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COUNTERING DIGITAL EXTREMISM:

BETWEEN NATIONAL CENSORSHIP POLICY AND INTERNATIONAL NORMS

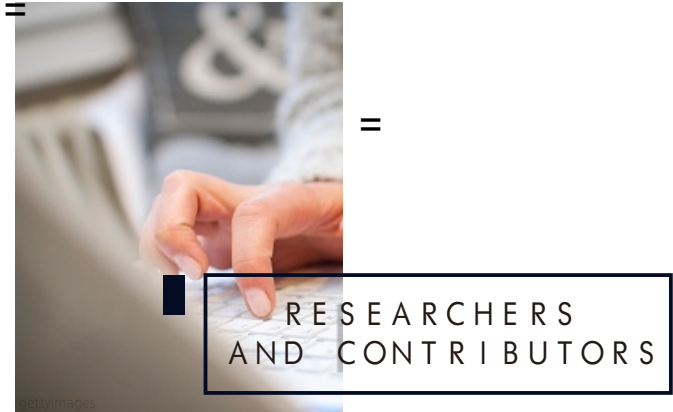


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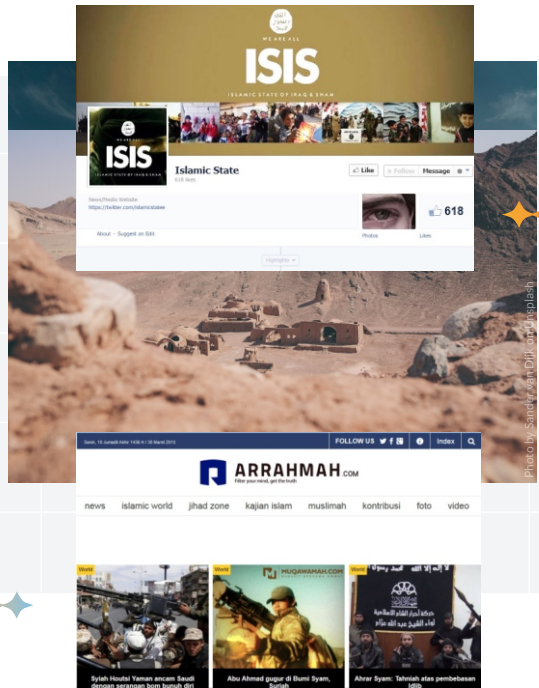


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■ GLOSSARY OF TERMS, ABBREVIATIONS, AND ACRONYMS

APJII	-	Asosiasi Penyedia Jasa Internet Indonesia/Association of Indonesian Internet Service Providers
APTIKA	-	Aplikasi dan Informatika/Application and Information
BIN	-	Badan Intelijen Negara/State's Intelligence Agency
BNPT	-	Badan Nasional Penanggulangan Terorisme/National Agency for Combating Terrorism
CSO	-	Civil Society Organization
DDoS	-	Distributed Denial of Service
EIT	-	The Electronic Information and Transaction
ICCPR	-	International Covenant on Civil and Political Rights
ICT	-	Information and Communication Technology
ID-IGF	-	Indonesia Internet Governance Forum
IGF	-	Internet Governance Forum
ISIS	-	Islamic State of Iraq and Syria
ISP	-	Internet Service Provider
Kapolri	-	Kepala Kepolisian Republik Indonesia/Chief of Indonesian Police Force
MCIT	-	Ministry of Communication and Information Technology
UDHR	-	Universal Declaration of Human Rights
UN	-	United Nations
UN GGE	-	United Nations Group of Governmental Experts
WSIS	-	World Summit on the Information Society





■ BACKGROUND

The internet has transformed the dynamics between freedom of expression, privacy, and security. The topic of guarding the right of freedom of expression versus national security on the internet has been hugely debated between nations. It is undeniable that a higher awareness for national security – by filtering and censoring content on the internet – has formed. When and how censorship should be allowed in this matter

has always been a sensitive issue. This research aims to analyze the internet governance in Indonesia, a prime example of a country torn between growing its internet potential and protecting its society from radical ideologies. Indonesia's internet laws have resulted in the country's steady increase of “radical” websites blocked each year, a policy that has been criticized due to its issues of transparency and human rights.

■ RESEARCH QUESTIONS

1. Why does Indonesia uphold the censorship of radicalism on the internet?
2. Is Indonesia's policy in line with the norms of freedom of expression and social security on the internet?

■ PURPOSE

This research aims to provide a detailed analysis into the reasoning behind Indonesia's policy of internet “radicalism” censorship, and whether or not it is in line with international internet

governance norms. We hope to provide insight into the relationship between international norms and domestic policy building processes.

■ METHODOLOGY

The research utilizes a qualitative research method, based on both primary and secondary data.





Primary Data Collection Method

Conducted interviews with:

1. A staff member of the Ministry of Communication and Information Technology (MCIT).
2. The Executive Director of ICT Watch Indonesia and the Expert Staff of MCIT.
3. An internet governance expert in Indonesia.



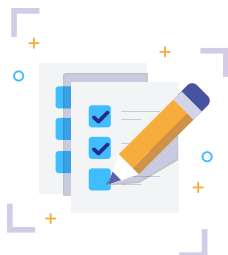
Data Analysis Method

Manual transcript review of each stakeholder's perspective on the factors behind Indonesia's policy, and its issues.



Secondary Data Collection Method

Data collection from the outcomes of the IGF and UN GGE forums, Indonesian laws, books, online journals, discussion papers, and past researches related to internet censorship.



Data Analysis Method

Systematic literature review of the comparison between Indonesia's censorship policy with the existing international norms.

■ INDONESIA’S CENSORSHIP OF INTERNET “EXTREMISM”

Indonesia has formed an internet law framework mainly regulated by The Electronic Information and Transaction (EIT) law of 2008. Together with Indonesia's pornography laws and Terrorism laws (such as the National Law no. 15 of 2003 or the National Law no.9 of 2013), the EIT forms the government's strict rules upon upholding Indonesian values on the internet. The Ministry of Communication and Information Technology (MCIT) is the ministry in the government of Indonesia responsible for

communication and information affairs. The MCIT has the authority to nationally declare websites to be blocked or unblocked according to the Ministerial Regulation No. 19 of 2004. The MCIT creates a list of blacklisted websites called *TRUST Positif Internet Sehat dan Aman*, which now consists of about 1 million sites. Throughout the years, the government has continued to issue several decrees, revisions, and regulations to further push the agenda of “extremism” censorship on the internet, which can be seen below:

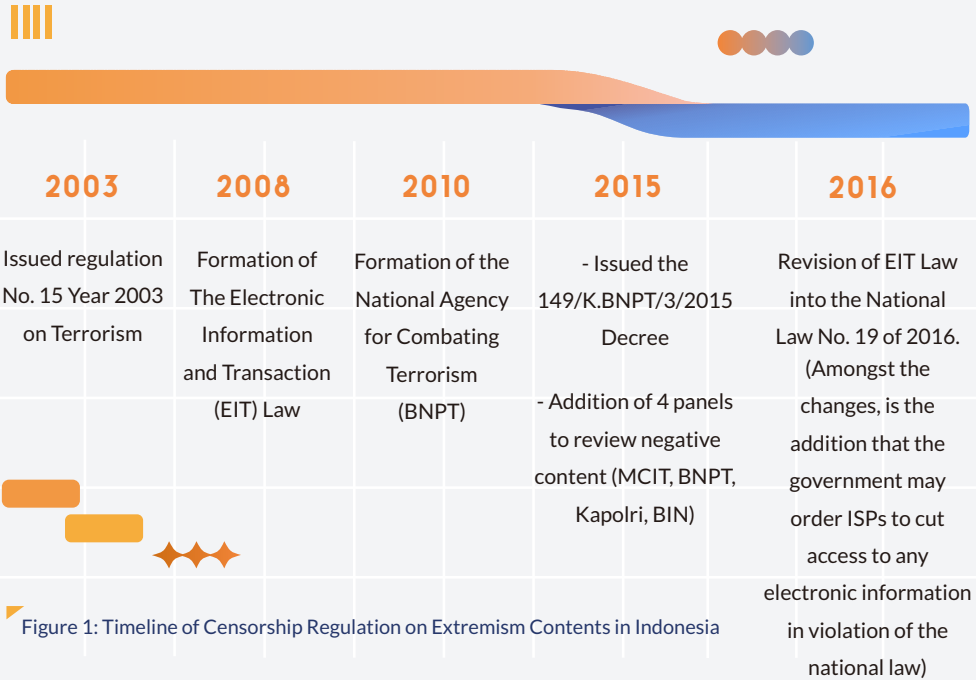


Figure 1: Timeline of Censorship Regulation on Extremism Contents in Indonesia

■ METHOD OF CONTENT FILTERING

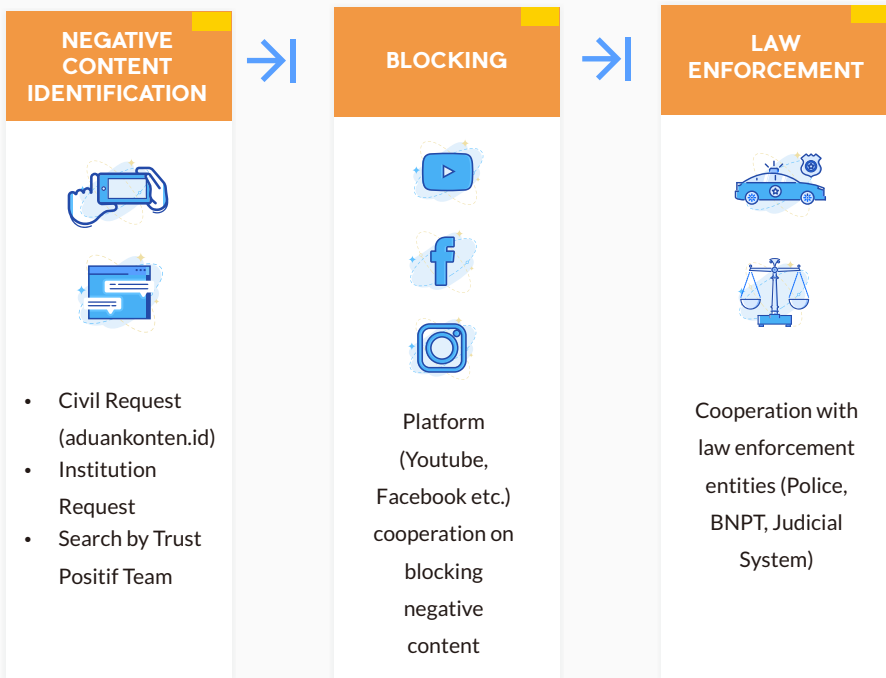


Figure 2: Method of Content Filtering

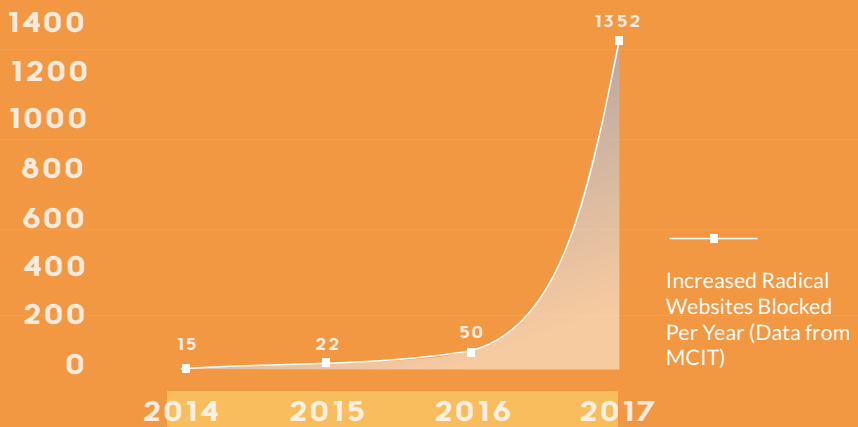


Figure 3 : Number of Radical Websites Blocked per Year by the Ministry of Information and Communication Technology

INDONESIA'S "RADICALISM" CENSORSHIP ISSUES

1. Transparency

The government has received criticism on the lack of transparency in its radicalism blocking mechanism, with numerous protests of wrongful blocking.

2. Human Rights

Without a precise definition of what "radicalism" is, certain communities have felt discriminated by the government's blocking. They view this as a violation towards their human rights.



INTERNATIONAL NORMS OF INTERNET CENSORSHIP

The interest in formulating how to handle information technologies and the internet has been a hot topic in world politics. The World Summit on the Information Society (WSIS), held in 2003 and 2005, was a landmark event that resulted in The Tunis Agenda, outlining the international definition for Internet Governance. This ideation set off the UN to create the Internet Governance Forum (IGF), a multi-stakeholder forum for policy discussion on issues of

internet governance. In these forums, the topic of cyberterrorism such as radicalism has repeatedly been discussed. Though The Budapest Convention on Cybercrime is the only official binding international instrument about cybercrime, we have identified at least two international norms that exist on the issue of internet radicalism censorship: Freedom of Expression and Social Protection.

International Norms	Source of Norms	Principles
Freedom of Expression	The Tunis Agenda, UN Resolution No. 20/8 of 2010, UN GGE 2013 Statement, and IGF.	• ICCPR and UDHR apply on the internet (United Nations General Assembly, 1966). • Freedom of expression may be limited when: 1) The law is clear and transparent. 2) To protect the rights or reputations of others, national security, or public morals. 3) Be proven necessary and the least restrictive means. • Must be done through a multi stakeholder system.
Social Protection	The Budapest Convention, and IGF.	Social protection methods may be used to counter the use of cyberspace for terrorist agendas.

Table 1: International Norms Related with the Radicalism Censorship on the Internet

■ IS INDONESIA'S POLICY IN LINE WITH INTERNATIONAL NORMS?

Despite Indonesia's transparency and civil dispute issues over its radicalism censorship, in general, we have found that the policy upholds the international norms of freedom of expression and social protection. However, the degree of whether “it is in line” or not is hard to determine, since the international norms are still “very weak.”

In order to understand the relationship between international norms and domestic policy, this study uses the Norm Life Cycle Model by Finnmore and Sikkink as a conceptual framework. This model explains three adaptation stages of a norm in a society; which are the emergence stage, norm cascade, and internalization. At which stage a norm currently is will influence how states comply with it. The first stage is

identified as “norm emergence,” the period in which a norm is just beginning to be formed. This phase is characterized by the presence of norm entrepreneurs, or actors interested in changing social norms. These norm entrepreneurs work to persuade a critical mass of states or society to embrace new norms. The second stage is “norm cascade,” characterized by the broad norm acceptance. A dynamic of norm imitation from follower states of “norm leaders” can be seen. For a norm to proceed from the first stage to the second, it must reach a “tipping point,” the moment in which a large number of state actors have adopted the norm. The third and final stage is norm internalization, where the norm has been accepted by the majority of actors that it is no longer an issue for debate.

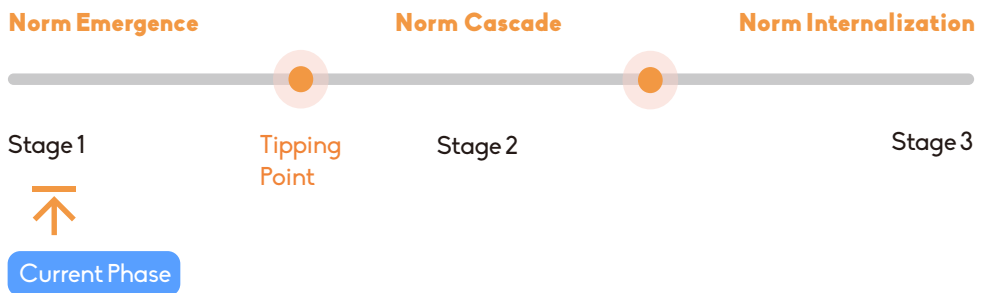


Figure 4: The Norm Life Cycle of Radicalism Censorship on the Internet

Using Finnmore and Sikkink's Norm Life Cycle model, we have determined that the norms regulating radicalism censorship on the internet are still at the Norm Emergence stage. This is because different countries still uphold different standards of freedom of expression on the internet, so there is no consensus. Also, though the need for countering cyberterrorism is understood, the social protection norms are not specific enough to prescribe the actions of “how” to regulate internet censorship, which methods

to block websites, and when it should be done. This means it is up to each country to decide. During the Norm Emergence stage, national sovereignty is still powerful; meaning countries may form domestic laws according to their national interests and domestic norm entrepreneurs. Therefore, Indonesia's strict censorship laws may be justifiable. *The question then remains; why does Indonesia implement its form of censorship policy?*

■ FACTORS BEHIND
INDONESIA'S CENSORSHIP
POLICY ON RADICAL CONTENTS



Figure 5: Timeline of Terrorist Attacks in Indonesia

History of Terrorism

There is no denying that Indonesia's ripe history of terrorism has resulted in stricter government controls for national security. Indonesia has an alarming amount of active terrorist groups operating in it, including Jemaah Islamiyah and ISIS. Numerous cases of mass violent terrorist attacks have occurred periodically.

As signified by how the government continues to block more and more “radical” websites per year, these past traumatic experiences have resulted in growing fear of terrorism. Therefore, the government felt inclined to strengthen efforts to stop it by targeting “extremist” ideologies.

Norm Entrepreneurs

Though the country is focused on countering terrorism, the government still tries to guard its society's freedom of expression (by opening dialogue and listening to protests and re-opening websites that were wrongly blocked) and implements a multi stakeholder system. This is because when an international norm is at the Emergence Stage, the most influential domestic actors building the norm are the norm entrepreneurs. Indonesia has several norm entrepreneurs that have fought to implement these principles in the nation's policy.

The process of Norm Building in Indonesia

Domestically, we can see that there are specific norm entrepreneurs in Indonesia that advocated the principles of freedom of expression and its mechanism, multistakeholderism. Numerous social campaigns have advocated a multistakeholder system in Indonesia. However, most experts would agree that the

tipping point that kick started the government's effort to implement a multi stakeholder scheme was the establishment of the first ID-IGF forum in 2012. Although Indonesia has participated in the international IGF since 2006, the country only started its national forum six years later. This tipping point contributed to the lobbying of some CSOs like ICT Watch Indonesia and APJII. The Executive Director of ICT Watch, Mr. Donny BU, has been credited as the co-founder of the ID-IGF. He stated that Mr. Samuel Abrijani Pangerapan, the President of APJII at the time, was the main lobbyist resulting in the forum finally being held.¹ APJII was accounted for its contribution in facilitating the first ID-IGF event.² This was the first national-scale discussion that incorporated the



¹Interview with Expert Staff of the Ministry of Communication and Information Technology, December 7th 2017.

²J. Rizani, "Besok Deklarasi Tata Kelola Internet di Indonesia, Merdeka (Online), <<https://www.merdeka.com/teknologi/besok-deklarasi-tata-kelola-internet-di-indonesia.html>>, accessed December 1st 2017.

participation of government officials, CSOs, NGOs, technology experts, service providers, and many other stakeholders on the issue of the internet.

In addition to shaping how the government receives input on the internet governance policies, Mr. Samuel was then recruited as the Director General of Information Applications of MCIT. Mr. Donny BU, by the time this work is written, is also an expert staff for the Minister of Communication and Information Technology. These new strategic positions they are having make them possess broader

chance and legal influence in the government's censorship policies today and in the future. Thus, Mr. Donny and Mr. Samuel as external actors from CSOs or NGOs may ensure that the new policy formation process involves multi stakeholder principles and input from different perspectives. One tangible example is the ITE revision of 2016 under Mr. Samuel's term. Take a look at the table below, and examples of multistakeholderism can be seen in the government's filtering process as a result of the discussions held in ID-IGF and the inputs from external stakeholders.

ICT Watch  Donny BU Southeast Asia Freedom of Expression Network; Expert Staff of MCIT	Actors	APJII  Samuel Abrijani Pangerapan Director General of APTIKA
Altruism, Ideal Freedom of Expression, and Multi stakeholder system.	Principles	Altruism, and Ideal Multi stakeholder system.
Social Campaigns, Lobbying, and securing a governmental position.	Dominant Mechanisms	Lobbying, Platform Creation, and securing a government position.

Figure 6: The Multi stakeholder System in the Censorship of Radical Contents

RECOMMENDATIONS



The issue of Online Extremism Censorship in Indonesia

- 1. Transparency.
- 2. Public protest due to a violation of freedom of expression for religious minorities.

- 1. Rising number of terrorists.
- 2. Futile control on the number of transnational terrorist groups.

International Norm Needed

- 1. Legalization or Prohibition on “Extremism Censorship.”
- 2. Clear definition of internet radicalism and extremism.
- 3. The regulated responsibility of governments to provide a control and feedback mechanism.

- 1. Standardization and regional agreements for cyber terrorism counter methods, including:
 - DDOS Attacks
 - National Firewalls
 - Online Terrorist Monitoring.
- 2. International and regional cooperation on a cyber-terrorism team.

Table 2 : Recommendations for Radicalism Censorship in Indonesia



■ CONCLUSION

There are at least two norms that have formed from international consensus on handling digital radicalism, which are the freedom of expression and social protection. These norms are currently at a Norm Emergence stage, making their influence weak. The most dominant influencing factor in building norms, at this stage, are domestic norm entrepreneurs. Countries then still have full sovereignty on how to counter cyber-terrorism. Therefore, Indonesia's strict censorship of "radicalism" on the internet can be seen as justifiable and is in line with international norms.

Indonesia implements a strict censorship policy that still upholds the principles of freedom of expression and multi stakeholder system. The factors behind this form of policy

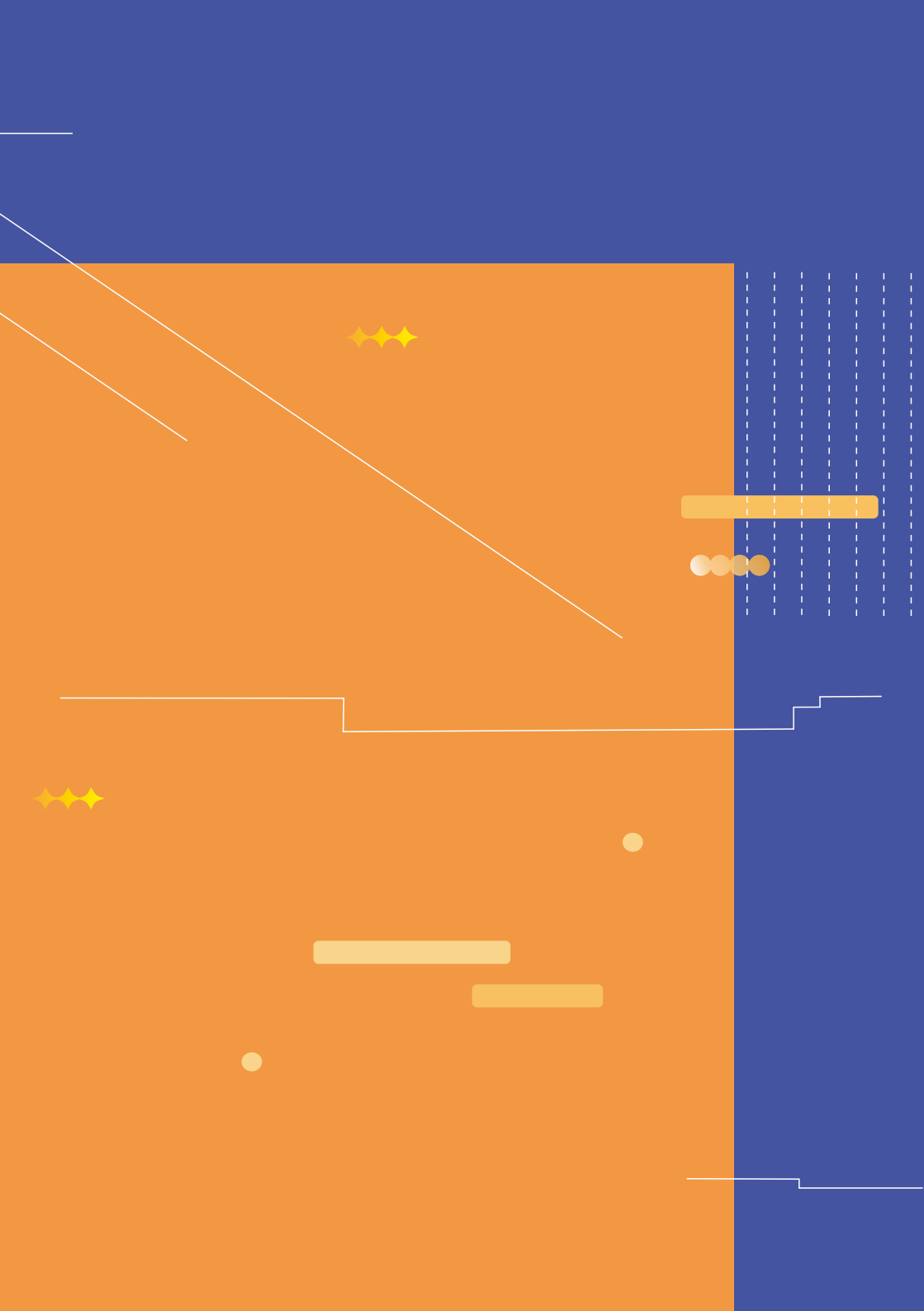
include Indonesia's history of terrorism and the presence of influential domestic entrepreneurs. Therefore, international norms do not play a huge factor in determining Indonesia's internet censorship policies. Stronger norms and international cooperation may be needed, to be able to deal with Indonesia's current policy issues such as transparency and public protests, as well as to provide more productive ways to counter global cyberterrorism.

Domestically, we can see that there are specific norm entrepreneurs in Indonesia that advocated the principles of freedom of expression and its mechanism, multistakeholderism. Numerous social campaigns have advocated a multistakeholder system in Indonesia.



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ABOUT CfDS

Center for Digital Society (CfDS) is the research center established by the Faculty of Social and Political Sciences, Universitas Gadjah Mada. The institution is created under the concern over the contemporary dynamics of socio-political condition of the world that is accentuated by the impeccable influence of information technology. The phenomenon triggers the new patterns and complexities in the society, and thus requires new approaches in managing such complexities.

CfDS pledged to delve more on the study of contemporary digital society, including related issues surrounding the topic; such as the issues of smart city and urban development. The emphasis is then put on the utilization of technology to shape the society in becoming digitalized, as well as to bring solvency to social issues.

Vision

Solving Social Problem and Accelerating Prosperity through Indonesia Digital Society

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2. Dissemination and Publication
3. Education and Policy Advocacy

Research Scopes

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2. Digital Economy
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