

CONSTITUTIONAL DESIGN OF LEGAL PROTECTION FOR JOURNALISTS FROM A HUMAN RIGHTS PERSPECTIVE

Brian Hafiz Arrizal 

Universitas Negeri Semarang, Semarang, Indonesia
bryan17@students.unnes.ac.id

Arif Hidayat 

Universitas Negeri Semarang, Semarang, Indonesia
arifhidayat@mail.unnes.ac.id

Abstract

This research aims to analyze the constitutional design of legal protection for journalists in Indonesia from a Human Rights (HAM) perspective. The primary issue addressed is the significant gap between strong constitutional guarantees and the reality on the ground, which reveals high rates of violence and criminalization against journalists. Using a normative legal research method with a statute approach, the results indicate that although Article 28E and 28F of the 1945 Constitution and the ratification of the ICCPR provide a solid normative foundation, current protections remain declarative and lack operational efficacy. This shortfall is caused by regulatory disharmony, where the Press Law is frequently superseded by "elastic clauses" within the ITE Law and the new Criminal Code (KUHP), triggering a chilling effect. Furthermore, the existing protection framework fails to specifically address digital security and gender-based protection. The study concludes that the state, as the duty bearer, must fulfill its due diligence obligations by establishing the Press Law as *lex specialis* and forming a comprehensive National Protection Mechanism (NPM). Integrating cyber and gender protections is also urgent to ensure press freedom as a pillar of democracy.

KEYWORDS



Copyrights © Author(s). This work is licensed under a Creative Commons Attribution-ShareAlike 4.0 International License. All writings published in this journal are personal views of the author and do not represent the views of this journal and the author's affiliated institutions.

Freedom of the Press, Human Rights, Protection of Journalists

Introduction

Indonesia constitutionally affirms itself as a state governed by the rule of law (*rechtsstaat*), as enshrined in Article 1, paragraph (3) of the 1945 Constitution of the Republic of Indonesia. Because of the principle of the rule of law, the protection of human rights (HAM) serves as a cornerstone, including the right to freedom of opinion and expression. Freedom of the press is a concrete manifestation of freedom of expression and the right of citizens to obtain information to develop themselves and their social environment. Freedom of the press is rooted in the principle of human rights (HAM), which positions humans as autonomous, rational, and dignified subjects. This concept gained universal recognition after World War II through Article 19 of the Universal Declaration of Human Rights (UDHR), which affirms that everyone has the right to freedom of opinion and expression, including the freedom to seek, receive, and impart information through any media without interference.¹

Freedom of expression and freedom of the press are fundamental elements of a democratic state and an integral part of the human rights framework. Normatively, the Indonesian Constitution has provided strong legal protection for journalists in Indonesia. The 1945 Constitution of the Republic of Indonesia (UUD 1945) guarantees freedom of opinion and expression through Article 28E paragraph (3) as well as the right to obtain and convey information through Article 28F. These constitutional guarantees are reinforced by the recognition of human rights in Articles 28A through 28J of the 1945 Constitution, which establish freedom of expression as an integral part of the national human rights framework. These constitutional guarantees are further reinforced by Law No. 40 of 1999 on the Press (hereinafter referred to as the Press Law), which affirms press freedom and legal protection for journalists in the performance of their

¹ Manan, Bagir. *Pers, Hukum, dan Hak Asasi Manusia*. Jakarta: Dewan Pers, 2016

journalistic duties. However, in practice, these normative guarantees often face serious challenges, particularly when journalistic works intersect with political, economic, or security interests, leading to the criminalization of journalists through both general criminal law and cyber law.²

Journalists are not merely viewed as media workers, but as human rights defenders who fulfill a social function to safeguard the public's right to information. Journalists play a strategic role as public watchdogs, ensuring the accountability of those in power, government transparency, and the fulfillment of the public's right to access information.³ Article 8 of the Press Law explicitly states that journalists are entitled to legal protection in the course of their professional duties. Furthermore, Indonesia has ratified various international human rights instruments, particularly the International Covenant on Civil and Political Rights (ICCPR), in which Article 19 affirms the right to freedom of opinion and expression. From a doctrinal perspective, this framework of norms demonstrates that press freedom and the protection of journalists constitute a constitutional obligation of the state. However, in practice, these legal provisions often clash with other repressive regulations. This situation creates tension between the constitutional guarantee of press freedom and the criminalization of journalists, thereby creating legal uncertainty and undermining the press's role as a watchdog over those in power.⁴

In recent years, the state of press freedom and legal protection for journalists in Indonesia has shown a worrying trend. Although Indonesia has normatively established itself as a democratic state governed by the rule of law that upholds human rights, empirical reality reveals a widening gap

² Ahmad Sufmi Dasco, *Politik, Media Massa, dan Kebohongan*, UNS Press, Surakarta, 2018, hlm. 27.

³ Alfiansyah Rahman dan Ahmad Dimyati, "Peran Jurnalisme Watchdog dalam Meningkatkan Akuntabilitas Pemerintah: Media sebagai Agen Perubahan Sosial di Era Teknologi Digital," *Jurnal Sekretari Universitas Pamulang*, 2025, <https://openjournal.unpam.ac.id/index.php/Sekretaris/article/view/57470>

⁴ Mayndha Yulista Sitorus, Elidar Sari, dan Nuribadah, "Implementasi Perlindungan Hukum terhadap Jurnalis dalam Konteks Kebebasan Pers (*Studi Putusan Nomor: 148/Pid.Sus/2021/PN.Lgs*)," *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 8, no. 2 (April 2025), <https://ojs.unimal.ac.id/jimfh/article/view/21751>

between constitutional guarantees and the actual protection of journalists on the ground. Journalists are often subjected to physical violence, intimidation, doxing, and even criminalization while performing their journalistic duties, particularly when covering sensitive issues such as corruption, agrarian conflicts, human rights violations, environmental crimes, and strategic public policies.⁵

The phenomenon of violence and criminalization against journalists cannot be viewed as isolated incidents, but rather as structural symptoms of a weak constitutional protection framework and a law enforcement system that has yet to prioritize press freedom as a human right. Previous studies have shown that the primary issue regarding the protection of journalists in Indonesia does not lie in the absence of legal norms, but rather in the structural and constitutional weaknesses of the protection framework. Research by Tegar Kusuma Putra and Soediro indicates that legal protection for journalists in Indonesia still faces various structural obstacles, particularly regarding the lack of understanding among law enforcement officials regarding the mechanisms for resolving press disputes as stipulated in the Press Law.⁶

In line with this, research conducted by Herlambang P. Wiratraman shows that the development of digital technology has given rise to a phenomenon known as “digital authoritarianism”—that is, the tendency to use legal instruments and state policies to control the digital sphere, including journalistic activities. In this context, press freedom faces new challenges in the form of regulations that have the potential to restrict freedom of expression and increase journalists’ vulnerability to legal criminalization. These findings underscore that the protection of press

⁵ Tegar Kusuma Putra and Soediro, “Perlindungan Hukum terhadap Jurnalis dalam Mewujudkan Independensi Pers di Indonesia: Legal Protection for Journalists in Realizing Press Independence in Indonesia,” *Journal Presumption of Law* 7, no. 1 (April 2025): 48–58, <https://doi.org/10.31949/jpl.v7i1.12567>

⁶ Tegar Kusuma Putra and Soediro, “Perlindungan Hukum terhadap Jurnalis dalam Mewujudkan Independensi Pers di Indonesia: Legal Protection for Journalists in Realizing Press Independence in Indonesia,” *Journal Presumption of Law* 7, no. 1 (April 2025): 48–58, <https://doi.org/10.31949/jpl.v7i1.12567>

freedom depends not only on the existence of legal norms, but also on institutional and constitutional frameworks capable of effectively guaranteeing freedom of expression within the digital ecosystem.⁷

The use of the Electronic Information and Transactions Law (EIT Law) is often employed as a tool to criminalize journalists, thereby potentially eroding press freedom and contradicting human rights principles. Meanwhile, Abdurrahman Alhakim highlighted the increasing risk of criminalization against journalists due to the application of the Electronic Information and Transactions Law (EIT Law) in disputes over news reporting in the digital space. The study indicates that certain provisions of the UU ITE are frequently used to prosecute journalistic works through criminal law mechanisms, thereby disregarding the *lex specialis* principle, which should prioritize the Press Law as the primary instrument for resolving press-related disputes. This situation has the potential to threaten press freedom and contradicts the principle of human rights protection, particularly the right to freedom of expression and the public's right to access information.⁸

A study conducted by Uswatun Nur Auliya analyzed the mass media's perception of the case involving the revocation of a CNN journalist's press pass at the State Palace from the perspective of the Press Law. The study revealed that restricting journalistic access to the corridors of state power can pose serious challenges to press freedom and highlights the ongoing tension between state authority and journalistic freedom. These findings underscore the importance of consistent legal protection for journalistic activities, particularly in ensuring access to information and press

⁷ Herlambang P. Wiratraman, "Kebebasan Pers, Hukum, dan Politik Otoritarianisme Digital," *Undang: Jurnal Hukum* 6, no. 1 (2023): 1–26, <https://ujh.unja.ac.id/index.php/home/article/view/821>

⁸ Alhakim, Abdurrahman. "Urgensi Perlindungan Hukum terhadap Jurnalis dari Risiko Kriminalisasi UU Informasi dan Transaksi Elektronik di Indonesia." *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 89-106. Accessed : March 9, 2026. <https://doi.org/10.14710/jphi.v4i1.89-106>

independence within a democratic system.⁹ In a study conducted by Syalaisha Nathania Faatihah, Agus Riwanto, and Sri Wahyuni, the authors analyzed the impact of restrictions on investigative journalism on the fulfillment of the public's right to information and public participation in the democratic process. The study found that restrictions on journalistic activities not only affect press freedom but also have the potential to hinder the fulfillment of the public's right to access accurate and transparent information.¹⁰

These studies make an important contribution, but most still focus on aspects of sectoral legislation and law enforcement practices, without conducting an in-depth examination of the constitutional foundations of journalist protection from a human rights perspective. From an international human rights perspective, this situation contradicts the global standards developed by the United Nations. The UN Human Rights Committee, in General Comment No. 34 on Article 19 of the International Covenant on Civil and Political Rights (ICCPR), affirms that states have a positive obligation to protect journalists from all forms of intimidation, criminalization, and violence, including through clear and effective legal and constitutional frameworks. Research by UNESCO and Reporters Without Borders also indicates that countries with explicit constitutional protections for press freedom tend to have lower levels of violence and criminalization of journalists.¹¹

Previous research indicates that the protection of journalists in Indonesia still faces various challenges, including issues related to the

⁹ Uswatun Nur Auliya, Intan Dyah Ayu Apriani, Raihani Khairunissa Barni, Evi Satispi, and Tria Patrianti. 2026. "Persepsi Media Massa Dalam Kasus Pencabutan ID Pers Jurnalis CNN Di Istana Negara Berdasarkan Undang-Undang Pers". *Jurnal Ilmu Komunikasi, Administrasi Publik Dan Kebijakan Negara* 3 (1):276-89. <https://doi.org/10.62383/komunikasi.v3i1.914>.

¹⁰ Syalaisha Nathania Faatihah, Agus Riwanto, dan Sri Wahyuni, "Pengaruh Pembatasan Jurnalisme Investigasi terhadap Hak atas Informasi Publik dan Partisipasi Publik di Indonesia," *Res Publica: Jurnal Hukum Kebijakan Publik* 8, no. 2 (2024): 155–170, <https://jurnal.uns.ac.id/respublica/article/view/100517>

¹¹ UNESCO, *Journalism Is a Public Good: World Trends in Freedom of Expression and Media Development—Global Report 2021/2022* (Paris: UNESCO, 2021), <https://www.unesco.org/reports/world-media-trends/2021/en/homepage>

implementation of laws, the application of regulations such as the ITE Law to journalistic works, and restrictions on journalistic activities in public spaces. However, these studies generally still focus on sectoral regulatory aspects and law enforcement practices and thus have not specifically addressed how the legal protection framework for journalists is formulated within a constitutional framework and from a human rights perspective. Therefore, this study aims to examine the constitutional design of legal protection for journalists from a human rights perspective as an effort to strengthen the guarantee of press freedom within the constitutional system.

The effectiveness of protections for journalists is largely determined by a country's constitutional framework and legal system. A comparison between Indonesia and Australia, for example, reveals fundamental differences in the regulation of press freedom. Indonesia explicitly guarantees press freedom in its constitution and specific laws, while Australia does not explicitly include press freedom in its constitution but relies on the doctrine of implied freedom of political communication and shield laws to protect journalists.

Nevertheless, the protection of journalists in Australia is relatively more consistent, as it is supported by a culture of the rule of law, judicial independence, and effective mechanisms for protecting news sources. This comparison demonstrates that the strength of constitutional design lies not only in the formulation of norms, but also in the integration of the constitution, legislation, and human rights-based law enforcement practices.¹²

Based on these conditions, it can be concluded that legal protection for journalists is a strategic constitutional issue. The absence of a robust and operational constitutional framework risks making journalists victims of criminalization and violence, while simultaneously undermining democracy

¹²Roshita Anggun Trisnaningrum and Adhitya Widya Kartika, "Perlindungan Hukum bagi Pers dalam Melaksanakan Kebebasan Pers di Indonesia dan Australia," *Jurnal Hukum & Pembangunan* 54, no. 2 (2024): 357–390, <https://doi.org/10.21143/jhp.vol54.no2.1593>

and human rights protection. Thus, the research questions addressed in this study are formulated as follows: (I) What is the legal framework for the protection of journalists in Indonesia, and (II) What is the constitutional framework for legal protection of journalists from a human rights perspective. Therefore, a study on the Constitutional Design of Legal Protection for Journalists from a Human Rights Perspective is important and relevant, both to strengthen the democratic rule of law and to ensure the fulfillment of the right to freedom of expression as a fundamental human right.

Method

This study is a normative legal study, which views law as norms enshrined in legislation, court decisions, and legal doctrine. The approach used is the statutory approach, which examines all laws and regulations related to the legal issue under study.¹³ In this context, this study analyzes constitutional protections for journalists from a human rights perspective through an examination of constitutional norms, laws, and international legal instruments. This study employs the theory of constitutional democracy, which emphasizes that democracy must be limited and exercised in accordance with the supremacy of the constitution and the protection of citizens' fundamental rights. Within this framework, press freedom is understood as an inherent part of the constitutional democratic system, which requires the limitation of state power through the mechanisms of the rule of law and judicial review.

Furthermore, this study employs mass media law theory, which positions press freedom as a central element in a democratic system, as articulated in the Four Theories of the Press, which explain the relationship between the state and the media across various political systems. This

¹³ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2017), 133 <https://books.google.co.id/books?id=CKZADwAAQBAJ&printsec=copyright#v=onepage&q&f=false> ini sayang

theory is essential for analyzing the position of the Indonesian press on the spectrum between the libertarian model and the social responsibility model. This study employs human rights theory, which asserts that freedom of expression and press freedom are fundamental rights guaranteed by international instruments and may only be restricted based on the principles of legality, necessity, and proportionality.¹⁴ This perspective views the state as a duty-bearer obligated to respect, protect, and fulfill journalists' constitutional rights as part of the right to freedom of expression.

The legal materials used consist of primary legal sources, namely the 1945 Constitution of the Republic of Indonesia, Law No. 40 of 1999 on the Press, the Law on Information and Electronic Transactions and its amendments, decisions of the Constitutional Court, as well as international instruments such as the International Covenant on Civil and Political Rights (ICCPR) and General Comment No. 34 of the UN Human Rights Committee; secondary legal materials in the form of books, academic journals, and reports from relevant international institutions; and tertiary legal materials in the form of legal dictionaries and encyclopedias. Legal research techniques were conducted through library research and systematic and structured legal documentation studies by cataloging, classifying, and analyzing all legal materials relevant to the issue of constitutional protection for journalists; data was validated through triangulation of sources.¹⁵ The analysis was conducted qualitatively using systematic and constitutional interpretation methods to identify the alignment between national norms and international human rights standards within the framework of constitutional democracy.

Result and Discussion

¹⁴ Manfred Nowak, *U.N. Covenant on Civil and Political Rights: CCPR Commentary*, 2nd ed. (Kehl: N.P. Engel, 2005), 443–450.

¹⁵ Johnny Ibrahim, *Teori dan Metodologi Penelitian Hukum Normatif* (Malang: Bayumedia Publishing, 2010), 302.

Based on the concepts of a democratic rule of law and the supremacy of human rights, a discussion of legal protections for journalists in Indonesia is essential to assess the extent to which the national legal system guarantees freedom of the press as a constitutional right. Journalists are not merely viewed as professionals, but as constitutional subjects who perform a public function in overseeing those in power and ensuring the public's right to information. Therefore, a comprehensive analysis of the normative framework for the protection of journalists is required, covering constitutional foundations, national and international legal instruments, and their implementation practices. This section will outline these legal foundations while assessing the alignment of regulations and the effectiveness of their protection within the framework of constitutional democracy and human rights standards.

1. The Legal Framework for the Protection of Journalists in Indonesia

The legal framework for the protection of journalists in Indonesia must be understood within the context of a democratic state governed by the rule of law, which enshrines human rights as a fundamental constitutional norm. The amendments to the 1945 Constitution of the Republic of Indonesia have transformed Indonesia's constitutional structure to be more focused on the protection of human rights. In this context, press freedom and the protection of journalists are not merely sectoral policies, but constitutional mandates. Article 28E paragraph (3) of the 1945 Constitution of the Republic of Indonesia guarantees the right of every person to express their opinion, while Article 28F guarantees the right to communicate and obtain information as well as to convey information through all available channels.¹⁶ This principle serves as the constitutional foundation of

¹⁶ Republik Indonesia, *Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, Pasal 28E ayat (3) dan Pasal 28F, <https://www.dpr.go.id/jdih/uu1945>

journalistic practice, as journalistic activities are, in essence, a concrete manifestation of freedom of expression and the right to information.

Article 28I (1) of the 1945 Constitution of the Republic of Indonesia affirms that the right to life and freedom from torture are rights that cannot be curtailed under any circumstances. This provision is relevant because acts of violence against journalists often involve physical threats, intimidation, and even murder. Jimly Asshiddiqie stated that the post-amendment constitution has adopted the principle of the constitutional supremacy of human rights, so that any restriction on press freedom must be tested against strict constitutionality standards.¹⁷ Recent developments in Case No. 145/PUU-XXIII/2025 indicate that legal protection for journalists is also part of the dynamics of constitutional review of statutory provisions that could potentially restrict press freedom.¹⁸

This constitutional dimension cannot be separated from Indonesia's international commitments. The ratification of the International Covenant on Civil and Political Rights (ICCPR) through Law No. 12 of 2005 made the provisions of Article 19 of the ICCPR legally binding under national law. That article guarantees freedom of expression, including the freedom to seek, receive, and impart information.¹⁹ The UN Human Rights Committee, in General Comment No. 34, emphasizes that states must ensure a safe environment for journalists and take effective measures to prevent and investigate attacks against them.²⁰ In addition, Article 6 of the ICCPR

¹⁷ Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia* (Jakarta: Sinar Grafika, 2010).

¹⁸ Putusan Mahkamah Konstitusi Nomor 145/PUU-XXIII/2025 https://s.mkri.id/public/content/persidangan/putusan/putusan_mkri_13648_17687999_12.pdf

¹⁹ Republik Indonesia, *Undang-Undang Nomor 12 Tahun 2005 tentang Pengesahan International Covenant on Civil and Political Rights (Kovenan Internasional tentang Hak-Hak Sipil dan Politik)* (Lembaran Negara Republik Indonesia Tahun 2005 Nomor 119), <https://peraturan.bpk.go.id/Details/39840/uu-no-12-tahun-2005>

²⁰ United Nations Human Rights Committee, *General Comment No. 34: Article 19—Freedoms of Opinion and Expression*, CCPR/C/GC/34 (Geneva: United Nations, 12 September 2011) <https://www.ohchr.org/en/instruments-and-mechanisms/international-human-rights-law>

guarantees the right to life, and Article 9 prohibits arbitrary detention. In the case of *Velásquez Rodríguez v. Honduras*, the Inter-American Court of Human Rights affirmed the doctrine of due diligence—that is, the state’s obligation to prevent, investigate, and punish human rights violations, including those committed by non-state actors.²¹

At the legislative level, Law No. 40 of 1999 on the Press serves as the primary instrument for the protection of journalists. Article 4, paragraph (1), states that freedom of the press is guaranteed as a fundamental right of citizens.²² Article 4, paragraph (2), prohibits censorship and bans on broadcasting, while Article 4, paragraph (3), guarantees the press the right to seek, obtain, and disseminate ideas and information. Article 8 states that journalists are entitled to legal protection in the performance of their professional duties.²³ However, this study found that the phrase “legal protection” is not accompanied by clear operational mechanisms, such as emergency protection schemes, preventive safety systems, or specific compensation mechanisms for victims of violence. The absence of these operational norms means that protection for journalists tends to be merely declarative. Law No. 39 of 1999 on Human Rights reinforces this normative foundation. Article 23(2) guarantees freedom of expression.²⁴

Meanwhile, Article 30 guarantees the right to security and protection from threats and fear. Articles 71 and 72 affirm the state’s obligation to respect, protect, uphold, and promote human rights. Thus, the protection of journalists is an imperative legal obligation of the state. In the realm of access to information, Law No. 14 of 2008 on Public Information Disclosure

²¹ *Velásquez Rodríguez v. Honduras*, Inter-American Court of Human Rights, Judgment of July 29, 1988 (Merits), Series C No. 4, para. 172–174, https://www.corteidh.or.cr/docs/casos/articulos/seriec_04_ing.pdf

²² Republik Indonesia, *Undang-Undang Nomor 40 Tahun 1999 tentang Pers*, Pasal 4 ayat (1) (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 166), <https://peraturan.bpk.go.id/Details/45370/uu-no-40-tahun-1999>

²³ *Ibid.*, Pasal 8

²⁴ Republik Indonesia, *Undang-Undang Nomor 39 Tahun 1999 tentang Hak Asasi Manusia*, Pasal 23 ayat (2) (Lembaran Negara Republik Indonesia Tahun 1999 Nomor 165), <https://peraturan.bpk.go.id/Details/45361/uu-no-39-tahun-1999>

provides legal guarantees for the right to obtain information. Article 4(1) states that every person has the right to obtain public information,²⁵ Meanwhile, Article 17 sets forth exceptions to the disclosure of information that must be interpreted strictly. For journalists, this regulation serves as a vital tool for ensuring government transparency. However, opaque bureaucratic practices often hinder their implementation.

There is legislation that has the potential to restrict press freedom, namely Law No. 19 of 2016 Amending the ITE Law, specifically Article 27(3) on defamation, which is frequently used to prosecute journalists.²⁶ This provision is considered open to multiple interpretations and potentially conflicts with the principle of proportionality in the restriction of rights. Article 19 states that the criminalization of defamation should be abolished because it is inconsistent with international standards on freedom of expression.²⁷ Similarly, the new Criminal Code (Law No. 1 of 2023) still contains provisions on the offense of insulting the President (Articles 218–220) and the offense of insulting the government (Article 240), which could potentially impact journalistic work if not interpreted strictly.

Law No. 31 of 2014 on the Protection of Witnesses and Victims can be utilized by journalists who are victims of violence. Article 5 guarantees victims' rights to physical and psychological protection. However, this law does not yet explicitly designate journalists as a vulnerable group requiring a special protection scheme. In the context of serious violations, Law No. 26

²⁵ Republik Indonesia, *Undang-Undang Nomor 14 Tahun 2008 tentang Keterbukaan Informasi Publik*, Pasal 4 ayat (1) (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 61), <https://peraturan.bpk.go.id/Details/38740/uu-no-14-tahun-2008>

²⁶ Republik Indonesia, *Undang-Undang Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik*, Pasal 27 ayat (3) (Lembaran Negara Republik Indonesia Tahun 2016 Nomor 251), <https://peraturan.bpk.go.id/Details/37582/uu-no-19-tahun-2016>

²⁷ ARTICLE 19, *Defining Defamation: Principles on Freedom of Expression and Protection of Reputation* (London: ARTICLE 19, 2000), <https://www.article19.org/resources/defining-defamation-principles-on-freedom-of-expression-and-protection-of-reputation/>

of 2000 on Human Rights Courts provides accountability mechanisms if violence against journalists occurs systematically or on a widespread scale.

Based on nine indicators of journalist protection from a human rights perspective, this study shows that the first indicator, the constitutional guarantee of freedom of expression has been met normatively through the 1945 Constitution and the ICCPR. The second indicator, access to information, is supported by the Freedom of Information Act, although its implementation has not yet been optimal. The third indicator, protection of journalistic sources, has not been explicitly regulated in the Press Law, unlike international standards as affirmed in the case of *Goodwin v. United Kingdom*, which states that source protection is an essential element of press freedom.²⁸ The right to life and personal safety is guaranteed by law, yet cases of violence against journalists highlight the weakness of preventive measures.

The fifth indicator, protection from criminalization, remains an issue due to the application of defamation laws and the ITE Law. The sixth indicator, protection from torture and inhuman treatment, has been guaranteed through the ratification of the Convention Against Torture, but accountability mechanisms are not yet fully effective. The seventh indicator, the duty to prevent, has not yet been realized in an integrated national system for the protection of journalists. The eighth indicator, the fight against impunity, remains weak; UNESCO notes that globally, more than 80% of cases involving the murder of journalists end without punishment.²⁹ The ninth indicator, the right to reparations, does not yet have a specific scheme for journalists who are victims of violence.

²⁸ *Goodwin v. United Kingdom*, European Court of Human Rights, Judgment of 27 March 1996, Reports of Judgments and Decisions 1996-II, para. 39–40, <https://hudoc.echr.coe.int/eng?i=001-57974>

²⁹ UNESCO, *Journalism Is a Public Good: World Trends in Freedom of Expression and Media Development—Global Report 2021/2022* (Paris: UNESCO, 2022), <https://www.unesco.org/reports/world-media-trends/2021/en/homepage>

Overall, the research findings indicate that the legal framework for the protection of journalists in Indonesia has a strong constitutional and international foundation, yet it still faces challenges at the legislative and implementation levels. An ideal constitutional design requires harmonization between the Press Law, the ITE Law, the Criminal Code, and sectoral regulations to align with the principles of the ICCPR and the doctrine of due diligence. Additionally, there is a need to establish a national human rights-based mechanism for the protection of journalists that is preventive, responsive, and reparative. Thus, legal protection for journalists is not merely declaratory but operational and effective in guaranteeing press freedom as a pillar of constitutional democracy.

2. The Constitutional Framework for Legal Protection of Journalists from a Human Rights Perspective

The constitutional framework for legal protection of journalists from a human rights perspective is rooted in the principles of a democratic rule of law that guarantees freedom of expression and freedom of the press as part of citizens' constitutional rights. Indonesia guarantees these rights as enshrined in Article 28E (3), Article 28F, and Article 28I (4) of the 1945 Constitution. Normatively, these provisions place press freedom as an integral part of human rights that must be respected and protected by the state. This norm constitutionally positions journalists as both subjects and important instruments in fulfilling the public's right to information.

Freedom of the press, from the perspective of international human rights, is an integral part of freedom of expression, as affirmed in Article 19 of the International Covenant on Civil and Political Rights (ICCPR). The latest report by the United Nations Educational, Scientific and Cultural Organization (UNESCO) for 2023–2024 indicates that threats against journalists—whether in the form of physical violence, digital intimidation, criminalization, or impunity for perpetrators—remain a serious global

issue.³⁰ This situation underscores that the protection of journalists is not merely a sectoral issue for the press, but rather an indicator of the quality of democracy and the fulfillment of human rights. In constitutional design, the protection of journalists cannot be understood merely as a normative guarantee; rather, it must be constructed through three main dimensions: (1) the normative nature of protection, (2) the substance of protection, and (3) the state's obligation to provide protection.

The concept of normativity in the protection of journalists requires a clear, integrated, and coherent legal framework to guarantee the freedom and safety of the profession. In Indonesia, this mandate is enshrined in Law No. 40 of 1999 on the Press, which establishes press freedom as a fundamental right of citizens (Article 4, Paragraph 1). This law not only guarantees the press's right to manage information (Article 4, Paragraph 3), but also explicitly provides legal protection for journalists in the performance of their professional duties as stipulated in Article 8. However, recent studies indicate that regulatory inconsistencies remain a serious problem, particularly due to the existence of the ITE Law and the new Criminal Code.³¹

Although the normative foundation is already in place, implementation on the ground is often hindered by conflicts between regulations, such as Law No. 11 of 2008 as amended by Law No. 19 of 2016 on Electronic Information and Transactions (ITE), particularly Article 27(3) regarding defamation and Article 28(2) regarding hate speech. Although the 2024 revision of the ITE Law has narrowed the scope of defamation offenses, various studies indicate that these provisions still have the potential to be used to criminalize journalistic works. In addition to the provisions in the

³⁰ UNESCO, *Journalism Is a Public Good: World Trends in Freedom of Expression and Media Development—Global Report 2021/2022* (Paris: UNESCO, 2022), <https://www.unesco.org/reports/world-media-trends/2021/en/homepage>

³¹ Komite Keselamatan Jurnalis, *Laporan Tahunan Kekerasan terhadap Jurnalis 2024* (Jakarta: Komite Keselamatan Jurnalis, 2024), <https://aji.or.id/system/files/2025-01/catatan-tahun-2024-aji-indonesia-keluar-mulut-harimau-masuk-mulut-buaya.pdf>

ITE Law, the new Criminal Code (Law No. 1 of 2023) also contains a few provisions that could potentially affect press freedom, particularly the articles regarding insults against the government or state institutions. Although formulated as complaint-based offenses, the construction of these norms still poses the risk of a chilling effect on investigative journalism practices.

The implications of these restrictions become even more complex when considered in light of findings from the SAFEnet study (2023), which indicate that certain provisions of the ITE Law are still being used to prosecute journalistic works in the digital sphere, despite legislative changes.³² This situation creates a tension between the principle of *lex specialis derogat legi generali*—which establishes the Press Law as a special regime for resolving disputes over news reporting—and the application of general criminal law.

The 2024 report by the Journalist Safety Committee (KKJ) indicates that, in some cases, law enforcement officials have not consistently prioritized ethical mechanisms and mediation through the Press Council before bringing cases to criminal court.³³ Such practices are inconsistent with the spirit of protecting the journalism profession as enshrined in the Press Law, which places the resolution of journalistic disputes within the framework of a self-regulatory mechanism. The inconsistency in the application of these norms indicates that the issue of protection does not lie solely in the availability of regulations, but also in the consistency of their interpretation and implementation by law enforcement agencies.

³² Southeast Asia Freedom of Expression Network (SAFEnet), *Situasi Kebebasan Berekspresi di Ruang Digital Indonesia 2023* (Jakarta: SAFEnet, 2023), <https://safenet.or.id/id/2023/03/safenet-pemenuhan-hak-hak-digital-di-indonesia-kian-memburuk/>

³³ Komite Keselamatan Jurnalis (KKJ), *Laporan Tahunan Kekerasan terhadap Jurnalis 2024* (Jakarta: Komite Keselamatan Jurnalis, 2024), <https://advokasi.aji.or.id/assets/uploads/KKJ-Laporan-Kekerasan-terhadap-Jurnalis-2024.pdf>

From an international human rights perspective, the UN Human Rights Committee, through its recent interpretation of Article 19 of the ICCPR, has affirmed that any restriction on freedom of expression must meet three cumulative requirements: legality, necessity, and proportionality.³⁴ This means that restrictions may only be imposed on a clear legal basis, aimed at a legitimate public interest in a democratic society, and applied in a proportionate and non-discriminatory manner. This principle is also consistent with the standards developed by the UN Special Rapporteur on freedom of expression, who emphasizes that regulations must not be used as a tool to silence public criticism.³⁵

Thus, although Indonesia has, in theory, a relatively progressive legal framework for guaranteeing press freedom, the main challenges lie in regulatory inconsistencies among laws and regulations and the lack of optimal consistency in law enforcement. The substance of protection within the constitutional framework refers to the normative recognition and depth of the rights guaranteed. From a human rights perspective, this scope encompasses freedom of expression, personal security, guarantees of due process, protection of information sources, and recognition of vulnerable groups working as journalists.

The right to freedom of speech and access to information constitutes the first dimension. Articles 28E and 28F of the 1945 Constitution and Article 19 of the ICCPR guarantee this right, which ensures the freedom to seek, receive, and impart information through various media without unlawful interference. A report released by the United Nations Educational, Scientific, and Cultural Organization (UNESCO) in 2024 states that freedom of public information is systematically undermined by every attack

³⁴ United Nations Human Rights Committee, *General Comment No. 34: Article 19 – Freedoms of Opinion and Expression* (Geneva: United Nations, 2011; reaffirmed 2022), TAHUN 2011 <https://www.ohchr.org/en/documents/general-comments-and-recommendations/general-comment-no-34-article-19-freedoms-opinion-and>

³⁵ Committee to Protect Journalists (CPJ), *Attacks on the Press 2023* (New York: Committee to Protect Journalists, 2023), <https://cpj.org/reports/attacks-on-the-press/>

on journalists because it hinders the public's right to know and participate in democratic life.³⁶ Therefore, the protection of journalistic work is an integral part of the protection of citizens' constitutional rights.

The right to safety and protection from violence, as well as personal safety and protection, is guaranteed under Article 28G (1) of the 1945 Constitution. This protection for journalists includes protection from intimidation, digital threats, hacking, doxing, and physical violence during reporting. According to the 2023 Committee to Protect Journalists (CPJ) report, there has been an increase in threats against journalists in Southeast Asia, including non-physical violence carried out through online media.³⁷ This phenomenon indicates that the risks facing the journalism profession are increasing alongside the digital transformation, meaning that legal protections must adapt to technological advancements.

Journalists have the right to a fair legal process; if a journalist faces legal issues related to reporting, the judiciary must act in accordance with the principles of proportionality, independence, and non-discrimination. At the national level, press-related conflicts must be resolved through ethical mediation and the Press Council, in accordance with the Press Law, before entering the criminal justice system. This principle is crucial to prevent the use of legal power to control media criticism or oversight.

The right to protect sources is enshrined in Article 4(4) of the Press Law, which establishes the right to refuse to disclose information, thereby granting journalists the authority to keep the identities of their sources confidential. This safeguard is a fundamental element of investigative journalism, as without protection for sources, the press's role in social control would be significantly diminished.³⁸

³⁶ UNESCO, *World Trends in Freedom of Expression and Media Development 2023–2024* (Paris: UNESCO Publishing, 2024).

³⁷ Committee to Protect Journalists, *Attacks on the Press 2023* (New York: CPJ, 2023).

³⁸ UN Human Rights Committee, *General Comment No. 34 (Reaffirmed 2022 Notes)* (Geneva: United Nations, 2022)

The right to adopt a gender-based and vulnerable-groups-focused approach. A 2023–2024 UNESCO study indicates that female journalists face a disproportionately high level of gender-based attacks in the digital space, including online sexual harassment, threats of violence, and disinformation campaigns targeting their personal reputations.³⁹ Therefore, the substance of protection must not merely be neutral but must take into account an intersectional perspective to ensure that more vulnerable groups receive effective and equitable protection. Thus, the research findings indicate that, normatively, Indonesia has recognized these various rights in its constitution and legislation. However, this recognition has not yet been fully accompanied by comprehensive preventive and remedial mechanisms, particularly in the context of digital security, gender-based protection, and guarantees for the implementation of ethical mechanisms prior to criminalization. This situation underscores that the substance of protection must be understood not merely as a normative statement, but as an operational and effective system of safeguards in practice.

The state is obligated to provide protection in accordance with modern human rights doctrine, which establishes the state's responsibility to fulfill and protect rights based on three main pillars: the obligation to respect, protect, and fulfill.⁴⁰ This framework emphasizes that the state is not only required to refrain from violations, but also to actively establish systems that ensure the preservation of fundamental freedoms, including freedom of the press.

The obligation to respect this right implies that public authorities must not take any actions that directly or indirectly hinder journalistic activities without a valid legal basis. Disbanding press coverage, seizing work equipment without clear procedures, or using broad criminal provisions to

³⁹ UNESCO, *World Trends in Freedom of Expression and Media Development 2023–2024* (Paris: UNESCO Publishing, 2024)

⁴⁰ HRWG & Dewan Pers, *HRWG Apresiasi Dewan Pers dan Komnas HAM, Tegaskan Pentingnya Perlindungan Keselamatan Jurnalis*, dewanpers.or.id, 21 Januari 2026

respond to public criticism are forms of intervention that violate the principle of strict limitations on rights in a democratic society.⁴¹

Under Article 19 of the ICCPR, states are obligated to ensure that any restrictions on freedom of expression are based on clear laws, have a legitimate purpose, and are applied proportionately. The duty to protect requires states to take preventive and repressive measures against all forms of violence directed at journalists, whether committed by state officials or non-state actors. This responsibility includes effective investigations, independent prosecutions, and the imposition of proportionate sanctions against perpetrators of violations. A 2024 report by the United Nations Educational, Scientific and Cultural Organization (UNESCO) emphasizes that impunity is the primary threat to press freedom globally, as the failure to punish perpetrators of violence creates a negative deterrent effect and reinforces patterns of systemic intimidation.⁴²

Therefore, the dimension of protection is not only about responding to incidents but also about establishing a comprehensive prevention system. The state must fulfill its obligations by creating an environment conducive to journalistic practice through consistent public policies, regulatory harmonization, and strengthening the capacity of law enforcement officials to understand human rights standards. These efforts can be realized through the integration of human rights education into law enforcement training, the development of guidelines for handling press-related cases, and the strengthening of institutional mechanisms such as the Press Council as an ethics-based dispute resolution forum. This approach aligns with the

⁴¹ Satriawan, Arnezul Achmad, Klarisa Tabita Khenina Tarigan, and Bombong Munif Musyaffa' Priambodo. 2026. "Perlindungan Hukum Atas Wartawan Saat Melakukan Penyelidikan Kasus Ditinjau Dari Undang-Undang Pers". *Journal of Contemporary Law Studies* 3 (2):189-200. <https://doi.org/10.47134/lawstudies.v3i2.5379>

⁴² United Nations Educational, Scientific and Cultural Organization (UNESCO), *World Trends in Freedom of Expression and Media Development: Global Report 2023–2024* (Paris: UNESCO Publishing, 2024), <https://www.unesco.org/en/world-media-trends/2025/journalism-rule-law?hub=612>

recommendations of various international instruments that emphasize the importance of creating an enabling environment for freedom of expression.

Based on the research findings, the most significant challenge in the Indonesian context lies in the duty to protect, particularly regarding the effectiveness of law enforcement against perpetrators of violence and consistency in preventing impunity. Although a normative framework is in place, suboptimal implementation indicates a gap between constitutional commitments and institutional practices. Thus, the constitutional design of journalist protection from a human rights perspective requires strengthening structural and institutional dimensions so that these three state obligations can be fulfilled simultaneously and sustainably.

TABLE 1. Constitutional Design Analysis of Legal Protection for Journalists from a Human Rights Perspective

No	Criteria	Scope of Protection	Legal Framework	Description
1	Constitutional Guarantees of Press Freedom	Normative-Substantive	The 1945 Constitution of the Republic of Indonesia, Article 28E, paragraph (3), Article 28F, and Article 28I, paragraph (1); the principle of constitutional supremacy	Freedom of the press is a derivative right of the right to communicate and seek information. In a constitutional democracy, this guarantee serves as a check on power to prevent the state from interfering with the flow of public information.
2	Recognition of the Press as a Pillar of Democracy	Functional-Structural	The Fourth Estate in the doctrine of the separation of powers.	The press is regarded as the fourth estate, overseeing the executive, legislative, and judicial branches. The legal framework

				positions the press as an instrument of popular sovereignty to ensure transparent and accountable governance.
3	Compliance with International Human Rights Standards	Universal-Universality	Article 19 of the ICCPR (ratified by Law No. 12 of 2005).	Indonesia is bound by the Three-Part Test (legality, legitimacy, proportionality). Any restriction on the press must be prescribed by law, serve a legitimate purpose, and be genuinely necessary in a democratic society—not for the benefit of the regime.
4	State Obligations (To Respect, Protect, and Fulfill)	The State's Responsibility	Article 28I, paragraph (4) of the 1945 Constitution of the Republic of Indonesia.	The state must Respect (refrain from interfering with editorial content), Protect (prevent violence against journalists by non-state actors), and Fulfill (provide regulations that ensure the sustainability of a healthy press).
5	Institutional Independence and Effectiveness	Institutional-Procedural	Law No. 40 of 1999 (Establishment of the Press Council).	The Press Council is designed to be an independent self-regulatory body. Its effectiveness depends on its ability to resolve press disputes without judicial intervention that

				criminalizes the press (decriminalization of the press).
6	Lex Specialis on Press Freedom	Legal-Principal	The principle that a special law takes precedence over a general law.	Press Law must take precedence over the Criminal Code or the Electronic Information and Transactions Law in journalistic disputes. This framework protects journalists from criminal charges if they adhere to the code of ethics, ensuring that the function of social control is not undermined by "SLAPP" (strategic lawsuits against public participation).

1. Sources: Brian Hafiz Arrizal, 2026 (edited)

It can be asserted that, from a normative perspective, the constitutional framework for legal protection of journalists in Indonesia fundamentally possesses a strong normative foundation within the framework of a democratic rule of law and the protection of human rights. The constitutional guarantee of press freedom is reflected in the 1945 Constitution and reinforced by the Press Law, which positions press freedom as both a fundamental right of citizens and a crucial instrument in ensuring the public's right to information and the function of holding power accountable. However, the effectiveness of this protection still faces challenges in the form of regulatory inconsistencies and inconsistent legal implementation, particularly regarding the potential criminalization of journalistic works through criminal provisions outside the scope of the Press

Law. Therefore, strengthening the framework for the protection of journalists requires regulatory harmonization, consistent application of the *lex specialis* principle, and the state's commitment to fulfilling its obligation to respect, protect, and fulfill press freedom as an integral part of human rights protection and the quality of democracy.

Conclusion

This study concludes that although Indonesia has a strong constitutional foundation for protecting journalists through Article 28E (3) and Article 28F of the 1945 Constitution, as well as the ratification of the ICCPR, the design of these legal protections remains largely declaratory rather than operational. There is a significant gap between constitutional norms and sectoral regulations. Journalist protection from a human rights perspective in Indonesia faces structural obstacles due to regulatory disharmony, where the Press Law is often overridden by “vague provisions” in the ITE Law and the new Criminal Code, which trigger criminalization and a chilling effect. Substantively, the existing protection framework has not yet been able to address aspects of digital security, explicit protection for sources, and gender-based protection for female journalists. The state, as a duty-bearer, has not fully fulfilled its due diligence obligations to prevent, investigate, and punish perpetrators of violence against journalists, resulting in persistently high levels of impunity.

As a strategic recommendation, to transform the protection of journalists from merely a normative guarantee into operational protection, the House of Representatives and the Ministry of Communication and Information Technology need to harmonize regulations by establishing the Press Law as *lex specialis*. The aim is to ensure that all disputes regarding news reporting are resolved exclusively through press mechanisms, without the intervention of criminal provisions in the Electronic Information and Transactions Law or the Criminal Code, which are often open to multiple interpretations

This strengthening also requires a stronger institutional foundation by converting the Memorandum of Understanding (MoU) between the Press Council and the National Police into binding internal police regulations, such as a National Police Chief Regulation, to ensure legal certainty at the investigative level. Finally, the protection framework must be progressively adapted through the integration of gender-based and digital protection. This is achieved by designing a security curriculum that focuses not only on physical safety but also on mitigating cyberattacks, doxing, and gender-based violence, thereby creating a safe and inclusive media ecosystem amidst the digital transformation.

References

- Alhakim, Abdurrahman. "Urgensi Perlindungan Hukum Terhadap Jurnalis Dari Risiko Kriminalisasi UU Informasi Dan Transaksi Elektronik Di Indonesia." *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 89–106. <https://doi.org/10.14710/jphi.v4i1.89-106>.
- Arnezul Achmad Satriawan, Klarisa Tabita Khenina Tarigan, Bombong Munif Musyaffa' Priambodo. "Perlindungan Hukum Atas Wartawan Saat Melakukan Penyelidikan Kasus Ditinjau Dari Undang-Undang Pers." *Journal of Contemporary Law Studies Volume:*, 2026, 189–200.
- Faatihah, Syalaisha Nathania, Agus Riwanto, and Sri Wahyuni. "Pengaruh Pembatasan Jurnalisme Investigasi Terhadap Hak Atas Informasi Publik Dan Partisipasi Publik Di Indone
- Fachreza Hardika Putra, Ratna Herawati, Novira Maharani Sukma. "PERLINDUNGAN HAM TERHADAP JURNALIS ATAS PERAMPASAN PERANGKAT DIGITAL BERDASARKAN UNDANG-UNDANG NOMOR 40 TAHUN 1999 TENTANG PERS Fachreza." *DIPONEGORO LAW JOURNAL* 14, no. 4 (2025): 1–14.
- Fauzi, Muhammad, and Mayzara Sari Fitria. "Kewajiban Negara Terhadap Implementasi Perjanjian HAM Internasional Dalam Perspektif Hukum Internasional Publik." *Jurnal Sains Student Research (JSSR)* 4, no. 1 (2026): 672–82.
- Gina Aulia Nurpadilah, Siti Nafisa Nura Syabanahar. "Perlindungan Hukum Jurnalis Dalam Kebebasan Pers (Study Kasus : Penganiayaan Jurnalis Tempo, Nurhadi) Gina." *Jurnal Pendidikan, Seni, Sains Dan Sosial Humaniora*, no. September (2025): 1–15. <https://doi.org/10.11111/nusantara>.
- Hadi, Syamsul, and Trias Hernanda. "Kebebasan Pers Mahasiswa Dalam Perspektif Undang Undang Pers Dan Hak Asasi Manusia Di Indonesia." *Jurnal Ilmu Sosial & Hukum*, 2025, 9312–22.
- Komite Keselamatan Jurnalis. "Laporan Tahunan Kekerasan Terhadap Jurnalis 2024," 2024, 40.
- Mahkamah Konstitusi Risalah Sidang Perihal Tentang Intelijen Negara Terhadap Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 Acara Dpr , Pemohon dan Pemerintah J a K a R T A*, 2025.
- Manan, Bagir. "Bagir Manan. (2016). Pers, Hukum, Dan Hak Asasi Manusia. Dewan Pers, Jakarta.," 2016, 298.
- Mayndha Yulista Sitorus, Elidar Sari, Nuribadah. "IMPLEMENTASI PERLINDUNGAN HUKUM TERHADAP JURNALIS DALAM KONTEKSKEBEBASANPERS (Studi Putusan Nomor: 148/Pid.Sus/2021/PN.Lgs)." *Jurnal Ilmiah Mahasiswa Fakultas Hukum (JIMFH)* 8 (2025).

- Muh Akbar Yanlua, Siti Zainab Yanlua, Nurfitri Yanlua, Nurmilasari. "KONSTITUSIONALITAS HAK ASASI MANUSIA DI INDONESIA-STUDI ATAS INKONSISTENSI PENGATURAN DAN PENEGAKANNYA Muh." *JURNAL AL-MUQARANA: JURNAL HUKUM DAN PEMIKIRAN ISLAM* 4, no. 1 (2025): 12–21.
- Nasruddin, Suhaibah, M. Agmar Media. "TINJAUAN YURIDIS PERLINDUNGAN DAN KESEJAHTERAAN TERHADAP WARTAWAN MEDIA ONLINE." *Jurnal Ilmu Hukum* 2 (2024): 65–71.
- Nikmah, Putri Fithrotin. "Perlindungan Kebebasan Berpendapat Dalam Media Sosial Dalam Perspektif Ham." *JURNAL HUKUM, POLITIK DAN ILMU SOSIAL (JHPIS)* 2 (2023): 123–30.
- Prof. Dr. Jimly Asshiddiqie, S.H. "Pengantar Hukum Tata Negara." *Sekretariat Jenderal Dan Kepaniteraan Mahkamah Konstitusi RI*, 2022, 1–209.
- Rahman, Alfiansyah, and Ahmad Dimiyati. "Peran Jurnalisme Watchdog Dalam Meningkatkan Akuntabilitas Pemerintah : Media Sebagai Agen Perubahan Sosial Di Era Teknologi Digital." *Jurnal Ilmiah Ilmu Sekretari/Administrasi Perkantoran* 13, no. 1 (2026): 1–12.
- Safira Azarine Lutfiyah Soeprianto, Mauridah Isnawati. "Perlindungan Hukum Terhadap Wartawan Sebagai Korban Kekerasan." *JURNAL JUSTICIABELEN* Volume 4, no. 2 (2022): 50–63.
- Siregar, Fritz Edward. "Between the People and the Populists: Safeguarding Judicial Independence in a Changing World." *Constitutional Review* 10, no. 1 (2024): 170–201. <https://doi.org/10.31078/consrev1016>.
- Tegar Kusuma Putra, Soediro. "PERLINDUNGAN HUKUM TERHADAP JURNALIS DALAM MEWUJUDKAN INDEPENDENSI PERS DI INDONESIA." *Journal Presumption of Law* 7, no. April (2025): 48–58.
- Trisnaningrum, Roshita Anggun, and Adhitya Widya Kartika. "Perlindungan Hukum Bagi Pers Dalam Melaksanakan Kebebasan Pers Di Indonesia Dan Australia." *Jurnal Hukum & Pembangunan* 54, no. 2 (2024). <https://doi.org/10.21143/jhp.vol54.no2.1593>.
- Turnya. "KEBEBASAN PERS DI INDONESIA: ANALISIS TERHADAP IMPLEMENTASI UU NOMOR 40 TAHUN 1999 TENTANG PERS DALAM ERA DIGITAL." *Jurnal Surya Kencana Dua: Dinamika Masalah Hukum Dan Keadilan* 12 (2025): 239–53.
- UNESCO. *Journalism Is a Public Good: World Trends in Freedom of Expression and Media Development—Global Report 2021/2022*, 2022.
- Uswatun Nur Auliya, Intan Dyah Ayu Apriani, Raihani Khairunissa Barni, Evi Satispi, Tria Patrianti. "Persepsi Media Massa Dalam Kasus Pencabutan ID Pers Jurnalis CNN Di Istana Negara Berdasarkan Undang-Undang Pers." *Jurnal Ilmu Komunikasi, Administrasi Publik Dan Kebijakan Negara* 3 (2026).
- Wiratraman, Herlambang P. "Kebebasan Pers, Hukum, Dan Politik Otoritarianisme Digital." *Online* 6, no. 1 (2023): 1–31. <https://doi.org/10.22437/ujh.6.1.1-31>.

Yeti Andrias, Maria, Farida Tuharea, Yulianus Payzon Aituru, Irsan Irsan, and Apripari Apripari. "Perlindungan Hak Jurnalis Terkait Ujaran Kebencian Dalam Hukum Positif Indonesia." *Al-Mizan* 19, no. 1 (2023): 79–104. <https://doi.org/10.30603/am.v19i1.3449>.