households owning desktop PCs and laptops/notebooks (% of total households), 2009–2011

	2009	2010	2011
Desktop PC	8.40	7.45	6.89
Laptop/notebook	5.27	6.44	8.80

Source: Central Statistics Agency⁶

1.1.2 Platforms

The dominant television reception platforms in Indonesia are terrestrial and satellite. Together, they account for some three-quarters of the total television reception. A marked trend in recent years has been the growth of cable penetration, which has been driven by the increased offer of cable services since 2008. The growth of cable reception from 1 percent to almost 9 percent between 2006 and 2008 was driven by the growing number of cable television operators from two in 2000 to five in 2007 to 11 in 2008.⁷ The decline in 2009 and 2010 is believed by local experts to be the result of the exit from the Indonesian market of Astro TV, a Malaysian-based cable operator, following a dispute with its local partner.⁸

Indonesia today does not have a digital television platform. The government planned to switch off analog broadcasting in 2018, but the regulation which proposed this schedule was canceled by the Supreme Court in April 2013.

Table 4.

Platforms for the main television reception and digital take-up, 2005–2010

	2005		2006		2007		2008		2009		2010	
	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH	No. of HH ('000)	% of TVHH
Terrestrial reception	11,724	31.7	13,689	n/a	13,832	34.7	15,753	38.3	17,144	40.4	18,544	n/a
– of which digital	0	0	0	0	0	0	0	0	0	0	0	0
Cable reception	38	<1	16	<1	137	n/a	1,408	8.9	1,213	7.0	1,211	6.5
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Satellite reception	17	<1	18	<1	46	<1	20	<1	49	<1	31	<1
– of which digital	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a
Total	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a	n/a

Notes: HH: households; TVHH: television households; n/a: not available

Source: AGB Nielsen Research

6. See http://www.bps.go.id/booklet/Booklet_Februari_2013.pdf (accessed 8 September 2013).

7. See <http://www.thefreelibrary.com/Development+of+Pay+TV+service+industry+amid+tight+competition.-a0191350484> (accessed 8 September 2013).

8. See <http://www.thejakartaglobe.com/archive/dispute-with-astro-must-be-settled-in-indonesia-first-media/> (accessed 8 September 2013).

The growth of both internet and mobile telephony penetration has been the most dramatic among all communications technologies. In 2005, less than 5 percent of Indonesians had access to a fixed-wire internet connection; by 2012 the figure had swelled to 32 percent. Internet penetration has been boosted mostly by wireless subscriptions, which accounted for the majority of internet connections in 2012.

Mobile telephony penetration quadrupled between 2005 and 2011 to 88 percent. According to the latest data from the ITU, it surged to 115 percent in 2012.

Table 5.

Internet penetration rate (internet subscriptions as % of total population) and mobile penetration rate (% of total population), 2009–2012

	2009	2010	2011	2012
Internet*	1	19	22	32
– of which broadband	100	100	100	100
Mobile telephony	69	88	102	115

Note: Figures refer to wireless subscriptions. Data for fixed-wire internet subscriptions are not available (although the ITU states they stood at around 1 percent in 2009)

Source: ITU, *World Telecommunication/ICT Indicators Database 2013*

The number of internet users reached 55 million in 2012, accounting for some 22 percent of the total population, which was still lower than the South-East Asian region. This figure is lower than the actual subscription rate, which indicates that there are more connected devices than actual users. It is very likely that internet users have their own choice of devices to access the internet now that the communications industry has opened up this possibility. Internet-capable mobile phones are more frequently used by Indonesian internet users. The active mobile broadband subscription rate per 100 inhabitants stood at 32 in 2012, according to data from the ITU. Up to 78 percent of Indonesian households own a mobile phone.⁹ In contrast, only 31 percent of Indonesian households own desktop computers (PCs), and only 29 percent own laptops or notebooks (see also Table 3).

9. This figure is on a par with Malaysians owning internet-capable mobile phones (77 percent). The proportion of Singaporeans who own internet-capable mobile phones is higher, at 85 percent. See <http://www.grahamhills.com/wp-content/uploads/2011/11/71370794-The-digital-media-and-habits-attitudes-of-South-east-Asian-Consumers.pdf> (accessed 28 August 2013).

Table 6.

Internet usage and population statistics, 2000, 2007–2010, and 2012

Year	Users (million)	Population (million)	Users as % of total population
2000	20	206.27	9.7
2007	20	224.48	8.9
2008	25	237.51	10.5
2009	30	240.27	12.5
2010	30	243.0	12.3
2012*	55	248.01	22.1

Note: * There are no figures for 2011. According to Internet World Stats, however, the proportion of internet users on 31 December 2011 was similar to that for 2012

Source: Internet World Stats¹⁰

1.2 Media Preferences

1.2.1 Main Shifts in News Consumption

A survey by Markplus Insight in 2010 showed that Indonesian internet users were tending to relinquish conventional media as their main source of information.¹¹ The survey findings showed that the internet had become the first preference for seeking information and entertainment, after television. In cities such as Jakarta, Bandung, and Surabaya, the internet is used more than television to access news. However, care should be taken not to lump together conventional media such as television, print media (newspapers, magazines, and tabloids), and radio, as each show their own different consumption patterns (see Table 7).

Table 7.

Population (above 10 years old) accessing radio, television, newspapers, magazines, and internet (%), 2003, 2006, 2009, and 2010

	2003	2006	2009	2010
Radio	50.2	40.2	23.5	n/a
Television	84.9	85.5	90.2	n/a
Newspaper or magazine	23.7	23.4	18.9	n/a
Internet	n/a	n/a	n/a	24.6

Note: Access is defined as spending time and attention watching/listening/reading/using radio, television, newspapers, magazines, and internet during the last week; n/a: not available

Source: BPS¹²

10. See <http://www.grahamhills.com/wp-content/uploads/2011/11/71370794-The-digital-media-and-habits-attitudes-of-South-east-Asian-Consumers.pdf> (accessed 28 August 2013).

11. "Attitude and behavior of internet users in Indonesia," *Marketeers*, 19 October 2010, at <http://the-marketeers.com/archives/attitude-and-behavior-pengguna-internet-di-indonesia.html> (accessed 6 April 2012).

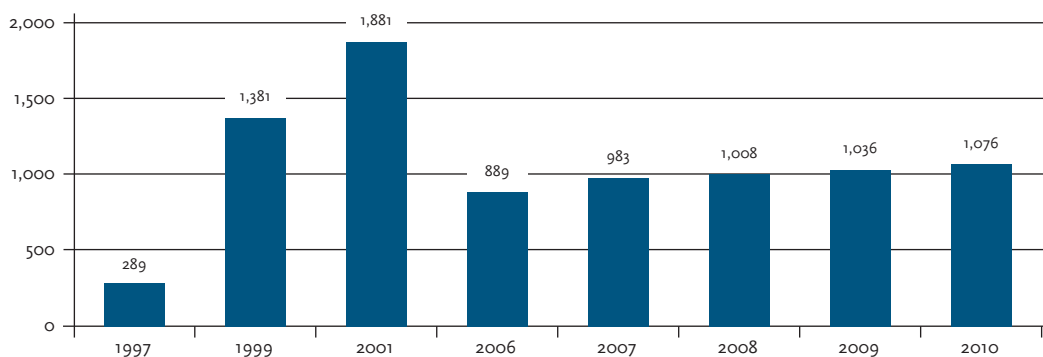
12. "Socio-culture indicator 2003, 2006 and 2009," at http://www.bps.go.id/tab_sub/view.php?tabel=1&daftar=1&id_subyek=27¬ab=36 (accessed 6 April 2012).

Data supplied by the BPS confirm that radio consumption has been decreasing, as is the case for print media consumption. However, the television consumption level has remained steady, and even occasionally shows an increase. Thus, data show that internet usage does not lessen the television audience numbers.

While the demand for news has increased slightly, the supply side is a different story. News websites have proliferated in the last decade. More and more media conglomerations have added an online platform to their business. Kompas Gramedia Group, known as the largest media conglomerate in Indonesia, for example, has developed Kompas.com. Media Nusantara Citra (MNC) Group, with television as its core media business, owns Okezone.com. The business tycoon Aburizal Bakrie, who owns two television stations (ANTeVe and TVOne), has formed a holding media company, PT Asia Media, which also owns Vivanews.com. Another group, Tempo Media, that owns the magazine *Tempo*, has finally jumped aboard the internet business by establishing Tempo.co.¹³ Despite the growth of online news, television has remained the main source of news for the majority of Indonesians.

The newspaper business has nevertheless to some extent been fighting the dotcom tide. Since President Suharto stepped down from the government in 1998, local newspapers have bloomed. Under the Suharto regime, the number of print outlets throughout the country was 289, due to restrictive licensing politics. However, this number has more than quadrupled since 1998. The growth of print media reached its peak in 2001, three years after the country's democratization, when the number of print media titles stood at 1,881. It fell to less than 900 within five years. Since then, growth has resumed, but at a much slower pace.

Figure 5.
Circulation of print media titles, 1997, 1999, 2001, 2006–2010



Source: Association of Newspaper Publishers, *Media Directory 2009/2010*, 2011

The rise of the local press has partly been responsible for the dynamics of the newspaper business. There was an increase in the number of local newspapers in the provinces and regencies.¹⁴ Several reports conducted by

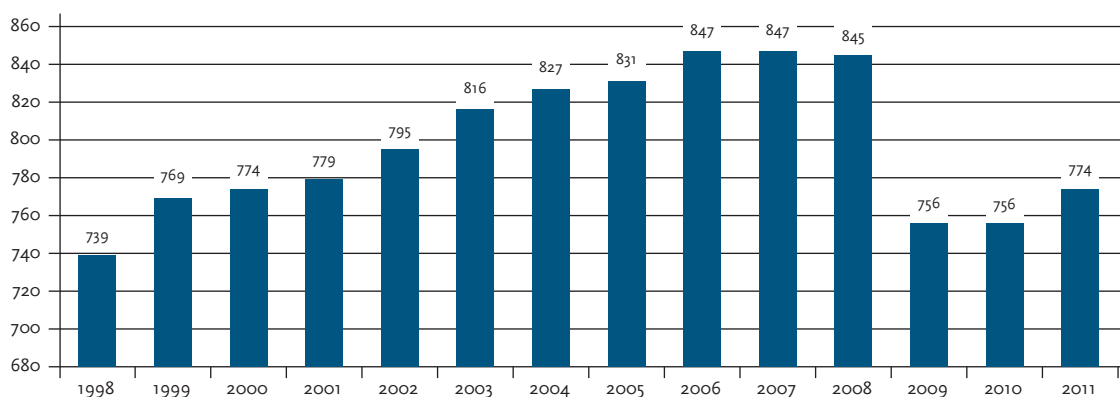
13. The revenue from advertisements garnered by the dotcom business has increased year on year, even though it is not necessarily generated through news content. The total revenue was US\$18.5 million in 2009; it increased to US\$29.7 million in 2010 and US\$52 million in 2011 (*Media Directory 2012/2013*, published by the Association of Newspaper Publishers, 2013).

14. A regency is a level of local government in Indonesia, beneath that of province and equal to that of city.

the Association of Newspaper Publishers highlight the success stories and the ongoing tight competition in the local newspaper business.¹⁵ Therefore, the increase indicates that the newspaper growth marks a tendency toward decentralization: people no longer focus on the news from Jakarta, but instead on news whence the media originate.

After the end of the Suharto era, the radio sector also benefitted from the political opportunity that suddenly opened up. Even though there was no extreme increase in the number of radio stations in 1999 (the first year of democracy), the growth that followed in the 2000s was significant.

Figure 6.
Number of radio stations, 1998–2011



Note: The numbers refer to radio stations that became members of the Association of National Private Radio Broadcasting Indonesia (*Persatuan Radio Siaran Swasta Nasional Indonesia*, PRSSNI)

Source: Center for Innovation Policy and Governance (CIPG) Report¹⁶

News programs on radio have also slowly gained a solid place in consumers’ preferences. During the Suharto era, only the government’s mouthpiece, Radio of the Republic of Indonesia (*Radio Republik Indonesia*, RRI), was allowed to broadcast news. Private radio stations were required to relay RRI news programs from RRI and its affiliates at the local level. As the democratic period began, a ministerial regulation (SK No. 134/SK/Menpen/1998) was issued stating that private radio stations were required to relay the RRI news program only four times a day. This requirement ended when the Broadcast Law was adopted in 2002. Since then, private radio stations have produced their own news programs.

15. Association of Newspaper Publishers, *Media Directory 2012/2013*, 2013, pp. 34–63.

16. Yanuar Nugroho, Andriani Putri, and Shita Laksmi, “Mapping the landscape of the media industry in contemporary Indonesia. Report series. Engaging media, empowering society: Assessing media policy and governance in Indonesia through the lens of citizens’ rights,” Research collaboration of Center for Innovation Policy and Governance and HIVOS Regional Office Southeast Asia, funded by Ford Foundation, Jakarta, March 2012, at http://www.academia.edu/2608710/Mapping_the_landscape_of_the_media_industry_in_contemporary_Indonesia (accessed 6 April 2012) (hereafter, Nugroho et al., “Mapping the landscape of the media industry”).

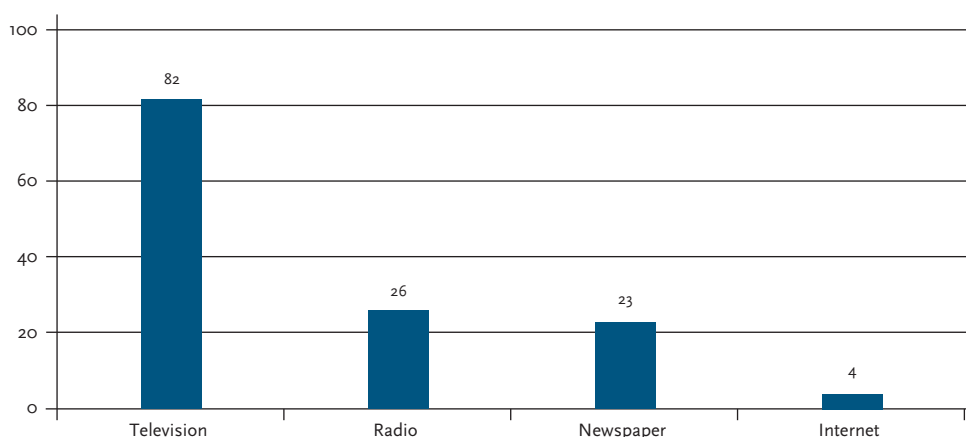
1.2.2 Availability of a Diverse Range of News Sources

The proliferation of television and radio stations as well as newspaper and magazine publishers shows that nowadays there are more alternative news sources to choose from. This, however, does not automatically mean that their program content, and in particular their news content, is as diverse as it should be. One study shows that television stations have a tendency to mimic each other. Television stations such as RCTI, SCTV, Indosiar, ANTV, Global TV, TransTV, and SCTV—all entertainment and current affairs channels—have similar soap operas in their programs; all of them also have a celebrity gossip program under different titles; and all of them air a crime news program.¹⁷

Nugroho and colleagues found that in general the increase of news producers has not been followed by diversity of news content. Television outlets simply “offer the same thing, repeating the same subject, just with different headlines.”¹⁸ This tendency is not limited to news programs in the entertainment and general affairs channels; the two news channels, MetroTV and TVOne, also copy each other on their news portals.¹⁹

Despite the emergence of online news media as an alternative source of information—in particular, political information—traditional media have remained the main source of news. Television is the most popular source of political information for Indonesians compared with other mass-media channels.

Figure 7.
Main sources of political information (% of survey respondents), 2009



Note: Data drawn from a public opinion survey with a nationwide representative sample of 2,189, selected by multi-stage randomizing, with a face-to-face interview

Source: International Republican Institute (IRI), *Survey of Indonesian Public Opinion*, January 2009²⁰

17. Agus Sudiby, *Ekonomi Politik Media Penyiaran* (Political Economy of Broadcasting Media), Institute for Studies in the Free Flow of Information (*Institut Studi Arus Informasi*, ISAI) and Institute for Islamic and Social Studies (*Lembaga Kajian Islam dan Sosial*, LKiS), Jakarta, 2004 (hereafter, Sudiby, *Ekonomi Politik Media Penyiaran*).

18. Nugroho et al., “Mapping the landscape of the media industry,” p. 46.

19. Nugroho et al., “Mapping the landscape of the media industry.”

20. Cited in Jeremy Wagstaff, *Southeast Asian Media: Patterns of Production and Consumption*, Open Society Foundations, February 2010, p. 36, at <http://www.opensocietyfoundations.org/sites/default/files/production-consumption-20100212.pdf> (accessed 29 August 2013).

1.3 News Providers

1.3.1 Leading Sources of News

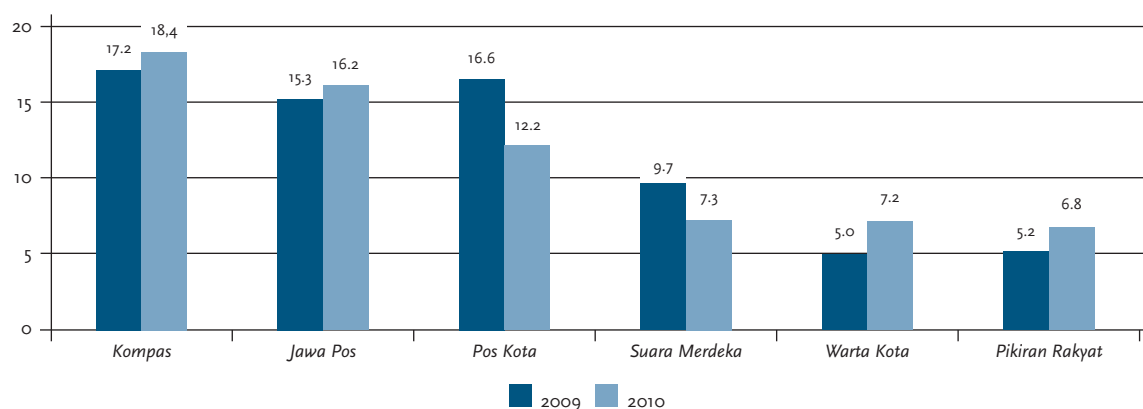
1.3.1.1 Print Media

There is an abundance of newspapers in the Indonesia market, but many of them have few readers. There have been over 1,000 new newspapers since 2008. However, five of them command over half of the total readership in the country.

Kompas, the most read newspaper, is a national-quality general newspaper. It is aimed at primarily the urban, educated upper and middle classes that are at their most productive age. *Jawa Pos* is similar to *Kompas* in terms of the issues it covers. Based in Surabaya, the second-largest city by number of inhabitants, it targets the young lower middle class. *Pos Kota* is a yellow newspaper that targets the middle to lower class and focusses on crime news, sex-related stories, legal topics, and sport. *Warta Kota*, owned by Kompas Group, is similar to *Pos Kota* in terms of its news content. *Pikiran Rakyat* and *Suara Merdeka* are local newspapers; the first is located in Bandung and covers West Java. *Suara Merdeka* is a local newspaper in Semarang, covering Central Java.

Figure 8.

Readership of major newspapers (% of total readership), 2009–2010



Note: “Readership” denotes people who read a newspaper on a daily basis. The data are quoted by Nugroho and co-workers from the Jakarta-based market research company, MARS Indonesia, and are drawn from an opinion survey with 900 respondents in eight big cities: Jakarta, Medan, Palembang, Bandung, Semarang, Surabaya, Makasar, and Denpasar

Source: Center for Innovation Policy and Governance(CIPG) Report²¹

1.3.1.2 Online

Even though online news portals have not yet become the main source of news for the population, they have begun to slowly climb the ranks of most popular websites. Detik.com, for example, was the ninth most popular site in April 2012; in September 2013, it ranked fifth; Kompas.com, which ranked 15th at that time, ranked 12th in September 2013.

21. Nugroho et al., “Mapping the landscape of the media industry.”

Table 8.

Most popular news portals, September 2013

News portal	Ranking
Detik.com	5th
Kompas.com	12th
Vivanews.com	17th
Merdeka.com	19th
Tribunnews.com	22th

Note: The ranking is based on one month of Alexa traffic, which is calculated by using a combination of average daily visitors and page views over the past month. The table includes news portals only

Source: Alexa.com²²

These news portals initially focussed on general news, that is, international and domestic affairs. However, in the past three years they have developed their websites to cover almost everything from news and entertainment to health and recipes. Detik.com was established after the printed edition of the newspaper *Detik* was banned by the government in 1994. Kompas.com was formerly simply an electronic version of its printed edition. Subsequently, it has become a new online news business in its own right. Meanwhile, Vivanews.com and Merdeka.com have only been involved in online news from the very beginning. Merdeka.com, established in 2012, is a newcomer in the online news business. Tribunnews.com is part of the Kompas Group and covers local news.

1.3.2 Television News Programs

There are 10 national free-to-air television stations today, consisting of one public television (*Televisi Republik Indonesia*, TVRI) and nine private television stations. TVRI alone has 28 local affiliates, all of which are able to air their own television programs. Meanwhile, the nine private television stations have 79 local affiliates.

The most watched news programs are broadcast by entertainment and current affairs channels; none of them is aired by channels specializing in news. Each of these most popular news programs is 30 minutes long and generally covers political news and government affairs.

The population in this rating system is limited to television viewers (five years old or older) located in 10 administrative entities: Jakarta and vicinity, Bandung, Semarang, Yogyakarta, Surabaya and vicinity, Palembang, Banjarmasin, and Makasar. This rating system was introduced and has been used by AC Nielsen since 1991. Initially, Nielsen used a diary to record the patterns of television viewing, and now it uses a Peoplemeter as a recording tool.

22. Alexa.com, "The top 500 sites in Indonesia," at <http://www.alexa.com/topsites/countries;2/id> (accessed 13 September 2013).

However, the most watched news programs are not necessarily the best news programs in terms of quality. Although SCTV's "Liputan 6 Petang" (Evening News 6) scores the highest ratings and garners the most appreciation from experts, the ranking of the best-quality news programs differs from the most popular ones.

Table 9.

Most watched television news programs, October 2013

No.	Program titles	Ratings points	Share (%)
1	"Liputan 6 Terkini" (News 6 Update) (SCTV)	2.0	17.6
2	"Redaksi Sore" (Afternoon Newsroom) (TransTV)	1.9	16.7
3	"Liputan 6 Siang" (Noon News 6) (SCTV)	1.7	15.4
4	"Liputan 6 Petang" (Evening News 6) (SCTV)	1.5	14.7
5	"Reportase Siang" (Noon Report) (TransTV)	1.5	13.2

Note: Ratings points are a tool of measuring viewership of a particular television program. One single television ratings point represents 1 percent of viewers in a surveyed area at a given time. Share is the percentage of television sets in use tuned to a specific program

Source: AC Nielsen²³

It is still too early to assess or predict how the digitization of broadcasting will affect these news programs. Indonesia still relies solely on analog television. In Table 10 it should be noted that the quality of the news is based on four criteria that measure the extent the news can:

- increase viewers' knowledge on the issues covered;
- improve environmental alertness among the viewers;
- encourage social empathy; and
- defend public interests.

Differing from the rating system where viewers or television audiences carry out the evaluations, this system engages activists and scholars, on the basis that these groups have expertise in evaluating news programs. The research also provides a grading for non-news programs such as talkshows, children's programs, and sport.

23. Data cited from <https://www.facebook.com/RatingProgramTelevisiIndonesia/posts/545092965507642> (accessed 14 November 2013). This account was established in 2011 by a voluntary group of individuals from television networks.

Table 10.
Best-quality television news programs, 2008

Program title	Ratings points	Share (%)
“ <i>Liputan 6 Petang</i> ” (Evening News 6) (SCTV)	4.4	19.3
“ <i>Metro HariIni</i> ” (Metro’s Today) (Metro TV)	1.0	5.1
“ <i>Redaksi Sore</i> ” (Afternoon Newsroom) (TransTV)	2.4	17
“ <i>Seputar Indonesia</i> ” (Around Indonesia) (RCTI)	2.8	13.7
“ <i>Bulletin Siang</i> ” (Afternoon Bulletin) (RCTI)	2.7	17.7

Source: Research Public Rating 2008²⁴

1.3.3 Impact of Digital Media on Good-quality News

The arrival of online journalism has posed direct challenges to journalists to work at a faster speed, which may be at the expense of accuracy. In July 2008, for example, Hukum-online.com published a piece of news under the headline “Fearing an indictment for his client, lawyer commits bribery.” The lawyer sued the journalist and the editor because he considered the accusation unfounded. It turned out that the author of the news completely skipped the verification process. The Press Council (*Dewan Pers*) stepped in as mediator and eventually they settled out of court.²⁵ This case revealed the fundamental problem of online or digital journalism practices in Indonesia. In its report, the Press Council provided more examples of this type of problem.

The arrival of online journalism has indirectly put pressure on television journalists to compete in the digital world. Even though television stations have continued to use analog technology, their news producers need to adapt to a new environment. They occasionally—albeit more frequently than some years ago—cite information from the internet as their headlines in their news programs. Registered complaints about news programs’ quality have increased in the Complaints Division of the Press Council. In 2007, the government and individuals filed 319 complaints (regarding either sources in stories or subjects in news stories). The number of complaints increased to 424 in 2008, and 442 in 2009.²⁶

In response to the increasing numbers of complaints, the Press Council eventually issued the Cyber Media News Coverage Guideline (*Peraturan Dewan Pers No. 1/2012 tentang Pedoman Pemberitaan Media Siber*). This outlines several ethical standards for cyber-journalism that include, among other things, the requirement for journalists to perform due verification, checking both sides of a story, and granting the right to reply.

24. The result of a collaboration by four organizations: Yayasan SET (think-tank on cultural issues), Yayasan TIFA, the Association of Indonesian Television Journalists (*Ikatan Jurnalis Televisi Indonesia*, IJTI), and The Habibie Center (political think-tank). See http://www.google.co.id/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&sqi=2&ved=0CCEQFjAA&url=http%3A%2F%2Fagussudibyo.files.wordpress.com%2F2008%2F05%2Fhasil-riset-rating-publik-i-part-2.doc&ei=LWCT-mKLCqzrAfetC-HrBQ&usg=AFQjCNEXpcxbd_XeU1QjPLPv1iFN2sKnQ&sig2=EVfLJn70IJoDa7MihKzLQ (accessed 6 April 2012).

25. See the Press Council’s Report, 2007–2010, p. 20, at <http://www.dewanpers.or.id> (accessed 15 September 2013).

26. See the Press Council’s Report, 2007–2010, p. 20, at <http://www.dewanpers.or.id> (accessed 15 September 2013).

1.4 Assessments

The media sector has seen dynamic growth over the past decade. The number of nationwide television stations has doubled since 1998, and the number of local television stations has hit a record high at 79 stations, and counting. Other media are no exception. The number of private radio stations has increased threefold since 1998. Even the prediction of a major slowdown in the print media business has proved groundless; newspapers have increased their circulations fivefold since 1998.

The diminishing political control of the government has partly been responsible for the growth of the media. The democratization process that started in 1998 significantly lowered the political barriers for media and non-media businesses to venture into new media enterprises. While the media business landscape is changing, the government and media players alike have been forced to adapt to the new digital times.

The government has devised a plan for carrying out the digitization process. The main goal is to transform analog-based broadcast television into digital within six years, starting in 2012. However, this plan has faced many problems to date: there is no detailed schedule for digital migration, no defined switch-over guidelines for the private television players, and there is a lot of hesitancy among incumbent television players about supporting the plan as they fear fresh competition from digital channels. Moreover, there is no clear government strategy to boost demand for digital television sets.

Despite this, in anticipation of the arrival of digital technology, the private media players have ventured into digital media businesses. Big media enterprises have regrouped and formulated business strategies to extend their domination into the digital market. Some of them have developed websites with multimedia platforms and others have established websites for their television programs, particularly for their news programs.

At the same time, the emergence of digital journalism proves to be a challenge for journalists and news editors. More and more complaints about the practices of online journalism due to much tighter deadlines have been filed with the Press Council. This speaks volumes about the quality of journalism and the impact of digitization on the media's content.

2. Digital Media and Public or State-administered Broadcasters

2.1 Public Service and State Institutions

2.1.1 Overview of Public Service Media; News and Current Affairs Output

Indonesia's two public broadcasting institutions, TVRI and RRI, have undergone a major evolution since the democratization of the country began in 1998. Originally, they were government broadcasters controlled by the Ministry of Information. Eventually, both were transformed into independent public broadcasting institutions controlled by a Supervisory Council (*Dewan Pengawas*), which is elected by the House of Representatives (*Dewan Perwakilan Rakyat*, DPR), namely by Parliament.

During the “New Order” regime that lasted from 1966 to 1998, TVRI and RRI were the only institutions that were permitted to broadcast the news. Their news output drew heavily on the government as a news source, covering the president, ministers, various military officers, and other government officials.²⁷ Research showed that TVRI news consisted mostly of government development programs (54.7 percent of the total news).²⁸ In short, the sources and framing of the news showed that TVRI and RRI were carrying out government policies.

When they entered the scene in the late 1980s, private radio stations and then private television stations were subject to mandatory relay rules for their news programs and they were not allowed to produce their own news.

Clearly, however, not all TVRI and RRI programs were news programs. The schedule included instruction programs for farm work and handicrafts; cultural and entertainment programs such as traditional dance and music; various social features; and sports broadcasts were also components of the overall programs of these two institutions. The ratio of news to non-news programs in a 22-hour broadcasting day was 52:48.²⁹

27. Philip Kitley, *Television, Nation and Culture in Indonesia*, Ohio University Press, Athens, OH, 2000.

28. Sumita Tobing, quoted in Sudibyo, *Ekonomi Politik Media Penyiaran*. These development programs reflect economic policy and activity in such areas as agriculture, education, and public health.

29. Interview with Purnama Suwardi, director of TVRI Education and Training Center, Jakarta, 30 June 2011.

Besides pursuing a political mission, all of TVRI's programs output served, in Philip Kitley's words, as propaganda and as "part of the nation's cultural project and the venue to construct and present Indonesia's culture."³⁰

TVRI and RRI grew rapidly during this period of 1966–1998. TVRI owned 27 local stations, some of which were broadcasting independently, meaning that they had their own production budgets but not that they were editorially independent of the government. It had approximately 7,000 total employees, and its broadcasts reached 82 percent of the total population.³¹ Private television stations entered the Indonesian scene in 1988, so TVRI more or less dominated the television airwaves and audience of Indonesia until 1990.

The political democratization that began with the resignation of Suharto in May 1998 led to a change of status for TVRI and RRI. Government Regulation No. 36/2000 stated that TVRI and RRI were to be converted into corporations, and both institutions were no longer under the authority of the Ministry of Information, but were placed under the auspices of the Ministry of Finance. Both were regarded as state-owned enterprises with large assets. This was the reason why TVRI and RRI were now to report to the Ministry of Finance, and the directors were also to be appointed and dismissed by the Ministry.

The status of TVRI and RRI underwent another change in 2002 with the passing of regulation No. 32, by which they were no longer under the control of the Ministry of Finance, but were transformed into *Lembaga Penyiaran Publik* (public broadcasting institutions) that reported to the public through the DPR. In practice, the DPR chose five people to be in the Supervisory Council for RRI after a nod of approval by the president. The Supervisory Council then appointed the board of directors for each institution internally. At the same time, the regulation mandated the formation of the regulator, the Indonesian Broadcasting Commission (*Komisi Penyiaran Indonesia*, KPI).

The change of status of TVRI and RRI, however, only provides half the story. The other half consists of its financial struggles, its fall in popularity due to the new competitive landscape with many emerging private television stations, and the dynamics of the public broadcasters' editorial policy.

Before 1981, TVRI's income had derived from three sources: subsidies from the state budget, advertisements, and community contributions. However, the income from advertisements ceased after the government decided that TVRI was no longer to broadcast advertisements. Consequently, in addition to receiving government subsidies, TVRI attempted to boost its income through community contributions. With the establishment of one private television station in 1988, and then five more in the early 1990s, TVRI was to receive 12.5 percent as concession income from every private television station as compensation for not airing advertisements (Letter of Agreement No. 375/1994). In reality, the private stations did not fully honor this agreement. Up until 2002, TVRI and the private stations' managers were still in dispute about these payments and the case had been brought to court.

30. Philip Kitley, *Television, Nation and Culture in Indonesia*, Ohio University Press, Athens OH, 2000.

31. Sudibyo, *Ekonomi Politik Media Penyiaran*, p. 285.

As an illustration, for the operational costs of the 2001 budget, TVRI needed a budget of IDR 1.35 trillion (US\$ 112.5 million). TVRI in actuality received government subsidies of a mere IDR 135 billion (US\$ 11.3 million), or only 10 percent of the required total expenditure of TVRI. In the same year, TVRI only received IDR 7 billion (US\$ 583,300) from community contributions, representing only 0.5 percent of its total expenditure.³²

The new television landscape with more private players created a new set of challenges for TVRI in winning over the audience. Viewership data collected by the communications scholar Merlyna Lim shows that TVRI has had only a small audience share in recent years; it averaged only 1.4 percent in 2010.³³ TVRI's defeat in the competition with private stations was openly admitted by the director of the Education and Training Center of TVRI, Purnama Suwardi.³⁴

The challenges of its broadcasting policy were also immense. TVRI is officially an independent public broadcasting institution. However, in several cases, TVRI "sold" its airtime to several agencies, a practice prohibited by the regulations. The latest case was in 2013 in a two-hour program slot where TVRI broadcast the Convention of the Democratic Party (*Partai Demokrat*, PD) (the president's incumbent party), and where the nominated presidential candidates were announced to the public. The KPI, in its regulatory supervisory role, issued stern reprimands to TVRI, which resulted in the removal of the presidential director of TVRI by the Supervisory Council.³⁵

RRI followed a similar course in becoming a public broadcasting institution.³⁶

2.1.2 Digitization and Services

Amidst the changing landscape of competition in the television industry, the government went ahead and scheduled the digitization of the broadcasting process; in August 2008, TVRI introduced four new channels for digital broadcasting. The first channel is geared to broadcasting national programs and the second channel specializes in broadcasting local content in the Jakarta area. The third channel concentrates on broadcasting documentary and cultural programs, while the fourth channel airs mostly sporting events. TVRI has also developed a website with a streaming service. All the changes made by TVRI were seen as an attempt to adapt to digital technology.

32. Sudibyo, *Ekonomi Politik Media Penyiaran*, p. 298.

33. Merlyna Lim, "The League of Thirteen: Media concentration in Indonesia," 2012, at http://www.public.asu.edu/~mlim4/files/Lim_IndoMediaOwnership_2012.pdf (accessed 15 September 2013) (hereafter, Lim, "The League of Thirteen").

34. Interview with Purnama Suwardi, director of TVRI Education and Training Center, Jakarta, 30 June 2011.

35. Another example is of TVRI's airing on 6 June 2013 of the Hizbut Tahrir Indonesia (HTI) congress, which wanted to change Indonesia's plurality format in order to conform to Muslim rules. The KPI considered this to be a violation of the pluralism principles that have always been the foundation of Indonesia's politics. See <http://www.kpi.go.id/index.php/lihat-terkini/40-topik-pilihan-2/31450-kpi-tegur-tvri-terkait-pelanggaran-dalam-tayangan-muktamar-khilafah-2013> (accessed 7 August 2013).

36. Sudibyo, *Ekonomi Politik Media Penyiaran*, pp. 323–344.

However, TVRI's website is underdeveloped.³⁷ For example, there are no categories, which makes the search for political or business news very difficult, and the same is true of the live-streaming channels. Although links to videos are provided, viewers are not told what the video is about. The same problem was found for the video reports from TVRI's local stations.

2.1.3 Government Support

The government's agenda for the digitization of TVRI (and all private television stations) that started in 2008 seemed to run without much planning. Sporadically, several private television stations carried out a digital broadcasting trial in August 2009, and then TVRI officially began airing digitally in the Jakarta, Surabaya, Batam, and Bandung regions. Everything was done without a clear timetable. Only in November 2011 did the Minister of Communication and Informatics release a regulation that provided a legal basis for the switch-over to free-to-air digital terrestrial broadcasting. The minister then released a timetable for the digital switch-over that commenced in 2012 and is planned to end in 2018, when all analog broadcasting will be switched off.

TVRI has designed a three-phase plan for its transition to digital production. In the first phase, TVRI is to implement a digital pilot on one channel aimed at strengthening digital broadcasting operational skills. This is due to be launched in 2014 with an estimated budget of US\$34 million. The second phase is planned to take place in January–December 2015, during which TVRI is to implement a complete digital broadcasting system in Jakarta, including metropolitan channels, as well as preparing studios and digital training centers. This phase is estimated to cost US\$66 million. With an estimated budget of approximately US\$33 million, in the final phase to be launched on July 2015 and to run until June 2017, TVRI is to gradually establish 28 local stations with digital production systems.³⁸

However, Erina C.H. Tobing, technical director of TVRI,³⁹ stated that the government cannot provide funds or subsidize TVRI for the implementation of its digital broadcasting, a process that requires substantial funding. Gatot S. Dewa Broto, of the Ministry of Communication and Informatics,⁴⁰ claimed that the migration to digital broadcasting is a government policy that should be followed by all broadcasting institutions, both private and public. The Geneva 2006 Frequency Plan (GE06) Agreement set 17 June 2015 as the deadline for all countries in the world to switch off analog broadcasting. At the same time, the analog broadcast operation has become more expensive due to the need for better equipment. Several regulations were issued by the government to implement digitization throughout the entire Indonesian broadcasting system (see section 7). In this context, there is no reason for any broadcasting institution to refuse to switch to digital broadcasting.

37. See <http://www.tvri.co.id> (accessed 10 October 2013).

38. Satya Sudhana, "TVRI Menyongsong Era Penyiaran Digital" (TVRI, anticipating the digital era), paper presented at a public discussion, "Digitalisasi Penyiaran: Ancaman Lembaga Penyiaran Publik?" (Broadcasting digitization: A threat to public broadcasting?), organized by MediaLink, Jakarta, 25 January 2012.

39. Phone interview with Erina C.H. Tobing, the technical director of TVRI, Jakarta, 8 May 2012.

40. Interview with Gatot S. Dewa Broto, head of PR and Information Center, Ministry of Communication and Informatics, Jakarta, 21 March 2012.

2.1.4 Public Service Media and Digital Switch-over

The process of digitizing the terrestrial platform could potentially benefit TVRI by enabling it to reach and influence audiences more easily. TVRI covers the widest area, owning 27 local stations and 276 transmission stations, so that it can reach all the 33 provinces. In terms of population, TVRI reaches 82 percent. Furthermore, RRI, owning a total of 77 stations, has an even wider reach than TVRI.⁴¹

The problem for TVRI and RRI is not the range of their broadcasting but the level of audience interest in their programs. In 2011, the average audience share of TVRI was a mere 1.4 percent.⁴²

The digitization process was initiated at a time when the audiences of TVRI and RRI were decreasing. Digitization does not thus provide a magic wand for TVRI to conjure back the audience that has been captured by private television and radio companies. To reclaim the television audience amidst intense competition, TVRI has already started to broadcast digitally, but it has not been able to boost its viewership. A number of off-air activities such as establishing the TVRI Devotee Group network, holding a Corporate Social Responsibility (CSR) program, and the introduction of a live stream did not significantly increase the number of TVRI viewers.⁴³

2.2 Public Service Provision

2.2.1 Perception of Public Service Media

The Broadcasting Law of 2002, section 14, stated that TVRI as a public broadcasting institution was “a legal entity that was established by the state,” which “is independent, neutral, non-commercial, and acts to provides services that benefit society.”

TVRI's status did not generate much debate among the public, politicians, and journalists. During a public discussion entitled “On Searching and Selecting Candidates for TVRI's Supervisory Council” held on 21 June 2011, civil society activists who focus on television issues, parliamentary representatives, and academics jointly agreed in principle that TVRI is an independent public institution,⁴⁴ which should serve the public interest. When the discussion touched on how the TVRI should achieve the goals in its mission, disagreement emerged. In the debate, several NGOs criticized the lack of transparency behind the selection of the supervisory board.⁴⁵

41. See <http://www.tvri.co.id> (accessed 15 September 2013).

42. Lim, “The League of Thirteen.”

43. *Monitor* (TVRI internal magazine), January 2012 and August 2012.

44. See <http://remotivi.or.id/kabar-tv/menanti-tvri-bersolek> (accessed 12 October 2013).

45. Interview with Ezki Suyanto, KPI commissioner 2010–2013, Banda Aceh, 26 October 2013.

When TVRI aired the Hizbut Tahrir Indonesia (HTI) congress on 6 June 2013, when HTI stated that Indonesia should abandon democracy and replace it with a caliphate system based on Islam, a broad alliance of academics, journalists, NGO activists, and various civil society institutions all joined in to criticize the show and accused TVRI of violating the diversity principles which should have been the basis of its political broadcasting.⁴⁶ HTI is an international pan-Islamic political organization set up in 1953.

According to the 2010 KPI annual report, TVRI (and a number of private television stations) received complaints from members of civil society, who said that a number of TVRI programs were in violation of the standard of quality defined by the KPI. The complaints argued that the programs on TVRI and other stations used harsh words, insulted homosexuals, showed too much violence, and were full of mystical shows, such as “*Keluarga Hantu*” (Ghost Family), “*Dua Dunia*” (Two Worlds), “*Menembus Batas*” (Trespassing the Borders), and many others.⁴⁷

Another study, based on content analysis, showed that news about political parties and election campaigns featured the major political parties in power more than other parties.⁴⁸ This has been the case until recently, as the KPI repeatedly releases official letters to television news producers asking them to uphold the principle of fairness in their coverage of political parties. The latest such letter was released on 20 September 2013, telling TVRI it had been unfair to provide airtime for the convention of the Democratic Party (PD), the party of the incumbent president.⁴⁹

2.2.2 Public Service Provision in Commercial Media

There is no specific regulation concerning the obligation that commercial television stations should include public service content. The Broadcasting Law states, “As a mass communications activity, broadcasting functions as the media for information, education, healthy entertainment, and social control and unity.”⁵⁰ Meanwhile, legislation requires private broadcasters to air content that “must include information, education, entertainment and benefits for the formation of the nation’s intellectuality, character, morality, progress and strength,” and that “must maintain the country’s unity and embody Indonesia’s religious and cultural values.”⁵¹ These regulations oblige the media in general to provide informative and educational content.

Moreover, the Code of Conduct of Broadcasting and Standard Broadcasting Programs of the KPI explicitly states that private television broadcasting must meet broadcasting standards, including rules on violence, protection of minorities and children, democratic values, and protection of privacy (sections 13–20). Also,

46. See <http://remotivi.or.id/dari-redaksi/menagih-tugas-tvri-untuk-merawat-demokrasi-dan-keberagaman> (accessed 12 October 2013).

47. KPI, “Yearly Report of 2010,” p. 30, at <http://kpi.go.id/index.php/laporan-akhir-tahun> (accessed 12 October 2013).

48. Darmanto, “Performance public TV: A content analysis of TVRI campaign news on the Legislative Election of 2004,” *Journal of Social and Political Science* 8(1) (2004), pp. 91–108.

49. See <http://www.kpi.go.id/index.php/lihat-sanksi/31615-teguran-tertulis-siaran-konvensi-partai-demokrat-di-tvri> (accessed 10 October 2013).

50. Law No. 32/ 2002 on Broadcasting, *State Gazette of the Republic of Indonesia*, No. 139/2002, *Additional State Gazette of the Republic of Indonesia*, No. 4252, 28 December 2002, Article 4 (4).

51. Government Regulation No. 50/2005 on the Broadcasting of Private Broadcasting Institution, *State Gazette of the Republic of Indonesia* No. 1272005, *Additional State Gazette of the Republic of Indonesia* No. 4566, 16 November 2005, Article 14 (1).

Article 22 of the code specifically lists a number of journalistic principles, such as accuracy, impartiality, balance, and fairness that should guide broadcast journalists' work.

However, in practice, if a violation were to occur, the KPI would be unable to impose any sanctions on the offender. On 13 May 2013, for example, Harry Tanoe, the owner and managing director of RCTI (the first private television station to offer entertainment and general news programs), was summoned by the KPI to respond to allegations that the managers of the Hanura Party in local areas had been asked to hold a variety of events as part of Hanura's campaign for the 2014 elections, and asked Mr Tanoe to contact the chief editor to ensure that RCTI would broadcast these events. Mr Tanoe was himself a member of Hanura's board of experts.

Recordings and transcripts of the conversation with Mr Tanoe were posted on YouTube and reproduced in various online media.⁵² In these, which appear to have been taped surreptitiously, he explicitly asked his party's officials to stage party events, saying that he would give instructions to his television managing editor for news programs to air them. A group of community members whose identities were not disclosed filed a complaint with the KPI, which prompted the KPI to summon Mr Tanoe and hold him accountable for the instructions he had given to the chief editor of RCTI. However, the KPI's letter has so far been ignored by Mr Tanoe, and the KPI has been unable to force him to attend a trial, since it lacks the mechanisms or power to enforce sanctions.

2.3 Assessments

The digitization program of broadcast media in Indonesia is still at a very early stage, so the real effects of digitization are hard to predict or assess. TVRI as the public broadcasting institution has already started to invest in digital broadcast technology. However, so far, this has not improved TVRI's viewership, which has been massively reduced by private players. The failure of TVRI to gain from digitization was mainly due to the fact that digital switch-over was scheduled to be launched when TVRI had already lost many of its viewers.

Public service provisions play an important role in allowing the public to criticize the quality of television programs. The presence of an independent agency such as the KPI, which has formulated a set of ethical rules for broadcasting and which conducts the monitoring of possible violations of these broadcasting standards, has helped build public scrutiny over public and private broadcasting institutions. However, because the KPI has no power to force television managers to comply with KPI standards, the weight and power of the KPI are feeble.

52. See <http://www.youtube.com/v=esQc37dGmS0> (accessed 12 October 2013).

3. Digital Media and Society

3.1 User-Generated Content (UGC)

3.1.1 UGC Overview

China and the United States are at the top of the world's internet users. However, in terms of the percentage of internet users who use social networks, Brazil and Indonesia come in at first and second places. The percentage of users of social networking sites in Brazil and Indonesia stand at 87.6 percent and 87.5 percent, respectively, of the total number of internet users.⁵³

Besides being avid users of Facebook and Twitter, Indonesians are also hosts of numerous blogger communities that hold regular meetings, such as the Blogger Party and the Blogger Conference, where they share information and knowledge. Such communities exist all over the country, in cities like Jakarta, Solo, Surabaya, and Yogyakarta.

Not all established media outlets necessarily rank among the most popular UGC-carrying websites in Indonesia. However, the established media have started to allow for increased participation and interaction on their websites. In developing Kompas.com, the Kompas Group, one of the top media conglomerates in the country, has changed the website into a web portal. One of their sites, which has become increasingly popular, is Kompasiana.com, where content is contributed entirely by third-party users.

Tempo Group renamed its website Tempo.co.id as Tempo.co, which consolidates all the group's publications, including *Tempo* magazine. The portal also simultaneously set up the opportunity for visitors to post their own blogs there. From a management standpoint, the administrators of *Tempo* magazine, *Tempo* newspaper, and Tempo.co work independently with regard to content creation. The Tempo.co division, however, is now making an attempt to develop the website as its own separate business unit.

53. According to e-Marketer's "Social Networking Sites and UGC" study of 2013. See <http://www.newmediatrendwatch.com/world-overview/137-social-networking-and-ugc> (accessed 5 October 2013).

Table 11.

Popular websites with UGC in Indonesia, 2013

Website	Alexa rank		User profile
	World	Indonesia	
YouTube	3	4	Males and females, with all kinds of education (from college to no college), browsing at school and at work
Kaskus.co.id	264	7	In 2012, there were 4.5 million registered users on Kaskus. It receives about 880,000 unique visitors and 14 million page views per day. The estimated website value is US\$4.3 million. Males, and a greater number of females, with college education are overrepresented among the totality of internet users
Detik.com	299	8	Males with college education, browsing at home; females with no college or with graduate education, browsing at school or at work
Blogger	43	10	Males with university education, browsing at work; females with and without university education, browsing at home and at school
Twitter	11	11	Males with all kinds of education, browsing at home and at work; females with graduate school, browsing at school
Wikipedia	6	14	Males with graduate education, browsing at work; females with all types of education, browsing at home or at school
4shared	150	23	Males with all kinds of education browsing mainly at home; females some with some college and others with graduate school education, browsing at work
MediaFire	142	33	Males with all kinds of education, browsing at home and at school; females with graduate school education, browsing at work
Indowebster	2,048	36	Males with all types of education, browsing at home and at school; females with graduate education, browsing at work
Ziddu.com	1,752	84	Males with no college education, browsing at home; females with college or graduate education, browsing at school and at work

Source: Alexa⁵⁴

3.1.2 Social Networks

Indonesia is among the top three countries in the world in terms of the number of Facebook users. Moreover, in 2012, the highest increase in the number of Twitter users in the world, at 44.2 percent, occurred in Indonesia, according to data from e-Marketer in June 2013 (see Table 12). The most popular social networks in Indonesia are the international ones, Facebook, YouTube, Twitter, and LinkedIn. Among the five most popular is Indowebster or IDWS, a local multimedia webserver that offers file sharing and hosting, where members may upload and download pictures, video, and data.

54. See <http://www.alexa.com/topsites/countries/id> (accessed 5 October 2013).

Table 12.
Most popular social networks in Indonesia, 2013

Website	Alexa rank	
	World	Indonesia
Facebook	2	2
YouTube	3	4
Twitter	11	11
LinkedIn	9	35
Indowebster	2,048	36

Source: e-Marketer, 2013⁵⁵

3.1.3 News in Social Media

The potential that social media have to reach a wide audience has been acknowledged by media managers. Even political parties, politicians, ministers, and various ministry websites often have a Facebook, Twitter, or other social media account to deliver their news and information to the wider public. In news items, for example, users or visitors to news websites such as Kompas.com and Tempo.co are offered the opportunity to post the news onto their Facebook or Twitter accounts. The same is true of political parties and politicians, who publicize their activities on social media (Golkar.or.id, Gerindra.or.id, or Pks.or.id).

A study at Indiana University,⁵⁶ which compared the use of social media in political participation in five countries in Asia (Indonesia, Taiwan, China, Thailand, and Japan), found that Indonesia was the country with the highest share of social network users (71.6 percent) who use social media to obtain news. This proportion was higher than in China (68.3 percent), Japan (64.4 percent), Thailand (61.2 percent), and Taiwan (55.7 percent).

3.2 Digital Activism

3.2.1 Digital Platforms and Civil Society Activism

A 2011 online survey on the role of the internet in social campaigning and advocacy carried out by the One World Foundation (*Yayasan Satu Dunia*)⁵⁷ among civil society activists showed that all of the respondents used the internet in their work. Respondents in the survey included civil society organizations such as the Center for Orangutan Protection, the Indonesian Coral Reef Foundation Terangi (*Yayasan Terumbu Karang*

55. See <http://www.newmediatrendwatch.com/world-overview/137-social-networking-and-ugc> (accessed 5 October 2013).

56. Lars Willnat et al., "Social media and political participation in Asia—First look," Indiana University School of Journalism, 2011, at http://www.mapor.org/confdocs/absandpaps/2011/2011_slides/2c5Willnat.pdf (accessed 8 April 2012).

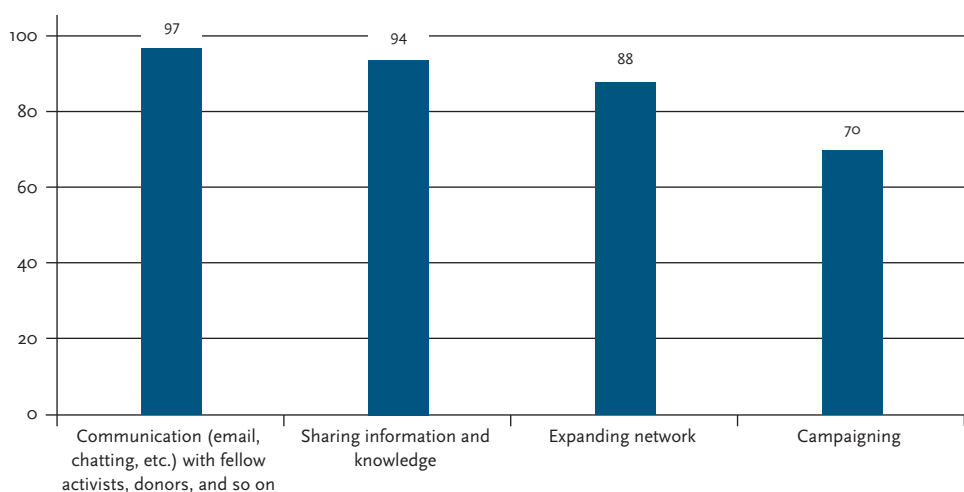
57. One World Foundation (*Yayasan Satu Dunia*) is an NGO focussing on information, communications, and science and technology issues.

Indonesia), the Indonesian Coalition for Women (*Koalisi Perempuan Indonesia*), World Wildlife Fund Indonesia, Muhammadiyah,⁵⁸ Flora-Fauna Indonesia,⁵⁹ Telapak,⁶⁰ Project Indonesia,⁶¹ and Imparsial.⁶²

According to the survey, the most frequent reasons cited by respondents for the use of the internet in their work were communication with fellow activists, sharing information, and expanding their networks.

Figure 9.

Reasons to use the internet at work (% of respondents), 2011



Note: Respondents could select more than one answer

Source: Results of survey by the One World Foundation⁶³

A 2010 study by Yanuar Nugroho showed that civil society organizations mostly use the internet for searching and checking information, for building their identity, and improving performance (see Figure 10).⁶⁴

58. Muhammadiyah is the second largest Muslim organization after Nahdlatul Ulama (NU).

59. Flora-Fauna Indonesia is an environmental organization in Indonesia.

60. Telapak is an environmental organization focussing on forestry issues.

61. Project Indonesia is an environmental organization in Indonesia.

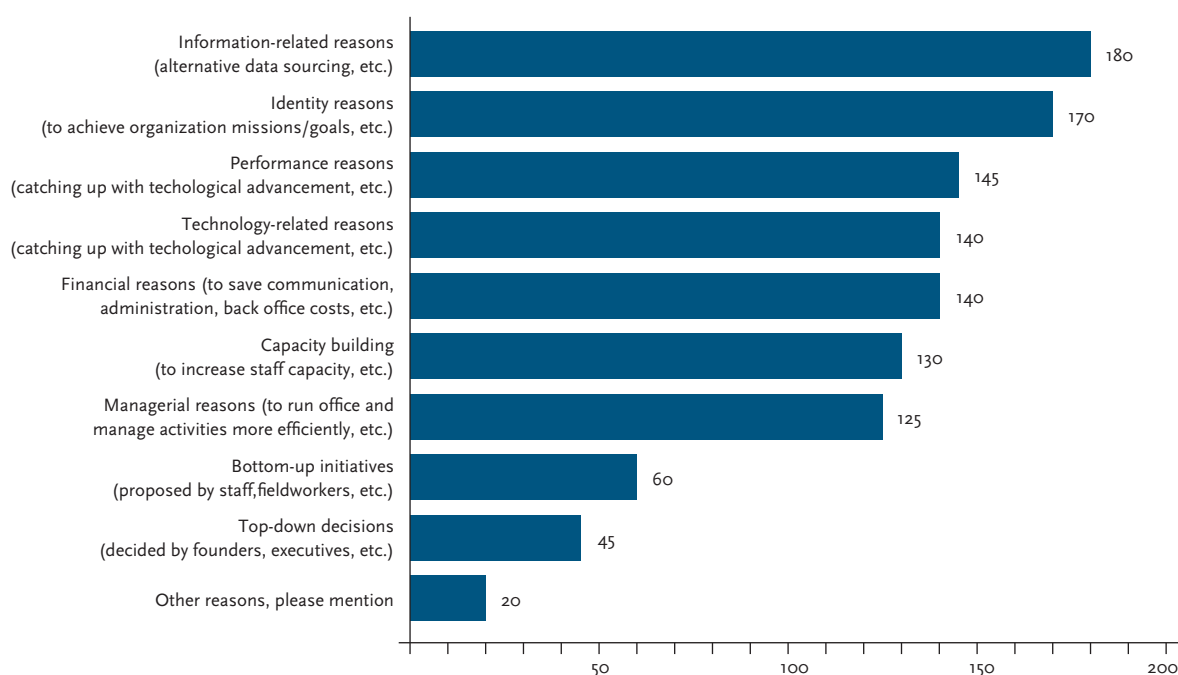
62. Imparsial is an NGO in Indonesia focusing on human rights issues.

63. Firdaus Cahyadi, "Online Activism: Perlu Terobosan Baru" (Online activism: Needs new breakthrough), One World Foundation, 2011, at [http://www.satudunia.net/system/files/Indepth percent20report-Online percent20Activism percent3B percent20Perlu percent20Trobosan percent20Baru.pdf](http://www.satudunia.net/system/files/Indepth%20report-Online%20Activism%20Perlu%20Trobosan%20Baru.pdf) (accessed 8 April 2012) (hereafter, Cahyadi, "Online Activism").

64. Nugroho et al., "Mapping the landscape of the media industry."

Figure 10.

Reasons why civil society organizations use the internet, 2011



Note: This study collected and analyzed data from 258 Indonesian civil society groups and organizations. The x-axis represents the number of responses from the groups surveyed; it allows multiple responses

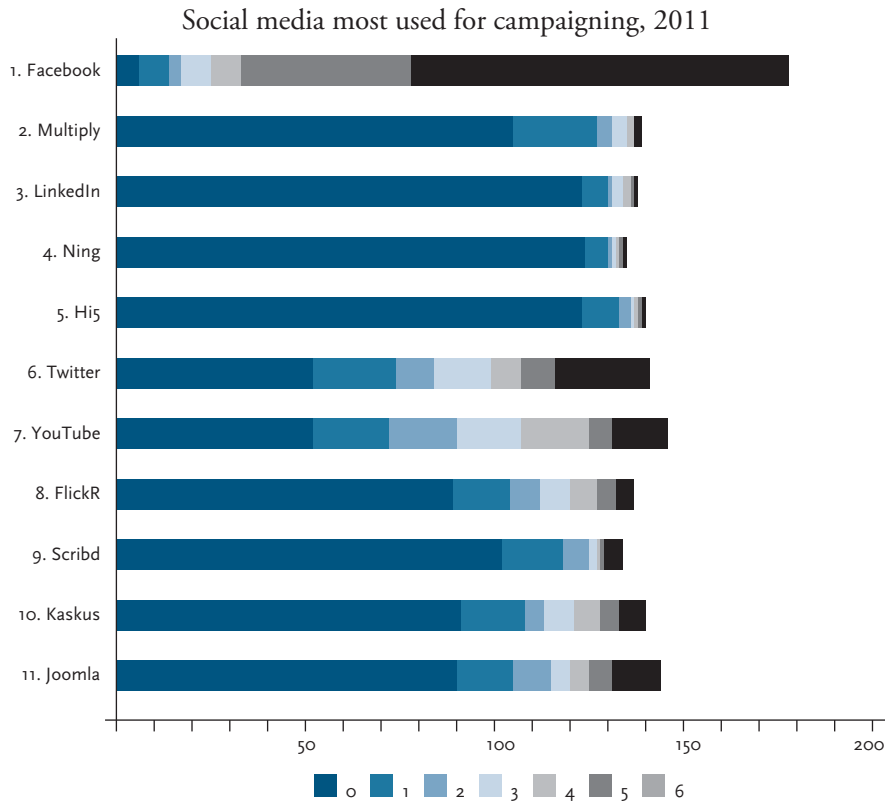
Source: Yanuar Nugroho, "Citizens in @ction"⁶⁵

Individuals and civil society organizations increasingly use social media as a campaign tool. The survey by the One World Foundation showed that Facebook was the most used social network by civil society groups, with 76 percent of them saying that they were using it; other networks trailed behind. Only 12 percent mentioned Twitter, the next most used network, and 9 percent YouTube.⁶⁶ Yanuar Nugroho's research confirmed this trend.

65. Yanuar Nugroho, "Citizens in @ction. Collaboration, participatory democracy and freedom of information. Mapping contemporary civic activism and the use of new social media in Indonesia," Manchester Institute of Innovation Research and HIVOS Regional Office Southeast Asia, March 2011, at http://www.cdi.manchester.ac.uk/newsandevents/documents/Citizensinaction-MIOIR-HIVOSFinal_Report.pdf (accessed 10 October 2013) (hereafter, Nugroho, "Citizens in @ction").

66. Cahyadi, "Online Activism."

Figure 11.



Note: This study collected and analyzed data from 258 Indonesian civil society groups and organizations. Multiple responses were allowed. 0=not at all, 6=very intensive

Source: Yanuar Nugroho, "Citizens in @ction"

3.2.2 The Importance of Digital Mobilizations

Digital mobilizations have been growing in importance, measured by the way they influence social issues and media coverage. Two cases are relevant in this context.

Coins for Prita (*Koin untuk Prita*)

Early in 2009, a housewife named Prita Mulyasari was convicted for defamation in a court trial after she voiced her complaints via email to her friends, who later circulated them on the internet, about services provided by the Omni International Hospital where she had been treated. Ms Mulyasari lost at the district court and was sentenced to imprisonment and a fine of IDR 312 million (US\$ 11,400). Ms Mulyasari appealed twice at the High Court and the Supreme Court. During the process, many internet activists mobilized and garnered support for Ms Mulyasari, setting up a virtual movement on Facebook, *Coins for Prita (Koin untuk Prita)* to help her pay the fine. After seeing this public support, the hospital withdrew its demands, and eventually the Supreme Court also acquitted her of both imprisonment and fines⁶⁷ (see section 7.1.2.2).

67. Yanuar Nugroho and Sofie Shinta Syarief, "Beyond Click-Activism? New Media and Political Processes in Contemporary Indonesia," Friedrich-Ebert-Stiftung, Berlin, 2012, at <https://www.escholar.manchester.ac.uk/api/datastream?publicationPid=uk-ac-man-scw:168569&datastreamId=FULL-TEXT.PDF> (accessed 12 October 2013) (hereafter, Nugroho and Syarief, "Beyond Click-Activism?").

One Million Facebookers to Support Chandra Hamzah and Bibit Riyanto (*Gerakan Sejuta Facebookers Mendukung Chandra Hamzah dan Bibit Riyanto*).

This case concerned a conflict between the Commission for Combatting Corruption (*Komisi Pemberantasan Korupsi*, KPK) and the police in September 2009. The police arrested two KPK commissioners who were investigating a case of alleged bribery committed by high-ranking police officials. Seeing that the police had made these arrests arbitrarily, internet activists mobilized public support through Facebook in a movement called One Million Facebookers to Support Chandra Hamzah and Bibit Riyanto. In nine days the movement collected more than 1.3 million supporters. Furthermore, through invitations distributed via the internet, the movement assembled 5,000 people to participate in street demonstrations in Jakarta. Following this public pressure, the two commissioners were released and they were able to keep their jobs as commissioners until the end of their term in office.⁶⁸

Digital mobilization is sometimes magnified through mainstream media. The largest Indonesian newspaper, *Kompas*, for example, picked up the story of One Million Facebookers to Support Chandra Hamzah and Bibit Riyanto.⁶⁹

Digital mobilization was partly responsible for the election of Jokowi (Joko Widodo) as the governor of Jakarta in 2012.

Jokowi's Election as Jakarta's Governor

Jokowi was the underdog who won the election as governor in two rounds. His victory followed commonly held predictions that he would lose the election. The fact was that he came from a small town in Central Java and did not have any experience whatsoever of handling the multiple social, economic, and political problems of Jakarta. The incumbent, Fauzi Bowo, had more political and economic resources to use in the campaign in order to stay in power. Jokowi won the support of the Jakartan middle class, from which a team of volunteers was formed to work for his election through social media campaigns. Equally important, Jokowi invited social media experts and activists to help formulate a strategy for the electoral battle in social media networks.

68. Nughroho and Syarief, "Beyond Click-Activism?"

69. See <http://nasional.kompas.com/read/2010/04/12/21161212> (accessed 12 October 2013).

3.3 Assessments

The popularity of social media in Indonesia, the growing number of Indonesian social media users, and the recent trend of established media increasingly using social media for publicizing their news products have all contributed to the growing circulation of news among Indonesians. Established media outlets are including UGC news pieces on their digital platforms. On the demand side, the majority of social media users use the networks to consume news regardless of whether or not the information in these news pieces has been verified.

Citizens have increasingly taken advantage of the new media for their own political and social gains, mobilizing political support by pressuring the government to listen to their own political demands.

4. Digital Media and Journalism

4.1 Impact on Journalists and Newsrooms

4.1.1 Journalists

Digitization is bringing changes in journalism practices in Indonesia both for individuals and for organizations. At the end of 2010, the consultancy Maverick Indonesia and the London School of Public Relations Jakarta published survey findings on the behavior of journalists using the internet and social media.⁷⁰ Conducted between June and September 2010 and canvassing 321 journalists from 141 media outlets, the survey showed that seven out of 10 journalists obtained their daily idea for a story or inspiration for news reports from the internet. Moreover, nearly all journalists said they had accounts with social media networks like Facebook or Twitter and used the internet to read the latest news.

As the number of registered journalists recorded by the association of Indonesia United Journalists (*Persatuan Wartawan Indonesia*, PWI) and the Alliance of Independent Journalists (*Aliansi Jurnalis Independen Indonesia*, AJI) stood at 16,262 in 2010,⁷¹ the survey's sample was not truly representative. There is a wide digital divide between the cities in Java and the rest of the country, and practices in some areas are different from others.⁷² However, the survey indicates that there are real changes in journalists' work triggered by the use of communication technology and the internet.

The internet has a huge impact on the work of journalists from the early stage of researching the news to the way the newsroom works. In terms of finding news ideas, journalists no longer draw on information from sources they meet, but armed with internet-enabled mobile phones they can easily find out about the latest events through online news sites, social media like Facebook and Twitter, and Blackberry Messenger groups.⁷³

70. London School of Public Relations (LSPR) Jakarta and Maverick Indonesia, "Survey of internet usage and Indonesian journalists," Jakarta, 7 December 2010 (hereafter, LSPR Jakarta and Maverick Indonesia, "Survey").

71. See <http://www.pwi.or.id> (accessed 15 September 2013). It is difficult to know the exact number of journalists in Indonesia. Television journalists have their own organization, the Association of Indonesian Television Journalists (*Ikatan Jurnalis Televisi Indonesia*, IJTI); some also belong to PWI, which was originally for print journalists only.

72. On the digital divide or "digital gap," see Merlyna Lim, "@crossroads: Democratization &corporation of media in Indonesia," Arizona State University and Ford Foundation, 2011, p. 9, at http://participatorymedia.lab.asu.edu/files/Lim_Media_Ford_2011.pdf (accessed 10 October 2013).

73. Interviews with Burhan Solihin, executive director at Tempo.co, Jakarta, July 2011; Nezar Patria, managing editor at Vivaneews.com, Jakarta, 20 July 2011.

The speed of conducting interviews has increased immensely. Interviews with sources do not necessarily have to be conducted face to face or by landline, but can be held through email, Twitter, Facebook, Skype, and Blackberry Messenger. This practice has yet to become the norm for many journalists who are limited by poor communications infrastructure in some regions, but an increasing number of journalists use emails and social media to conduct interviews.⁷⁴

The plethora of data on the internet dug out by search engines makes it easier for journalists to produce news, and to find and check background information and other useful information.⁷⁵ It also changes the way the newsroom works. Five years ago, journalists had to come back to the office every day after covering the news in the field to write their article, hand it to the editor, and discuss the next day's coverage. The use of internet in the country since the early 2000s and the mushrooming of online news portals have changed the pace and pattern of the work of both journalists and newsrooms.

The widespread use of email enables journalists to send an article without having to come to the office, tremendously speeding up the publication process. Another important aspect of newsroom infrastructure, the news basket server where all the stories are collected, is becoming more sophisticated every day.⁷⁶ Previously, journalists could only access the server in the office, but now it can be accessed from anywhere.⁷⁷ Editors can carry out their work without having to sit at their desks in the newsroom.

These new developments also change the relationship between reporters and editors. A decade ago, they coordinated by meeting face to face at the office. A daily newspaper usually holds an editorial meeting twice, in the morning and in the afternoon, to decide on which news to publish, and the editors will later on meet with the reporters. Now, editors also use email and mailing lists to coordinate with reporters—in addition to a few phone calls.⁷⁸

At the organizational level, the changes triggered by digitization have occurred mostly in newsroom management. Almost all established media outlets now have their own websites. However, how these media

74. Interviews with Burhan Solihin, executive director at Tempo.co, Jakarta, July 2011; Nezar Patria, managing editor at Vivanews.com, Jakarta, 20 July 2011. According to the latter, Vivanews journalists often hold interviews by email.

75. Interviews with Budiman Tanuredjo, managing editor at *Kompas*, Jakarta, 19 July 2011, and Rommy Fibri, producer of Liputan 6 SCTV, Jakarta, 13 July 2011. Some media, such as *Kompas*, ask journalists to be cautious about using material from the internet, including Wikipedia, due to its questionable accuracy and validity. Rommy Fibri added that digital technology makes television production much faster. To produce a 1.5-minute news bite now only takes 25–40 minutes using digital technology, whereas previously it would take one or two hours.

76. In the 1990s, most of the media outlets in Indonesia used the news basket portal, but it had a limited function. Journalists had to send their articles to editors from the newsroom as the server was located on the office premises.

77. Interview with Nasihin Masha, editor-in-chief of *Republika*, Jakarta, 12 July 2011. *Republika* had a modest intranet infrastructure before 2000, but it uses a more sophisticated intranet portal today. Nowadays, the use of software for newsroom operations is the norm among the media. Newsroom software is widely sold, including by Indian companies, at an average price of about IDR1 billion (US\$ 86,400). A number of mainstream media are using this software. *Tempo* newspaper has used similar software since it was first published in April 2011.

78. Interviews with Burhan Solihin, executive director at Tempo.co, Jakarta, July 2011; Nezar Patria, managing editor at Vivanews.com, Jakarta, 20 July 2011. According to Burhan Solihin, *Tempo* newspaper has for some time used email and mailing lists, text messages, Blackberry Messenger, and the telephone to coordinate with reporters. The same mechanisms are found at Vivanews.com. According to Nezar Patria, communicating assignments to reporters is urgent, so coordination by telephone is the main choice because the message can be received by the reporters right away.

managers adapt to the many possibilities presented by digital technology, in terms of newsroom organization, varies from medium to medium.

Two illustrations from *Tempo* and *Kompas* can give us an idea. It should be stressed that what characterizes most of the new digital businesses is the consolidation of their operations online.

Tempo's newsrooms have three divisions: magazine, newspaper, and online. Each division has its own team of independent news producers; the *Tempo* newspaper team produces news for *Tempo* newspaper, the magazine team for the magazine, and the online team for *Tempo.co*. The divisions will cooperate, for example, if the magazine team is interested in taking a news item that has appeared in *Tempo* newspaper to be developed into a main investigative report in the magazine, in which case the magazine team will do the work, not the newspaper team.

The electronic versions of *Tempo* newspaper and *Tempo* magazine (in pdf or other formats) are also offered through *Tempo.co*. The managers of *Tempo.co* have developed the website and administer it as an independent business unit.⁷⁹

Kompas.com, which is run by the *Kompas* Group, has a different structure. The *Kompas* Group owns numerous magazines (women's, children's, automotive, teen, etc.) and newspapers (national and local). At the outset, *Kompas.com* was an electronic version of *Kompas* newspaper; however, *Kompas.com* grew into a separate entity and has now become a portal for almost all the publishing by the *Kompas* Group.

4.1.2 Ethics

Digitization has not only been good news for journalism in Indonesia. The widespread use of the internet, expanding business interests, and the strong urge to provide information at a fast pace have all led to increasing violations of ethical norms in the profession, for instance inaccuracy and plagiarism.⁸⁰

Inaccuracy, particularly typographical errors, is the most common mistake in the media. The main trigger is the urge to publish news in online media not long after an incident occurs. Reporters are required to type the news fast and editors to edit it at an equally speedy pace.⁸¹ More inaccuracies are seen in facts reported in the news, such as names and titles, which affect the content of the news stories and the quality of the information. An example a few years back was the case of the then Minister of State-owned Enterprises, Laksmana Sukardi, who allegedly ran away to Australia with a large sum of money. Mr Laksmana filed a

79. Phone interview with Mohammad Taufiqurrahman, head of human resources and training, *Tempo*, Jakarta, 6 October 2013.

80. Law No. 40/1999 on the Press mandates the Press Council to create a code of ethics to regulate journalists in Indonesia. The current Code of Ethics (*Kode Etik Jurnalistik*, KEJ) was prepared with the help of journalists' organizations and media companies, and was adopted by the Council in 2006. This code is binding on all journalists and enforced by the Press Council. The court sanctions for confirmed violations can be a fine, imprisonment, or both.

81. Interviews with Abdullah Alamudi, a teacher at the Dr Soetomo Press Institute and a former member of the Press Council, Jakarta, 19 July 2011; Nezar Patria, formerly a journalist and now a member of the Press Council, Jakarta, 20 July 2011.

complaint against five media outlets that reported this news to the Press Council, which later verified that four of the five media had violated the Code of Ethics for being inaccurate and not making any attempt to clarify or verify the information.⁸²

Journalists have been reluctant to verify information in the past several years. The survey by Maverick Research and the London School of Public Relations Jakarta found that only half of the journalists claimed they verified the information they found on the internet before using it. As many as 138 respondents (out of 321 respondents from 141 media in Indonesia) verified the information by checking on the internet and only 64 respondents verified it directly with the sources.⁸³

The second most frequent ethical violation facilitated by the internet is plagiarism, that is, where journalists copy articles from online media, publish them in their media, and then sign themselves as the author. There is also a common practice that journalists call “cloning,” where they make use of other journalists’ taped interviews or simply copy and paste items from other outlets. They then publish the articles as their own, although they neither conducted the interviews nor witnessed the events.⁸⁴

In 2010, the Press Council received 514 letters of complaint, 13 of which were related to inaccuracy, eight because the media had not verified the news they had published. This bad habit, according to the Press Council, originates from the “urge to convey information as fast as possible to the public.”⁸⁵

An emerging trend observed by the Press Council among some online media was exposing the real names of the victims of sexual assault and abuse.⁸⁶ The council also received complaints from various parties about inaccurate and biased online media reports.⁸⁷

According to *Jurnal Nasional* daily newspaper’s managing director, Iman Syukuri,⁸⁸ the lack of accuracy has several causes. The main one is journalists’ laziness and negligence in reporting, although it may also be caused by heavy workloads. Editors contribute to this mistake by being careless and less than meticulous in editing the stories.

82. Press Council, “Data Pernyataan Penilaian dan Rekomendasi” (Data of assessment and recommendation statements), cited in the Press Council’s Report No. 26/PPR-DP/X/2004 on the Complaint from Mr. Laksamana Sukardi over the Publication in Five Media, 15 October 2004. See <http://dewanpers.or.id/pengaduan/penyelesaian/ppr/823-ppr-dewan-pers-nomor-26-ppr-dpx2004-> (accessed 3 April 2012). The five media were *Trust* magazine, *Nusa* (Archipelago) daily, *Reporter* daily, *Rakyat Merdeka* (Free People) daily, and *Indo Pos* (Indonesian Post) daily, based on news written in the period 24–28 September 2004. Of the five media, only *Rakyat Merdeka* was cleared of violating the Code of Ethics.

83. LSPR Jakarta and Maverick Indonesia, “Survey.”

84. Interview with Abdul Razak, journalist with Voice of Human Rights radio, Jakarta, May 2011.

85. Press Council, “Laporan Penelitian: Problem Penegakan Etikadan Profesionalisme Media Berdasarkan Pengalaman Dewan Pers” (Research report: Problem in imposing ethics and professionalism based on the experience of the Press Council), Jakarta, 2011, pp. 11–12.

86. Press Council, “Agenda Dewan Pers tentang Mengundang Beberapa Media Online karena Memua tIdentitas Korban Kejahatan Asusila” (Press Council agenda to invite several online media for publishing the identity of victims of sexual crime), at <http://dewanpers.or.id/kegiatan/agenda/906-pengaduan-mengundang-beberapa-media-online-yang-diadukan-terkait-berita-korban-kejahatan-asusila> (accessed 3 April 2012).

87. A presentation in “Diskusi oleh Dewan Pers”(Discussion by the Press Council) by Agus Sudibyo, member of the Press Council 2010–2013, Jakarta, June 2011.

88. Interview with Iman Syukuri, managing editor of the *Jurnal Nasional* daily newspaper, Jakarta, 13 July 2011.

Moreover, digitization has also introduced new measures of news popularity. On online news portals, the popularity of the news is based on the number of pages per view, which is the same as the Nielsen ratings for television programs. The bigger the program share, the bigger the audience.

The common perception among online media in Indonesia is that people prefer news with “pornographic”⁸⁹ content, as well as unique, odd, and funny content. This perception is allegedly the factor driving the rampant growth in online news catering to the masses, including pornographic content.⁹⁰ The same common perception is that serious news, such as political and legal news, is considered less interesting.⁹¹

4.2 Investigative Journalism

4.2.1 Opportunities

Indonesian journalists’ perceptions about investigative journalism differ from those of the West, although they generally agree that the definition refers to coverage that provides new facts and has the function of unveiling covert crime to the public. Although widely believed to be the centerpiece of journalism, only few media in Indonesia are capable of it.⁹² The media outlet that does regularly carry out investigations is *Tempo* magazine. A number of other media, such as *Kompas*, SCTV, TransTV, and RCTI, call some of their reporting investigations, but they are actually more like in-depth reports.

There are a number of reasons why investigative journalism is neither developed nor practiced by Indonesian media. One is that it requires a long period of time from initial research to news production. It takes special resources to cover it and the journalists would be able to focus on only that assignment. Investigative reporting requires more print space (for print media) and longer time slots (for radio and television).

Some of the things required for investigative reporting are readily available today. The internet does not make the investigative process easier, but it is now easier to map the issues to be investigated using resources online.⁹³

89. Pornography in Indonesia, as specified in the law, has a wider meaning than in the West. It includes racy or raunchy materials (verbal, visual, and audio), as well as the standard meaning in the West.

90. Journalists’ Code of Ethics, 14 March 2006, Article 4: “Indonesian journalists must not produce fabricated, libel, sadistic and obscene news.” The definition of obscene is photos, illustrations, voices, visuals, graphics, or articles depicting eroticism and titillation. See Karaniya Dharmasaputra, “Jurnalisme Online: Asal Seru dan Saru?” (Online journalism: Relying on racy and raunchy contents?), *Jurnal Dewan Pers* (Press Council Journal) 4 (January 2011), pp. 15–24.

91. Interviews with Irawan Saptono, director of the Institute for Studies in the Free Flow of Information (*Institut Studi Arus Informasi*, ISAI), Jakarta, 13 July 2011; Nezar Patria, managing editor at Vivanews.com (now a member of the Press Council), Jakarta, 20 July 2011; Budiman Tanuredjo, managing editor at *Kompas*, Jakarta, 19 July 2011.

92. Interviews with Rommy Fibri, producer of Liputan 6 SCTV, Jakarta, 13 July 2011; Metta Dharmasaputra, managing editor at *Tempo* magazine, Jakarta, 19 July 2011.

93. Interviews with Metta Dharmasaputra, managing editor at *Tempo* magazine, Jakarta, 19 July 2011; Rommy Fibri, producer of Liputan 6 SCTV, Jakarta 13 July 2011.

The importance of the mushrooming of online media is the larger space available to publish investigative articles. The problems of limited space faced by newspaper journalists and the limited time slots for radio and television journalists are automatically solved. Another benefit brought by the internet is the improved appearance of investigative reports.⁹⁴ With sophisticated features and software, investigative work is becoming more visually attractive and interesting to read.

The internet really helps journalists to track down documents and other valuable information. One example was the scandal surrounding Pertamina (Indonesia's state-owned oil company). In an attempt to meet domestic oil consumption in February 2008, Pertamina made the decision to import oil. All contracts made by Pertamina had to fulfill the criterion that the oil quality and price must be reasonable, and the deals were finalized by auction. However, suspicion of corruption was aroused when the imported Zatapi oil purchased from a Singapore-based oil company, Gold Manor International, was below Pertamina's standards. (The value of the imported oil was US\$54 million.)

Investigation of the case required *Tempo's* journalists to find the brokers and their connection with Pertamina's high-ranking officials, to reveal their identities, and find out how they had engineered the process. At one point, the social networking site Friendster helped them trace four people who played important roles. The scandal was exposed by *Tempo's* team, and subsequently the police took the four individuals involved to court.⁹⁵

Some new laws passed in 2008 can be used by journalists to conduct investigations. For instance, Law No. 14/2008 on Public Information Transparency obliges state and public institutions to provide requested information unless the information is categorized as exempt or confidential.⁹⁶ To implement this law, an independent commission called the National Information Commission (*Komisi Informasi Pusat*, KIP) was established and tasked to set up a standard procedure for obtaining public information. However, in reality, the KIP did not help the public to obtain information that should have been publicly available. The Indonesian Corruption Watch (ICW), an NGO active in fighting corruption, from 6 May to 10 June 2013 submitted a request to 10 official government agencies of the Special Capital City District (*Daerah Khusus Ibukota*, DKI) of Jakarta requesting data on health-care and education benefits; only two officials responded to this request.⁹⁷

94. Interview with Metta Dharmasaputra, managing editor at *Tempo* magazine, Jakarta, 19 July 2011.

95. See <http://www.merdeka.com/ekonomi/nasional/minyak-zatapi-tak-rugikan-negara-fwiku3p.html> (accessed 6 October 2013).

96. Law No. 14/2008 on Public Information Transparency, *State Gazette of the Republic of Indonesia*, No. 61/2008, *Additional State Gazette of the Republic of Indonesia*, No. 4846; the exempt information includes information on law enforcement, information on state security and defense, information on natural resources, information on national economic security, information that can harm foreign relations, and personal information.

97. See <http://www.antikorupsi.org/id/content/icw-siap-sengketakan-147-informasi-publik-ke-komisi-informasi> (accessed 23 August 2013).

4.2.2 Threats

Digitization is like a double-edged sword for the future of investigative reporting. On the one hand, it can contribute to the growth and development of journalism in this genre, even though not many journalists explore it optimally. On the other hand, it can obstruct the growth of investigative reporting.

The rapid growth of online media seems to have convinced media owners that the public is quite satisfied with fast but not in-depth news, and this concept has become the foundation of new media business these days. Since media businesses are already profitable because of the fast, and not necessarily in-depth, news they produce, the option to carry out investigative journalism is no longer interesting, since it requires extra costs and human resources, and it incurs high risks.⁹⁸

As this type of journalism is meant to disclose crimes hidden from the public, there is always a losing party. The risk includes counterattack by those who feel they have been harmed by it. An example was the threat received by *Tempo* magazine journalist Metta Dharmasaputra when investigating the tax fraud perpetrated by the Asian Agri Corporation, owned by Sukanto Tanoto. Not long after the report was published, Mr Dharmasaputra experienced a series of threatening incidents, such as the leaked transcript of a text message conversation on his personal phone.⁹⁹ The leaked transcript was circulated among journalists and received much attention in the media. The leaked transcript was allegedly the result of the police tapping mobile phones.¹⁰⁰

The transcript contains a conversation between Metta Dharmasaputra and a manager in Asian Agri Corporation, Vincent Amin Santoso, who turned out to be a whistleblower on tax evasion. Its additional “analysis” accused Mr Metta of receiving bribery from a rival company. The analysis appeared to undermine the credibility of Mr Metta’s investigation. The case ended with the Asian Agri Corporation being penalized by a fine of IDR2.5 trillion (US\$ 216 million) for tax evasion. The leaking of the text messages between Vincent Amin Santoso and Metta Dharmasaputra was not traced to a specific source.¹⁰¹

4.2.3 New Platforms

Only a few journalists use new platforms to expand the reach of their investigative journalism. Some work at media companies and become bloggers or citizen journalists. One of the rare investigations published by new platforms was Iwan Piliang’s investigative report about the death of an Indonesian studying at a university in Singapore. According to the investigation, the student was murdered during an argument with his professor about the ownership of a ground-breaking finding from his research.

98. Interview with Irawan Saptono, director of the Institute for Studies in the Free Flow of Information (*Institut Studi Arus Informasi*, ISAI), Jakarta, 13 July 2011. At *Tempo* magazine, investigative reporting is conducted by a special team of between six and eight people. *Republika* daily allocates two people to do this reporting, although it would be more appropriate to call the results in-depth articles rather than investigative pieces.

99. Interview with Irawan Saptono, director of the Institute for Studies in the Free Flow of Information (*Institut Studi Arus Informasi*, ISAI), Jakarta, 13 July 2011.

100. See <http://www.tempo.co/read/news/2007/09/12/055107469/Penyadapan-Telepon-Wartawan-Dikecam> (accessed 26 August 2013).

101. The story was pieced together and documented by Metta Dharmasaputra in “Saksi Kunci: Kisah nyata perburuan Vincent, pembocor rahasia pajak Asian Agri Group” (Key witness: The real story of Vincent, the whistleblower of the Asian Agri scandal), *Tempo*, Jakarta, 2013.

There is no blog in Indonesia that specializes in investigative reporting, nor is there any blog that analyzes investigative reporting in other media such as newspapers, magazines, or television.

4.2.4 Dissemination and Impact

Although digitization provides fresh opportunities for journalists to expand their investigations, in reality they are still bound by the old pattern of dissemination, which is through the mainstream media: newspapers, magazines, and television. Investigative reports published on the internet are no more than an extension of what has been published on these platforms.

The emergence of an online magazine managed by Detik.com is of interest, which launched at the end of 2011, after the news portal was bought by the Transcorp Group. Many of the editors at Detik.com came from *Tempo*, which has a long tradition of investigative journalism. It remains to be seen whether this new magazine will gain ground as an investigative reporting platform.

4.3 Social and Cultural Diversity

4.3.1 Sensitive Issues

Religious and sexual minority groups and the Chinese minority are often discussed in the media; however, the coverage tends to be polarizing and minorities remain a sensitive issue—the media and the public are divided on such topics. A study on the coverage of homosexuality in online media *Tempo.co* and *Republika Online* revealed that the latter viewed homosexuality as against religion and identical with sadism and violence. Meanwhile, *Tempo* presented homosexuality in a more subtle manner, as a given rather than a choice.¹⁰² Several media outlets discuss homosexuality with outright hostility.

Chinese minority issues often become heated on Twitter. For instance, a celebrity lawyer, Farhat Abbas, posted a response on his Twitter account about the proposed plans of the vice-governor of Jakarta, Tjahaya Basuki Purnama (Ahok), an ethnic Chinese, to enforce a traffic regulation where vehicles, depending on their license plate numbers (odd or even number), had to take turns to use the most congested streets of Jakarta on certain days in an attempt to reduce congestion. On his Twitter account, Farhat wrote, “Ahok is ‘protesting.’ That’s Ahok, making such a ruckus over license plates. Whatever his license plate is, he’s still a Chinese!” Many media condemned the comments made by Farhat Abbas and defended Ahok.¹⁰³

4.3.2 Coverage of Sensitive Issues

On sensitive issues, journalists are regulated by the Criminal Code (*Kitab Undang-undang Hukum Pidana, KUHP*), the Law on Information and Electronic Transaction (*Undang-undang tentang Informasi dan Transaksi Elektronik, ITE*), and the Indonesian Journalists’ Code of Ethics (*Kode Etik Jurnalistik, KEJ*).

102. See <http://jurnal.usu.ac.id/index.php/flow/article/view/1598> (accessed 26 August 2013).

103. See <http://news.liputan6.com/read/595472/nge-twit-ahok-cina-farhat-abbas-jadi-tersangka> (accessed 29 October 2013).

Adopted in 1946, the KUHP was essentially drafted by the colonial government. Attempts to revise it have not succeeded, so the original version is still in effect. Some articles require journalists to be cautious when covering religious disputes; Article 156 (a) stipulates defamation of religion as a crime punishable by five years' imprisonment.

The Law on Information and Electronic Transaction prohibits the dissemination of “information aimed to evoke hatred or animosity between individuals and/or community groups based on ethnicity, race, religion and group.”¹⁰⁴ Violations can incur a prison sentence of up to six years and a fine of IDR1 billion (US\$ 86.4 million).

KEJ, for its part, requires journalists to verify information and cover both sides of a story.¹⁰⁵ It also warns journalists not to “write or broadcast news based on prejudice or discrimination” or on differences of ethnicity, race, and religion, among other things.¹⁰⁶

Although coverage is not always objective, all the sensitive issues can now be discussed openly compared with the pre-1998 period. The “New Order” regime considered religious issues to be taboo, and discussion and violation of this unwritten policy could lead to media companies losing their publication licenses. However, despite the more open atmosphere in the media and in society, coverage is still influenced by owners and managers. The media affiliated with certain religious groups, at least in the past, such as *Kompas* and *Republika*, have different ways of covering religious issues. Journalists also influence the direction of the coverage.¹⁰⁷ Television stations that do not have affiliations with any religious groups have different editorial policies on religious coverage as well. As observed by Abdullah Alamudi, for example, Metro TV gave more space to minority issues than TVOne.¹⁰⁸

Digitization plays a big role in attracting mainstream media attention for such issues. The many postings about the Ahmadiyah and HKBP Ciketing cases¹⁰⁹ on social media sites such as Facebook, Twitter, and YouTube forced the mainstream media to continue their coverage. Budiono Darsono, the chief editor of Detik.com, one of the most popular portals in Indonesia, states that the mainstream media must learn to collaborate with the social media networks, which already play an important part in broadcast news.¹¹⁰

104. Law No. 11/2008 on Information and Electronic Transaction, *State Gazette of the Republic of Indonesia*, No. 58/2008, and *Additional State Gazette*, No. 4843, 21 April 2008, Article 28 (2).

105. KEJ, 14 March 2006, Article 3: “The Indonesian journalist should always verify information, conduct balanced reporting, not mix facts with biased opinion, and uphold the principle of the presumption of innocence.”

106. KEJ, 14 March 2006, Article 8: “The Indonesian journalist should not write or report news based on prejudice or discrimination against anyone on the basis of differences in ethnicity, race, color, religion, gender, and language, and does not degrade the dignity of the weak, the poor, the sick, the mentally or physically disabled.”

107. Interviews with Irawan Saptomo, director of the Institute for Studies in the Free Flow of Information (*Institut Studi Arus Informasi*, ISAI), Jakarta, 13 July 2011; Abdullah Alamudi, a teacher at the Dr Soetomo Press Institute and a former member of the Press Council, Jakarta, 19 July 2011.

108. Interview with Abdullah Alamudi, a teacher at the Dr Soetomo Press Institute and a former member of Press Council, Jakarta, 19 July 2011.

109. Adherents of the Ahmadiyah sect of Islam form a minority in Indonesia and have been a target of unfair treatment at the hands of the Muslim majority. In several cases, the sect's compound has been attacked and burned down. The case of the HKBP church in Ciketing involves religious tension between a small Christian sect and a segment of Muslim opinion; it centers on the Muslim demand (so far resisted) that the HKBP's church should move to a different location.

110. See <http://www.radioaustralia.net.au/indonesian/2012-11-26/jejaring-sosial-kini-menjadi-pengontrol-media-massa-di-indonesia/1051854> (accessed 26 August 2013).

4.3.3 Space for Public Expression

Digital media appear to have enlarged the space for public expression of minority or marginalized groups such as women, religious minorities, ex-communists, and rural citizens. Women, rural communities, former Communist Party (PKI) members and its sympathizers, a political minority, now have more freedom to express themselves in the media, both in the mainstream and in the new media.

Journalists in the AJI have held several training programs on how to cover women's issues,¹¹¹ which has resulted in the expansion of the space devoted to women in the media. It has become customary for mainstream media and new media to raise women's emancipation issues on Kartini Day, every 21 April, which commemorates the birth date of Raden Ajeng Kartini, the woman who pioneered the issue of women's rights in the late 19th century, during the colonial era.

Rural communities have also been empowered by the new accessibility of information that can be obtained from the internet in the form of stories and reports about possibilities, opportunities, and difficulties in rural areas, enhanced by websites developed by villagers. One of the growing networks specializing in the dissemination of information about villages in Indonesia is Gerakan Desa Membangun (Village Building Movement) at Desamembangun.or.id. This movement began in Banyumas County and has expanded to other regions such as Tasikmalaya, and even as far as Kalimantan and Sulawesi. The Banyumas district has created a syndication of village portals that can be accessed at Desa.Bloggerbanyumas.net.

The former members of the Communist Party of Indonesia (*Partai Komunis Indonesia*, PKI), a political minority that experienced extreme discrimination throughout the "New Order" period, now have a place to express their grievances. The mainstream media, such as *Tempo* magazine, have sometimes featured the 1965 events that led to the massacre of PKI members, expressing sympathy for political victims. In September 2013, *Tempo* magazine featured the People's Cultural Institution (*Lembaga KebudayaanRakjat*, Lekra), an organizational wing of the Indonesian Communist Party that was banned by the government in 1965. The establishment of the Indoprogress.com site, which discusses various topics related to socialism, reveals the growing space for Indonesian leftists to express their ideas, opinions, and perspectives on past and current affairs.

Media websites have also improved their appearance and offer more appealing visuals, which further boosts coverage of sensitive issues. At the same time, the online space has been enriched by television content from major stations. Kompas.com, for example, presents the news broadcast by Kompas TV, and Tempo.com presents the news from Tempo TV. The Asian Media Group also owns an online news website, Vivanews.com, that provides audiovisual news supplied by ANTeve and TVOne, both part of the Asia Media Group network.

111. See http://www.ilo.org/wcmsp5/groups/public/---asia/---ro-bangkok/---ilo-jakarta/documents/presentation/wcms_203344.pdf (accessed 26 August 2013).

4.4 Political Diversity

4.4.1 Elections and Political Coverage

If the regulations that govern the coverage of the general election and general political events have remained unchanged for the last five years, the mainstream media coverage has changed significantly. It is now possible to use new media space to convey information in a more in-depth and diverse manner. For example, during elections, various links to numerous websites of political parties and candidates can be accessed. Another opportunity offered by the internet is the increased space for coverage of every political party and candidate.

4.4.2 Digital Political Communications

Digitization has injected much color into Indonesia's political communications. The main political parties have created their own websites to introduce and promote their programs, namely, the Golkar Party (*Partai Golongan Karya*, Golkar) at Golkar.or.id, the PD at Demokrat.or.id, the National Mandate Party (*Partai Amanat Nasional*, PAN) at Amanatnasional.com, and the United Development Party (*Partai Persatuan Pembangunan*, PPP) at PPP.or.id.

Visitors to these websites can get information on the profiles of the parties, such as the executives in the provinces, the working programs, and the activities of their members in the legislative body. Some political parties obtain information by conducting surveys on their websites and asking people to join them on Facebook or follow them on Twitter to receive updates from the websites.

Politicians have also started to use the internet for self-promotion besides disseminating their views and ideas. Politicians who have Twitter accounts include the PD chairman Anas Urbaningrum (@anasurbaningrum), the Golkar Party chairman Aburizal Bakrie (@aburizalbakrie), the Indonesian Democratic Party of Struggle (*Partai Demokrasi Indonesia Perjuangan*, PDIP) politician and head of the House of Representatives, Pramono Anung (@pramonoanung), and the Prosperous Justice Party (*Partai Keadilan Sejahtera*, PKS) politician and Minister of Communication and Informatics, Tifatul Sembiring (@tifasembiring).¹¹² These politicians also own Facebook accounts.

Social media network users are now so numerous that politicians cannot ignore them. Digital-savvy politicians enable public issues to be raised through the internet, which creates room for influencing public opinion and policymakers. This was evident in the alleged fraud perpetrated by the deputy heads of the KPK, Bibit Riyanto and Chandra Hamzah (see section 3.2.2).

112. UniZulfianiLubis, "Di BalikTabir Kontroversi RIM vs Tifatul Sembiring: kontroversi yang ditimbulkan oleh kicauan Tifatul Sembiring" (Behind the controversy of RIM vsTifatul Sembiring: Controversy caused by Tifatul Sembiring's tweets), *Jurnal Dewan Pers* 4 (January 2011), pp. 45–64.

4.5 Assessments

At the organizational level, the arrival of digital technology has brought changes to newsroom management, although this process is still at the developmental stage. Nearly all media now have an online division. One management model or aspect of newsroom organization that has developed is the division of the workforce between conventional media and online media, where each division works independently, though they work together on the digital multimedia platform.

Although not all media practice investigative journalism, digitization has changed the way journalists carry out their work. Digital equipment can be used to assist reporters in obtaining the necessary background information for investigative reports, and the internet can also help reporters to track down and gather information. However, simultaneously, digital technology can threaten the privacy of reporters if their digital devices are intercepted and used for intimidation.

The opportunities made possible by the new media have expanded the public's space for expression. Minority groups have found new outlets where they can express and protect their interests by disseminating information. However, the new media have also opened up opportunities for intolerant groups to spread their views, which can create inter-group tensions in the community, especially regarding religion.

5. Digital Media and Technology

5.1 Broadcasting Spectrum

5.1.1 Spectrum Allocation Policy

Law No. 36 of 1999 on Telecommunications states that the government holds the authority to allocate broadcast frequencies. In practice, this authority is run both by the Directorate General of Post and Telecommunications, which manages the technical aspects of the frequency distribution, and the Ministry of Communication and Informatics, which issues user licenses to broadcasters who have obtained their Broadcasting Service Permits (*Izin Penyelenggaraan Penyiaran*, IPP).

Broadcast frequency allocation has never gained public attention. If one or two criticisms have emerged over time, they have had more to do with the recipients of the broadcasting permits than with the frequency allocation system. During the “New Order” (which ended in 1998), there were five national private broadcast television stations with permits: RCTI, SCTV, Indosiar, ANTeve TV, and TPI (later known as MNC TV), all of which were owned by family members and people close to President Suharto.¹¹³ Five other private broadcast television stations eventually received broadcast licenses following the collapse of the “New Order”: Metro TV, LATIVI (later known as TVOne), TransTV, Reuters TV, and Global TV. These television stations broadcast entertainment and general news, except for Metro TV and TVOne, which are all-news channels. All the private television stations continue to use analog frequencies for their free-to-air terrestrial broadcasts.

Spectrum use and frequency allocation were topics of a heated public debate when the Ministry of Communication and Informatics announced its plans for the digitization of television broadcasts in 2011. The regulations controlling the telecoms sector (Law No. 36/1999) and the television sector (Law No. 22/2002) in Indonesia had not anticipated multiplexing using digital technology, and the word “digital” did not even exist in either regulation. However, the digitization schedule was announced to begin in 2012 and to be completed by 2018, during which period broadcast television was to continue to be simulcast.

113. Krishna Sen and David T. Hill, *Media, Culture and Politics in Indonesia*, Oxford University Press, Melbourne, 2000.

The reason given for the importance of digital migration was the necessity of keeping up with technological developments and improving efficiency in the television industry. On 22 November 2011, the Minister of Communication and Informatics issued Regulation No. 22/2011 on the Management of Free-to-Air Digital Terrestrial Broadcasting Reception, which governs the implementation of the digitization of television broadcasts. It was supplemented by other regulations, that is, Ministerial Regulation No. 23/2011, issued one day after the first regulation, which provided the master plan for mapping frequencies to be used for free-to-air digital terrestrial broadcasting (frequencies of 478–694 MHz). The analog frequencies vacated by the private television stations (i.e. the digital dividend) were to be used for building the communication infrastructure to boost economic development in eastern Indonesia.¹¹⁴

Digitization led to a new separation between the entity that rents out the multiplexing technology-based channels and the institutions that produce broadcasting programs, which rent the channels on the multiplex. Ministerial Regulation No. 22/2011 stated that a service provider renting out the multiplexing of channels should be termed a Multiplex Service Institution (*Lembaga Penyiaran Penyelenggara Penyiaran Multipleksing*, LPPPM) and function as multiplex (MUX) operators, and an institution providing broadcasting programs should be termed a Program Service Institution (*Lembaga Penyiaran Penyelenggara Program Siaran*, LPPPS). Previously, the services were not separate: the frequency user was the same as the broadcast producer.

These ministerial regulations were challenged by many. Hayono Isman, a member of the House of Representatives, asked the government to postpone the regulations, arguing that they did not have a legal basis in the form of legislation. He said that what must be done first was to revise Law No. 22/2002 on broadcasting.¹¹⁵ A KPI commissioner stated that if digitization was not regulated by legislation, it would lead to a monopoly in the broadcast television market.¹¹⁶

Responding to these objections, the Minister of Communication and Informatics advised against creating “a law that limits the development of technology.”¹¹⁷ He said that the digitization of television did not require the government’s permission.

Thus, the execution of the digitization plan continued. The Minister of Communication and Informatics determined that there were to be six LPPPMs, consisting of one public broadcasting institution (TVRI) and five private broadcasting institutions. The LPPPS would consist of three categories: LPP TVRI and LPP local, private broadcasting institution (*Lembaga Penyiaran Swasta*, LPS), and community broadcasting institution (*Lembaga Penyiaran Komunitas*, LPK). In Press Release No. 15/PIH/KOMINFO/2/2012, dated 12 February 2012, the Minister of Communication and Informatics announced the digital division of the Indonesian

114. Deni Setiawan, “Alokasi Frekuensi” (Spectrum policy and planning in Indonesia), Directorate of Post and Telecommunications, Ministry of Communication and Informatics, Jakarta, 2010, at <http://id.scribd.com/doc/73467673/Alokasi-Frekuensi-Edisi-2-Januari-2010> (accessed 13 January 2013).

115. See <http://www.jurnas.com/halaman/4/2012-05-10/208552> (accessed 29 October 2013).

116. See <http://www.tempo.co/read/news/2012/02/22/092385695/KPI-Worry-Digitizing-TV-So-Practice-Monopoly> (accessed 29 October 2013).

117. See <http://teknologi.news.viva.co.id/news/read/301320-tifatul--digitalisasi-tak-perlu-izin-dpr> (accessed 29 October 2013).

territory into 15 zones. Within each zone, there would be a selection process through an auction to determine the six institutions that would be selected to provide a multiplexed channel. This process would be conducted sequentially according to the digital zones. The auction process has already begun. For example, in Zones 4, 5, 6, 7, and 15 (DKI Jakarta and Banten, West Java, Central Java, and Yogyakarta, East Java and the Riau Islands) it began on 6 February 2012, and several of the winning bidders have already been announced. Those leasing the multiplexing channels have not yet been determined.

The selection process has encountered many challenges from community groups. Among those in opposition were civil society activists who expressed concerns about political interference in broadcasting and filed a request for a judicial review in the Supreme Court of Regulation No. 22/2011, since this provided the legal basis for the frequency auction and the LPPPM selection. The judges ruled that the auction process must be halted because it was invalid. As a consequence, all auction results for digital frequency allocation after February 2012 were declared void. The Minister of Communication and Informatics, Tifatul Sembiring, simply rejected the decision, arguing that the Supreme Court's decision did not apply retrospectively.¹¹⁸ (See section 5.1.2 for expanded coverage of these events.)

Internet Protocol Television (IPTV) is regulated separately through Ministerial Regulation No.29/PER/M.KOMINFO/09/2008.¹¹⁹ The Ministry of Communication and Informatics has only reached the equipment feasibility study stage of digitization, and this topic has not become part of the public debate.

5.1.2 Transparency

The basic principles of the LPPPM selection are open access and non-discriminatory assessment. The main method in determining and issuing the right for broadcasting frequencies usage is an auction. This procedure is conducted in two phases: the administrative selection phase to determine who is entitled to participate in the auction, and the winner selection phase from among shortlisted applicants.

The auction is announced publicly by the Minister of Communication and Informatics in a press release.¹²⁰ During the shortlisting stage of the first digital auction, all bidders had to submit their bids inside a sealed envelope without their company logo. Participants were given a minimum bidding threshold. Those who passed this were asked to present their plans to develop the digital infrastructure for the auction zone they participated in. To prevent monopolies, only one company could legally bid in a single zone. Up to this point, the auction process seemed transparent, and the public was able to follow the process.

118. See <http://www.merdeka.com/teknologi/tifatul-kami-tidak-melawan-ma-soal-tv-digital.html> (accessed 12 October 2013).

119. This regulation mandates the technical requirements for an IPTV STB to meet International Standard IEC 60950-1 or equivalent; Indonesian Electromagnetic Compatibility Requirements in accordance with the Indonesian National Standard (SNI) CISPR 22: 2013; and the Indonesian National Standard (SNI) CISPR 24:2012.

120. An example of the press release can be seen at <http://kominfo.go.id/detail/2485/Siaran+Pers+No.+15-PIH-KOMINFO-2-2012+tentang+Peluang+Usaha+Penyelenggaraan+Penyiaran+Multipleksing+Untuk+Televisi+Digital+> (accessed 12 October 2013).

However, the administrative criteria imposed on participating bidders were heavily criticized. These required bidding parties to already have adequate human resources and infrastructure to manage the multiplexing business. According to the KPI, Parliament members, and NGOs, this provided much greater opportunities for players with an already established television business, preventing new players from succeeding in the tender. As a result, the diversification of ownership in digital broadcasting was unlikely to increase. For example, in Zone 5 or the West Java Zone, the five LPPPM winners were ANTV Bandung, Indosiar Bandung, Metro TV West Java, RCTI 1 (or the RCTI Network), and TransTV Bandung. All of the winning bidders were subsidiaries of already established television stations and their participation in the auction was a mere formality.¹²¹

In January 2012, a year after Parliament had asked the Minister of Communication and Informatics to cancel the auction process and postpone it, Parliament once again requested the Minister to postpone the auction process, on the ground that the Broadcasting Law should be revised first.¹²²

On 4 September 2013, the head of the KPI Commission, Yudhariksawan, filed a similar objection in Parliament.¹²³ The Minister of Communication and Informatics replied that he was sticking to the original plan to go ahead with the digital switch-over.

Another issue that was less discussed by the public but became the concern of the KPI was the number of multiplexing channels that can be rented out by the winning LPPPM bidders. In the process of determining the winner of the LPPPM auction, the number of multiplexing channels was hastily set to 12 channels, although the number of multiplexing channels can reach 18, according to a former KPI commissioner, Ezki Suyanto.¹²⁴ Given the economic implications and indisputable opportunities of digitization, the Ministry of Communication and Informatics should have specified the reasons why the numbers of channels in different zones were not the same.¹²⁵ For example, the number of channels in the Sulawesi provinces varies between 11, 13, and 17 channels, and this is stipulated in Ministerial Regulation No. 8/2013, dated 8 March 2013.

The digital frequency auction process, including the disagreements between the Minister of Communication and Informatics, Members of Parliament, the KPI commissioners, and the NGO activists, shows that it was relatively transparent. Only the bidder administrative requirements were considered to be biased. However, the uncompromising attitude of the Minister of Communication and Informatics was suspicious. He claimed that his position was reasonable, as he wanted the digital transition to be an efficient and fast process carried out according to a set timetable. But it appears that he has ignored the major issue of the growing concentration of television ownership.¹²⁶

121. See <http://inet.detik.com/read/2012/08/03/154342/1982661/328/menanti-set-top-box-gratis-untuk-tv-digital> (accessed 12 October 2013).

122. See <http://www.liranews.com/berita-718-fraksi-komisi-dpr-ri-bersikukuh-agar-menkominfo-menahan-peraturan-digitalisasi-penyiaran.html> (accessed 12 October 2013).

123. See <http://www.beritasatu.com/hukum/102561-digitalisasi-media-belum-bisa-terlaksana-.html> (accessed 12 October 2013).

124. Interview with Ezki Suyanto, KPI commissioner 2010–2013, Banda Aceh, 26 October 2013. He stated that the KPI had studied digitization in other countries and found that in several countries there were 12–18 multiplexing channels.

125. Interview with Ezki Suyanto, KPI commissioner 2010–2013, Banda Aceh, 26 October 2013.

126. Interview with Ezki Suyanto, KPI commissioner 2010–2013, Banda Aceh, 26 October 2013.

5.1.3 Competition for Spectrum

The auctions, including the selection of LPPPMs and LPPPSs, have not yet been completed. The LPPPSs that will be licensed to rent the multiplexed channels in various zones have yet to be determined. Control by the LPPPM operators and competition among the LPPPSs, including rental prices, have not yet been worked out. Various digital zones have been designated by the Minister of Communication and Informatics to continue using the analog frequency for local broadcast operations. According to Regulation No. 22/2011, the organizations that are eligible to operate multiplexing channels in specified digital zones are TVRI, local public and private broadcasters, and community broadcasters.

During this process, the KPI constantly endeavored to reduce or even prevent the formation of monopolies in the digital television sector. Thus, the selection of KPI commissioners has become an important issue for broadcast television owners. During changes of members of the commission in July 2013 (when several commissioners were re-elected and others replaced), various lobbyist groups were set up by television companies to work with the selection committee¹²⁷ to try to ensure that the commission members should be less critical of the big television industry players (and the multiplex operator auction).

Investigative journalism revealed that several of those chosen by the selection committee had worse credentials than those who were not; furthermore, MNC TV had lobbied the committee to select candidates who were friendly to the station's owners.¹²⁸ Indeed, commissioners who were critical of the ministerial regulations covering the auction process were not re-elected.¹²⁹ The main links between the industry and politicians were that the owner of TVOne and ANTeve is also the chairman of the Golkar Party (with the second highest number of seats in Parliament); and the owner of MNC Group—which owns RCTI, Global TV, and MNC TV—sits on the Board of Experts of the Hanura Party (which also has members in Parliament). Many members of the Golkar Party were on the commissioner selection committee.

Another method employed by television company owners to gain control over the industry is through professional journalist organizations such as the Association of Indonesian Television Journalists (*Ikatan Journalis Televisi Indonesia*, IJTI). Owners have, on occasion, encouraged television journalists or editors of whom they approve to become the association's head—and lobbied on behalf of such candidates—in order to gain influence over the IJTI.¹³⁰ A major body controlled by television owners is the Indonesian Television Association (*Asosiasi Televisi Swasta Indonesia*, ATVSI), an organization of television administrative employees that has for a long time been the mouthpiece of television owners. Through these organizations, they can manipulate the debates and lobby the KPI.

127. The members of the selection committee are appointed by Parliament with the task of preparing a shortlist of candidates for Parliament to consider.

128. See <http://www.merdeka.com/khas/orang-titipan-pantau-siaran-kisruh-seleksi-kpi-1.html> (accessed 15 November 2013).

129. Interview with Ezki Suyanto, KPI commissioner 2010–2013, Banda Aceh, 26 October 2013.

130. Interview with Mukhlis Anunrofiq, former vice-chairman of the Association of Indonesian Television Journalists (IJTI), Jakarta, 2 October 2013.

5.2 Digital Gatekeeping

5.2.1 Technical Standards

The government adopted a set of standards through Ministerial Regulation No. 36/2012, including the Terrestrial Digital Video Broadcasting (DVB-T2) and the Moving Picture Experts Group (MPEG)-4, for the specifications of the broadcast transmitter technology and compression technology for digital broadcasting. No further stipulations were made in this regulation except that the manufacturer of equipment with these standards must provide operating instructions in Indonesian.

Ministerial Regulation No. 22/2011 states that set-top boxes (STBs) for digital television must provide at least 20 percent local content, and within a five-year period they must meet a 50 percent ration of local content. The introduction of all these technical specifications is likely to be costly, but no public debate has taken place. Public attention regarding the digital switch-over process has been limited to the multiplexing frequency auction.

5.2.2 Gatekeepers

Because the digitization process is still incomplete, it is too early to assess the danger of gatekeeping in the digital chain. No regulation has yet been formulated on issues regarding Electronic Programming Guides (EPGs), Conditional Access (CA), and Subscription Management Systems (SMS).

The LPPPM holds the potential to become a gatekeeper and could contribute toward establishing a monopoly in the television sector via, for example, setting up subsidiaries that would compete for licenses in many different zones. In Zone 5 of West Java, for example, all the winning bidders were television station owners or television entrepreneurs who were already established nationally; and similar patterns emerged in Zone 6 of Central Java and Yogyakarta, Zone 7 of East Java, and Zone 15 of the Riau Islands. The sole newcomer appeared in Zone 4 of Jakarta and Banten, Banten Sinar Dunia Televisi (BSTV),¹³¹ but it transpires that BSTV is owned by the Jakarta-based First Media company, which also owns Berita Satu Television. The company was established several months before the auction.¹³²

5.2.3 Transmission Networks

It is too early to assess potential problems with the multiplex operators, as the digital switch-over process is still ongoing.

131. See <http://inet.detik.com/read/2012/08/03/154342/1982661/328/menanti-set-top-box-gratisan-untuk-tv-digital> (accessed 15 November 2013).

132. "Siaran Hilang Setelah Menang" (Broadcasting disappears after winning the auction), *Tempo* magazine, 10–16 June 2013.

5.3 Telecommunications

5.3.1 Telecoms and News

The distribution and allocation of frequencies and the implications for diversity in the television broadcast sector generated widespread public debate among television station owners, the government, the Supreme Court, the KPI, and NGOs. However, telecoms companies reacted passively. One reason is that these companies, which focus on investments in fiber-optic and cable infrastructure, and which could have provided an alternative transmission technology, are two state-controlled companies, namely the State Electricity Company (*Perusahaan Listrik Negara*, PLN) and the country's flagship telecoms company, PT Telkom.¹³³ All the two companies subsequently did was to enter satellite transmission operations. PT Telkom controls major players in the cellular telephony business such as PT Indosat, PT XL Axiata, PT Telkom Flexi, and PT Hutchison.

Although telecoms companies have significant financial power, they have not entered the broadcast content business to date. It seems that only the entrepreneur, Aburizal Bakrie, with a 35 percent share in Bakrie Telecom (also co-owned by PT Telkom), also owns a broadcast television company. However, the two companies have not integrated their cellular phone and broadcast content operations. Similarly, broadcast media companies have not entered the telecoms business, with the exception of Bakrie Telecom. (See section 6.)

5.3.2 Pressure of Telecoms on News Providers

There are no known cases of telecoms companies putting pressure on news providers, or vice versa.

5.4 Assessments

The allocation of the digital spectrum by the government has so far been a heavily politicized process. First, the Minister of Communication and Informatics stated that he would continue with the digitization timetable, for example by holding the digital frequency auction. Despite repeated requests for a delay or cancellation of this process, particularly from Parliament, the KPI, and NGO activists, and despite a Supreme Court decision requiring the same, the Minister of Communication and Informatics went ahead.

Regulation of the digital spectrum has been tinged with uncertainty. Two of the regulations, Ministerial Regulations No. 22/2011 and No. 23/2011, which oversee the implementation of free-to-air digital terrestrial television and the Master Plan of Radio Frequencies for Digital Broadcast Television, are extremely problematic. Both regulations lack a legal standing, as Law No. 32/2002 on Broadcasting does not cover the digitization process. A first step in this process would be the revision of the Broadcasting Law.

133. Nugroho et al., "Mapping the landscape of the media industry," p. 43.

The regulations were also problematic because they created a conflict between industry and the public interest in the digitization process. Some selection criteria in the digital frequency auction provide advantages to the national television station owners who are already established in the market. The regulations also lack provisions preventing monopolies over frequencies by the big players in the television industry in a number of regions.

In addition to all these problems, several important issues were also overlooked or not addressed in the regulations. They include bundling services, cross-market integration, and tariffs for the rental of the digital channels. The digital dividend has been discussed only from a normative point of view, without going into sufficient operational details about how it will be managed in the public interest. The digital divide was also not discussed in detail in the ministerial regulations. Digitization in rural areas is to be handled separately.

6. Digital Business

6.1 Ownership

6.1.1 Legal Developments in Media Ownership

The two laws that govern ownership in the news media are Law No. 40/1999 on the Press and Law No. 32/2002 on Broadcasting. There have been no revisions or new laws on media ownership since these laws were passed. One law that has become relevant in this converging market is Law No. 36/1999 on Telecommunications. However, this law does not specifically cover ownership relations between telecoms companies and content providers.

In the last five years, the only related regulation concerning media ownership is Presidential Regulation No. 36/2010, which specifies the types of businesses that are open or closed to foreign ownership, which for the media (print, radio, and television) is limited to equity participation through capital markets. This regulation (Appendix II in list No. 11) stipulates that private broadcasters can increase their capital originating from foreign sources, for development purposes, to a maximum of 20 percent of the total capital and the number of foreign investors cannot exceed two parties. The same limit on the number of owners also applies for press companies, but the Press Law specifies that there are no restrictions on increasing the capital that originates from foreign sources for press companies owned by Indonesians through the capital market.

Domestic ownership of media enterprises is governed by Government Regulation No. 50/2005.¹³⁴ Full ownership of private radio stations is restricted to a maximum of seven. Ownership of more than seven radio stations is allowed if ownership is limited to a maximum of 49 percent of each station. The same rules apply to broadcast television stations, but full ownership is limited to one station: owners of more than one station are allowed to control up to 49 percent. The regulation was challenged by several parties, who argued that the provisions on media ownership are ambiguous. When a merger came to light between two television stations, SCTV and Indosiar, in mid-2011, an NGO brought it to the attention of the Monitoring Commission of

¹³⁴. Government regulations are usually issued to cover the jurisdictions of two or more ministries, while ministerial regulations are made when only one ministry is involved. Both kinds of regulations are binding on the parties addressed.

Business Competition (*Komisi Pengawas Persaingan Usaha*, KPPU), claiming that the merger was leading to a monopolistic situation. The KPPU found that the merger was not against competition principles.¹³⁵

Media concentration remains a conflicted issue. In January 2012, a civil society group, the Coalition for Independent Broadcasting Democratization (*Koalisi Independen untuk Demokratisasi Penyiaran*, KIDP) filed a request for a judicial review in the Constitutional Court of the ownership provisions in the Broadcasting Law.¹³⁶ It claimed that the article in the Broadcasting Law that regulates media ownership was much too vague and left loopholes for television station owners to create dominant positions in the television business, which KIDP sought to prevent. Their reasoning was that the public would be disadvantaged if broadcast television ownership became too concentrated, because it would reduce diversity of opinion in the community.¹³⁷ The previous SCTV–Indosiar merger case was cited as an example. Another example cited in the case was that of ANTeve and TVOne, owned by Aburizal Bakrie and Harry Tanoe, who owned three broadcast television stations, RCTI, MNC TV, and Global TV.

Experts in the review brought by the KIDP stated that Article 18 (paragraph 1) should be interpreted as prohibiting the concentration of ownership in television, which means that mergers and acquisitions of television stations should be declared void. They also argued that these acquisitions also implied a broadcast license transfer, which is explicitly forbidden by the Broadcasting Law. The KIDP's experts pointed out that the ownership transfer in the cited cases did occur, but the name of the license holder remained unchanged, which was odd, but it did happen.¹³⁸ The expert for the defendant, Leo Batubara, the coordinator of the Press and Broadcasting Society (*Masyarakat Pers dan Penyiaran Indonesia*, MPPI), argued the opposite. He claimed that the consolidation of various television stations would promote management efficiency in television companies, which would ultimately improve the quality of the programs broadcast.¹³⁹ The Supreme Court ruled in favor of the defendant: the merger was declared valid and not in breach of the constitution and the Broadcasting Law.

The latest rules on broadcast station ownership were laid down in Ministerial Regulation No. 22/2011, which only forbade ownership of more than one LPPPM within one digital zone. It did not refer to ownership of the LPPPSs.

135. Paulus Andriyanto, "The Indosiar acquisition does not violate Law No. 5/1999," Monitoring Commission of Business Competition (*Komisi Pengawas Persaingan Usaha*, KPPU), 22 December 2011, at <http://www.kppu.go.id/id/akuisisi-indosiar-tidak-melanggar-uu-no-51999> (accessed 15 November 2013).

136. Constitutional Court of the Republic of Indonesia, "KIDP readies to face material trial regarding the Broadcasting Law in the Judicial Court," 9 January 2012, at <http://www.mahkamahkonstitusi.go.id/index.php?page=website.Berita.Berita&cid=6325> (accessed 15 November 2013).

137. See <http://www.hukumonline.com/berita/baca/lt4ec2544a51ef7/pemusatan-penyiaran-batasi-kebebasan-berpendapat> (accessed 15 November 2013).

138. See <http://www.hukumonline.com/berita/baca/lt4f7d93d8a3cf0/uu-penyiaran> (accessed 15 November 2013).

139. See <http://www.hukumonline.com/berita/baca/lt4da5730f420cc/televisi-berkelompok-untungkan-publik> (accessed 15 November 2013).

6.1.2 New Entrants in the News Market

According to Merlyna Lim, the number of local television stations in 2012 reached 100, the number of radio stations was approximately 2,800 (including 700 community radio stations), and the number of print media publishers had reached 1,366. The number of online media (news websites and blogs) topped 5 million that year.¹⁴⁰

There has been plenty of capacity for newcomers to enter television, radio, print media, and online media and to establish a presence during the past five years. However, the domination of the country's media by major conglomerates has made this very difficult.

The largest private television stations in Indonesia owned by the 12 big conglomerates captured 97.3 percent of the nationwide viewership in 2010; TVRI only captured 1.4 percent. The remaining 1.3 percent was claimed by newcomers (the figure might in fact be lower), according to Lim.

The radio market is also dominated by large private company networks. However, the presence of around 700 community radio stations has ensured a certain diversity. Almost all of the 12 largest media groups have their own online news businesses except for two, EMTEK and MRA.

The emergence of KBR68H, a radio network established in 1999, is worth noting. KBR68H was originally founded by a group of journalists and activists from the democratization movement who wanted to provide alternative information for the public. Several of those involved were public figures in the media world, such as Goenawan Mohammad (former chief editor of *Tempo* magazine) and Ashadi Siregar (a media observer), and others were journalists and movement activists, such as Tosca Santosa, who is now the director.

KBR68H could hardly be described as a digital newcomer. But it successfully built an independent network and developed partnerships with 900 private radio stations, including international radio stations, through Asia Calling.¹⁴¹ KBR68H became the news supplier for all of these networks. Recently, it has also developed online portals in order to adapt to technological developments and audience demand. KBR68H has become renowned for its drive to maintain and uphold good-quality journalism.¹⁴²

6.1.3 Ownership Consolidation

The broadcasting sector is confronted with two important concerns related to government regulation of digitization in the media. Companies must introduce a new business model that will fit the digital times, and at the same time comply with the rules on establishing broadcasting networks as stipulated in the Broadcasting Law.

140. Lim, "The League of Thirteen."

141. See <http://www.kbr68h.com> (accessed 12 October 2013).

142. See <http://www.portalkbr.com> (accessed 12 October 2013).

According to this law, the 10 private national broadcasters in Indonesia are obliged to establish regional offices in each of the 33 Indonesian provinces. However, because of legal and financial reasons, the implementation of this legal provision has been delayed since 2006. Today, several broadcasters have completely or partially finished the long and arduous process of setting up their networks in the provinces as required by law. However, ownership of regional television networks is limited to one company only, in order to avoid national broadcasters having dominant positions in regional markets. Ownership of a broadcasting entity by a publisher is forbidden for the same reason. The law does not offer any other specifications and new regulations are expected, although no one knows when they will be adopted.¹⁴³

The media is dominated by 12 major groups invested in television, radio, print media, and online media.

Table 13.
Prominent media conglomerates, 2012

Media group	Television		Radio	Print media	Online media
	National	Local/cable			
MNC	RCTI, Global TV, MNC TV	Indovision, Sky Vision, Sindo TV network	Sindo Radio, Radio Dangdut, ARH Global Radio	<i>Koran Sindo</i> , <i>Genie</i> , <i>Mom & Kiddie</i> tabloids	Okezone.com, Sindonews.com
Mahaka Media	—	Jak TV, Alif TV	JakFM, Prambors FM, Delta FM, Female, Gen FM	<i>Republika</i> , <i>Harian Indonesia</i> (in Mandarin), <i>Parents Indonesia</i> (in Mandarin), <i>Golf Digest</i>	Republika Online, Rileks.com, Rajakarcis.com
Kompas-Gramedia	—	Kompas TV Network	Sonora Radio Network, Otomotion Radio, Motion FM, Eltira FM	<i>Kompas</i> , <i>Warta Kota</i> , 11 local newspapers, 45 magazines and tabloids, five book publishers	Kompas Cyber Media
JawaPos	—	JPMC Network	Fajar FM	<i>JawaPos</i> , <i>Indo Pos</i> , <i>Rakyat Merdeka</i> , <i>Radar</i> , 151 other local newspapers, <i>Mentari</i> (in Mandarin), <i>Liberty</i> (in Mandarin), and 11 tabloids	JawaPos digital edition
Bali Post	—	Bali TV network, Jogja TV, Semarang TV, Sriwijaya TV	Global Kinijani, Genta FM, Global FM, Lombok FM, Fajar FM, SuaraBesakih, Singaraja FM, Nagara FM	<i>Bali Post</i> , <i>Bisnis Bali</i> , <i>Suluh Indonesia</i> , <i>Tokoh</i> , <i>Lintang & Wiyata</i> , <i>Mandala</i> tabloids	Bali Post, Bisnis Bali
EMTEK	SCTV, Indosiar	O'Channel, Elshinta TV	Elshinta FM	<i>Elshinta</i> , <i>Gaul</i> , <i>Kort</i> , <i>Mamamia</i> (all in Mandarin)	—

143. See <http://www.kpi.go.id/index.php/2012-05-03-16-16-23/peraturan-kpi> (accessed 12 October 2013).

Media group	Television		Radio	Print media	Online media
	National	Local/cable			
Lippo	—	First Media, BeritaSatu TV	—	<i>The Jakarta Globe</i> , <i>Investor Daily</i> , <i>Suara Pembaruan Investor</i> (in Mandarin), <i>Globe Asia</i> (in Mandarin), <i>Campus Asia</i> (in Mandarin)	Jakarta Globe Online
Visi Media Asia	ANTV, TVOne	Channel (V)	—	—	Vivanews.com
Femina	—	—	U-FM Jakarta, U-FM Bandung	<i>Femina</i> (in Mandarin), <i>Gadis</i> (in Mandarin), <i>Ayahbunda</i> , and 15 others	Femina, GitaCinta, Ayahbunda, Gadis, Parenting Online
Media Group	Metro TV	—	—	<i>Media Indonesia</i> , <i>Lampung Post</i> , <i>Borneo News</i>	Media Indonesia Online
MRA	—	O'Channel	Cosmopolitan FM, Hard Rock FM, I-Radio, Trax FM	<i>Cosmopolitan</i> , <i>Cosmogirl</i> , <i>Fitness</i> , and 15 others	—
Trans Corporation	TransTV, Trans7	—	—	—	Detik.com

Note: The list does not include ownership stakes in multiplexing channels. The 13th in the league is TVRI and RRI, not included in the list

Source: Lim, "The League of Thirteen"

The latest deal in the media sector was concluded in February 2011, when SCTV and Indosiar merged their operations. SCTV bought a majority (over 74 percent) stake in Indosiar through Elang Mahkota Teknologi, a computer service company publicly listed on the Jakarta Stock Exchange since 2010, and also one of SCTV's majority shareholders. Indosiar itself had been airing since 1994 and went public in 2004 on the Jakarta Stock Exchange. SCTV and Indosiar are now part of a corporate group that owns other media such as radio stations, television production houses, news online media, print media, and the cable network, Nex Media, which provides a digital subscription-based terrestrial broadcast service.¹⁴⁴

Trans Corporation, a company that owns majority stakes in two broadcasters, namely TransTV and Trans7, purchased the latter from a broadcaster previously known as TV7, which aired for the first time in 2000. Its majority owner was Kompas Gramedia Group, with Bakrie Brothers as the minority shareholder. TV7, now owned by Trans Corporation, Kompas Gramedia Group, and Para Group, re-launched their broadcasting operations on 15 December 2006 as Trans7.¹⁴⁵

144. NexMedia, "Nex Media profile," at <http://www.nexmedia.co.id/about-nexmedia/nexmedia-profile> (accessed 10 April 2012).

145. Trans7, "Profil Perusahaan" (Company profile), at <http://www.trans7.co.id/frontend/aboutus/view/company/15> (accessed 10 April 2012).

6.1.4 Telecoms Business and the Media

The telecoms industry has had its eye on the broadcasting business since the beginning of the convergence era. PT Telkom holds majority stakes in TelkomVision, YesTV, and GrooviaTV. The last is an IP-based broadcaster launched in 2011 and accessible only to PT Telkom's internet-access subscribers.

Another telecoms company, Bakrie Telecom, owns majority stakes in the broadcasters ANTV and TVOne and it also launched VivaNews in 2009, a thriving online news portal. Within two years from its inception, VivaNews went public, which proved the business potential of online media.

6.1.5 Transparency of Media Ownership

Information about media ownership can be obtained easily through online or print media. Despite the discrepancies in the data from various sources, most of the published information is valid. Some information about various broadcasting companies on their websites is a bit outdated, including those of Trans7 and SCTV. However, information about the shareholders in media companies and their positions is easily found on the internet.

Moreover, some of the broadcasters have gone public on the Jakarta Stock Exchange and information about them is open to the public. Broadcasters are also required by the Broadcasting Law to report to both the KPI and the Ministry of Communication and Informatics when their license is sold to another legal entity or to an individual.¹⁴⁶ Failure to comply with this regulation can lead to the license being withdrawn.

Nevertheless, despite this apparent easy access to information, certain reservations about media ownership remain. First, it matters where the information about media ownership comes from. Company ownership data that come from documents that are publicly accessible, such as data on the stock exchange market, can generally be trusted because the stock exchange requires precise ownership information. However, verification of information on ownership of non-listed companies may be more difficult. Besides, ownership data may not be regularly updated.

Second, there is a distinction between the owner of the media company and the owner of the broadcast license. A merger or takeover implies two transfers of ownership: that of the shares in the media company and that of the broadcast license. However, in the SCTV–Indosiar merger (described in section 6.1.3), the broadcast license remained in the name of the original owner, as it did in the cases of other television stations, such as RCTI, MNC, and GlobalTV in one group (MNC Group), and ANTeve and TVOne in Viva Group.

Third, in theory, ownership rule violations can be penalized by the revocation of the broadcast licenses. But in practice, these sanctions have never been enforced since the Broadcasting Law of 2002 and the Press Law of 1999 were passed.

146. Law No.32/2002 on Broadcasting, *State Gazette of Republic of Indonesia*, No.139/2002, *Additional State Gazette of Republic of Indonesia*, No.4252, 28 December 2002, Article 34, paragraph 5 (d): "IPP was withdrawn if handed over to other parties."

6.2 Media Funding

6.2.1 Public and Private Funding

The operational budget for the public service broadcasters RRI and TVRI is derived from subscription fees, the national state budget, public donations, advertisements, and other types of income. Both RRI and TVRI are obliged to publish their audited financial report in the mass media. In the past five years, government subsidies to TVRI increased from IDR 360 billion (US\$ 31.1 million) in 2008 to IDR 650 billion (US\$ 56.1 million) in 2011, to IDR 864 billion (US\$ 74.6 million) in 2013. Despite this growth, the yearly budget of TVRI is far lower than the average budgets of private television companies. For the year 2013, the budget of a private television company averaged IDR2 trillion (US\$ 172.8 million).¹⁴⁷

The sources of funding for private broadcasters are advertisements and other types of income. This is termed as “other legal sources” (Article 19, point 2) in the Broadcasting Law, which is rather ambiguous and leaves room for interpretation.

Increasingly, private media groups are employing a cross-subsidizing funding model. For example, when the Kompas Group publishes a new local newspaper in a new city, before the newspaper becomes financially independent the financial surplus generated by other entities of the Kompas Group is transferred to subsidize the new newspaper. The same practice is used in the Jawa Pos Group.

Community broadcasters are prohibited from receiving foreign grants in the first stage of their establishment.¹⁴⁸ However, there is no regulation that prohibits these broadcasters from receiving foreign grants when it is operational. During the establishment process, community broadcasters are allowed to bring in contributions from the community itself in the form of a grant, sponsorship, or other means of funding. Funding for subscription-based broadcasters, according to the Broadcasting Law (Article 25), comes from two sources, the subscription fee and other types of income.

Despite the transition to digitization, some of the media groups have not changed their basic model of funding and have only vague strategies for seeking new ways of raising money. For all broadcasters, digitization means a long-term return on investment. They also recognized very early in the convergence era that they needed to focus on content, some of them buying media businesses such as news portals. In 2012, Detik.com was taken over by Trans Corp, one of the Indonesian media conglomerates that owns, among others, Carrefour Indonesia and TransTV. The value of the takeover was not disclosed, but estimates from media experts close to the deal put it at IDR 100 billion (US\$8.3 million).¹⁴⁹ Trans Corp opted to buy an established dotcom to avoid starting a portal from scratch.

147. See <http://nasional.kompas.com/read/2010/08/20/23092612> and <http://www.tempo.co/read/kolom/2012/05/03/576/Strategi-Memajukan-TVRI-> (accessed 12 October 2013).

148. Law No.32/2002 on Broadcasting, *State Gazette of Republic of Indonesia*, No.139/2002, *Additional State Gazette of Republic of Indonesia*, No.4252, 28 December 2002, Article 23, paragraph 1: “Community Broadcasting Institution is prohibited to receive initial and operational funding from foreign institution.”

149. See <http://www.tempo.co/read/news/2011/07/01/090344177/Pembelian-detikcom-Untungkan-Trans-Corporation> (accessed 15 November 2013).

Some broadcasters prefer old-fashioned funding, especially the biggest. Advertisement contributed up to 77 percent of MNC Group's revenue in 2010, amounting to IDR 4.37 trillion (US\$ 485.6 million). Unsurprisingly, most of the advertising revenue was pulled in by RCTI, which has a 25 percent share of total television viewership in Indonesia. Meanwhile, sister companies MNCTV and GlobalTV snatched 10 percent and 6 percent of the total advertising spend in the country, respectively.

Table 14.

Advertising spending (IDR billion, rounded up), breakdown by media sector, 2008–2012

Type of media	2008	2009	2010	2011	2012*
Television	26,200	30,000	37,700	48,100	55,600
Radio	560	590	635	882	1,019
Newspaper	15,000	17,700	21,200	24,100	27,700
Magazine	1,200	1,290	1,400	1,600	1,900

Note: * Forecast

Source: Association of Newspaper Publishers, *Media Directory 2012/2013*, 2013, p. 28

6.2.2 Other Sources of Funding

Other financial resources of the media are mainly grants from international funders. With funding from international NGOs, KBR68H has been part of the collaborative Asia Calling radio program, which includes a network of over 900 radio stations from Australia, Burma, the Philippines, and other Asian countries. The cooperation is in the form of program purchase and exchange, such as news features produced by international radio with funding from international NGOs.

6.3 Media Business Models

6.3.1 Changes in Media Business Models

Ministerial Regulation No. 22/2011, which introduced the new broadcaster category of multiplexed broadcaster, will definitely affect the broadcasting business model. Most likely, the dominant business model will be based on ensuring the dominance of national television stations, headquartered in Jakarta, across all of the 15 digital zones in the country.

Business models will also be influenced by the convergence between the distributors and transmitters of programs and content producers. So far, the winners in the tenders for multiplexes in a number of zones were nationwide television station owners who have set up subsidiaries in the various digital zones (see section 5). It is likely that the competition in the broadcast sector will be unfair, as multiplex operators will prioritize the broadcast operator from their own group. The Minister of Communication and Informatics responsible for the regulation of multiplex tendering has not anticipated this possibility.

Moreover, cases of vertical integration between multiplexers and broadcasters are likely to emerge, a situation that again has not yet been covered by the regulations. Business models in this sector will most probably be built on this type of convergence.

At the same time, media segments that were previously separate, such as traditional media and new media, most probably will merge in the coming years. This is also contributing to the alteration of existing business models in the industry. Large media groups have invested in multimedia platforms that bring together television, internet, and print media. One of the first multimedia platforms was Vivanews.co.id, an online platform offering streaming of events from ANTeve and TVOne. Another example was the consolidation of print media and internet operations by Kompas Group and Tempo Group. In another form of convergence, the telecoms company, PT Telkom, entered the cable television business with TelkomVision and YesTV.¹⁵⁰

For the time being, with the growing integration of previously separate media business units into a single media operation, the main change in the expenditure side of the business is a reduction in the total promotional costs for the media business units in the same group. Whether the integration will also lead to reductions in the cost of content production and distribution remains to be seen.

6.4 Assessments

Digitization in Indonesia is basically perpetuating the previous regime in the media, which is dominated by big players in television, radio, print media, and telecoms. For example, the auction process to determine the six companies that will hold the right to operate digital multiplexes was dominated by the big players that were most certainly much better positioned and prepared to compete in this new field. These old players set about forming local subsidiaries in an attempt to enter the new digital multiplexing business in all 15 digital zones.

To some degree, the transparency of media ownership has improved. This is mostly due to the need of media companies to increase their capital, which forces them to enter the stock exchange market, where it is mandatory to disclose ownership structures. Also, there has been progress in the form of a number of lawsuits regarding media ownership concentration, which have further helped to increase the exposure of media structures in the courts. However, one major setback for media ownership transparency is the use of proxies to hide real media ownership.

Consolidation of ownership seems to improve the business performance of media companies, partly because of the good condition the economy is in, which is responsible for the increase in total advertisement spending. But the economic performance of media businesses does not automatically lead to an improvement in their performance as a news institution.

150. See <http://www.tempo.co/read/news/2011/07/01/090344177/Pembelian-detikcom-Untungkan-Trans-Corporation> (accessed 15 November 2013).

The most successful business model in the media to date has been developed by KBR68H, which attracted foreign partners to produce and distribute radio programs. This cooperation can help KBR68H to maintain their independence and preserve the quality of their news products in parallel with an expansion of the market for their products. The conventional business model only relies on the domestic market; KBR68H's model relies more on the expanding inter-state market for their product.

7. Policies, Laws, and Regulators

7.1 Policies and Laws

7.1.1 Digital Switch-over of Terrestrial Transmission

7.1.1.1 Access and Affordability

Digital broadcasting in Indonesia was first mentioned in Government Regulation No. 50/2005 on Private Broadcasting Services, which stipulated that private terrestrial broadcasting services should include analog and digital AM/MW radio broadcasts; analog and digital radio broadcasts; analog and digital television broadcasts; and multiplexing broadcasts.

The government said there were three reasons for digital migration.¹⁵¹ First, it had to comply with the ITU's Geneva 2006 Frequency Plan (GE06), which set 17 June 2015 as the deadline for all countries in the world to migrate from analog to digital. Second, the operation of the analog system is more expensive than digital broadcasting, which also offers better-quality broadcasting (visual and audio). Third, digitization solves the problem of limited radio frequency spectrum, because it allows for a more efficient use of the spectrum, as one frequency can be used to transmit more than one channel and is not limited to one channel as it was in the analog period).

The digital switch-over has yet to be implemented, although a number of regulations on the topic have been issued in the past three years.

According to the Ministry of Communication and Informatics, the digital switch-over will be implemented in two phases: a simulcast phase (where analog and digital television programs will be broadcast simultaneously) from 2010 to 2014; and a switch-off phase (in which all analog broadcasts will be cut off completely) between 2014 and 2017. In this latter period, analog broadcasts in some regions will be switched off only partly. The simulcast phase aims to prepare the general public to switch to a digital STB or digital television set, and the broadcasters to switch their service production and transmission from analog to digital.¹⁵²

151. Presentation by Henry Subiakto, Expert Staff from the Ministry of Communication and Informatics, on "TV digital migration, for public or business interest?" a discussion organized by Media Link, AJI, and the Tifa Foundation Jakarta, 12 January 2012.

152. Interview with Gatot S. Dewa Broto, head of PR and the Information Center, Ministry of Communication and Informatics, Jakarta, 21 March 2012, when he stated that the draft was a public discourse to gain input related to digital television policy. The output would be the issuance of regulations on the digital broadcasting service.

The government carried out a digital broadcast experiment for TVRI in four cities, Jakarta, Bandung, Surabaya, and Batam, in 2010. A survey canvassing a total of 1,017 respondents from the digital broadcast experimental areas found that 62 percent of the viewers were satisfied with the visual quality of the digital broadcasting and 73 percent agreed to purchase an STB for their television set. However, some 92 percent said that they would choose the cheapest STB—for between IDR 300,000 (US\$20) and IDR 325,000 (US\$28)—and that they wanted to watch more television channels than they could access currently.¹⁵³

Unfortunately, the general public is not familiar with the digital switch-over policy because its implementation is still a tug-of-war between the government, private companies, and the public (see section 5).

7.1.1.2 Subsidies for Equipment

So far, there is no policy for subsidizing the purchase of digital broadcast equipment. To help people get better access to digital services, a total of 1,500 STBs have been distributed to the general public since the experimental digital broadcasting was conducted in 2008.¹⁵⁴ In the years to come, the Ministry of Communication and Informatics has promised to give more free STBs to those who are economically disadvantaged.

In June 2012, the Ministry of Communication and Informatics announced that it would propose a budget of IDR 300 billion (US\$26.2 billion) to the government to provide underprivileged households with free STBs. However, a year later, this was not included in the state budget for 2013–2014. In September 2013, the ministry once again announced that subsidies would be proposed in the budget in 2014.

Government promises to give people free STBs did not materialize in 2012. In a move to make digital broadcasting less of a burden on the public, Parliament Commission I requested the Ministry of Communication and Informatics to make STBs affordable and encouraged local manufacturers to produce them.¹⁵⁵ According to one of the ministry's experts, Henry Subiakto, the government is still assessing a subsidy scheme to help the public to purchase them.¹⁵⁶ Private broadcasters have been encouraged to include STB giveaway programs in their Corporate Social Responsibility (CSR) policies.¹⁵⁷ Currently, the price of an STB has gone down to IDR 150,000 (US\$ 16.67), and has thus become affordable to the public.¹⁵⁸ Private television stations have not yet started donating STBs to the public.

153. See http://www.postel.go.id/info_view_c_26_p_1061.html (accessed 6 October 2013).

154. Interview with Gatot S. Dewa Broto, head of PR and the Information Center, Ministry of Communication and Informatics, Jakarta, 21 March 2012.

155. Minutes of meeting between Commission I and Ministry of Communication and Informatics, 25 January 2011.

156. Interview with Gatot S. Dewa Broto, head of PR and Information Center, Ministry of Communication and Informatics, Jakarta, 21 March 2012. Gatot S. Dewa Broto confirmed a budget of IDR 300 billion (US\$ 33.3 million) for an STB subsidy.

157. Presentation by Henry Subiakto, Expert Staff from the Ministry of Communication and Informatics, on “TV digital migration, for public or business interest?,” a discussion organized by Media Link, AJI, and the Tifa Foundation Jakarta, 12 January 2012.

158. Interview with Gatot S. Dewa Broto, head of PR and the Information Center, Ministry of Communication and Informatics, Jakarta, 21 March 2012.

7.1.1.3 Legal Provisions on Public Interest

The government is convinced that the digital broadcast service will benefit the public, as it will improve their quality of life, create an information society, and broaden knowledge and perspectives due to a higher number of programs being delivered by digital signal. For that purpose, the government has prepared 11 regulations on digital broadcasting that are said to address these benefits for society, covering multiplex broadcasting, frequency allocation, reception quality standards, limits on foreign ownership of digital broadcasting corporations, broadcasting programs, transmission, coverage area, content, end-user devices, public security and safety, and the legal status of digital broadcasting providers.¹⁵⁹

A number of pro-democracy community groups criticized the regulations, arguing that they give bigger roles to private operators than to public and community broadcasters. Private operators can function as LPPPSs and multiplexing broadcast operators as LPPPMs, while public and community broadcasters can only be LPPPSs.¹⁶⁰

Ministerial Regulation No. 22/2011 gave more power to the ministry in issuing LPPPM and LPPPS permits. As mentioned above, the regulation ignores the stipulations of the Broadcasting Law and has reduced the power of the KPI.¹⁶¹ This is the result of the rivalry between the government and the KPI; the government does not wish to give the KPI, which should be an independent regulator, a strong say in broadcasting regulation.

7.1.1.4 Public Consultation

All regulations issued by the ministry have undergone public consultation through focus group discussions or seminars open to the public. The public consultations were conducted during the second half of 2011.¹⁶² Despite these, the public still objects to the regulations. A coalition of 13 civil society organizations, the Independent Broadcasting Commission (*Komisi Penyiaran Indonesia Daerah*, KPID), and a few other organizations challenged the minister to revoke his regulation.¹⁶³ They argued that the digitization process, as

159. See <http://balitbang.kominfo.go.id/balitbang/ppi/files/2013/01/ICT-White-Paper-Kominfo-2012-Eng.pdf> (accessed 18 December 2013).

160. Presentation by Amir E. Siregar, head of media regulation and regulator observer (PR2Media), in a discussion on “TV digital migration, for public or business interests,” organized by Media Link, AJI, and the Tifa Foundation Jakarta, 12 January 2012.

161. Presentation by Paulus Widiyanto, the former head of the parliamentary special committee on the Broadcasting Law of 2002, in a discussion on “TV digital migration, for public or business interests,” organized by Media Link, AJI, and the Tifa Foundation Jakarta, 12 January 2012. It should be noted that parliamentary committees normally deal with a single task, e.g. preparing a particular issue or law, whereas commissions normally deal with multiple issues and laws.

162. Ministry of Communication and Informatics, “Press release No. 48/PIH/KOMINFO/7/2011 on public test on free to air terrestrial digital TV broadcasting: Analogue switch off is end of 2017 the latest,” 18 July 2011, at http://kominfo.go.id/siaran_pers/detail/771/+Siaran+Pers+No.+48-PIH-KOMINFO-7-2011+Mengenai+Uji+Publik+RPM+Mengenai+Penyelenggaraan+Penyiaran+Televisi+Digital+Terrestrial+Penerimaan+Tetap+Tidak+Berbayar+percent28Free+to+Air+percent29+percent3A+Pelaksanaan+Analog+Switch+Off+Paling+Lambat+Akhir+Tahun+2017 (accessed 3 April 2012); “Press release No. 60/PIH/KOMINFO/8/2011 on public test RPM master plan of radio frequency for digital terrestrial on 478–694MHz,” 23 August 2011, at http://kominfo.go.id/siaran_pers/detail/999/Siaran+Pers+No.+60-PIH-KOMINFO-8-2011+tentang+Uji+Publik+RPM+Master+Plan+Frekuensi+Radio+Untuk+Digital+Terrestrial+Pada+Pita+478-694+MHz (accessed 3 April 2012); “Press release No. 88/PIH/KOMINFO/12/2011 on public test on regulation of the upcoming digital television broadcasting,” 26 December 2012, at http://kominfo.go.id/siaran_pers/detail/2348/Siaran+Pers+No.+88-PIH-KOMINFO-12-2011+tentang+Uji+Publik+Regulasi+Jelang+Pembukaan+Peluang+Penyelenggaraan+Televisi+Digital (accessed 23 March 2012).

163. *Bisnis Indonesia*, 18 March 2011, cited in <http://www.tifafoundation.org/tv-digital-pemerintah-diminta-tunda-migrasi-siaran> (accessed 6 October 2013).

specified in the regulation, would result in a monopoly in the digital television market, since the permitted bidders for LPPPM licenses have to prove that they have a physical broadcast infrastructure and sufficient manpower in the first place (see section 6.1.1). They also stated that the regulation did not have any legal underpinning, as the Broadcasting Law did not cover digitization.

This prompted the KPI to issue a legal declaration that the Broadcasting Law did not fully recognize the LPPPM and LPPPS terms.¹⁶⁴ Hence, the KPI argued, the Broadcasting Law must be revised before any ministerial regulation could be issued. In addition, a broadcasting permit is not granted by the government, namely the ministry, but by the state through the KPI; however, the ministerial regulation gave the minister this authority. The KPI's stance was supported by the government, which ordered the ministry to review the ministerial regulation.¹⁶⁵ This dispute has not been solved at the time of writing and the minister, ignoring the objections from civil society and the regulator, insists that the regulation is still in effect, allowing the public auction to continue.

7.1.2 The Internet

7.1.2.1 Regulation of News Content on the Internet

In early 2010, the Minister of Communication and Informatics unveiled a draft ministerial regulation on multimedia content, known as “RPM Konten Multimedia” (*Rencana Peraturan Menteri*). In Indonesian law, ministerial regulations are considered inferior to the laws produced by Parliament. The purpose of the document was to regulate multimedia content that is produced and distributed, accessed and stored, via multimedia devices. Article 3 prohibited the following two types of multimedia content: pornography and other types of content that violate moral codes.

When the draft was published, criticisms and protests were launched by various groups and state institutions. Zulfiani Lubis, a member of the Press Council, stated that the draft was simply against the Press and Broadcasting Laws because the prohibition could lead to violations of freedom of speech; it had nothing to do with the press, or radio and television broadcasting. However, since a lot of news produced by these three media is accessed through the internet and multimedia devices, the media would be heavily affected by the prohibition.¹⁶⁶ The Press Council considered that the draft could become a threat to journalists because of the vagueness of its provisions.

The Association of Internet Service Providers (*Asosiasi Penyelenggara Jasa Internet Indonesia*, APJII) and the AJI expressed similar concerns.¹⁶⁷ Support for the rejection of the draft also came from 5,316 people on

164. Media Link, “Legal opinion of Indonesian Broadcasting Commission on free to air terrestrial digital television,” 24 February 2012, at <http://www.medialink.or.id/component/search/?searchword=legal+opinion&ordering=&searchphrase=all> (accessed 3 April 2012).

165. Report of minutes of meeting between Commission I DPR with Ministry of Communication and Informatics, 25 January 2011.

166. See <http://tekno.kompas.com/read/2010/02/16/09465252/RPM.Konten.Bertentangan.dengan.UU> (accessed 15 October 2013).

167. See <http://www.republika.co.id/berita/breaking-news/nasional/10/02/19/104365-apjii-tolak-rpm-konten-multimedia> (accessed 15 October 2013).

Facebook.¹⁶⁸ Another criticism was made by the then chairman of the Constitutional Court, Mohammad Mahfud, who suggested that the draft should have been submitted to Parliament in the first place. Any bills that touch on the freedom of speech, he said, must be processed and discussed at the parliamentary level, not at ministerial level.¹⁶⁹

The minister finally withdrew the original draft and heavily revised the content, and dropped Article 3. On 26 July 2013, he signed Ministerial Regulation No. 36/2013 on Multimedia Content, which is limited to the regulation of economic aspects of multimedia business such as the tariff for premium services, the procedure of subscribing and unsubscribing to such services, and the requirement for multimedia content suppliers to provide a contact for consumers' complaints. It also included provisions that protect consumers' privacy and security.

7.1.2.2 Legal Liability for Internet Content

There is no specific regulation about information dissemination on the internet or on mobile platforms. As long as internet content is a product of journalistic activity, the Press Law and KEJ are references for good journalistic output based on accurate, balanced, and independent coverage.¹⁷⁰ In addition, the KEJ specifies that the journalists and the media editors should afford a right to reply for those who feel aggrieved or disadvantaged by a journalist's error.

The threat to internet content has nothing to do with media independence, but rather with press offenses. The Electronic Information and Transaction Law, for example, does not only pose a threat to freedom of expression, communication, and information access through the internet, but it is also a serious threat to journalism.¹⁷¹ This law sanctions violation of decency, insult or defamation, and the spread of hatred based on tribe, religion, and racism, with six-month imprisonment terms at the most and/or a maximum fine of IDR1 billion (US\$ 87,400).

Two lawsuits brought under this law involved the online media journalist Iwan Piliang at Presstalk.com and a housewife named Prita Mulyasari. Mr Piliang was accused of violating the law following a complaint filed by a Member of Parliament from PAN, Alvin Lie. Mr Lie accused Mr Piliang of defamation because of the latter's article published in June 2008 that indicated Mr Lie's possible involvement in PT Adaro's Internal Public Offering (IPO), whereby Mr Lie allegedly extorted IDR 6 billion (US\$ 524,000) from the

168. Facebook, "Tolak RPM Konten" (Say no to RPM Konten), at <http://www.facebook.com/pages/Tolak-RPM-Konten/500498790296> (accessed 3 April 2012).

169. See <http://www.antaraneews.com/print/208335> (accessed 15 October 2013).

170. Interviews with Abdul Razak Asri, editor-in-chief of Hukumonline.com, Jakarta, 13 April 2011; Rudy Gunawan, editor-in-chief of VHRmedia.com, Jakarta, 25 April 2011; Nezar Patria, "Online journalism code of ethics," New Media Conference organized by AJI, Jakarta, 7 July 2011.

171. Press Legal Aid Institute (LBH Pers), "Catatan Akhir Tahun 2009: UU ITE, Ancaman Paling Menakutkan di Tahun 2009, Bagi Kebebasan Persdan Kebebasan Berekspresi Masyarakat" (2009 year-end note: UU ITE, most frightening threat in 2009 for press freedom and freedom of public expression), Jakarta, 2009. Article 27 of the law, for example, prohibits the distribution of electronic information that violates standards on defamation and decency. The definitions of decency and defamation are, however, vague. In theory, at least, this article poses a threat to journalists whose online news is seen as electronic information.

company.¹⁷² During the litigation, in a separate court, Mr Piliang filed a judicial review of the law that was being used against him by Mr Lie. The Constitutional Court's decision was that the law was consistent with the Constitution and rejected Mr Piliang's complaint. But the defamation case has not been resolved.

Ms Mulyasari was charged under the same law for complaining about the service in Omni International Hospital to her friends in a mailing list. Without her consent, the email was forwarded to numerous mailing groups. The hospital reported Ms Mulyasari to the police and filed a civil case against her, demanding a compensation payment of IDR 204 million (US\$ 22,666) for defamation. The case drew public attention after a series of media reports about the case, as well as campaigns on Facebook and Twitter. The public supported Ms Mulyasari in her attempt to defend her rights as a hospital client.

A Coins for Prita movement (see also section 3.2.1) was set up, which collected IDR 204 million (US\$ 17,829) to pay the compensation demanded by the hospital. She received support from various organizations such as the Organization for Community Study and Advocacy (*Lembaga Studi dan Advokasi Masyarakat*, ELSAM), the Institute for Criminal Justice Reform (ICJR), the Association of Indonesian Legal Support and Human Rights (*Perhimpunan Bantuan Hukum dan HAM Indonesia*, PBHI), the Indonesian Legal Support Foundation (*Yayasan Lembaga Bantuan Hukum Indonesia*, YLBHI), and the Indonesia Media Defense Litigation Network (IMDLN).¹⁷³

Muhammad Yasin Kara,¹⁷⁴ a civil law expert, said that the law was not made to regulate cases of insult or defamation. The law's aim was to tackle legal issues relating to information dissemination and/or electronic transactions, particularly validations.¹⁷⁵ Following an appeal to the Supreme Court, Ms Mulyasari was found not guilty and had all charges dropped in the civil court. In the criminal court, Ms Mulyasari still filed for a review with the Supreme Court following a Supreme Court verdict that found her guilty of defamation and sentenced her to six months in jail with one year's probation.¹⁷⁶

These two cases have prompted a number of NGOs, including the One World Foundation (*Yayasan Satu Dunia*),¹⁷⁷ the AJI,¹⁷⁸ the Press Legal Aid Institute (*Lembaga Bantuan Hukum Pers*, known as LBH

172. Constitutional Court, "Verdict by Constitutional Court Case No. 50/PUU-VI/2008 Judicial Review Law No. 11/ 2008 on Information and Electronic Transaction against Constitution 1945," 5 May 2009, pp. 11–12, at [http://www.mahkamahkonstitusi.go.id/index.php?page=website.Persidangan.PutusanPerkara&id=1&kat=1&cari=50 percent2FPUU-VI percent2F2008](http://www.mahkamahkonstitusi.go.id/index.php?page=website.Persidangan.PutusanPerkara&id=1&kat=1&cari=50%20percent2FPUU-VI%20percent2F2008) (accessed 3 April 2012).

173. ELSAM, ICJR, IMDLN, PBHI, and YLBHI, "Amicus Curiae atas kasus Prita Mulyasari Vs. Indonesia Republic" (Amicus curiae in the case of Prita Mulyasari vs. the Republic of Indonesia), October 2009, at <http://www.elsam.or.id/new/index.php?act=view&id=204&cat=c/302> (accessed 3 April 2012).

174. Muhammad Yasin Kara was a Member of Parliament in 2004–2009 when the Bill on Information and Electronic Transaction (*Rancangan Undang-Undang Informasi dan Transaksi Elektronik*, RUU ITE) was drafted. He was the deputy head of the special committee and the working committee drafting the bill.

175. Interview with Prita Mulyasari's lawyer, Slamet Juwono, SH, Jakarta, 4 August 2011.

176. Interview with Prita Mulyasari's lawyer, Slamet Juwono, SH, Jakarta, 4 August 2011.

177. Firdaus, "Press Release: Segera Cabut Pasal Karet di UU ITE" (Press release: Revoke ambiguous articles in UU ITE), One World Foundation, 7 November 2011, at <http://www.satudunia.net/content/press-release-segera-cabut-pasal-karet-di-uu-ite> (accessed 3 April 2012).

178. AJI, "Revisi UU ITE Jangan Diikuti RUU TIPITI" (UU ITE revision not to be followed by RUU TIPITI), 23 December 2009, at http://www.ajiindonesia.org/index.php?option=com_content&view=article&id=203:revisi-uu-ite-jangan-diikuti-ruu-tipiti&catid=14:alert-bahasa-indonesia&Itemid=287 (accessed 3 April 2012).

Pers),¹⁷⁹ and the Press Council¹⁸⁰ to urge the government to revise the law.¹⁸¹ Efforts were also made by LBH Pers, the AJI, and certain individuals to revise the law through a judicial review by the Supreme Court of Article 27, paragraph 3, which was alleged to be anti-constitutional, particularly in the area of freedom of information and expression. The Supreme Court overruled the judicial review request and declared that the article was constitutional and was not against democratic values, human rights, and legal state principles.¹⁸²

In the cases described above, it was the author, not the website or the server, who was brought to court. All the verdicts were based on Article 27 (verse 3) of the law. And all the cases did not involve journalistic work. The sole legal case that involved a journalist was the case of Asian Agri versus the *Tempo* journalist Metta Dharmasaputra (see section 4.2.2), where *Tempo*'s chief editor took over the case and defended Metta Dharmasaputra in court. If convicted, *Tempo* would have paid the fine.¹⁸³

7.2 Regulators

7.2.1 Changes in Content Regulation

In the past five years, there have been no changes in the regulation of broadcasting and digital media. Regulation of content of digital and analog broadcast media is still encapsulated in the Broadcasting Law, the Press Law (if the content is a news or journalism product), the document "Broadcasting Behavior Guidance" (*Pedoman Perilaku Penyiaran*, P3), and the "Broadcasting Programming Standards" (*Standar Program Siaran*, SPS) developed by the KPI.¹⁸⁴ Cyber media, in addition to the Press Law and KEJ, are also regulated by the "Cyber Media Coverage Guidance," which was developed and endorsed by the Press Council in early 2012 (see section 7.1.2.2).

While this guidance is basically an extension of documents from P3 and KEJ, it adds two important points about journalists' work online. First, it is common practice for online journalists to upload a news story

179. Press Legal Aid Institute (LBH Pers), "Catatan Akhir Tahun 2009: UU ITE, Ancaman Paling Menakutkan di Tahun 2009, Bagi Kebebasan Pers dan Kebebasan Berekspresi Masyarakat" (2009 year-end note: UU ITE, most frightening threat in 2009 for freedom of press and freedom of public expression), Jakarta, 2009.

180. Press Council, "Siaran Pers: Ancam Kemerdekaan Pers, UU ITE Perlu Direvisi" (Press release: Threatening press freedom, UU ITE needs amendment), 7 April 2008, at <http://dewanpers.or.id/publikasi/siaran-pers/215-siaran-pers-ancam-kemerdekaan-pers-uu-ite-perlu-direvisi> (accessed 3 April 2012).

181. The One World Foundation, the AJI, the Press Legal Aid Institute (LBH Pers), and the Press Council publicly urged the government to amend the law.

182. Constitutional Court, "Verdict by Constitutional Court Case No. 50/PUU-VI/2008," "Verdict by Constitutional Court Case No. 2/PUU-VII/2009 Judicial Review Law No.11/2008 on Information and Electronic Transaction against Constitution of Republic of Indonesia," 5 May 2009, at <http://www.mahkamahkonstitusi.go.id/index.php?page=website.Persidangan.PutusanPerkara&id=1&kat=1&cari=2 percent2 FPUU-VII percent2 F2009> (accessed 3 April 2012).

183. Metta Dharmasaputra, "Saksi Kunci: Kisah nyata perburuan Vincent, pembocor rahasia pajak Asian Agri Group" (Key witness: The real story of Vincent, the whistleblower of the Asian Agri scandal), *Tempo*, Jakarta, 2013.

184. P3 is a regulation for broadcasting institutions set up by the KPI, which functions as guidance on do's and don'ts in broadcasting as well as monitoring the broadcasting system in Indonesia. SPS is guidance set up by the KPI on do's and don'ts of broadcasting programs. Ezki Suyanto confirmed on 13 March 2012 that the KPI was revising P3 and SPS (draft). As of 3 April 2012, the revision had been done and can now be downloaded at <http://www.kpi.go.id> (accessed 12 October 2013).

in installments, or serially. The first segment, which does not undergo verification, is uploaded and can be accessed publicly. If the report concerns a conflict between two parties, this first segment covers one side of the conflict. The other party would then be given an opportunity for coverage in the second segment. This practice is widely considered to be unfair, although journalists argue that they do eventually give an equal voice to both parties. The problem is that at least one installment of the story does not treat the parties equally. In response, the “Cyber Media Coverage Guidance” requires online journalists to link both news pieces online and to provide sufficient time for verification at every stage.

Second, the guidance requires the managers of online media to oblige users to register on internet media websites before adding their comments. This requirement is intended to prevent irresponsible comments such as groundless accusations.

Telecoms and the internet are regulated by the Indonesian Telecommunication Regulating Agency (*Bada Regulasi Telekomunikasi Indonesia*, BRTI). However, this agency limits itself to issues related to technical frequency allocation. The KPI and the Press Council have the authority to make rulings about content in telecoms and the internet.

7.2.2 Regulatory Independence

There is no specific regulator of online media. The content of online media is regulated by the Press Council. In the “New Order” era, the council was an organization headed by the Minister of Information. After the fall of the “New Order” and the Suharto regime in 1998, a new Press Council was established through the Press Law in 1999. The current council is a more independent institution and does not have to confront government interference in its internal organization. It consists of nine members, representing equally the journalistic community, media companies, and community organizations. Members are elected by Parliament and officially sworn in by the president. Tenure is three years, renewable once.

In order to maintain its neutrality and independence, the operational budget of the council comes from donations from journalist organizations and press companies. However, this source of funding is rather poor and prevents it from functioning optimally. This situation prompted the Press Council to try to obtain financial support from the state budget in 2003. In 2005, the budget proposal from the council was approved by the government, and since then the council has been receiving financial support from the state budget annually through a fund managed by the council’s secretary.

The KPI is another regulatory body, an independent institution established by the Broadcasting Law. There is no regulatory body other than the KPI that specifically regulates digital media services in Indonesia. The KPI consists of the central body headquartered in Jakarta, and also a subsidiary (*Komisi Penyiaran Daerah*, KPID) in each province. The KPI has the authority to set broadcasting programming standards, to develop regulation and broadcasting behavior standards, as well as to monitor the implementation of standards and regulations and sanction violations.

To ensure independence, the Broadcasting Law stipulates that members of the KPI cannot be selected from among members of political parties or any legislative, judicial, or government bodies. In addition, KPI and KPID members are endorsed by the president and by provincial governors, a measure meant to ensure their independence. Members of the KPI and KPID are selected through an open process and must undergo a fit-and-proper test by the House of Representatives or the Regional House of Representatives (*Dewan Perwakilan Rakyat Daerah*, DPRD).

The fit-and-proper test consists of three requirements: administrative (e.g. minimal education level proved by education certificates or diplomas), ethical (past behavior of the candidate), and capacity and professional background. The candidates who pass the fit-and-proper test are then chosen by the DPR (for KPI) or DPRD (for KPID) through a vote.

The government is in charge of monitoring all the functions, tasks, powers, and responsibilities mandated to the KPI and KPID. This does not mean that they are answerable to the government for every decision, since their decision-making is independent. But the government may reduce or enhance their powers through legislation. Their budget is covered entirely by the state budget.

So far, both the Press Council and the KPI have in general been able to maintain their independence in making decisions. However, media owners may try to control the process of selection of the members of the two bodies.

7.2.3 Digital Licensing

The Broadcasting Law states that it is the state (namely the government) that has the authority to grant a broadcast license, or what in Indonesia is known as a Broadcasting Service Permit (*Izin Penyelenggaraan Penyiaran*, IPP).¹⁸⁵ In practice, the government does this via the Ministry of Communication and Informatics.

The Broadcasting Law laid down requirements that guarantee fairness in the broadcast licensing process. One of these is the submission by any applicant for such a license—either private or community broadcasters—of a comprehensive description of the organization’s vision, mission, and the proposed broadcasting format, which should be public-oriented.

When awarding an IPP to a private entity, the government receives input from the KPI. Prior to issuance, the KPI will conduct a hearing (*Evaluasi Dengar Pendapat*, EDP) with the applicant to verify all the information in the proposal. Based on the results from the EDP, the KPI will issue a broadcasting feasibility recommendation and a recommendation for the award of radio frequency, which are then submitted to the Ministry of Communication and Informatics. Before submission, the ministry also conducts a consultation (*Forum Rapat Bersama*, FRB) with the KPI to gather some more input. In addition, in the process of IPP allocation, the government has to consider how the public interest is satisfied. Once all these processes are

185. Broadcasting Law, Article 33, section 4.

completed, the minister will take the decision as to whether a permit will be issued. Administratively, the IPP is handed to the applicant through the KPI.

The reality, however, does not always follow what is written down in the law. The KPI plays a marginal role in the broadcast licensing process and the Ministry of Communication and Informatics is the sole decision-maker. When the two enter into conflict (see sections 5.1.2 and 7.1.1.3), the KPI is usually on the losing side. It is true that the Broadcasting Law grants significant power to the KPI to establish ethical standards for broadcasting content and to impose sanctions on broadcasters who violate these standards. But as the case of Harry Tanoe, the owner of RCTI, MNC TV, and Global TV, showed, the KPI's request to Mr Tanoe to respond to the accusation that he used his television stations as a platform for an unfair political campaign was totally ignored (see section 2.2.2). As the KPI failed to carry out such a simple task, it is clearly not in a position to carry out much bigger tasks such as revoking an IPP, which is legally within its remit.

As some businesses own more than one television station while others have been denied access to broadcasting permits, we may conclude that the licensing system is unfair. Three entities in Indonesia have more than one national television broadcasting operation: MNC Group (led by Mr Tanoe) owns RCTI and Global TV; EMTEK Group (led by Eddy Suriaatmadja) owns SCTV and Indosiar; and Visi Media Asia Group (led by Anindya Bakrie) owns ANTeve and TVOne.

Broadcasting permits are not only required for private broadcasters. Community broadcasters are also required to apply for a license to operate. So far, the licensing process in Indonesia has been considered to favor private broadcasters and private broadcasting institutions (*Lembaga Penyiaran Swasta*, LPS) to the detriment of community media, the community broadcasting institutions (*Lembaga Penyiaran Komunitas*, LPK).

The licensing requirements for LPK are more difficult to meet than those imposed on LPS. Various additional administrative requirements must be submitted by community media in the application process, including the legal certificate of the founding institution and plans for broadcasting content. That is a major problem for community media because unlike wealthier businesses, LPK staff are generally less familiar with bureaucratic matters and have very limited manpower to handle such additional requirements.

7.2.4 Role of Self-regulatory Mechanisms

Agus Sudiby, head of the Commission for Community Complaints at the Press Council, said that in 2011, the council received 157 complaints from the general public, 43 of which were about online media and 28 were about television, according to the latest data available from the council. The number was an increase on 2010.¹⁸⁶ The Press Council has set a number of self-regulations for print media such as KEJ, 2006, which was agreed by no fewer than 29 journalistic professional organizations and newspaper companies.

186. Interview with Agus Sudiby, head of the Commission for Community Complaints at the Press Council, Jakarta, 16 March 2012.

In early 2012, the Press Council also issued a regulation on online media called “Guidance for Cyber Media News Coverage.” This covers all content produced or published by cybermedia, including articles, pictures, comments, voice reports, videos, and other forms of online content such as blogs, forums, viewers’ comments, and so forth. In principle, all content on online media, especially news, must be verified by the publishers regularly, and updates must be attached to the link of the unverified news. The requirements for verification normally apply to a story that involves two conflicting parties, where ethically the journalist must provide each of them a space for their side of the story.

The problem with online journalism in Indonesia is that such stories are often uploaded in phases, which leads to the presence online of reports where not all the parties in a story are given equal space (see section 7.2.1). Another method to ensure fairness is the obligation on online media in the Guidance to oblige users who want to comment on stories to register before doing so (see section 7.2.1).

Online media reserve their right to edit or delete UGC that readers consider to be in violation of the Press Law and KEJ. Online media have to act as soon as possible or within 48 hours after the complaint is received. This is not a legal obligation, but failure to do so can have legal implications for users and media. Disputes over a piece of news in online media are handled by the Press Council. The council also demands online media to publish the “Guidance for Cyber Media News Coverage” on their websites.

7.3 Government Interference

7.3.1 The Market

In the pre-digital period, the government’s interference in the media took the form of Suharto granting ownership of private television stations to his children. His offspring were the owners of RCTI, the first private television station in Indonesia, SCTV, owned by Suharto’s relatives, and TPI, which was owned by Suharto’s eldest daughter.¹⁸⁷ With all television stations belonging to the Suharto family or his business protégés, all revenues from these businesses were controlled by this small circle.

The Suharto family’s domination faded after Suharto was ousted from the presidency in May 1998. The media industry then slowly started to function more based on free-market principles. In the digital period, government intervention in the media industry does not come at all close to the type of intervention experienced during Suharto’s presidency.

Imposing levies on media with the goal of hurting the financial independence of particular media outlets has not occurred in Indonesia since 1999. Political pressures by the government in the form of preferential treatment for particular broadcasting businesses have decreased in the past decade.

187. Krishna Sen and David T. Hill, *Media, Culture and Politics in Indonesia*, Oxford University Press, Melbourne, 2000.

However, the government has not made sufficient efforts to create a fair business environment for the television market. Indonesia is moving fast toward a rather monopolistic structure in the television business. Broadcast television ownership is concentrated in the hands of a few established players, while new significant entrants have not become visible (see section 6.1.3). Digitization, particularly the emerging digital multiplexing business, provides even more opportunities for the established players to expand their business and domination. Many of these players have been vying for frequencies in auctions in the 15 digital zones and have already secured control of an LPPPM in many zones.

This has been made possible by the government, namely by the Ministry of Communication and Informatics, through Ministerial Regulation No. 22/2011, which gave established players an advantageous position in digital auctions.¹⁸⁸ At the same time, the government does not seem to pay much attention to the existence of other types of broadcasters, such as community broadcasting institutions, and how they can survive the tough competition from private behemoths. The government does not put sufficient effort into helping the public broadcasting institutions TVRI and RRI survive in the market. For example, the government does not come up with a sound funding model or plan for these broadcasters to help them get a firm foothold in the broadcasting market and build viewership.

In the telecoms business, the government also appears not to be aware of the potential of IPTV in boosting access to a more diverse television offering. The political and social elites, represented by the KPI and various NGOs, have shown signs that they are aware of the potential of IPTV, but they have not to date debated the implications of this technology for the broadcasting business. There are no regulations for IPTV or other new forms of distribution of broadcast content with a major business potential, such as internet broadcasting and Video-on-Demand (VoD) services. In 2010, the Ministry of Communication and Informatics submitted to Parliament a bill on telematics convergence, which has been waiting for parliamentary consideration since then.¹⁸⁹

7.3.2 The Regulator

There are cases of interference of the state in media affairs through regulators. Such a case, rather unusually, involved Era baru Radio Station in Batam, Riau. The management of the radio station believed, as documented on its website and confirmed by *Kompas* daily, that the station was shut down in 2010 at the request of the government of China.¹⁹⁰ In a letter to the Ministry of Foreign Affairs, the Ministry of Home Affairs, State Intelligence, the Ministry of Communication and Informatics, and the KPI, the Chinese embassy urged the

188. There is a need to distinguish the minister from the government. In particular situations, the Minister of Communication and Informatics does not necessarily represent the government. The Indonesian government is a multiparty coalition. The minister is from the PKS, while the president is from the PD. These two parties have so far failed to secure a broadcasting permit. In political circles in Jakarta, it is alleged that the president or the president's party intends to have its own broadcast television outlet, just as the chairman of the Golkar Party (Aburizal Bakrie) does. In the case of Harry Tanoe, it was the other way around; he was an owner of television stations before he joined a political party: first the Nasdem (National Democrat) Party and subsequently the Hanura Party.

189. See <http://majalahict.com/berita-1525-targetkan-3-ruu-kominfo-dicuekin-dpr.html> (accessed 12 October 2013).

190. See <http://www.erabarufm.com/2011/04/kronologi-kasus-radio-erabaru-2005-2011.html> (accessed 18 October 2013). See also <http://regional.kompas.com/read/2010/03/24/20434984/Beritakan.Kasus.HAM.di.China> (accessed 18 October 2013).

Indonesian government to shut down the Mandarin section of this station. The government of China accused the station of being funded by Falun Gong (a spiritual movement prohibited in China) and of broadcasting political propaganda that discredited the Chinese government.

Following this letter, Erabaru's license bid from 2005 was turned down, although the radio has been airing since March 2005 after a positive recommendation from the local regulator, KPID Riau, for the station's use of the 106.5 MHz frequency. In June 2005, the KPID asked the radio station to begin operations following the issuance of the recommendation.¹⁹¹ Erabaru's owners found out about the proposal to turn down the station's bid from an announcement issued by KPID Riau on 5 October 2007 and asked the KPID, the KPI, and the Ministry of Communication and Informatics what the reasons for the rejection were. However, they did not receive an official explanation for the decision. Radio Erabaru then filed a lawsuit with the State Administrative Court (*Pengadilan Tata Usaha Negara*, PTUN) against the ministry, disputing their bid rejection, and against the Directorate General of Post and Telecommunications, which issued the technical permit for the use of the 106.5 MHz frequency.

At the same time, Radio Erabaru was reported to the police by Batam's Monitoring and Frequency Office, which accused the station of illegally using the frequency. The station was said to be in breach of Law No. 36/1999 (Telkom Law). The radio station's transmitter was sealed as a result. The director of Radio Erabaru was sent by the State Court of Batam to prison for six months, with one year's probation, and fined IDR50 million (US\$ 4,340). Currently, both cases are pending at the Supreme Court following an appeal by the radio station.¹⁹²

There have also been cases where the opposite happens; this is not because the regulatory bodies such as the KPI and Press Council abuse their power, but rather the media owners who try to control these bodies. The case of Mr Tanoë ignoring the KPI's request for information (see section 2.2.2) shows that the actual power of the regulator is very limited. Formally, the KPI has a strategic position in imposing programming standards and has a credible reputation of being critical toward broadcast industrialists. However, in the last appointment process for KPI members carried out by the House of Representatives, those members who were critical toward the wealthy television owners were voted out.¹⁹³

7.3.3 Other Forms of Interference

Another form of intervention commonly occurring in the media industry is by the media owners. It is hard to prove whether such intervention in the coverage of the media is purely the will of the owners or is requested by the government.

191. Radio Erabaru 106.5 FM, "Kronologi Kasus Radio Erabaru 2005–2011" (Chronology of the Radio Erabaru case 2005–2011), 1 April 2011, at <http://www.erabarufm.com/2011/04/kronologi-kasus-radio-erabaru-2005-2011.html> (accessed 3 April 2012).

192. Interview with Hendrayana, executive director of LBH Press, as legal representative of Radio Erabaru, 15 March 2012.

193. Confidential interviews with a former KPI commissioner, 26 September 2013, and an ex-vice-chairman of IJTI, 2 October 2013.

Such a case was the cancelation of the “*Republik BBM Talkshow*” by the management of the Indosiar television station on 10 April 2006. The cancelation was requested of the station’s director by a shareholder in the station after the vice-president of Indonesia, Jusuf Kalla, invited television company owners for an informal meeting on 7 April 2006. During the meeting, the vice-president said that he did not ask Indosiar to stop the show, which was a political parody featuring high-ranking state officials, including the country’s president and vice-president. Mr Kalla rather told the owner of Indosiar, Anthony Salim, that it was a show in poor taste—a show that pretended to criticize government policy, but had no substance to it.¹⁹⁴ Mr Salim, Mr Kalla, and other television company owners then discussed the show further, and the discussion reportedly formed the basis for the cancelation.¹⁹⁵

A separate case involved SCTV. The Minister of Law and Human Rights, Patrialis Akbar, reportedly disliked a television investigative report entitled “*Bisnis Seks di Balik Jeruji Penjara*” (Sex Business Behind Bars), which was not broadcast on 13 October 2010 as planned. The head of SCTV’s Liputan 6 News section, Don Bosco Selamun, told *Tempo* magazine that the minister forbade the station to air the report. He even asked for a record of the show, but his request was rejected by the station’s management.¹⁹⁶ However, sources cited in the media said that it was the owner of SCTV who requested the cancelation of the program.

Overall, it is almost impossible to gauge the extent of this type of intervention in media affairs, since such cases are almost never reported in the news of the mainstream media. But such stories are circulated informally in limited circles of media managers.

7.4 Assessments

The overall framework of policies, laws, and—especially—ministerial regulations is broadly responsive to the challenges of digitization in Indonesia. However, all the regulations adopted to date are incomplete in the sense that stakeholders, including the government, regulators, media outlets, and civil society groups, have a tendency to treat broadcasting, telecoms, and the internet as separate realms. They all debated the legal status of the ministerial regulation on digital frequency distribution (multiplexing) very fiercely at one time; and they debated the ministerial regulation on multimedia content at other times. However, there appears to be no overlap of content in the two debates.

Some effort at integration was made when the government prepared a draft law on telematics convergence in 2010, but it has not generated the same interest as the ministerial regulations. Instead of focussing on discussing this draft and all the digital issues covered by it, the main stakeholders in the digital migration process have been absorbed in the debate about the revision of the Broadcasting Law. Hence, there are two

194. See <http://www.suaramerdeka.com/harian/0604/11/nas06.htm> (accessed 18 October 2013).

195. See <http://www.detikhot.com/read/2006/04/09/100116/573233/231/tayangan-republik-bbm-distop> (accessed 3 April 2012).

196. See <http://www.korantempo.com/korantempo/koran/2010/10/23/headline/krn.20101023.215764.id.html> (accessed 23 March 2012).

ways to engineer laws and regulations governing the digitization process: either by radically revising the Broadcasting Law or by developing the telematics convergence law.

Directives on the digital switch-over process from the government have been weak in the past, to say the least. They have been totally absent in the last three years.

Direct interference in media affairs by state authorities has decreased in the last five years following the improvements in the democratic nature of the political system. To some extent, these positive developments can be attributed to digitization. Citizens and civil society groups have now found new ways to express their concerns and mobilize political support to enhance their bargaining power in the policymaking process. New media, for example, have helped them to bolster this power. However, it is not the state that has posed threats to this positive development. Instead, it is the established media elite (the owners and managements of private stations) who seem to be the biggest threat to the development of media and content diversity.

On a more technical level, there has been an increase in public consultation throughout the policymaking process, since the new media offer an alternative platform for such public participation.

Ministerial Regulation No. 22/2011 has had the biggest impact on diversity and pluralism. It has provided a legal basis (although some groups question its legal status) for the strengthening of the monopolistic structure that already existed in the Indonesian television market before digitization.

8. Conclusions

8.1 Media Today

The media scene has gone through dramatic changes in the past five years. An increased pluralism of voices has been the main change so far. Minority voices have found larger spaces in the news media, and in the mainstream, conventional media, as well as in the alternative, new media. The political minority of the ex-communists and their descendants and the Chinese minority that experienced discrimination in the past have now found ways to express themselves and fight for their rights. With the exception of the lesbian, gay, bisexual, and transgender (LGBT) minorities, all other minorities have enjoyed more freedom of expression in the traditional news media. Digitization has provided them with new platforms where alternative voices can be heard.

The independence of news media has reached a new phase and they are now free from the government's control. Public and private news media have enjoyed more freedom in producing and disseminating news. This new development is mostly attributable to the political change, the country's democratization that started in 1998. New media—that is, social media—partly play a role in helping society to become more involved in policymaking.

In several cases, however, the news media have had to face a new challenge from private media owners and management. With competition in the media industry becoming fiercer, these owners and managers have put increasing pressure on journalists to work faster and this has had a bad impact on accuracy and balance in the news.

Diversity in the news media has been the most debated issue in the media in the past five years. The fact is that media ownership has been for a long time highly concentrated in Indonesia. Digitization arrived at a time when the structure of media ownership was already well defined. And it does not seem able to shake up this concentrated market. On the contrary, the introduction of digital multiplexing in the broadcasting business has tended to further strengthen the monopolistic structure. Government regulation, instead of helping to diversify media ownership, facilitates the business expansion of the established media owners in the digital market. However, the good news is that some independent media have survived the competition of the dominating media.

Other media players, public broadcasters, and community broadcasters have been legally protected and thus still have an opportunity to thrive in the digital era. In this context, the KPI is expected to be the main strategic protector of the public interest through these media. However, some of the new KPI commissioners are reportedly influenced by big private media players.

8.2 Media Tomorrow

Over the next five years, it is likely that one developing issue in the Indonesian media will be pluralism, with digital tools in the form of UGC being used to become a bigger force in shaping political and social discourse.

The second area will be news media diversity. Despite the growing force of the established media in shaping the imbalanced structure of media competition, the independent media will still thrive, especially if they can benefit from the opportunities of digital technology. Equally important, the vibrant public interest groups will form one of the decisive forces in shaping the media market. Public and community broadcasting, while marginalized for the time being, are a promising source for the public to find alternative channels of news.

The third area of development will be the KPI's role in protecting the public interest.

List of Abbreviations, Figures, Tables, and Companies

Acronyms and Abbreviations

AJI	Alliance of Independent Journalists (<i>Aliansi Jurnalis Independen Indonesia</i>)
APJII	Association of Internet Service Providers (<i>Asosiasi Penyelenggara Jasa Internet Indonesia</i>)
ATVSI	Indonesian Television Association (<i>Asosiasi Televisi Swasta Indonesia</i>)
BPS	Central Agency of Statistics (<i>Badan Pusat Statistik</i>)
BRTI	Indonesian Telecommunication Regulating Agency (<i>Badan Regulasi Telekomunikasi Indonesia</i>)
BSTV	Banten Sinar Dunia Televisi
CA	Conditional Access
CIPG	Center for Innovation Policy and Governance
CSR	Corporate Social Responsibility
DKI	Special Capital City District (<i>Daerah Khusus Ibukota</i>)
DPR	House of Representatives (<i>Dewan Perwakilan Rakyat</i>)
DPRD	Regional House of Representatives (<i>Dewan Perwakilan Rakyat Daerah</i>)
DVB-T	Digital Video Broadcasting-Terrestrial
EDP	Public Hearing (<i>Evaluasi Dengar Pendapat</i>)
ELSAM	Organization for Community Study and Advocacy (<i>Lembaga Studidan Advokasi Masyarakat</i>)
EPG	Electronic Programming Guide
FRB	Consultative Forum (<i>Forum Rapat Bersama</i>)
GDP	Gross Domestic Product
GNI	Gross National Income
HTI	Hizbut Tahrir Indonesia
ICJR	Institute for Criminal Justice Reform
ICW	Indonesian Corruption Watch
IJTI	Association of Indonesian Television Journalists (<i>Ikatan Jurnalis Televisi Indonesia</i>)
IMDLN	Indonesia Media Defense Litigation Network
IMF	International Monetary Fund

IPP	Broadcasting Service Permit (<i>Izin Penyelenggaraan Penyiaran</i>)
IPTV	Internet Protocol Television
IRI	International Republican Institute
ISAI	Institute for Studies in the Free Flow of Information (<i>Institut Studi Arus Informasi</i>)
ITE	Law on Information and Electronic Transaction (<i>Undang-undang tentang Informasi dan Transaksi Elektronik</i>)
ITU	International Telecommunication Union
KEJ	Indonesian Journalists' Code of Ethics (<i>Kode Etik Jurnalistik</i>)
KIDP	Coalition for Independent Broadcasting Democratization (<i>Koalisi Independen untuk Demokratisasi Penyiaran</i>)
KIP	National Information Commission (<i>Komisi Informasi Pusat</i>)
KPI	Indonesian Broadcasting Commission (<i>Komisi Penyiaran Indonesia</i>)
KPID	Independent Broadcasting Commission (<i>Komisi Penyiaran Indonesia Daerah</i>)
KPK	Commission for Combatting Corruption (<i>Komisi Pemberantasan Korupsi</i>)
KPPU	Monitoring Commission of Business Competition (<i>Komisi Pengawas Persaingan Usaha</i>)
KUHP	Criminal Code (<i>Kitab Undang-undang Hukum Pidana</i>)
LBH Pers	Press Legal Aid Institute (<i>Lembaga Bantuan Hukum Pers</i>)
LGBT	Lesbian, gay, bisexual, and transgender
LKiS	Institute for Islamic and Social Studies (<i>Lembaga Kajian Islam dan Sosial</i>)
LPK	Community broadcasting institution (<i>Lembaga Penyiaran Komunitas</i>)
LPPPM	Multiplex Service Institution (<i>Lembaga Penyiaran Penyelenggara Penyiaran Multipleksing</i>)
LPPPS	Program Service Institution (<i>Lembaga Penyiaran Penyelenggara Program Siaran</i>)
LPS	Private broadcasting institution (<i>Lembaga Penyiaran Swasta</i>)
LSPR	London School of Public Relations
MPEG	Moving Picture Experts Group
MPPI	Press and Broadcasting Society (<i>Masyarakat Pers dan Penyiaran Indonesia</i>)
NGO	Non-governmental organization
PAN	National Mandate Party (<i>Partai Amanat Nasional</i>)
PBHI	Association of Indonesian Legal Support and Human Rights (<i>Perhimpunan Bantuan Hukum dan HAM Indonesia</i>)
PC	Personal computer
PD	Democratic Party (<i>Partai Demokrat</i>)
PDIP	Indonesian Democratic Party of Struggle (<i>Partai Demokrasi Indonesia Perjuangan</i>)
PKI	Communist Party of Indonesia (<i>Partai Komunis Indonesia</i>)
PKS	Prosperous Justice Party (<i>Partai Keadilan Sejahtera</i>)
PLN	State Electricity Company (<i>Perusahaan Listrik Negara</i>)
PPP	United Development Party (<i>Partai Persatuan Pembangunan</i>)
P3	Broadcasting Behavior Guidance (<i>Pedoman Perilaku Penyiaran</i>)
PRSSNI	Association of National Private Radio Broadcasting Indonesia (<i>Persatuan Radio Siaran Swasta Nasional Indonesia</i>)
PTUN	State Administrative Court (<i>Pengadilan Tata Usaha Negara</i>)

PWI	Indonesia United Journalists (<i>Persatuan Wartawan Indonesia</i>)
RRI	Radio of the Republic of Indonesia (<i>Radio Republik Indonesia</i>)
RUU ITE	Bill on Information and Electronic Transaction (<i>Rancangan Undang-Undang Informasi dan Transaksi Elektronik</i>)
SMS	Subscription Management System
SPS	Broadcasting Programming Standards (<i>Standar Program Siaran</i>)
STB	Set-top box
TVRI	Public television broadcaster (<i>Televisi Republik Indonesia</i>)
VoD	Video on Demand
YLBHI	Indonesian Legal Support Foundation (<i>Yayasan Lembaga Bantuan Hukum Indonesia</i>)

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Companies

ANTeVe	Mahaka Media
Asian Agri Corporation	Media Group
Asian Media Group	Media Nusantara Citra (MNC) Group
Bakrie Telecom	Metro TV
Bali Post	MRA
Elang Mahkota Teknologi	Para Group
EMTEK	PT Asia Media
Facebook	PT Telkom
Femina	Reuters TV
First Media	State Electricity Company
Global TV	Tempo Media
Gold Manor International	TransTV
Jawa Pos	Transcorp (Corporation) Group
Kompas Gramedia Group	TVOne
Kompas-Gramedia	Twitter
LinkedIn	Visi Media Asia
Lippo	YouTube

Mapping Digital Media: Country Reports (published in English)

1. Romania
2. Thailand
3. Mexico
4. Morocco
5. United Kingdom
6. Sweden
7. Russia
8. Lithuania
9. Italy
10. Germany
11. United States
12. Latvia
13. Serbia
14. Netherlands
15. Albania
16. Hungary
17. Moldova
18. Japan
19. Argentina
20. South Africa
21. Turkey
22. Lebanon
23. Macedonia
24. Bosnia and Herzegovina
25. Poland
26. Montenegro
27. Georgia
28. Nigeria
29. Colombia
30. Croatia
31. Slovenia
32. China
33. Peru
34. Chile
35. Spain
36. Kenya
37. Bulgaria
38. India
39. France
40. Estonia
41. Kazakhstan
42. Malaysia
43. Pakistan
44. Slovakia
45. Czech Republic
46. Egypt
47. Singapore
48. Armenia
49. Brazil
50. Jordan
51. Uruguay
52. Finland
53. Guatemala
54. Nicaragua
55. Canada

Mapping Digital Media is a project of the **Open Society Media Program** and the **Open Society Information Program**.

Open Society Media Program

The Media Program works globally to support independent and professional media as crucial players for informing citizens and allowing for their democratic participation in debate. The program provides operational and developmental support to independent media outlets and networks around the world, proposes engaging media policies, and engages in efforts towards improving media laws and creating an enabling legal environment for good, brave and enterprising journalism to flourish. In order to promote transparency and accountability, and tackle issues of organized crime and corruption the Program also fosters quality investigative journalism.

Open Society Information Program

The Open Society Information Program works to increase public access to knowledge, facilitate civil society communication, and protect civil liberties and the freedom to communicate in the digital environment. The Program pays particular attention to the information needs of disadvantaged groups and people in less developed parts of the world. The Program also uses new tools and techniques to empower civil society groups in their various international, national, and local efforts to promote open society.

Open Society Foundations

The Open Society Foundations work to build vibrant and tolerant democracies whose governments are accountable to their citizens. Working with local communities in more than 70 countries, the Open Society Foundations support justice and human rights, freedom of expression, and access to public health and education.

For more information:

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