

21 August 2023

Mr. Pratikno
Minister of State Secretary of Indonesia
Ministry of the State Secretary of Indonesia
Jl. Veteran No. 17 - 18
Jakarta Pusat 10110, Indonesia

Subject: Asia Internet Coalition (AIC) Industry Comments on Draft Regulation on Publisher News Rights (Digital Platform Company Responsibilities to Support Quality Journalism)

Dear Minister Pratikno,

On behalf of the [Asia Internet Coalition](#) (“AIC”) and its members, we convey our greetings and best wishes. AIC is an industry association of leading Internet and technology companies that promotes the understanding and resolution of Internet policy issues in the Asia Pacific region. Our mission is to represent the Internet industry, and participate in and promote stakeholder dialogue between the public and private sectors, sharing best practices and ideas on Internet technology and the digital economy.

We write in relation to the recent Draft Regulation on Publisher News Rights (Digital Platform Company Responsibilities to Support Quality Journalism). We share the belief of many policymakers that a vibrant journalism industry and a sustainable, independent and diverse news ecosystem is important for society.

We appreciate that this draft regulation is intended to build a sustainable media industry and promote business cooperation between the media industry and digital platforms. However, we express our concerns on some of the proposed requirements that may be overly onerous, inconsistent with international principles and best practices, and/or technically impracticable. The proposed draft is problematic and contrary to its intent, would not result in the promotion of quality journalism. In fact, as currently drafted, the proposed regulation would negatively impact Indonesia’s digital news ecosystem. As such, please find below comments which we would like the Ministry of the State Secretary of Indonesia and relevant parties to consider when reviewing this regulation during this harmonization stage specifically:

- The regulation will threaten the existence and diversity of media and news creators despite their importance as the main news source for Indonesians. This is due to the fact that the draft would grant new powers to a single, non-government body, formed by and including representatives of Dewan Pers, and will only benefit a select number of traditional publishers by limiting which content can be shown on platforms , and which news organisations are allowed to earn revenue from advertising. It would mean that the regulation would favor a limited set of news organisations, while imposing restrictions on online platforms’ ability to surface diverse and timely information from the remaining

thousands of reputable publishers across Indonesia. As such, the regulation will not address the intended goal but rather may be detrimental to a vast number of publishers and creators who are transforming and innovating.

- It would impact the ability of Internet platforms to provide Indonesians with relevant, authoritative, diverse sources of information online, particularly because of the way this unaccountable 'regulator of news' could decide which news publication should be supported or not, and how much so. This would impact Indonesians seeking to find a plurality of opinions online, and could ultimately mean they will find less impartial, and less relevant information.
- It would undo the important work that the Internet community together with the news and fact checking ecosystem have achieved in recent years to support the news industry and the creation and distribution of quality information in Indonesia.
- In establishing business cooperation between media industry and digital platforms, asking to pay for links for content that platforms do not post, and which are not the reason the vast majority of people use the platforms, is neither sustainable nor workable.

We humbly request the Indonesian government to consider the issues highlighted in this representation and provide us an avenue for further engagement. AIC hopes to be able to work with the Government and other stakeholders in order to help improve on the current direction of the proposed regulation. We are confident that the approach can be rectified, so that we end up with a framework that truly supports a vibrant and balanced news ecosystem in Indonesia, delivering quality and diverse information from a range of sources.

Should you have any questions or need clarification on any of the recommendations, please do not hesitate to contact our Secretariat Mr. Sarthak Luthra at Secretariat@aicasia.org or at +65 8739 1490.

Thank you



Sincerely,
Jeff Paine
Managing Director
Asia Internet Coalition (AIC)

CC:
Mr. Budi Arie Setiadi, Minister of Communication and Information Technology
Mr. Yasonna H. Laoly, Minister of Law and Human Rights