



Judul : Media Sustainability Bill Enters Final Phase After Many Delays
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Media sustainability bill enters final phase after many delays

Media platforms dispute prolonged the bill discussion to almost a year

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The government has reached the final phase in drafting legislation that will require tech giants to pay media outlets for news, the Communications and Information Ministry has said, despite months of delays due to stalled negotiations among publishers and platforms.

The media sustainability bill awaits the signature of President Joko "Jokowi" Widodo, which the ministry expects to take place around National Press Day in February.

"In principle, all steps have been completed and there are no obstacles to signing the bill," Indriaswati "Indri" Dyah Saptaningrum, a member of Deputy Communications and Information Minister Nezar Patria's special staff, told *The Jakarta Post* on Thursday.

However, Indri said the process was still subject to both a decision from the State Secretariat and the general election on Feb. 14.

"[The signing process] may be affected because National Press Day falls around polling day," she said.

The State Secretariat was not immediately available for comment.

The draft law aims to address publishers' longstanding complaints that they are losing revenue to online platforms, as tech giants benefit from using news content in search results or other features without proper compensation.

The government is also aware that 60 percent of the country's

advertising market is dominated by Big Tech, depriving significant revenue from news outlets, especially those that do not rely on user subscription.

The bill was supposed to be passed last year, precisely a month after President Jokowi first made his promise to news outlets during National Press Day in February last year when he cited the news industry's not being "in good shape" as the urgency for passing the draft.

However, the President later acknowledged that there were differences among stakeholders that prevented the law being passed.

"In practice, it is really complex. One side wants this, but the other side does not want that, and the process took a long time to be completed. But right now, it is almost done," President Jokowi insisted on Sep. 25, 2023 as quoted by Antara.

However, it has still not been signed, despite Deputy Minister Nezar claiming on several occasions throughout last year that the draft had been handed over to the President.

Two global tech giants, Google and Meta, last July described the proposed legislation as "unworkable" and expressed their desire for further talks with the government to explore possible changes.

The chairman of the Alliance of Independent Journalists (AJI), Sasmito Madrim, acknowledged that there were disputes among news outlets and digital platforms regarding the draft law, but he gave an assurance that these had been concluded in the

latest meetings with the ministry.

"Google seems to have no objection to the regulation," Sasmito said on Dec. 16, as quoted by *Medcom*.

Google Indonesia managing director Randy Jusuf confirmed that the tech firm had no problem with the media sustainability bill, as long as the rules were practicable and applied fairly.

"We are always ready to have a discussion with media outlets and related institutions," Randy said on Nov. 7, 2023, as quoted by *Bisnis*.

However, sources told the *Post* that tech platforms and news companies were still lobbying the government as of mid-January, including the Press Council, which along with the ministry is responsible for leading the discussions on the draft.

The latest draft stipulates a requirement for tech platforms to strike a deal with local media outlets, in the form of paid licensing, revenue sharing or other types of partnerships, before using their content. This applies to all platforms, be they social media or search engine.

Wahyu Dhyatmika, chairman of Indonesian Cyber Media Association (AMSI), said the process had taken such a long time because the government tried to accommodate all interests from publishers, who have different business models.

Despite that, he believed that all digital platforms want to engage in business-to-business negotiations with publishers to establish a fair compensation formula.

"Currently, all publishers have

agreed to push the signing of the President's legislation, as long as it ensures fairer compensation for media content seen on digital platforms, and guarantees public access to high-quality journalism content," Wahyu told the *Post* on Jan. 8.

According to Muhammad Nidhal, a research assistant at the Center for Indonesian Policy Studies (CIPS), there are several points in the latest draft that may have concerns for Big Tech companies like Google and Meta and which affect the discussion progress. He pointed to the requirement to encourage high-quality journalism, sharing user activity data and disclosing algorithm changes.

Speaking on Friday he said there might be a problem in ensuring compliance for user-generated content (UGC) platforms like social media, which are deemed different from platforms utilizing a search engine.

In August last year, Meta told the *Post* that news outlets voluntarily shared content on its platforms, Facebook and Instagram, to better reach their audience. Thus, it believed that requiring the platforms to pay for links and content, which the company was not responsible for posting, was not workable.

Nailul Huda, digital economy director at the Center of Economic and Law Studies (CELIOS), said on Friday that digital platforms encompassed a variety of business models. Thus, it may be necessary to differentiate between them in the draft law.

Google and Meta were not immediately available for comment.