

URGENT ACTION

WORKER WINS DEFAMATION CASE BUT STILL AT RISK OF JAIL

On 22 January 2025, the Central Jakarta District Court acquitted Septia Dwi Pertiwi of all charges under the Electronic Information and Transactions (EIT) Law after she was accused of defamation for criticizing her former employer online. However, the public prosecutor has now filed a cassation request to the Supreme Court, seeking to overturn her acquittal. If the Supreme Court rules against her, Septia could face imprisonment. This ongoing legal battle highlights the continued misuse of the EIT Law to silence critics and suppress the right to freedom of expression in Indonesia.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

Dr. Sanitiar Burhanuddin

Attorney General of the Republic of Indonesia

Jl. Panglima Polim No.1, South Jakarta

Jakarta 12160

Email: humas.puspenkum@kejaksaan.go.id

X: @ST_Burhanuddin

Instagram: @stburhanuddin

Dear Dr. Burhanuddin,

I am writing to express my deep concern over the criminalization of the right to freedom of expression and ongoing harassment and legal threats against Septia Dwi Pertiwi, a former worker in Jakarta who was acquitted of defamation charges on 22 January 2025. The public prosecutor has filed a cassation request to the Supreme Court on 3 February 2025, seeking to overturn her acquittal.

Septia was prosecuted under Indonesia's Electronic Information and Transactions (EIT) Law, which has frequently been misused to silence critics. Her case began after she criticized her former employer, PT Hive Five, on social media for allegedly underpaying employees and violating their rights. She was arrested in August 2024 and detained for 25 days. After her release, she was placed under 'city detention'—a restriction preventing her from leaving the city without permission and requiring regular check-ins with authorities until her trial concluded on 22 January 2025.

The cassation request puts her at continued risk of imprisonment and may threaten other workers who speak out against injustice. It is a travesty that Septia Dwi Pertiwi is facing this ongoing legal process solely for peacefully exercising her right to freedom of expression, guaranteed under both international human rights and domestic laws.

Therefore, I urge you and the authorities 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.

Yours sincerely,
(Your name)

ADDITIONAL INFORMATION

Septia Dwi Pertiwi was an employee 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 fulfill promised commissions.

On 21 January 2023, she posted a criticism of the company on social media, which led to anonymous threats and repeated attempts by the company to contact her. The following day, Henry Kurnia Adhi, a co-owner of PT Hive Five, accused her of defamation and sent her a legal notice demanding clarification.

Between January and February 2023, Septia received multiple legal notices and was summoned by the police for questioning. Although she cooperated with the investigation, on 5 September 2023, she was officially named a suspect. During mediation, the company demanded IDR 300 million (USD 19,300) in compensation and a public apology, which she refused.

On 26 August 2024, the Central Jakarta Prosecutor's Office issued a detention order, and she was arrested and detained for 25 days at the Pondok Bambu Detention Center. After a legal challenge, she was placed under city detention until 30 November 2024 while awaiting trial.

During the trial, on 11 December 2024, the public prosecutor demanded a one-year prison sentence and a fine of IDR 50 million (USD 3,200), substitutable with three months in jail.

On 22 January 2025, the Central Jakarta District Court acquitted Septia of all charges, ruling that she had not committed any crime. However, on 3 February 2025, the public prosecutor filed a cassation request to the Supreme Court, arguing that the lower court failed to properly assess the evidence and legal provisions. If the Supreme Court grants the request, she could face up to four years in prison.

Septia's case reflects a broader trend of criminalizing the right to freedom of expression in Indonesia. Since 2019, Amnesty International has documented at least 560 people who have been charged with problematic articles of the EIT Law.

PREFERRED LANGUAGE TO ADDRESS TARGET: English or Indonesian

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 30 April 2025

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Septia Dwi Pertiwi (she/her)