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# LOCAL CHAPTER LEGAL WRITINGS

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*LEGAL WRITINGS*  
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# **LEGAL REVIEW OF INTELLECTUAL PROPERTY PROTECTION IN THE DIGITAL REALM CALLED METAVERSE**

## **I. Introduction**

### **A. Background**

In this modern era, there are so many innovations that have become a big breakthroughs for human life. One of them is the development in the world of technology, namely the Metaverse. The Metaverse itself is a real reflection of technological developments that greatly affect human life. The Metaverse itself is a virtual space that is located on the part of the internet that resembles the world. Metaverse itself has the same characteristics as the real world but digital. Actually, the concept of the Metaverse had previously been raised by Neal Stephenson in 1992 through his science fiction novel, Snow Crash. The concept refers to a term that describes a three-dimensional world inhabited by avatars. Now, this concept has become more and more popular since Facebook changed the name of its parent company to Meta Platforms Inc., aka Meta. They even announced that they would spend USD 10 million or around One hundred forty billion Indonesian Rupiah to build Metaverse. Metaverse is said to be the new future of the internet which will change the way humans relate and interact. This concept will provide enormous opportunities, especially for things related to digital, design, and gaming. Now many of the world's technology giants are competing to develop the concept, including Facebook Meta.<sup>1</sup> Quoted from the website of one of the largest crypto exchanges called Binance, metaverse is a concept of an online, 3D, virtual space connecting users in all aspects of their lives. It would connect multiple platforms, similar to the internet containing different websites accessible through a single browser. In the Metaverse world, a person can do things as they can in the real world, such as meeting friends, relatives, and even parents simultaneously. The world of Metaverse also provides a place for buying and selling where a seller of digital goods such as digital art is met with people who are interested in buying their merchandise. Not only that, even in the Metaverse world, we can buy a piece of digital land assets that later we can build houses and other unique things on that land assets.

### **B. Issues**

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<sup>1</sup> <https://www.cnbcindonesia.com/tech/20211216163806-37-299867/mengenal-apa-itu-metaverse-dan-bagaimana-cara-kerjanya>

In this case, the legal issue that is very influential on the Metaverse is regarding ownership rights. We know that transactions in the Metaverse world use cryptocurrencies or non-fungible tokens (NFT). Therefore, in the absence of a definite rule or law governing cryptocurrency or NFT, it also has a direct impact on the legal status or legality of Metaverse in this world. Generally, transactions carried out in the Metaverse are buying and selling digital goods in the form of digital land, buildings, or accessories. This transaction is very unsafe in the eye of the law because, in every transaction involving money, it is necessary to have a protected interest to have a security of our money.

Furthermore, regarding the ownership rights of these goods, according to positive law today, they are only limited to intellectual property rights, namely license rights. Licensing rights themselves, in this case, also do not necessarily become legal validity for individuals who declare the existence of ownership. Therefore, in the absence of clear legal certainty, the Metaverse moves too quickly due to the dominating social conditions. This situation can allow many acts of violating the norms that exist in society. With the things that have been mentioned, we can examine the issue with copyright Law no. 28 of 2014 according to positive law in Indonesia.

## **II. ANALYSIS**

### **A. Metaverse**

Metaverse comes from the combination of two words, namely meta and universe, which refers to a virtual world created to make it easier for anyone to connect with other people around the world. In Metaverse, you can meet anyone you desire, work, play, and do the buying and selling activities in that world, just like in the real-life world. However, all these activities are carried out virtually. The concept is formed from various aspects of technology that are combined and connected into one. These include social media, virtual reality, augmented reality, online games, and cryptocurrencies. Although virtual, the experience to be gained is real-time and permanent as is done in the real world. Including daily activities, careers, and businesses that can generate money. Here are some things that can be done in the virtual metaverse world :<sup>2</sup>

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<sup>2</sup> <https://www.cermati.com/artikel/mengenal-metaverse-yang-kini-menjadi-tren>

- Horizon, create a virtual world just like in the real world, such as buying land to build parks, offices, museums, beaches, playgrounds, outer space or other places you want.
- Avatar, create a virtual representation of yourself. Either with a female or male gender complete with clothes or other forms, such as robots, characters and so on.
- Virtual activities, doing various activities or activities that are the same as in the real world. Such as shopping, exercising, watching movies and concerts, working, studying, and so on.
- Held a meeting together, meeting with other users virtually. Like work meetings, parties or just hanging out together.<sup>3</sup>

In terms of ownership in the metaverse world due to law no. 28 of 2014 on copyright, all ownership of digital goods is converted into copyright of a creation that is on electronics. In accordance with article 7 paragraph 2 which states that Electronic Copyright information as referred to in Article 6 letter b includes information about:

- a Work, which appears and is attached electronically in connection with the activity of Announcement of Works;
- creator's name, alias or pseudonym;
- Creator as Copyright Holder;
- terms and conditions of use of the Works;
- number; and
- information code.

With what is stated in the Copyright Law, it can be pointed out to be a bright spot in legal certainty for people who have included money or all forms of assets in the metaverse. However, apart from this, there are still many legal gaps that occur, especially in NFT which is closely related to the Metaverse

The regulation of NFT in Indonesia is categorized as an object regulated in the Civil Code. In Article 499 of the Civil Code, objects are goods, and every right that can be the object of property rights. NFT can be categorized as intangible digital goods. Digital goods which are intangible goods in the form of electronic information, as regulated by Government Regulation no. 80 of 2019 on Trading Through Electronic Systems. In addition, based on Article 25 of

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<sup>3</sup> Ibid.

Law Number 11 of 2008 on Electronic Information and Transactions, which regulates electronic information and/or electronic documents compiled into intellectual works, internet sites, and intellectual works contained in them are protected as intellectual property rights under the provisions of the legislation. NFT is a digital version of a certificate of ownership or authenticity that is securely recorded in a blockchain ledger. In Indonesia, there is no specific regulation that establishes and mentions NFT.

If the NFT is a crypto asset, then based on the provisions of Indonesian law, crypto as a means of investment is referred to as a crypto asset. Furthermore, based on the provisions of Article 1 number 7 of the Regulation of the Commodity Futures Trading Supervisory Agency (Perbappebti) Number 5 of 2019 concerning Technical Provisions for the Implementation of the Physical Market for Crypto Assets on the Futures Exchange, "Crypto assets are intangible commodities in the form of digital assets, using cryptography, peer to peer network, and distributed ledgers, to regulate the creation of new units, verify transactions, and secure transactions without interference from other parties." Crypto assets in Indonesia have actually been accommodated by several regulations, including the Regulation of the Minister of Trade of the Republic of Indonesia Number 99 of 2018 concerning General Policies for the Implementation of Crypto Asset Futures Trading (Crypto Assets).<sup>4</sup>

#### B. Potential Dispute Buying Virtual Land in the form of NFT in the Metaverse World

The variety of land buying and selling transactions in the metaverse cannot guarantee that the buying and selling process is safe or even detrimental to its users. As quoted in [www.lexology.com](http://www.lexology.com) through the article entitled "Real Property Dispute in a Virtual World" in 2006 long before the Metaverse became the current discussion, there was an interesting dispute regarding transactions through avatars in a Virtual World, the concept of transactions that occur is similar with Metaverse. Cyber service provider "Linden" terminated its user account, when it was discovered that it had found a way to acquire land in cyberspace at lower than market prices. Users create avatars to represent themselves and can interact with others in the virtual space which also allows users to transact for a fee, purchase virtual properties in the game. The user confirmed that Linden took over his property by canceling his transaction and freezing his account. The case which was originally filed in West Chester District Court later in 2007 has reached a settlement by restoring the User's account. This case is an interesting portrait of a practice that is almost similar to the Metaverse can also be disputed. Maybe at this time we still

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<sup>4</sup> <https://kliklegal.com/adakah-potensi-sengketa-perdagangan-lahan-virtual-berupa-nft-di-dunia-metaverse>

haven't encountered any disputes or transaction problems in Metaverse. However, it is possible that legal problems can occur to the detriment of several parties.

Legal issues can arise, as it is known that an important part of securing the Metaverse is setting up a robust system for Identity Verification. In a world where everyone is represented by an avatar, Identity fraud is likely possible. This issue allows scammers to make the other party hand over their cryptocurrency, such as Ether (ETH) but didn't receive anything back, or it could happen that the project owner fails to deliver the project roadmap that was promised up front in the virtual land transaction. Such things are certainly undesirable for metaverse users. It is a common concern that all forms of transactions, whether through the virtual world or the real world, must avoid potential disputes in the future. Especially if the transaction value is large, of course, there is also the potential for large amounts of losses as well. Of course, users must be careful and minimize potential disputes or avoid losses in carrying out transactions in Metaverse. Don't let the investment intention turn into a loss. Therefore, it is necessary to have the right considerations and strategies to carry out Metaverse Transactions.<sup>5</sup>

### **III. CONCLUSION**

At first, with the rapid development of technology, making a virtual world a trend that was in great demand by the public. The virtual world is called the metaverse. Metaverse itself is a part of the internet that reflects a real world. With this, there are many transaction activities carried out, so there is a need for legal certainty or security related to the guarantee of the transaction. Transactions in the metaverse itself of course use cryptocurrencies or Non-Fungible Tokens (NFT). The regulation of NFT itself in Indonesia is still not clearly accommodated by certain laws, then cryptocurrency itself is still not completely regulated by a regulation in Indonesian positive law. Regarding self-ownership with a large number of assets or money that has been included in a metaverse transaction, it is necessary to clarify rights that already have legal validity in Indonesia. In Law no. 28 of 2014 on Copyright states that there is a copyright in an electronic-based creation, but this does not become a legal rule that can accommodate all potential legal problems that arise as a result of activities in the metaverse.

Furthermore, regarding potential disputes in transactions, it is very possible and could be on a large scale, therefore if we look at a real experience in the "Linden" case then this should be prevented by metaverse developers by collaborating with policy makers in the world.

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<sup>5</sup> : Adakah Potensi Sengketa Perdagangan Lahan Virtual Berupa NFT di Dunia Metaverse? | KlikLegal

because there is no legal certainty to guarantee transaction security at all. So in my opinion, in terms of taking steps or engaging in activities in a Metaverse, we need to make decisions with the right considerations such as legal certainty and data security to conduct transactions in the Metaverse world.

#### **IV. BIBLIOGRAPHY**

Kitab Undang-Undang Hukum Perdata (Civil Code)

Undang-Undang No.28 Tahun 2014 tentang Hak Cipta

Peraturan Pemerintah No. 80 Tahun 2019 tentang Perdagangan Melalui Sistem Elektronik

Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik

Peraturan Badan Pengawas Perdagangan Berjangka Komoditi (Perbappebti) Nomor 5 Tahun 2019 tentang Ketentuan Teknis Penyelenggaraan Pasar Fisik Aset Kripto di Bursa Berjangka

Peraturan Menteri Perdagangan Republik Indonesia Nomor 99 Tahun 2018 Tentang Kebijakan Umum Penyelenggaraan Perdagangan Berjangka Aset Kripto

<https://www.cnbcindonesia.com/tech/20211216163806-37-299867/mengenal-apa-itu-metaverse-dan-bagaimana-cara-kerjanya>

<https://www.cermati.com/artikel/mengenal-metaverse-yang-kini-menjadi-tren>

<https://kliklegal.com/adakah-potensi-sengketa-perdagangan-lahan-virtual-berupa-nft-di-dunia-metaverse>



## **Reporting Sexual Violence Cases by Press: A Glance of The Journalistic Ethical Issues and The Victim Portrayals in Public Opinion**

**Feren Thalita<sup>1</sup>, Illona Novira Elthania<sup>2</sup>**

### **ABSTRACT**

Sexual violence cases are one of the most intriguing news that mostly catch the readers' attention. Here, the mass media ought to be deployed to help create a better understanding and awareness towards sexual violence. However, when around 60% of Indonesians are currently in need of the most educating information, they in fact are potential to become the victims of unreliable information spread by some of the irresponsible media, looking from the fact that many journalists and media companies still do violate Law Number 40 of 1999 [**“Press Law”**] and Indonesian Journalism Code of Ethics [**“Journalism Code of Ethics”**]. Hence, it is urgently necessary to discover how the journalists and media companies have violated these laws when reporting sexual violence news, as well as how they affect public opinion towards the victim. As a result, it is easier to determine which part of these laws can be indubitably optimized for the sake of the victim's protection. The statistics from 2015 & 2020 have shown there have been many non-compliances of the aspects from these laws. Perceiving from this circumstance, every party related, from journalists to the community itself, must put their best efforts in implementing the safe and ethical Indonesian press environment.

**Keywords:** ethics, journalists, optimization, sexual violence, violation.

### **INTRODUCTION**

Sexual violence is always one of the most fascinating news to be published in the mass media. After the “freedom of the press” was accorded in the 1998 Reformation Era, this type of news has become a promising commodity for Indonesian journalists, especially in the middle of the arduous conditions of media competition.

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*"If it bleeds, it leads"* is a maxim which describes that a news presented with full dramatization, sensation, and sadism can easily become headlines, which indeed attracts more readers. Moreover, in the era of globalization, the mass media is the most crucial and the most rapid news distributor that the public is able to easily access. The mass uses it as the main information source to understand today's phenomena. Hereby, no matter how the sexual violence news is pictured by the journalists, the public will definitely be convinced by how the news is conveyed.

Here, we frequently find Indonesian journalists publishing sexual violence news by including the identity of the victim. It can purely start from a photograph of the victim with a censored face, where the victim lives and what institution they belong to, to the identity of the family and relatives. The news is also often presented in sexist and gender-biased manner and language. According to Sasmito Madrim which is the Chairperson of the Indonesian Alliance of Independent Journalists [**"AJI"**], the dictions used in reporting sexual violence to the mass eliminate the elements of the crime committed by the perpetrator and furthermore perceive the victim as a sexual object. If we look further at the example: "5 Facts about 'NF' The Child Killer in Sawah Besar, 3 People Had Raped Her Until Pregnant" is clearly a lewd, blatant, and unethical title. The reporting style used is very vulgar that the position of the victim is all ignored and abandoned here. The victim had to suffer more as the mass finally knew what had happened to this teenager by how personal and open-ended the publication is.

It is discernible and undeniable that journalists are held accountable when it comes directing public opinion(s) on sexual violence news. More to that, they must be able to fulfill their obligations as journalists, code of ethics, to laws and regulations which are based on applicable social norms, since whatever is published will later have impacts on the public's perspective towards both perpetrators and victims of violence. Objectivity is a rule of thumb in reporting a sexual violence case, whereas it is not only biased towards one side only.

Unfortunately, in reality, loads of reports on sexual violence cases clearly contradict to Indonesian regulations and guidelines, namely Press Law and Journalism Code of Ethics. In fact, these publications have also thrived in violating human rights, which is guaranteed by Article 28G (1) of the 1945 Constitution of the Republic of Indonesia. Violation after violation, this type of publication is often overlooked and is considered normal for how widespread and rampant it is. What is worse, despite the fact that the administrative sanctions have been imposed on Press Law, a lot of journalists are still pretending to be unwary and

ignorant, as this kind of behavior is reflected in their reckless actions violating the existing press regulations. This issue becomes the square one for the analysis of the effectiveness and optimization of Press Law and Journalism Code of Ethics which are the main benchmark for Indonesian journalism ethics in reporting sexual violence news as well as the shield for the victims related.

Based on this unfortunate phenomenon, the writers are eager to conduct further legal research on the violations of the Press Law and Journalism Code of Ethics implementation in reporting sexual violence news and how they affect public opinion towards the victim. Moreover, it is also crucial to acknowledge how the Press Law and Journalism Code of Ethics can be fully optimized by every involving party for the publications of sexual violence news, as a form of victim protection. This article is aimed to make the readers aware and enlightened enough of how these minacious violations can affect the mass' perception and the victims' utmost mental and well-being security, as well as escalating every party's participation in optimizing the laws and regulations available for the best implementation of Indonesian press activities and victim support.

## **RESEARCH METHODS**

The legal approach method used in this research is normative juridical research. Normative juridical research is a research that uses secondary legal data. Based on the type of juridical approach, the approach that can be used is the approach to legislation (statute approach)<sup>3</sup> by conducting a study on Journalism Code of Ethics and Press Law. In accordance with secondary legal sources, the data collection method is carried out through library research and analyzing library materials as well as through an assessment of internet sources and scientific journals published online as a manual library.

Then, we also use empirical juridical law research, which is carried out by examining the actual situation that occurs in society, namely looking for facts related to the problems in the research. The topic of this empirical research method will examine the identification of law and its legal effectiveness. This paper is focused on public compliance with a legal norm with the aim of measuring the effectiveness or not of an applicable legal regulation. The data element in this empirical legal research is based on evidence obtained from observation or

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<sup>3</sup> Dyah Ochterina, *A'an Efendi*, *Penelitian Hukum (Legal Research)*, (Jakarta: Sinar Grafika, 2014), 120.

experience and analyzed both quantitatively and qualitatively by the Indonesian Women's National Commission.

## **1. The Violations of the Press Law and Journalism Code of Ethics Implementation in Reporting Sexual Violence News and How They Affect Public Opinion Towards the Victim**

In the globalization era, media has become an important part of people's lives, be it print, electronic or online media. Media is a forum or forum to present events in people's lives, both nationally and internationally. The Press Law prohibits all forms of barriers to the press or which can hinder the implementation of press independency are always informed and reminded and socialized regularly continuously, so that in practice media law seems to be running smoothly with no obstacles. One of the forms is that the Indonesian Press Council conducts socialization, education, training, workshops on journalistic practice and understanding of the press in a number of areas.<sup>4</sup>

By years the media shows the growth in numbers. The number of media in Indonesia is very large, reaching 47 thousand media, with the composition of 2,000 being print media, 674 radio, 523 television including local, and the rest is online media at the national and local level reached 43 thousand.<sup>5</sup> In 2022, the Indonesian Press Council noted that 124 new media companies have emerged. That is why the Journalism Code of Ethics for journalists is a very important part to maintain public trust so as to create good integrity for the individual as a journalist and mass media. Moreover, the Journalism Code of Ethics is very important to understand as a form of protection so as not to cause problems in the future. As it is stated in the introduction to the Journalism Code of Ethics:

*“To guarantee independence and fulfill the public's right to obtain true information, Indonesian journalists need a moral foundation and professional ethics as an operational guideline in maintaining public trust and integrity as well as professionalism.”<sup>6</sup>*

The preamble of the Journalism Code of Ethics explains that freedom of expression is a top priority for the press in Indonesia.

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<sup>4</sup> Bkti Nugroho and Samsuri, *Pers Berkualitas, Masyarakat Cerdas*, (Jakarta:, 2013), 75

<sup>5</sup> Nurhajati, *et al.*, *Pemahaman dan Pelanggaran Kode Etik Jurnalistik Pada Jurnalis Indonesia*, (Jakarta: , 2018), 3

<sup>6</sup> Pembuka dalam Kode Etik Jurnalis Wartawan Indonesia



*“Freedom of opinion, expression and press are human rights protected by Pancasila, the 1945 Constitution, and the United Nations Universal Declaration of Human Rights. Freedom of the press is a means for society to obtain information and communicate, in order to fulfill essential needs and improve the quality of human life. In realizing press freedom, Indonesian journalists are also aware of the interests of the nation, social responsibility, community diversity, and religious norms”.*

Based on these freedom values, journalists are also charged with the importance of professionalism and integrity for media workers. For this reason, it is necessary for media workers to understand the function of their rights and responsibilities.

The special nature of cyber media requires guidelines so that its management can be carried out professionally, fulfilling its functions, rights and obligations in accordance with Press Law concerning the Press and the Journalism Code of Ethics. However, there are still many journalists who violate this by presenting some news that is presented disproportionately and it is not in accordance with journalistic rules and violates the applicable rules of journalistic ethics, namely the Journalism Code of Ethics or in the context of cyber media.

Along with the media's development, the number of public complaints to the Indonesian Press Council also increases. In 2021, Indonesian Press Council received 620 complaints related to media reports.<sup>7</sup> Many of them show the media violated the Journalism Code of Ethics, ranging from unbalanced, inaccurate, protecting the identity of victims of immoral crimes, being unprofessional, extortion, bribery, plagiarism, and other forms of ethical violations.

In 2015, Indonesian Women's National Commission conducted research and collected data on violations of the code of ethics committed by nine media in Indonesia, namely: IndoPos, Jakarta Post, Jakarta Globe, Kompas, Koran Sindo, Pos Kota, Republika, Koran Tempo and Media Indonesia. Based on the analysis that has been carried out on 9 media, from July to December 2015, there are:

1. The most frequent reports of sexual violence discussing: rape (45%), sexual relations (34%), trafficking of women for sexual purposes (10%), and so on.<sup>8</sup>

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<sup>7</sup> Merdeka, Dewan Pers Catat Laporan Pengaduan Kasus Pemberitaan Meningkat, <https://www.merdeka.com/peristiwa/dewan-pers-catat-laporan-pengaduan-kasus-pemberitaan-meningkat.html>

<sup>8</sup> Komnas Perempuan, “Sejauhmana Media Telah Memiliki Perspektif Korban Kekerasan Seksual?”, Jakarta: Komnas Perempuan, 2015, 83, [https://komnasperempuan.go.id/uploadedFiles/webOld/file/pdf\\_file/2018/Analisa%20media/Analisa%20Media](https://komnasperempuan.go.id/uploadedFiles/webOld/file/pdf_file/2018/Analisa%20media/Analisa%20Media)

2. The media still have not mastered the rules of the Journalism Code of Ethics. The conclusion from the analysis of reporting for the fulfillment of the code of ethics from these 9 media, in general, the most frequent violations are: mixing facts and opinions (38%), revealing the identity of the victim (31%), containing obscene and sadistic information (21%), and using biased diction (29%). The following are some examples of violations done by the press media in Indonesia.

a. Mixing facts and opinions

IndoPos media still writes news stories that are not in accordance with the Journalism Code of Ethics, as facts and opinions from 43.24% of 37 news in 2015 are still blatantly blended. It is proven from one of the news headlines made before the facts of the perpetrator's facts were found. This has resulted in reports from the IndoPos media writing news that can mix facts and opinions and use biased sources. The title is "Police Investigate TC 'Customer' Guest Book" (15/04/2015). Therefore, it can be identified that the IndoPos journalist wrote the identity of the victim, namely TC which is the name of the woman victim (not initials) but does not match the facts.

b. Revealing the identity of the victim

One of the media that violates the Journalism Code of Ethics by revealing the victim's identity is Pos Kota. Of the 101 reports of sexual violence, Pos Kota still writes several stories that are not in accordance with the Journalism Code of Ethics, namely: revealing the identity of the victim (28%). Pos Kota wrote a news report with the title "Victim of Obscene Urged to Expel LP Fee" (Pos Kota, 03/07/2015), in which it contained the name of the school, class, address and initials of the victim's parents. On top of that, Pos Kota also gave a title to the news "The Abuses of Dozens of Principal Students Arrested" (Pos Kota, 23/08/2015) and again mentioned the location of the school and the initials of each victim.

Repeated reporting, by gradually revealing the identity of the victim, may eventually make the public know who the victim and the victim's family are. Until now, the right to protect victims in cases of sexual violence is still not guaranteed by law in Indonesia. The public's view of sexual violence cases is still not in favor of the victim so that victims and their families are very vulnerable to being stigmatized.

Protecting the identity of the victim is a code of ethics that ideally must be fulfilled by every media, be it print or digital (online). However, the identity of the victim is still considered to be just a name, using initials or aliases is sufficient. In fact, identity is not merely the name of the person, rather is any information that allows readers to acknowledge who is actually the victim.

c. Contains obscene and sadistic information

From January to June 2015, Koran Sindo had 26 reports of sexual violence. Koran Sindo still writes several news stories that are not in accordance with the journalistic code of ethics, namely 10 stories containing obscene and sadistic information (38.46%). One example is the sentence contained in the Koran Sindo report, “Sex workers are sexy artists who are also hot models” (10/5/2015).

The sentence also describes how the sex worker artist is a “hot model” in colloquial language in a society that sees a woman in revealing clothes showing off her attractive body parts for commercial purposes. The sentence evokes a strong impression of the representation of women's sexuality as an object of the public eye. Titles that describe obscene information with words that aim to make the news "eye-catching" and can actually use other words in the news.

d. Using biased diction

From January to June 2015, there were 154 news collected by the Indonesian Women’s National Commission stating that there were 26 reports about the sexual violence of Koran Sindo. Of the 26 reports of sexual violence, there are 10 news stories that use biased diction (38.46%). One example of biased diction is in the news “Since I Know the Perpetrator, The Victim's Household Cracks” (Koran Sindo, 08/08/2015), the biased diction is “widow with two”.

Not only that, with the latest data in 2020, there are 31 provinces that have 59 media companies.<sup>9</sup> The results obtained showed that as many as 638 news articles containing information about “Victims of Immoral Violations”, (in the form of rape, obscenity, attempted rape, and so on, 59 of the news articles violated the provisions of Article 5 of the Journalistic Code of Ethics.

By this data, the media has responsibilities to convey information and knowledge, which is not limited to how much news is released or how much clickbait it is given.

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<sup>9</sup> Eka Megawati and Husen Mony, “*Etika Penulisan Berita Korban Kejahatan Susila dan Anak Pelaku Kejahatan di Media Online*”, Volume 7 No. 2, December 2020, p. 160.



Capitalism in the media has shaped the face and principles of the media which should be a source of accurate information, not a source of confusing information, or even pitting them against each other.

If we view the content analysis, the media still leads their readers to create stereotypes and judge victims. In addition, the media is too quick to draw conclusions by using sentences that attract the attention of the readers. In the news presented, some reveal the identity of the victim and others lead the opinion of readers to stigmatize the victim as the trigger for the violence to occur, plus there are quotes from sources who are biased in expressing opinions so that the judgment of victims is stronger.

The data will be correlated with articles from the Journalism Code of Ethics violated. For the case offense or complaint related to news presenting “harassment and exploitation of women”, it is also associated with several articles contained in the Journalism Code of Ethics as an Indonesian Press Council Regulation. Below are some Journalism Code of Ethics’ articles that can be directly related as an offense for reporting reports that lead to and commit sexual harassment and exploitation, such as<sup>10</sup>:

- A. Article 2, with the article title "Indonesian journalists take professional methods in carrying out journalistic duties. In this article, there are 2 points (e and f) which journalists and the press is not allowed to: (e) Retrieval and loading engineering or broadcast pictures, photos, sounds are accompanied by a description of the source and displayed in a balanced manner; (f) Respecting the traumatic experience of the informant in presenting images, photos, sounds;
- B. Article 4, with the article title “Indonesian journalists do not make false, slanderous, sadistic and obscene". All points in article 2 make rules so as not to carry out “harassment and sexual exploitation”, especially in points d and e. It mentioned in point d) Obscene means a description of behavior erotically with photos, images, sounds, graphics or writings solely to arouse lust lust. And, e) In broadcasting images and sound from the archives, journalists include the time of capture picture and sound.
- C. Article 5, with the article title “Indonesian journalists do not mention and broadcast the identity of the victim of immoral crimes and do not mention the identity of the child who is the perpetrator of the crime”. With the following points: a). Identity is all data and information concerning a person that facilitates someone else to track; b). Child is a

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<sup>10</sup> Peraturan Dewan Pers Nomor: 6/Peraturan DP/V/2008 tentang Pengesahan Keputusan Dewan Pers Nomor 03/SK-DP/III/2006 tentang Kode Etik Jurnalistik Sebagai Peraturan Dewan Pers.



person who is less than 16 years old and unmarried. Thus, the identity of women as victims cannot be informed, including the identity of girls under 16 years old.

- D. Article 8, with the article title “Indonesian journalists do not write or broadcast news based on prejudice or discrimination against a person on the basis of differences in ethnicity, race, color, religion, gender, and language and does not demean the weak, poor, sick, mentally disabled or physically disabled.” There are 2 points in this article: a). Prejudice is an unfavorable assumption about something before knowing clearly b). Discrimination is different treatment. Therefore, reporting with prejudice and discrimination against women is strictly prohibited.

There are few factors that influence the ineffectiveness of the implementation of Journalism Code of Ethics and Press Law. *First*, the minimum salary of journalists. According to data compiled by the AJI Jakarta, there are 93,8% employment complaints against Indonesian media companies received by the AJI Jakarta Employments Complaints Command and related Indonesian Press Legal Aid based on wages below the Provincial Minimum Wage from January to February 2021.<sup>11</sup> Without a guarantee of getting what they deserve, it triggers journalists to be vulnerable to the Journalism Code of Ethics which erodes their independence in making quality journalistic products. As a result, the public will receive news information that is biased and unbalanced.

*Second*, the compliance with the Competency Standards of Journalists (SKW) conducted through the Journalist Competency Test [“UKW”] which is also an important factor in bringing journalists who apply the code of ethics well in every news they produce. Based on Article 7 Paragraph 2 of the Press Law, journalists are required to comply with the Journalism Code of Ethics. In fact, the journalists that have received competency certification are often still violate the Journalism Code of Ethics by victimizing sexual violence’s victims through their writings. Now, imagine how many journalists without competency would have, intentionally or unintentionally, violated the related laws and regulations.

In 2021, it was recorded by the Indonesian Press Council, from a number of 10 national online media, that as many as 47 journalists have violated Article 5 of the Journalism Code of Ethics. Of the 47 journalists, 43 journalists (91.49%) do not yet have a competency certificate from the Indonesian Press Council, and only 4 journalists (8.51%) have a

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<sup>11</sup> Romeltea, “Berapa Gaji Wartawan?” <https://romeltea.com/gaji-wartawan/#:~:text=UMP%20DKI%20Jakarta%20pada%202021,Jakarta%20sebesar%20Rp%208.366.220>, (Accessed June 10 2022)



competency certificate from the Indonesian Press Council.<sup>12</sup> From the objective data, the Competency Standards for Journalists are also the basic competencies that journalists need to possess with regard to their integrity in presenting and writing news stories. Thus, the implementation of Press Law can be effective and journalists can understand and obey the Journalism Code of Ethics in Indonesia.

*Third*, the lack of verified media companies. Based on Article 15 Paragraph 2 Letter G, the Indonesian Press Council has the authority to list media companies. The press council noted that in 2021 online media companies in Indonesia were estimated to have reached 47,000 media. However, the verified new media companies are a total of 374 which is not even half of the emerging media.<sup>13</sup> This causes a violation of the Journalism Code of Ethics which has implications for the ineffectiveness of implementing the law in Press Law. Therefore, it is important to verify the media in order to prevent misuse of the media by irresponsible parties.

## **2. The Optimization of Press Law and Journalism Code of Ethics for The Publication of Sexual Violence News as a Form of Victim Protection**

Looking back to what has been explicated previously, it is clear that deviations in the reports of sexual violence cases by Indonesian mass media are still common during this era. By acknowledging how the mass media have not been able to monitor the entirety of the sexual violence reports properly, we must apprehend that the Press Law and the Journalism Code of Ethics are the main solid bases that should be optimized by every party involved. The implementation of the applicable regulations regarding sexual violence case reports carried out by the media needs to be strictly performed. This has to be undertaken in favor of the protection and the right fulfillments of sexual violence victims, after the fact that they had faced such deprivation of liberty and a series of bitter experiences. Not to mention that this endeavor is also vital for the occurrence of the sexual crime preventions and the control of the public's view towards the victims.

Starting off from the journalists, the press companies, the Indonesian Press Council, to the Indonesian community, these elements altogether must synergistically carry out their

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<sup>12</sup> Husen Mony and Eka Megawati, *Korban Kejahatan Susila dan Anak Dalam Teks Media, Studi Pelanggaran Pasal 5 Kode Etik Jurnalistik Dalam Berita Media Online dan Lokal*, Yogyakarta: Deepublish, 107

<sup>13</sup> Dewan Pers, “Dewan Pers Verifikasi 370 Perusahaan Media Selama 2021” <https://news.detik.com/berita/d-5925068/dewan-pers-verifikasi-370-perusahaan-media-selama-2021> (Accessed May 19 2022)

respective roles in creating a safe space and condoning justice to the greatest extent for the sexual violence victims, as well as maintaining a good environment for the Indonesian community to build their structured perspectives towards sexual violence alone.

#### 1. The Actions That Should be Conducted by the Journalists

Indonesian Journalists are the main subjects who are supposed to be willing and capable enough to utilize the Press Law and the Journalism Code of Ethics. These two regulations are their principal guidelines when creating news about sexual violence cases. The compliance of both regulations is certainly the very initial step in producing news with quality, as it can bring the victims to the path of justice and awareness. Compliance with these two regulations is the first step in producing moral and quality news in order to help leading the victims to the path of justice and also to promote wakefulness towards sexual violence alone.

*“The Indonesian journalist is independent and produces news stories that are accurate, balanced and without malice.”*

*“The Indonesian journalist always verifies information, conducts balanced reporting, does not mix facts with biased opinion, and upholds the presumption of innocence principle.”*

Article 1 *jo.* Article 3 Press Law are very clear on emphasizing how Indonesian journalists must be able to produce sexual violence news, that are precisely accurate and balanced. Albeit the data and the facts presented by Indonesian Women’s National Commission says otherwise,<sup>14</sup> journalist, according to these specified articles, are still not allowed to combine the facts and opinions that leans to the judgmental perspectives, especially towards the victims of sexual violence. In line with these two articles, Article 8 of the Journalism Code of Ethics also stipulates that:

*“The Indonesian journalist does 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 handicapped.”*

Here, the objectivity of journalists is highly expected in the way they convey sexual violence news, as habits, prejudice, and discrimination against victims based on gender are elements that must be eradicated. The usual tendency to include

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<sup>14</sup> Supra, 5

opinions that depict victims, especially women and minors, as sexual objects (who are worthy to be blamed in these cases) must be annihilated immediately, owing to the fact that women and minors are equal human beings whose rights and obligations must be respected at all costs. On top of that, what needs to be truly comprehended is: nobody is “intentionally” asking to be sexually harassed and deprived of their own freedom.

“The Indonesian journalist adheres to professional methods in executing a journalistic assignment.” is a regulation stated in Article 2 of the Journalism Code of Ethics. Through this article, journalists are solidly reminded to never manipulate the taking and the mounting of, or the broadcasting of pictures, photos, and sounds; and to always present the cases in the most balanced way. This is also related to how journalists can respect the victims of sexual violence by not using any kind of medium that will potentially re-trigger the past traumatic experiences.<sup>15</sup> At the end of the day, this article serves as a reminder for journalists to use every tool available to convey sexual violence news in the most order professional and ethical manner, and not only for the pursuance of attracting public attention.

Furthermore, still connected with how journalists picture the sexual violence cases to the public, Article 4 of the Journalism Code of Ethics stipulates that “The Indonesian journalist refrains from producing false, slanderous, sadistic and obscene news stories”. “Sadistic” and “obscene” are the two elements we often encounter in the headlines and the contents of sexual violence news, whereas it is wrapped in such a way as to steal the public’s attention and become a hot-button issue.<sup>16</sup> If these two elements continue to be utilized only for the “clicks” and “views”, the Indonesian community will unconsciously “adapt” to this kind of reporting style. Even the misogynistic perception which sees women and minors as sexual objects will be difficult to expunge. What is worse, as stated in the Exclamation of Indonesian Press Council No: 189/S-DP/VII/2013 concerning the Coverage of the Immoral (Sexual) Crime Case [**“Exclamation of Indonesian Press Council”**], the vulgar depiction of sexual violence cases definitely has a potential to cause the presence of “copy cats”, namely people who are inspired to commit sexual crimes from a pre-existing

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<sup>15</sup> Dewan Pers, *Buku Saku Wartawan*, Jakarta: Dewan Pers, 2017, 37

<sup>16</sup> Supra, 5

example.<sup>17</sup> The path taken must be immediately changed as the journalists will always play a critical role in raising the needed awareness, plus counteracting myths and outdated manners towards the victims.<sup>18</sup> Considering the negative effects that appeared as a result of this nonchalant action, journalists should be awakened that they must remain obedient to Article 4 Journalism Code of Ethics and stop exploiting sexual violence cases to reduce the further impacts.

Moreover, exposing sexual violence victims' identities is strictly prohibited on Article 5 Journalism Code of Ethics, as it is mentioned that:

*"The Indonesian journalist does not disclose and broadcast the identity of victims of a sexually-exploitative crime and refrains from identifying a minor who committed a criminal act".*

The existence of this article requires journalists to respect the right to privacy and the traumatic experiences of sexual violence victims by not publishing personal matters associated with them. It should also be recalled that in the Exclamation of Indonesian Press Council, journalists in practice are reminded not to use the victim's initials. Instead, journalists can refer to the person with phrases such as "a woman", "a minor", or "a victim" in describing the related case. In fact, if we take a look at the example from Canada, the authors of "Use The Right Words, 215 a Canadian Guide for Journalists on Reporting Sexual Violence" reveal that it is strongly advised to politely ask the related person on which word they prefer to be referred with: "a victim", "a survivor", "a complainant", or even "a person who has been subjected to sexual assault".<sup>19</sup> Besides, the action of publishing portraits of the victims and their families, including their pictures of where they live or work even when blurred or disguised, still has a high potential to reveal the true identities of the victims, especially in this digital era where access is very easy to obtain.<sup>20</sup> Hence, as a form of implementing the journalist's prudent and careful attitude, the publication of such information must be avoided in order to protect sexual violence victims from even greater consequences.

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<sup>17</sup> Seruan Dewan Pers No: 198/S-DP/VII/2013 tentang Pemberitaan Kasus Kejahatan Susila

<sup>18</sup> Global Protection Cluster, "Media Guidelines for Reporting on Gender-Based Violence in Humanitarian Contexts", accessed on 17 May 2022, <https://www.refworld.org/pdfid/5c3701d27.pdf>

<sup>19</sup> Elford et al., "Use the Right Words: Media Reporting on Sexual Violence in Canada", Toronto: Femifesto, 2017. <http://femifesto.ca/wp-content/uploads/2016/06/UseTheRightWords-Single-May16.pdf>

<sup>20</sup> Seruan Dewan Pers No: 198/S-DP/VII/2013 tentang Pemberitaan Kasus Kejahatan Susila

Finally, Article 10 of the Journalism Code of Ethics explains that "*The Indonesian journalist immediately retracts, rectifies, and corrects errors and inaccuracies in a news story accompanied with an apology to readers, listeners or viewers*". If a substantial error or a delivery of inaccurate information is found, the Journalism Code of Ethics provides an opportunity for journalists to show their good faith in correcting the news errors by using the methods rendered in this specific article. More to that, if there is a complaint offense made by a person that claims to have their name defamed due the published sexual violence news, journalists must certainly cooperate in adhering the existing mediation processes and behave accordingly.<sup>21</sup>

In addition to the Press Law and the Journalism Code of Ethics, the actions of journalists should also cohere with the Ethical Principles for Reporting on Gender-Based Violence as a part of the Ethical Guidelines for Journalists, which is compiled in UNFPA's Journalist Handbook on Reporting Gender-based Violence in the Syria Crisis. The five principles alone consist of: accuracy, fairness, impartiality, duty to inform, and respecting privacy and its values indubitably in line with the Press Law and the Journalism Code, whereas:<sup>22</sup>

1. Accuracy

Journalists must get every information regarding gender-based violence factually right and publish it with euphemistic manner or language. To be particular, journalists will have to understand legal processes involved when reporting the sexual violence case.

2. Fairness

When gathering information, journalists must treat everyone involved in the case fairly and give the victims extra duty of care to protect vulnerable sources. The persons being interviewed should also be made aware beforehand of the full consequences of appearing in the media.

3. Impartiality

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<sup>21</sup> Charisma Asri Fitrananda, "Representasi Gender dalam Berita Kriminal di Tribun.com", *Artcomm*, Vol. 01, No. 02, 2018, 54

<sup>22</sup> UNFPA, Regional Syria Response Hub, *Reporting on Gender-based Violence in the Syria Crisis – A Journalist's Handbook*, Amman: UNFPA Regional Syria Response Hub, 2015, 12

Journalists must not judge or discriminate as they can result to the interpretation that leans to blaming the gender-based violence survivors.

4. Duty to inform

Journalists must be able to differentiate what is ‘in the public interest’ and what is ‘of interest to the public’. Therefore, no unrelated information has to be exposed later on.

5. Respecting privacy

Journalists must not only respect the privacy of the gender-based violence victims and their families, but also the effects of jigsaw identification<sup>23</sup> from the reports.

2. The Actions That Should be Conducted by the Media Companies

According to Article 1 (2) Press Law, a media company is defined as “an Indonesian legal entity that operates press undertakings, which cover the print media, electronic media, news agencies, and other media corporations with specialization in managing, disseminating and distributing information”. As a party that ensconces journalists in carrying out journalistic activities, media companies are also responsible for the news on sexual violence cases that have been published and/or will be published in Indonesia. Accordingly, all executions carried out by media companies must indeed be in compliance with the applicable laws and regulations.

As stated in Article 5 (1) Press Law, every media company must to pay their best attention to the applicable norms, morality, and ethics in Indonesia when publishing sexual violence cases. Media companies are also obliged to make sure that their journalists apply the “presumption of innocence” principle while trying to illustrate the irony of the sexual violence cases, therefore nobody will be socially shamed and harmed before the final decisions are made by the court or the authorized party. What is more, in Article 5 (2) Press Law, every media company is required to honor the right of reply, as anyone is entitled to make responses and denials towards the contents made by media companies which harm his, her, or even their good name. Pursuant to Article 18 (2) Press Law, if any media company violates these articles (and Article 13), it shall be liable to a maximum fine of Rp500.000.000,-.

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<sup>23</sup> A method for identifying a piece of information from two or more different (often unrelated) sources where the information’s release was not intentional.



Furthermore, Article 10 Press Law determines that "A Press Corporation should always step up the welfare of its journalists and other press workers by offering shares in the ownership of the venture and/or net profit sharing and other forms of incentives." The number shown by AJI Jakarta regarding press employment matters<sup>24</sup> finally denotes that press companies do have the obligation to take a firm stance, which is to give their best effort in paying attention to the welfare and fulfilling the rights of journalists they are working with. According to the data from the Alliance of Independent Journalists AJI Jakarta, the Calculation of Decent Living Needs per month in the Regulation of the Minister of Manpower Number 18 of 2020 in 2021 falls at Rp. 8,366,220.<sup>25</sup> With such compliance done for the journalists, media companies can reduce the risk of the production of sexual violence news that is still against the pro-victim protection as well as the Press Law and the Journalism Code of Ethics, which is caused by the pursuit of high news targets and sufficient bonuses from media companies to support their daily lives.

AJI also presses the media companies to increase their credibility. Media companies are sternly requested to avoid treating the reports on sexual violence cases and the victims as "commodities", which are unfortunately executed with the practice of "clickbait" for the purpose of maximized business profit oftentimes. With such high standards applied, journalists will have to accordingly follow the vision, mission, and culture imposed by media companies in professionally reporting sexual violence cases, to say nothing of putting aside unethical commercialization.

At last, to empower journalists internally, media companies are also heavily advised to constantly provide journalistic trainings, especially regarding the ethics of reporting on sexual violence cases and its impacts. Media companies with the help of competent editors also need to do "screenings" on sexual violence news before it is actually published to the mass media and processed by the Indonesian community.

### 3. The Actions That Should be Conducted by the Indonesian Press Council

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<sup>24</sup> Supra, 8

<sup>25</sup> Kompas.com, "AJI Jakarta Telah Tetapkan Upah Layak Jurnalis 2021 di DKI Rp 9,36 Juta", <https://nasional.kompas.com/read/2021/03/26/19264041/aji-jakarta-tetapkan-upah-layak-jurnalis-2021-di-dki-rp-836-juta?page=all#:~:text=JAKARTA%2C%20KOMPAS.com%20%2D%20Aliansi,pada%20Februari%20hingga%20Maret%202021>, (Accessed May 13 2022)



The Indonesian Press Council, according to Article 1 of the Press Council Regulation Number: 01/Peraturan-DP/IX/2016 concerning the Statute of the Press Council, is defined as "an independent institution established to protect press freedom and improve the quality of press life based on Press Law". As a legalized institution that develops the life of the press in Indonesia, there are important efforts to be implemented by the Indonesian Press Council in improving the quality of the Indonesian press, especially in vocalizing the issue of sexual violence.

In Article 15 (2) (d) Press Law, the Indonesian Press Council has the function to "*give considerations and to help settle public complaints over press publication-related cases*". Seeing this very alarming situation which has been discussed before,<sup>26</sup> the Indonesian Press Council is expected to be able to further improve its active performance in receiving and processing public complaints related to sexual violence news that still deviate from existing norms. Consequently, more parties will be more awakened to the effects of "bad publications" on sexual violence cases, especially for the well-being of the sexual violence victims. Article 15 (2) (f) Press Law also regulates the Press Council to "help press organizations in formulating regulations in the field of the press and to improve the quality of the journalistic profession". The Indonesian Press Council can optimize the supervisory actions towards the Indonesian reports on sexual violence cases by providing the best facilities possible for all Indonesian press organizations to collectively share inputs and aspirations regarding regulations in the press sector. Hopefully, the future structured regulations born from this sort of hard work can result in the emersion of a more ethical publication culture and the minimization of negative impacts.

Additionally, the quality of Indonesian journalists also needs to be improved by the Indonesian Press Council. In June 2020, the Indonesian Press Council held the UKW for 16,224 journalists, consisting of 9,017 young journalists, 3,658 middle journalists, and 3,549 main journalists.<sup>27</sup> At the same time, the Indonesian Press Council has also verified 1,379 Indonesian media according to the existing classifications.<sup>28</sup> These are a great step on improving the quality of Indonesian journalists and press companies. However, the numbers must be significantly

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<sup>26</sup> Supra, 5

<sup>27</sup> Dewan Pers, "Etika Menjaga dan Melindungi Kemerdekaan Pers", Jakarta: Dewan Pers, 2020, 12

<sup>28</sup> *Idem*, 8

improved, as it is clear that the majority of Indonesian journalists and media companies are not qualified enough, as they still do not own the competency certificate and media verification certificate needed.<sup>29</sup> This is very unfortunate, especially for the journalists as the main executors, since a proficiency certification is an objective indicator which shows whether a journalist has fulfilled three of the basic journalism competencies: knowledge, skill and expertise, also the relevant work manners for the implementation of the journalistic duties alone.<sup>30</sup> Thus, the Indonesian Press Council shall continue to improve and achieve its annual targets of carrying out UKW and media verification. This effort will sanguinely result in the enhancement of each Indonesian journalist and media company's credibility in presenting all types of news, including sexual violence news.

To add, it is also essential for the Indonesian Press Council to expand and increase the scope and participation of journalists in actively joining the journalistic trainings related to the ethics on reporting sexual violence cases, which is held or delivered by the Indonesian Press Council alone. This indeed can be performed by frequently collaborating with various agencies that are genuinely advocating the protection of sexual violence victims, such as the Ministry of Women Empowerment and Child Protection and the Indonesian Women's National Commission.

#### 4. The Actions That Should be Conducted by the Indonesian Community

The Indonesian community, which has practically been affected by such a vulgar way of reporting sexual violence cases, still has the opportunity to fight back and be the agent of change in this matter. In fact, the power of the Indonesian community in contributing to healthy press activities is also guaranteed by law, namely Article 17 Press Law.

*“(1) The public may hold activities to facilitate the exercise of the freedom of the press and guarantee the right to obtain required information.*

*(2) The activities as meant in clause (1) can be in the forms of:*

*a. monitoring and writing analyses on legal violations, ethics and on technical errors of the presentation of new reports committed by the press;*

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<sup>29</sup> Supra, 9

<sup>30</sup> Pengertian dalam Peraturan Dewan Pers No: 01/Peraturan-DP/X/2018 tentang Standar Kompetensi Wartawan



*b. conveying suggestions and recommendations to the Press Council with a view to maintaining and improving the quality of the national press.”*

In accordance with paragraph 2 (a), the role of the Indonesian community in protecting sexual violence victims is crucial and influential. The Indonesian community is directed to be more active in terms of monitoring and reporting errors, irregularities, and unethicalness in the publication of sexual violence news. Although the process is never instant, this continuous work unquestionably needs to be obtained. Therefore, the kinds of destructive actions mentioned before are not constantly normalized and eventually can be gradually prevented. Indonesians who find various inappropriate and unethical publications from various mass media can make a report to the Indonesian Press Council. For those who are still confused, the complaint procedures can be accessed through the Indonesian Press Council’s official website of the Indonesian Press Council.<sup>31</sup> Likewise, in accordance with paragraph 2 (b), Indonesians are also allowed to provide proposals and suggestions *vis-à-vis* the appropriate approach in reporting on sexual violence news, similar to what we are currently proposing.

Finally, as the community with moral and ethics, the public should not be hungry for news with provocative titles, languages, and discussions. In this era, Indonesian people are the daily mass media audience. Therefore, they must learn to be wiser in sorting every news based on facts and quality. Better yet, the Indonesian community also ought to be aware of various news that is not empathetic and immoral but rather looking for mere sensations.

## **CONCLUSION**

The Press Law and Journalism Code of Ethics have been established as the moral and ethical bases for Indonesian journalists to publish sexual violence news. Unfortunately, these days, journalists are often found revealing too many personal details and aiming the news only as overnight sensations. The Indonesian Women’s National Commission noted that there were 9 media companies that violated the Journalism Code of Ethics, with the result of: mixing facts and opinions (38%), revealing the identity of the victim (31%), containing

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<sup>31</sup> Dewan Pers, “Prosedur Pengaduan ke Dewan Pers”, <https://dewanpers.or.id/datapengaduan/prosedur#:~:text=Pengadu%20wajib%20mencantumkan%20identitas%20diri,%40%20dewanpers.or.id>, (Accessed on May 13 2022)



obscene and sadistic information (21%), and the use of biased diction (29%). Until 2020, as many as 31 provinces in Indonesia have 59 media companies with a total publication of 638 articles that violated the provisions of the Journalism Code of Ethics in Article 5. The factors leading to these non-compliances of the Journalism Code of Ethics and Press Law consist of: lack of journalists' salaries, the non-ownership of journalism competency certification, as well as the lack of officially verified and responsible media companies.

Seeing the negative consequences caused by the aforementioned actions in reporting sexual violence cases, each party involved must be more aware of the importance of optimizing the Press Law and the Journalism Code of Ethics. As Journalists, they are obliged to fully act in accordance with these laws and regulations. Furthermore, Indonesian media companies are required to pay their best attention to the applicable norms, morality, and ethics in Indonesia when publishing sexual violence case (Article 5 (1) Press Law), improve the welfare of their journalists (Article 10 Press Law), additionally develop the companies' and the journalists' capabilities through internal journalistic trainings and news "screenings". The Indonesian Press Council is also strongly advised to help resolve public complaints regarding sexual violence news (Article 1 (2) of the Press Law), increase the targets by frequently conducting UKW and media verification, as well as expand journalists' participation in journalistic trainings. Last but not least, the active efforts and awareness of the Indonesian community towards this issue will be guaranteed and appreciated by Article 17 of the Press Law.



## REFERENCES

### Books

Dyah Ochtorina, *A'an Efendi, Penelitian Hukum (Legal Research)*, Jakarta: Sinar Grafika, 2014.

Husen Mony and Eka Megawati, *Korban Kejahatan Susila dan Anak Dalam Teks Media, Studi Pelanggaran Pasal 5 Kode Etik Jurnalistik Dalam Berita Media Online dan Lokal*, Yogyakarta: Deepublish, 2021.

UNFPA, Regional Syria Response Hub, *Reporting on Gender-based Violence in the Syria Crisis – A Journalist's Handbook*, Amman: UNFPA Regional Syria Response Hub, 2015.

### Other Documents

#### Journal

Charisma Asri Fitrananda, "Representasi Gender dalam Berita Kriminal di Tribun.com", *Artcomm*, Vol. 01, No. 02, 2018.

#### Internet

Beritajatim.com, "AJI Minta Media Menjadi Ruang Aman Bagi Penyintas Kekerasan Seksual",

<https://beritajatim.com/peristiwa/aji-minta-media-menjadi-ruang-aman-bagi-penyintas-kekerasan-seksual/>, (Accessed on May 13 2022)

Dewan Pers, "Etika Menjaga dan Melindungi Kemerdekaan Pers", Jakarta: Dewan Pers, 2020, 12

Dewan Pers, "Prosedur Pengaduan ke Dewan Pers", <https://dewanpers.or.id/datapengaduan/prosedur#:~:text=Pengadu%20wajib%20mencantumkan%20identitas%20diri,%40%20dewanpers.or.id>, (Accessed on May 13 2022)

Dewan Pers, "Verifikasi Perusahaan Media Penting", <https://dewanpers.or.id/berita/detail/1098/Verifikasi-Perusahaan-Media-Penting> (Accessed on May 19 2022)

Eka Megawati and Husen Mony, "Etika Penulisan Berita Korban Kejahatan Susila dan Anak Pelaku Kejahatan di Media Online", Volume 7 No. 2, 2020,



- <https://journal.lspr.edu/index.php/communicare/article/view/191/72>, (Accessed on May 10 2022)
- Elford *et al.*, “Use the Right Words: Media Reporting on Sexual Violence in Canada”, Toronto: Femifesto, 2017, <http://femifesto.ca/wp-content/uploads/2016/06/UseTheRightWords-Single-May16.pdf>, (Accessed on May 10 2022)
- Global Protection Cluster, “Media Guidelines for Reporting on Gender-Based Violence in Humanitarian Contexts”, <https://www.refworld.org/pdfid/5c3701d27.pdf>, (Accessed on May 17 2022)
- Komnas Perempuan, “Sejauhmana Media Telah Memiliki Perspektif Korban Kekerasan Seksual?”, Jakarta: Komnas Perempuan, 2015, 83, [https://komnasperempuan.go.id/uploadedFiles/webOld/file/pdf\\_file/2018/Analisa%20media/Analisa%20Media%202015-Sejauhmana%20Media%20Telah%20Memiliki%20Perspektif%20Korban%20Kekerasan%20Seksual.pdf](https://komnasperempuan.go.id/uploadedFiles/webOld/file/pdf_file/2018/Analisa%20media/Analisa%20Media%202015-Sejauhmana%20Media%20Telah%20Memiliki%20Perspektif%20Korban%20Kekerasan%20Seksual.pdf) (Accessed on 10 May 2022)
- Kompas.com, “AJI Jakarta Telah Tetapkan Upah Layak Jurnalis 2021 di DKI Rp 9,36 Juta”, <https://nasional.kompas.com/read/2021/03/26/19264041/aji-jakarta-tetapkan-upah-layak-jurnalis-2021-di-dki-rp-836-juta?page=all#:~:text=JAKARTA%2C%20KOMPAS.com%20%2D%20Aliansi,pada%20Februari%20hingga%20Maret%202021>, (Accessed on May 13 2022)
- LBH Pers, “Siaran Pers Antisipasi THR Mangkrak, AJI Jakarta dan LBH Pers Buka Kembali Posko Pengaduan”, <https://lbhpers.org/siaran-pers-antisipasi-thr-mangkrak-aji-jakarta-dan-lbh-pers-buka-kembali-posko-pengaduan/>, (Accessed on May 18 2022)
- Nurhajati, et al., Pemahaman dan Pelanggaran Kode Etik Jurnalistik Pada Jurnalis Indonesia, Jakarta: , 2018, [https://dewanpers.or.id/assets/documents/laporan/Laporan\\_Hasil\\_Riset\\_Penelitian\\_K\\_EJ\\_Dewan\\_Pers\\_15\\_Desember\\_2018\\_LSPR.pdf](https://dewanpers.or.id/assets/documents/laporan/Laporan_Hasil_Riset_Penelitian_K_EJ_Dewan_Pers_15_Desember_2018_LSPR.pdf), (Accessed on May 13 2022)
- Romeltea, “Berapa Gaji Wartawan?” <https://romeltea.com/gaji-wartawan/#:~:text=UMP%20DKI%20Jakarta%20pada%202021,Jakarta%20sebesar%20Rp%208.366.220>, (Accessed on June 10 2022)

## Legal Documents



Press Law No. 40 of 1999

Press Council Regulation Number: 6/DP/V/2008 Regulation concerning Ratification of Press Council Decree Number 03/SK-DP/III/2006 concerning Journalistic Code of Ethics as a Press Council Regulation (Peraturan Dewan Pers Nomor: 6/Peraturan DP/V/2008 tentang Pengesahan Keputusan Dewan Pers Nomor 03/SK-DP/III/2006 tentang Kode Etik Jurnalistik Sebagai Peraturan Dewan Pers)

Press Council Regulation No: 01/Peraturan-DP/X/2018 concerning Journalists Competency Standards (Peraturan Dewan Pers No: 01/Peraturan-DP/X/2018 tentang Standar Kompetensi Wartawan)

Exclamation of Indonesian Press Council No: 189/S-DP/VII/2013 concerning Reporting on the Immoral (Sexual) Crime Case (Seruan Dewan Pers No: 198/S-DP/VII/2013 tentang Pemberitaan Kasus Kejahatan Susila)



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