

**REGULATION OF THE MINISTER OF COMMUNICATION AND INFORMATICS OF
THE REPUBLIC OF INDONESIA
NUMBER 19 OF 2014
ON
HANDLING OF INTERNET SITES WITH NEGATIVE CONTENTS¹**

BY THE GRACE OF GOD ALMIGHTY

MINISTER OF COMMUNICATION AND INFORMATICS OF THE REPUBLIC OF
INDONESIA,

Considering:

- a. that internet is a medium for the manifestation of human rights to communicate and obtain information which is performed in order and accountable manners with the considerations of moral, religious values, security, and public order based on *Pancasila* and the 1945 Constitution of the Republic of Indonesia;
- b. that Government facilitates utilization of information technology and electronic transaction, as well as protects public interest from any types of interference as the consequence of misuse of electronic information which disturbs public order in accordance with provisions under laws and regulations;
- c. that in order to provide clean and comfortable internet access by providing protection to the public;
- d. that based on considerations as referred to in letter a, letter b, and letter c, it is deemed necessary to establish Regulation of the Minister of Communication and Informatics on Handling of Internet Sites with Negative Contents;

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In view of:

1. Law [Number 36 of 1999](#) on Telecommunication (State Gazette of the Republic of Indonesia of 1999 Number 154, Supplement to the State Gazette of the Republic of Indonesia Number 3881);
2. Law [Number 11 of 2008](#) on Electronic Information and Transaction (State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843);
3. Law [Number 44 of 2008](#) on Pornography (State Gazette of the Republic of Indonesia of 2008 Number 181, Supplement to the State Gazette of the Republic of Indonesia Number 4928);
4. Law [Number 39 of 2008](#) on State Ministry (State Gazette of the Republic of Indonesia of 2008 Number 166, Supplement to the State Gazette of the Republic of Indonesia Number 4916);
5. Regulation of the President [Number 47 of 2009](#) on Establishment and Organization of State Minister, as amended most recently by Regulation of the President [Number 13 of 2014](#) on Fifth Amendment to Regulation of the President [Number 47 of 2009](#) on Establishment and Organization of State Ministry;
6. Regulation of the Minister of Communication and Informatics [Number 17/PER/M.KOMINFO/10/2010](#) on Organization and Working Procedures of Ministry of Communication and Informatics;

HAS DECIDED:

To establish:

REGULATION OF THE MINISTER OF COMMUNICATION AND INFORMATICS ON HANDLING OF INTERNET SITES WITH NEGATIVE CONTENTS.

CHAPTER 1 GENERAL PROVISIONS

Article 1

Under this Regulation of the Minister, the following definitions are employed:

1. Blocking of Internet Sites with Negative Contents, hereinafter referred to as Blocking, is measure which is performed, so that internet sites with negative contents are inaccessible.
2. Normalization is a process on measure which is performed in order to exclude an internet site from the Blocking list.
3. Minister is minister who organizes governmental affairs within the sectors of communication and informatics.
4. Director General is Director General which is in charge for informatics application.



CHAPTER II PURPOSES

Article 2

Purposes of this Regulation of the Minister, namely:

- a. provide basis for Government and the public on the understanding of internet sites with negative contents and joint role in its handling; and
- b. protect public interest from internet contents which having the potential on causing negative and or harmful effects.

Article 3

Scope of this Regulation of the Minister, namely:

- a. determination of internet sites with negative contents which are necessary to be handled;
- b. role of Government and the public in regards to the handling of internet sites with negative contents;

- c. role of Internet Access Service Provider in regards to the handling of internet sites with negative contents; and
- d. procedures for the blocking and normalization of blocking in regards to the handling of internet sites with negative contents.

CHAPTER III

INTERNET SITES WITH NEGATIVE CONTENTS

Article 4

- (1) Types of internet sites with negative contents which are handled as referred to under Article 3 letter a, namely:
 - a. pornography; and
 - b. other illegal acts based on provisions under laws and regulations.
- (2) Other illegal acts as referred to in paragraph (1) letter b are illegal acts, of which, their reports are derived from Ministry or Governmental Agency which is authorized in accordance with provisions under laws and regulations.

CHAPTER IV

PARTICIPATION OF THE PUBLIC AND GOVERNMENT

Article 5

- (1) The public may file report in order to request blocking of negative contents as referred to under Article 4 paragraph (1) letter a with Director General.
- (2) Ministry or Governmental Agency may request blocking of internet sites with negative contents in accordance with its authority as referred to under Article 4 with Director General.
- (3) Law Enforcement Agency and or Judiciary Institution may request blocking of sites with negative contents in accordance with their authorities with Director General.
- (4) The public may report internet sites with negative contents as referred to under Article 4 paragraph (1) letter b with relevant ministry or governmental agency.

Article 6

Director General provides list of site addresses containing negative contents, which is referred to as TRUST+Positive.

Article 7

- (1) The public may participate in providing blocking services by addressing at least sites in TRUST+Positive.
- (2) Blocking services as referred to in paragraph (1) is performed by Blocking Service Provider.
- (3) Blocking Service Provider should possess these criteria at minimum:
 - a. be registered as Electronic System Provider;
 - b. taking form as Indonesian incorporated entity;
 - c. owns and/or uses data center in Indonesia; and
 - d. has operational procedures which are transparent and accountable.

CHAPTER V

ROLES OF INTERNET ACCESS SERVICE PROVIDERS

Article 8

- (1) Internet Access Service Provider must perform blocking of sites which exist in TRUST+Positive.
- (2) Blocking as referred to in paragraph (1) may be performed as follows:
 - a. independent blocking; or
 - b. blocking by using service from Blocking Service Provider as referred to under Article 7.
- (3) In case Internet Access Service Provider does not perform blocking as referred to in paragraph (1), Internet Access Service Provider is imposed with sanction based on provisions under laws and regulations.
- (4) Internet Access Service Provider which has carried out blocking as referred to in paragraph (1) and paragraph (2), such Internet Access Service Provider has

performed act on the making prohibited act relating to internet sites with negative contents as referred to under Article 4 to be inaccessible.

Article 9

- (1) Internet Access Service Provider must perform data update on new list which is included into TRUST+Positive.
- (2) Data update as referred to in paragraph (1);
 - a. routine update, at least 1 x a week; and
 - b. urgent update, at least 1 x 24 (one times twenty-four) hours.

CHAPTER VI

PROCEDURES FOR BLOCKING AND NORMALIZATION OF BLOCKING



First Division Retrieval of Report

Article 10

Procedures for retrieval of report encompass:

- a. Retrieval of report in the forms of report on:
 1. internet sites with negative contents; or
 2. request on normalization of blocking of sites.
- b. The public file the report with Director General through the facility on retrieval of reporting in the forms of contact e-mail and or reporting based on site which is provided;
- c. Reporting from the public may be categorized as urgent reporting if relating to:
 1. privacy;
 2. child pornography;
 3. violence;
 4. ethnicity, religion, race, and inter-group relations (*Suku, Agama, Ras, dan Antargolongan – SARA*); and/or
 5. other contents with negative effects which become wide public unrest.

Article 11

- (1) Request for blocking as referred to under Article 5 paragraph (2) should have undergone assessment at relevant ministry or agency with the inclusion of site address, type of negative contents, type of violation and note;
- (2) Request for blocking as referred to in paragraph (1) is submitted by authorized Official to Director General, as attached with the list of site addresses and assessment result;
- (3) Against request for blocking as referred to in paragraph (2), Director General performs monitoring of sites, against which, blocking is invoked.

Second Division

Follow-Up of Report

Article 12

Activities on management of report encompass:

- a. Storing of original report into files and electronic database.
- b. Reviewing and sampling of samples to the addressed internet sites; and
- c. Storing of samples of images of internet sites into files and electronic database.

Article 13

Procedures for the follow-up of report from the public encompass:

- a. Performing activities on management of report within a time period of 1 x 24 (one times twenty-four) hours.
- b. If internet sites in question are sites with negative contents:
 1. Director General lists such site address into TRUST+Positive, if the site takes form as domains;
 2. Director General requests provider or owner of sites to perform blocking or erase negative contents, if the site takes form as other than domain names;
 3. if it raises urgent condition, Director General lists such site address into TRUST+Positive within a time period of 1 x 12 (one times twelve) hours since

the report was retrieved and communication is performed with Internet Access Service Provider.

Article 14

Procedures for the follow-up of report from Ministry/Agency encompass:

- a. Director General delivers warning through e-mail to site provider in order to inform the existence of negative contents.
- b. In case site provider ignores the warning as referred to [sic] in point 1 within a time period of 2 x 24 (two times twenty-four) hours, then follow-up on management of report is performed.
- c. In case there is no communication address which is contactable, then follow-up on management of report is directly performed.
- d. Director General settles management of report within a time period of no later than 5 (five) business days since the report was retrieved.
- e. If internet sites in question are sites with negative contents:
 1. Director General lists such site address into TRUST+Positive, if the site takes form as domains;
 2. Director General requests provider or owner of sites to perform blocking or erase negative contents, if the site takes form as other than domain names;
 3. if it raises urgent condition, Director General lists such site address into TRUST+Positive within a time period of 24 (twenty-four) hours since the report was retrieved and communication with Internet Access Service Provider is performed.

Article 15

Procedures for the follow-up of report from law enforcement agency or judiciary institution encompass:

- a. Director General settles management of report within a time period of no later than 3 (three) business days since the report was retrieved;
- b. Director General lists such site address into TRUST+Positive;

- c. Director General requests provider or owner of sites to perform blocking or erase negative contents, if the site takes form as other than domain names;
- d. If it raises urgent condition, Director General lists such site address into TRUST+Positive within a time period of 24 (twenty-four) hours since the report was retrieved and communication with Internet Access Service Provider is performed.

Third Division

Procedures for Normalization

Article 16

- (1) Manager of site or the public may file for normalization of blocking of sites.
- (2) Procedures for the reporting of normalization are performed as referred to under Article 10.
- (3) Director General settles management of report within a time period of no later than 1 x 24 (one times twenty-four) hours since the reporting was retrieved.
- (4) If internet sites in question are not sites with negative contents, Director General:
 - a. crosses it out from TRUST+Positive;
 - b. performs communication with Internet Access Service Provider and Blocking Service Provider on such normalization process; and
 - c. performs electronic notification (*pemberitahuan*) on the assessment result to the reporter.

CHAPTER VII
FINAL PROVISIONS

Article 17

This Regulation enters into force on its promulgation date.

For the purposes of public cognizance, it has been ordered that the promulgation of this Regulation of the Minister should be achieved through its publication in the Official Gazette of the Republic of Indonesia.

Established in Jakarta

on 7 July 2014

MINISTER OF COMMUNICATION AND INFORMATICS OF THE REPUBLIC OF

INDONESIA,

signed.

TIFATUL SEMBIRING

Promulgated in Jakarta

on 17 July 2014

MINISTER OF LAW AND HUMAN RIGHTS OF

THE REPUBLIC OF INDONESIA,

signed.

AMIR SYAMSUDIN

OFFICIAL GAZETTE OF THE REPUBLIC OF INDONESIA OF 2014 NUMBER 1003