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Second UA: 95/24 Index: ASA 21/9124/2025 Indonesia of March 13, 2025

INDONESIA WORKER WINS DEFAMATION CASE BUT STILL FACES JAIL

On January 22, 2025, the Central Jakarta District Court cleared Septia Dwi Pertiwi of all charges under Indonesia's Electronic Information and Transactions (EIT) Law. She had been accused of defamation for criticizing her former employer online.

However, the public prosecutor has now appealed to the Supreme Court, asking it to overturn her acquittal. If the court rules against her, Septia could be sent to jail.

This case highlights how the EIT Law is often used to silence critics and restrict freedom of expression in Indonesia.

Write to the Attorney General of the Republic of Indonesia urging them to:

- Withdraw the cassation request and fully respect the Central Jakarta District Court's ruling;
- Ensure Septia Dwi Pertiwi remains free from further legal harassment;
- Ensure that all activists can freely carry out their activities without fear of hindrance, intimidation, arbitrary arrest or other reprisals;
- Stop using the Electronic Information and Transactions Law to target activists simply for exercising their right to freedom of expression and ensure that defamation is treated only as a civil matter.

Write to:

Dr. Sanitiar Burhanuddin
Attorney General of the Republic of Indonesia
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And copy:

His Excellency Daniel Tumpal Sumurung Simanjuntak
Ambassador
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ADDITIONAL INFORMATION

Septia Dwi Pertiwi worked at PT Hive Five, a tax and accounting services company in Jakarta. In October 2022, she resigned after the company allegedly cut salaries and failed to pay promised commissions.

On January 21, 2023, she posted criticism of the company on social media. Soon after, she received anonymous threats and repeated calls from the company. The next day, Henry Kurnia Adhi, a co-owner of PT Hive Five, accused her of defamation and sent a legal notice demanding an explanation.

Between January and February 2023, Septia received multiple legal notices and was summoned by the police for questioning. Even though she cooperated, she was officially named a suspect on September 5, 2023.

During mediation, the company demanded IDR 300 million (USD 19,300) in compensation and a public apology, which she refused. On August 26, 2024, the Central Jakarta Prosecutor's Office ordered her arrest. She was detained for 25 days at Pondok Bambu Detention Center before being placed under city detention until November 30, 2024, while awaiting trial.

At her trial, on December 11, 2024, the public prosecutor asked for a one-year prison sentence and a fine of IDR 50 million (USD 3,200), which could be replaced with three months in jail.

On January 22, 2025, the Central Jakarta District Court found Septia not guilty, ruling that she had not committed any crime. However, on February 3, 2025, the public prosecutor appealed to the Supreme Court, arguing that the lower court failed to properly assess the evidence. If the Supreme Court overturns her acquittal, she could face up to four years in prison.

Septia's case is part of a troubling pattern in Indonesia, where authorities use the Electronic Information and Transactions (EIT) Law to silence critics. Since 2019, Amnesty International has recorded at least 560 cases of people being charged under this law.

Please take action as soon as possible until April 30, 2025. The UA will be duly updated should there be the need for further action.