

The Independent Press Council in INDONESIA

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Article 15 Law # 40 Year 1999

- (1) In order to develop and maintain freedom of the press, an independent Press Council should be founded.
- (2) The Press Council duties are:
 - a. To protect freedom of the press from any interference.
 - b. To conduct study to develop and enhance the quality of the press.
 - c. To establish and supervise the implementation of journalism Code of Ethics.
 - d. To provide guidance and amicable solution in mediating conflicts between member of societies and the press.
 - e. To enhance communication among the press, the people and the government.
 - f. To facilitate press organizations in their effort to create rules to enhance the quality of press freedom.
 - g. To maintain information about the press

Article 17 Law # 40 Year 1999

- (1) Society can conduct activities to enhance press freedom and provide the rights to information.
- (2) Those activities can be in the form of:
 - a. Monitoring, reporting and analysing press deficiencies in conducting its duty to inform the public.
 - b. Providing suggestions to the Pres Council in order to increase its effectiveness in enhancing the quality of the national press.

Public Complaints in 2003-2009

- 2003: 101
- 2004: 153
- 2005: 127
- 2006: 207
- 2007: 319
- 2008: 424
- 2009: 442
- Amicable solutions >97%

Press Freedom Index

• Year	Rank	# Countries Surveyed	Score
• 2001	freest	in Asia	n.a.
• 2002	57	139	20,00
• 2003	111	166	34,25
• 2004	117	167	37,75
• 2005	105	167	26,00
• 2006	103	168	26,00
• 2007	100	169	30,50
• 2008	111	173	27,00
• 2009	101	175	28,50

Unique Characteristics:

- Function as National Commission for Press Freedom
- 3 members from Journalist Associations
- 3 members from Publishers Associations
- 3 members from public
- Chairman from public sector

Typical activities:

- Bringing bad laws to Constitutional Court
- Making sure bills are friendly to press freedom
- Advocating use of press law as *lex specialis*
- Providing expert witness at court and during police investigation
- Promoting press freedom paradigm to police, judges, prosecutors, bureaucrats, parliament members, professional groups and other civil society groups incl media
- Ethical training for journalists & others
- Facilitating press self rules & guidances

End of Presentation

- Thank you

Cause of complaints:

- Unbalance coverage
- Weak/uncredible sources
- Unclear line of responsibilities
- Breaches of privacies (including underage)
- Indecencies
- Blackmail
- Racism
- Insult (disrespect)

Source of Fund

- Unrestricted donations
- Publisher contributions (small)
- Public funding (since 2006 only)

Problems/Challenges:

- Role of lawyers
- Is decision admissible in courts?
- Conflict with dark elements with huge resources (using bad journalists==possible hijack)
- Geographical size of coverage
- Press freedom is legal rights, not constitutional rights ==>threat from future (bad) press law
- Need for regional Human Rights Court