

Indonesia

The Internet in Indonesia has been expanding rapidly. Although broadband subscriptions are relatively expensive, users have been accessing the Internet through mobile telephones and Internet cafés. As the Internet market continues to grow, the Indonesian government has become increasingly sensitive about pornographic and anti-Islamic online content. This concern has led to the creation of a number of laws to regulate such content on the Internet and sparked discussions within the Ministry of Communication and Information Technology on how best to regulate content deemed “illegal” under the new laws. The circulation of two celebrity sex videos on the Internet sparked a government clamp-down on pornographic Web content in the summer of 2010, despite opposition from the public.



RESULTS AT A GLANCE

Filtering	No Evidence of Filtering	Suspected Filtering	Selective Filtering	Substantial Filtering	Pervasive Filtering
Political			•		
Social				•	
Conflict and security	•				
Internet tools			•		

OTHER FACTORS

	Low	Medium	High	Not Applicable
Transparency			•	
Consistency	•			

KEY INDICATORS	
GDP per capita, PPP (constant 2005 international dollars)	3,813
Life expectancy at birth, total (years)	71
Literacy rate, adult total (percent of people age 15+)	92.0
Human Development Index (out of 169)	108
Rule of Law (out of 5)	1.9
Voice and Accountability (out of 5)	2.4
Democracy Index (out of 167)	60 (Flawed democracy)
Digital Opportunity Index (out of 181)	116
Internet penetration rate (percentage of population)	8.7

Source by indicator: World Bank 2009, World Bank 2008a, UNDP 2009, UNDP 2010, World Bank Worldwide Governance Indicators 2009, Economist Intelligence Unit 2010, ITU 2007, ITU 2009. See Introduction to the Country Profiles, pp. 222–223.

Background

The Asian Financial Crisis of 1997–1998 had a major effect on Indonesia’s economy—the drying up of foreign direct investment, the collapse of the rupiah, mass unemployment, and rising inflation brought about major socioeconomic problems. Citizens demonstrated their discontent through major uprisings, which eventually led to the resignation of General Suharto in May 1998 and the end of three decades of United States–backed authoritarian rule.¹ Under Suharto, Indonesia was known as one of the “Asian Tigers” for its strong economic growth (with an annual average growth rate of 8 percent in the last decade of his regime).² However, government policies exacerbated socioeconomic cleavages and inequalities, and created tensions that were suppressed through repressive military measures.³ The majority of people were excluded from political life in a climate in which social conflict, corruption, and repression of dissent were widespread. Some analysts suggest that although the financial crisis was the catalyst that triggered the breaking point of Suharto’s rule, it was not the underlying cause.⁴

The end of the Suharto regime marked the beginning of rapid change and democratization in Indonesia. Although social unrest, separatist movements, corruption, terrorism, and political and economic instability hindered progress initially, conditions have since improved. The country experienced its first free parliamentary election in 1999 and its first directed presidential election in 2004.

One important outcome of democratization is the relative press freedom that Indonesian media and citizens enjoy today. However, although freedom of speech and of the press are protected by the constitution and Indonesia’s press is considered

among the freest in Southeast Asia,⁵ full press freedom has been hindered by legal and regulatory restrictions (many of which have only recently been enacted).⁶ Self-censorship is commonplace, and those who speak out risk violent attacks and intimidation.⁷

The country is secular with an ethnically and religiously diverse population. However, because of its predominantly Muslim population (as well as a conservative Muslim majority within government) the state is sensitive about indecency and blasphemy. The government has also expressed concern about media and Internet content that could spark social unrest. These concerns have had an adverse effect on full freedom of expression in the country.

Internet in Indonesia

As of August 2010, Indonesia had over 200 Internet service providers (ISPs).⁸ The largest are Telkomsel and Indosat. Made up of roughly 17,000 islands, Indonesia does not have a centralized Web infrastructure and has several links to overseas networks.⁹ Indonet receives its upstream bandwidth from San Francisco, London, and Hong Kong at a rate of 156 to 200 Mbps.¹⁰ The country has two Internet exchange points (IXP), the Biznet Internet Exchange (BIX) and the Indonesia Internet Exchange (IIX). The IIX was the country's first IXP and is maintained by the Indonesian Internet Service Providers Association (APJII).

Internet usage in 2009 was reported to be 20 million with an 8.7 percent penetration rate.¹¹ Fixed broadband subscription rate was low, at 0.74 percent.¹² Many people access the Internet through mobile phones¹³ or at privately owned Internet cafés (called warnets). Because broadband Internet is relatively expensive in Indonesia (USD 100 per month),¹⁴ mobile plans and warnets are much more affordable alternatives. Indonesian mobile broadband plans are among the cheapest in the world (USD 17 per month).¹⁵ As of September 2009, the mobile penetration rate of the country was 56.8 percent.¹⁶ Warnets provide access to half of the country's Internet users, including those who are unable to afford individual access.¹⁷ Warnets are obligated to record the identity cards of all visitors and to report the data to the Indonesia Security Incident Response team on Information Infrastructure.¹⁸

Facebook, Twitter, YouTube, and Wordpress are popular Web sites among Indonesian Internet users. As of April 2010, Indonesia had approximately 21 million Facebook users, making Indonesia the country with the third-largest number of Facebook users in the world.¹⁹ As of the same month, Indonesia also had the largest number of Twitter users in Asia.²⁰ Blogging is another popular activity.

The state generally holds a positive attitude toward the Internet and views information and communication technologies (ICTs) as important tools for economic development. In 2001, the government announced its Five-Year Action Plan for the Development and Implementation of ICTs.²¹ The plan addressed priorities for

extending ICT benefits throughout Indonesia such as extending transparency and equal access to information, and facilitating Internet access to public services.²² While the government supports the development of an Indonesian information society and greater Internet use for average citizens throughout the country,²³ it is very sensitive about pornographic and anti-Islamic content online and has censored such content on a number of occasions.

In April 2008, the Indonesian government ordered all ISPs to place a temporary ban on file-sharing video Web sites in order to prevent the dissemination of *Fitna*, an anti-Islamic film. The ban occurred amid the breakout of small-scale protests in Indonesia, including one outside of the Dutch embassy in Jakarta. The government cited fear of unrest within the nation as the reason for the ban.²⁴ This incident was the first time the country's ISPs had blocked access to a Web site, and many criticized the blocking technique that was deployed—ISPs blocked entire Web sites instead of the specific pages that contained the video.²⁵ This technique was utilized again in November 2009 when the government ordered ISPs to block a blog that contained an offensive cartoon of the Prophet Mohammed. One blogger complained that some ISPs simply blocked the entire Blogspot domain.²⁶

The release of two homemade sex videos of three Indonesian celebrities in the summer of 2010 triggered a crackdown on pornographic Web content (the scandal was popularly known as “Peterporn” because singer Nazril Irham of the band Peter Pan was involved along with his high-profile girlfriends). As a part of this effort, the Ministry of Communications and Information Technology announced that Trust Positive—a government keyword filtering system that is already in place in many of the government's computer networks—would be adopted by ISPs.²⁷ Trust Positive, as well as a database of blacklisted and approved “whitelisted” Web sites, is available for download on the Ministry of Communications and Information Technology's Trust Positive Web site (<http://trustpositif.depkominfo.go.id>). According to the ministry, Trust Positive is not a gateway or a traffic relay for Indonesia Internet connection, and the ministry was not responsible for ISPs that use Trust Positive.²⁸ Trust Positive is made up of a database of top-level domains, URLs, and keywords that are placed in either a blacklist (negative and filtered content) or a white list (positive and trusted content).²⁹ The ministry encourages citizens to participate in developing the database by submitting URLs through e-mail or a complaint form.³⁰ The database can be found among three downloadable folders named “aplikasi” (application), “konfigurasi” (configuration), and “database.” Within the “database” category there are three subfolders: “kajian” (muslim/prayer), “pengaduan” (complaints), and “informasi” (information).³¹ “Informasi” listed and contained information on approximately 43,000 blacklisted Web sites as of November 2010.

Internet filtering takes place through partnerships with the APJII and the Association of Indonesia's Internet Cafés (AWARI), to whom the Ministry of Communications

and Information Technology drafts orders to apply censorship or filtering. There are currently three methods of Internet filtering: border gateway protocol,³² DNS Nawala,³³ and Trust Positive.³⁴ In the first method, the administrator of the IIX places a URL onto an IIX system blacklist. The blacklist information is then distributed to all the ISPs connected to the IIX system, who then block the Web site. When end users try to connect to the blacklisted URL, they are denied access. In the second method, the administrator of the domain name server puts a URL onto a blacklist. Anyone (including warnets) may use DNS Nawala, a noncommercial domain name system–filtration program that was developed by Telkom in cooperation with AWARI, as a “self-censorship” mechanism. When users attempt to access a URL that has been filtered by DNS Nawala, the page is blocked.³⁵

Legal and Regulatory Frameworks

The Indonesian government has drafted a number of laws to regulate content on the Internet. The first that laid out guidelines on prohibited online content was the 2008 Electronic Information and Transaction Law.³⁶ The law has been controversial, and many have expressed concern about the ways in which it limits freedom of expression. A major concern among bloggers and journalists is the prohibition of defamation—including online defamation—under Article 27(3) of the law, which allows police to detain any suspects and impose sentences of up to six years on offenders.³⁷ In December 2008, a group of Indonesian bloggers and media rights advocates (including the Legal Aid Center for the Press, the Independent Alliance of Journalists, and the Indonesian Legal Aid Foundation) requested a judicial review of the defamation article.³⁸ However, the Constitutional Court denied the request in 2009. A number of people have been charged under the law.³⁹

Indonesia’s Anti-Pornography Law⁴⁰ was passed in October 2008 despite wide opposition from various groups, including secular political parties, artists, women’s groups, and non-Muslim minorities who saw the law as a threat to the country’s cultural diversity and the rights of minority groups and women.⁴¹ The bill defines pornography as “pictures, sketches, illustrations, photographs, writings, sound, sound image, moving animation, cartoons, conversations, gestures, or other forms of message through various forms of communication media and/or performances in public, which contain obscenity or sexual exploitation,” and prohibits citizens from producing, making, reproducing, duplicating, distributing, broadcasting, importing, exporting, offering, trading in, leasing, and providing pornography.⁴²

It also gives powers to government to prevent the creation, dissemination, and use of pornography. Under the law, any person found producing, creating, reproducing, copying, distributing, broadcasting, importing, or exporting pornography could face up to 12 years imprisonment or a fine of up to 6 billion rupiahs (approximately USD

663,495). Anyone downloading pornography faces up to four years imprisonment or a fine of up to 2 billion rupiah (approximately USD 221,165). In January 2011, Irham of the Peterporn affair was sentenced to three and a half years in jail for “giving an opportunity for others to spread, produce and prepare a pornographic video, despite denying that he had distributed the video tapes.”⁴³ In 2009, women and minority-rights groups asked for a judicial review but their appeal was dismissed.

The Electronic Information and Transaction Law and the Anti-Pornography Law have both been invoked to block online content. Paragraph 2 of the Electronic Information and Transaction Law prohibits the dissemination of information that is intended to invoke hatred or hostility toward individuals or groups of people based on race, ethnicity, and religion. In 2010, the law was invoked when the Ministry of Communications and Information Technology ordered ISPs to block the “Everybody Draw Mohammed Day” Facebook group.⁴⁴ The antipornography law was used to justify the ministry’s clampdown on pornographic Web sites during the Peterporn scandal.⁴⁵

In February 2010, the Ministry of Communication and Information Technology announced a draft bill on regulating Internet content. Embedded within this was a plan to create a monitoring team that would have the power to order ISPs to block Web sites that contained content defined as illegal under the Electronic Information and Transaction Law and the antipornography law.⁴⁶ The idea was unpopular among the public because many saw the plan as a violation of existing media laws and as a threat to freedom of expression.⁴⁷ As a result of intense public scrutiny, the plan was put on hold. However, the online release of Peterporn in May 2010 breathed new life into the plan and was used as a justification for Internet content regulation.⁴⁸ On June 18, President Susilo Bambang Yudhoyono announced, “We have increasingly realized that our nation should not stay naked and be crushed by the information technology frenzy, because there will be many victims.”⁴⁹ For the president, the scandal highlighted the need for further regulation of the Web.⁵⁰ On July 21, 2010, the Ministry of Communications and Information Technology ordered ISPs to block all pornographic Web sites before Ramadan and urged schools to install filters and warnets to use DNS Nawala to block access to pornographic content.⁵¹ By late July, Trust Positive had been installed in all Internet-enabled computers that were supplied to villages under the government-sponsored Smart Village program.⁵²

Amid the Peterporn scandal, the House of Representatives Commission ordered the ministry to resume work on the draft bill on regulating Internet content. As of June 2010, the ministry was in the process of revising the bill and was hoping to pass it by the end of the year.⁵³ The new draft revised the powers of the monitoring team so that they would respond to public complaints about content and would order ISPs to block such content only if the material could be deemed illegal under existing laws.⁵⁴

Surveillance

Although the government of Indonesia has been actively attempting to regulate content online, there have not been many reported cases of surveillance on the Internet. Nonetheless, there have been instances of government-sanctioned raids and searches of warnets and schools. For instance, in February 2010, police raided warnets in Bandung in response to complaints from parents and teachers that children were missing school. Twenty-three warnets were raided, and 89 students were rounded up.⁵⁵ During the Peterporn scandal, police, with the help of teachers, searched mobile phones belonging to students and seized phones that contained the Peterporn videos. At the same time, the head of the Indonesian Education Ministry (Bandung Branch) ordered heads of schools to monitor students on mobile phones.⁵⁶

It is too early to tell whether the government of Indonesia will move toward increased surveillance in order to tighten its grip over cyberspace. However, in the summer of 2010, an official from the Indonesian Telecommunications Regulatory Body expressed concern over the government's inability to monitor communications from BlackBerrys, since data were sent through Research in Motion's (RIM) servers and network operation centers (mostly located in Canada), as opposed to open networks.⁵⁷ An announcement followed from the Indonesian government that it was considering a ban on BlackBerry services as a means of pressuring RIM to establish a representative office in Indonesia, as well as a mirror server in the country.⁵⁸ In January 2011, RIM announced that it was committed to working with Indonesia's carriers to put in place a filtering solution to block pornographic sites—in effect, agreeing to comply with the country's antipornography law.⁵⁹

ONI Testing Results

OpenNet Initiative testing was conducted on seven Indonesian ISPs—IndosatM2, Telkomsel, XL Axiata, Telkomnet, First Media, Biznet Networks, and Indonet—at various periods between 2009 and 2010. Evidence of filtering was found on Indosat, Telkomsel, and XL Axiata. Indosat and XL Axiata were found to be blocking significantly more Web sites than Telkomsel.

Technical analysis of the data from Indosat, Telkomsel, and XL Axiata indicates that Internet filtering is carried out through HTTP proxy blocking. This method of blocking uses a proxy to determine whether requests of Web sites should be permitted and modifies requests to blocked Web sites to resolve to a block page.

On Indosat, when attempts are made to access blocked Web sites, users are redirected to a block page informing them “Access Restricted by netSAFE.” Similarly, attempts made by users to blocked Web sites on Telkomsel are redirected to a block page informing them that “access is denied due to security enforcement”—a reference

to the Indonesian government's drive to restrict pornography during the month of Ramadan. On XL Axiata, users attempting to access blocked Web sites are simply redirected to a block page with an apology "Mohan Maaf" (translated as "I am sorry") with the URL of the requested Web site highlighted in red. Overall, testing revealed that Internet filtering in Indonesia is unsystematic and inconsistent, illustrated by the differences found in the level of filtering between ISPs.

Testing on IndosatM2⁶⁰ was performed by ONI between August 30 and November 30, 2010. Indosat was found to be primarily targeting Web sites with pornographic or adult content. However, it also directed filtering to content on free speech, including <http://freespeech.org> and <http://freespeechcoalition.com>—Web sites belonging to a U.S. online video network and free speech coalition group. Indosat also blocked a number of Internet tools, such as anonymizers and circumvention software Web sites (<http://anonymizer.com>, <http://surfsecret.com>, etc.), warez, search engines, hacking tools, peer-to-peer sites, and one free e-mail service (<http://dcemail.com>).

Testing on XL Axiata⁶¹ was performed by ONI between August 30 and September 2, 2010. The contents of the blocked Web sites fell into three broad thematic categories: political, social, and Internet tools.

Similar to Indosat, XL Axiata focused its filtering on Web sites with content related to sex education, LGBT material, provocative attire, and pornography. Similar to Indosat, XL Axiata blocked content related to free speech, including <http://freespeech.org> and <http://freespeechcoalition.com>. Anonymizers and circumvention tools (<http://anonymizer.com>, <http://surfsecret.com>, and <http://ultimate-anonymity.com>) were also targeted by XL Axiata.

Testing on Telkomsel⁶² was performed by ONI between August 30 and September 1, 2010. Only a limited number of Web sites were found to be blocked, all of which were related to pornography. This finding is in stark contrast to filtering performed by XL Axiata and Indosat—both of which heavily filtered pornographic Web sites.

OpenNet Initiative testing was conducted on Telkomnet, First Media, Biznet Networks, and Indonet before the release of "Peterporn" and the subsequent clampdown on pornographic Web content in the summer of 2010, a fact that may explain why no evidence of filtering was found on these ISPs. It is possible that filtering is now present on these ISPs that has not yet been confirmed by ONI tests. Testing was conducted by ONI on Telkomnet between October 12, 2009, and September 4, 2010; First Media between April 1 and November 30, 2010; Biznet Networks between April 1 and April 25, 2010; and Indonet between April 1 and April 25, 2010.

In November 2010, ONI retrieved the database of blacklisted and whitelisted Web sites, publicly available on the Ministry of Communications and Information Technology's Trust Positive Web site (<http://trustpositif.depkominfo.go.id/files/downloads/>). Of the listed URLs, ONI tested a sample of high-impact local Web sites on two ISPs: IndosatM2 and XL Axiata. The goal of this second round of testing was to determine

whether content other than pornography was being filtered. High-impact local Web sites included sites that contained political or religious content, as well as social media sites (e.g., blogs and Facebook groups) and circumvention and anonymizer sites. Testing revealed that out of the URLs tested, IndosatM2 blocked a small number of blogs containing political criticism and commentary, religious conversion commentary, and religious criticism (e.g., <http://indonbodoh.blogspot.com>, <http://beritamuslim.wordpress.com>, and <http://komiknabimuhammad.blogspot.com>). It was found that XL Axiata was not blocking any of the tested URLs. While ONI testing determined that filtering was implemented by IndosatM2 and XL Axiata through HTTP proxy blocking, it was unable to ascertain whether the ISPs were using the Trust Positive filtering program.

Conclusion

Although the government of Indonesia holds a positive view about the Internet as a means for economic development, it has become increasingly concerned over the impact of access to information and has demonstrated an interest in increasing its control over offensive online content. The government regulates such content through legal and regulatory frameworks and through partnerships with ISPs and Internet cafés. During the “Peterporn” crisis in 2010, state officials expressed the need to protect the nation from offensive online content, and the government has since been developing and promoting mechanisms to ensure that Web content is adequately regulated. Although the government is tightening control over Web content, it is taking precautions to ensure that regulations abide by existing laws and that regulations are transparent. For example, databases of blacklisted Web sites are made available to the public. OpenNet Initiative testing found that ISP filtering heavily targets pornographic Web sites. However, filtering is unsystematic and inconsistent, as demonstrated by the differences in filtering among ISPs. It will be interesting to track how Internet filtering in Indonesia changes as the government develops more mechanisms to control Web content.

Notes

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