JLPH: Journal of Law, Politic and Humanities
E-ISSN: 2962-2816
P-ISSN: 2747-1985
https://dinastires.org/JLPH dinasti.info@gmail.com +62 811 7404 455
DOI: https://doi.org/10.38035/jlph.v6i5

Comparison of Press Freedom from a Legal Perspective: A Study of Indonesia and Norway

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Abstract: This study compares the protection of press freedom in Indonesia and Norway from a legal perspective. This study aims to identify how the mechanism for protecting press freedom in Norway serves as a best practice and assess its relevance in the context of implementing the system and strengthening press freedom protection in Indonesia. The method used in this study is normative juridical with a comparative approach to laws and regulations. This study employs a literature-based data collection method, analyzing primary, secondary, and tertiary legal materials. The results show that Norway has strong protections for press freedom through constitutional guarantees, transparent information disclosure, and state-protected press mechanisms. On the contrary, Indonesia already has an adequate legal basis, but its implementation still faces the problem of the criminalization of journalists. This study provides an overview of how Norway, with stronger legal mechanisms to protect their press freedom, can serve as a reference for Indonesia.

Keyword: Press Freedom; Freedom of Expression; Comparative law.

INTRODUCTION

A good nation is a nation that listens to the voice of its people. One of the issues frequently raised by the public is freedom of expression, the right to voice opinions, and access to information. Indonesia, as a democratic country, with its government system based on people's sovereignty, naturally should hear the voice of the people, which is a vital instrument in the functioning of the government and fulfilling human rights. Freedom of expression is a fundamental right guaranteed in searching for, receiving, and conveying information in any form (Pratama et al., 2022). Everyone has the right to freely express their expression and opinion; freedom of expression and opinion are part of Human Rights. This is explicitly guaranteed in the Universal Declaration of Human Rights (UDHR) in Article 19, which provides broad protection for the right to freedom of opinion and to disseminate information..

Freedom of expression is not only recognized in the UDHR but is also regulated under Article 19 of the International Covenant on Civil and Political Rights (ICCPR) which is stated, "Everyone shall have the right to hold opinions without interference." This provision affirms that the freedom to hold opinions is absolute and cannot be subject to state interference or

restriction. Moreover, freedom of expression extends beyond the mere expression of opinions to include the active right to seek and receive information. The rights to freedom of expression and access to information form part of the civil and political rights guaranteed to every individual and, as such, must be protected by the state. (Pasaribu, 2024).

The activities of expressing opinions, seeking, receiving, and disseminating information constitute the exercise of press freedom, which serves as one of the fundamental manifestations of human rights. In this regard, Jurgen Habermas, through his Public Sphere theory, argues that the public sphere is an inclusive space in which members of society can express their opinions and engage in public discourse based on prevailing economic, social, and political conditions matters (Angga et al., 2023). The theory describes how public space is no longer a private space but rather a space for communication and deliberation that is free and equal in respecting each other's rights.

It means that the community has the right to be involved and express their opinions freely without any restrictions. Therefore, the right to freedom of expression as recognized in the UDHR and the ICCPR reflects the participation of individuals in democratic society by enabling them to engage in discussion and express their views. Meanwhile, the press serves as the main channel in conveying public opinion (Yudisman, 2020).

Human rights should not only be guaranteed in a written constitution but should also be reflected in legislation and judicial decisions. This statement explained by A. V. Dicey in his book, ”Introduction to the Study of the Law of the Constitution”, in which he argues that a state may be regarded as a rule of law state if it fulfills the elements of the Rule of Law, namely: Supremacy of Law, Equality Before the Law, and a Constitution Based on Human Rights. (Jamilah et al., 2025). Within a legal framework, the press serves an important role over the exercise of state power and ensuring transparency. Accordingly, the press acts as a watchdog and a mechanism of social oversight.

Based on A.V. Dicey's and Jurgen Habermas's theories, it is shown that the existence of the press in a legal country is very much needed. Freedom of the press, which is the actualization of freedom of expression as stated in Article 2 of Law Number 40 of 1999, explains that Press Freedom is a form of the realization of people's sovereignty based on the principle of democracy (Undang-Undang Republik Indonesia Nomor 40 Tahun 1999 Tentang Pers, 1999). This is consistent with Jürgen Habermas's theory of deliberative democracy, which holds that democracy is grounded in communicative action. Under this theory, every individual has the right to express their opinions, and such opinions should be addressed through rational discourse (Hendrawan & Jessica Adinda, 2025).

Bagir Manan in his book "Pers, Hukum dan Hak Asasi Manusia," mentions that the press as the fourth estate alongside other branches of state power such as legislative, executive, and judicial. The designation of the press as the fourth estate stems from its essential role as a watchdog, responsible for monitoring and maintaining balance among the other branches of power (Manan, 2016). Although labeled as the fourth pillar of power, this does not mean the press is a structure of the state's power itself. In essence, the function of press control is to criticize, evaluate, and convey information to the public while ensuring that the activities of various branches of power proceed as expected by the public.

According to the Alliance of Independent Journalists (AJI) report dated May 3, 2025, freedom of press in Indonesia is worsening with the increasing number of violent cases faced by journalists year after year. This can be directly seen on the AJI advocacy portal, which regularly reports on violence faced by journalists. In 2021, there were at least 48 cases of violence, including intimidation, physical violence, and punishment; In 2022, there were 68 cases of violence; In 2023, there were 99 cases of intimidation, tool theft, and digital attacks; In 2024, there were 73 cases of violence. Meanwhile, as we approach the end of 2025, there have already been 70 cases of violence against journalists (Aliansi Jurnalis Independen, 2025).

In 2024, there were at least 19 cases of physical violence, 17 cases of terror and intimidation, 9 cases of threats, 8 cases of violation of coverage, 6 cases of digital attacks, 3 cases of legal prosecution, 3 cases of sexual/gender-based violence, 2 cases of harassment, 2 cases of destruction/seizure of equipment, 1 case of murder, and 1 case of arrest. Meanwhile, in 2025, there were 23 cases of physical attacks, 20 cases of digital attacks, 15 cases of terror and intimidation, 7 cases of threats, 2 cases of deletion of coverage results, 1 case of legal prosecution, and 1 case of media blackout (Alian Jurnalis Independen, 2025). Based on this data, it indicates that the press in Indonesia has not yet truly been 'free' in carrying out its role as a watchdog.

The reality of press freedom in Indonesia is still far from the word 'Free', despite the regulations created to protect the function of the press itself. This precarious situation of press freedom in Indonesia is justified by the data included in the Reporters Without Borders (RSF) research. It shows that the Press Freedom Index in Indonesia in 2025 sees a decline, ranking globally at 127 with a score of 44.13. This index indicates that press freedom in Indonesia falls under the category 'Difficult'. Indonesia has experienced a significant drop in ranking compared to 2024, when Indonesia ranked globally at 111 with a score of 51.15.

Based on the difficult freedom of the press in Indonesia, ideally we can take the example of a country that has consistently ranked 1 in the last five years. As reported by Reporters sans frontieres (RSF), Norway has the highest score of 92.31 out of 100 points—measuring the press freedom levels of countries around the world in 2025 (Reporters Without Borders, 2024). As stated in Article 100 of the Norwegian Constitution, “There shall be freedom of expression.” This provision recognizes the right of every citizen to express themselves freely.

The differences in ranking raises important questions. Why is Norway consistently able to maintain the highest position in global press freedom rankings, while Indonesia, which ranks 127th, continues to face various forms of violence against journalists? Despite having regulations governing press freedom and institutions responsible for overseeing the press, Indonesia still encounters significant challenges in ensuring press freedom. In contrast, press freedom in Norway is primarily founded on Article 100 of the Norwegian Constitution.

The foregoing circumstances give rise to an interest in examining how Norway has attained the highest press freedom index in the world. Despite the relevance of such a comparison, there has been no study specifically comparing the legal frameworks governing press freedom in Indonesia and Norway. While in terms of legal systems, both Indonesia and Norway adhere to the same civil law system. This research will formulate two research questions: the legal mechanism of press freedom in Norway regarding journalist protection as a best practice, and the implementation of the press freedom system in Norway as a reference for improving press freedom protection in Indonesia..

Although the implementation of press law from a social and cultural aspect differs, the enforcement of the law and the institutions that uphold it are different. Therefore, this research is expected to identify any differences and how the implementation of law exists between Indonesia and Norway by comparing the legal factors, institutions, and political culture that affect the effectiveness of press freedom protection.

METHOD

This research uses a normative legal research method with a comparative problem approach and legislation. Normative legal research involves studying the law from a normative perspective, which means investigating and analyzing the applicable legal norms (Negara, 2023). The data used in this research was obtained from various sources, including: Undang-Undang Dasar 1945, Undang-Undang Nomor 1 Tahun 2023, Undang-Undang Nomor 40 Tahun 1999 Tentang Pers, Undang-Undang Nomor 1 Tahun 2024 tentang Informasi dan Transaksi Elektronik, Putusan MK Nomor 145/PUU-XXIII/2025, MoU Dewan Pers dan

Kepolisian Republik Indonesia tentang perlindungan kemerdekaan pers Nomor: 01/PK/DP/XI/2022, SEMA Nomor 13 Tahun 2008 tentang penanganan perkara pers, Peraturan Jaksa Agung RI No. PER-036/A/JA/09/2011 tentang Penanganan Perkara Tindak Pidana di Bidang Pers, Surat Edaran Kapolri No. SE/2/II/2012 tentang Penanganan Kasus Terkait Pers, Konstitusi Norwegia Pasal 100, The Penal Code, Freedom of Information act, and other technical legal provisions.

This research is also supported by secondary data sources in the form of books or legal journals containing expert opinions, fundamental principles, legal research results, and legal encyclopedias. Additionally, tertiary legal or non-legal materials are research materials consisting of non-legal textbooks that are still relevant and related, such as language dictionaries and general encyclopedias that are still relevant to support the research analysis process (Nugroho et al., 2020).

This legal research is conducted through a library approach by examining and analyzing relevant primary, secondary, and tertiary legal materials, such as legislation, books, journals, and official documents. According to Soerjono Soekanto, library research is a data collection technique that focuses on written information from various widely published and needed sources for normative legal research (Nugroho et al., 2020, hlm. 29). The data analysis technique used in this research is qualitative, where the author conducts descriptive research thoroughly by systematically describing the facts and characteristics of the object or subject being studied in the form of logical and coherent narration, thereby resulting in a deep understanding of the legal issues being researched.

RESULTS AND DISCUSSION

The legal mechanism of press freedom in Norway concerning the protection of journalists as a best practice.

Norway has consistently been an example of a country that guarantees press freedom. This is evidenced by the data released by Reporters Without Borders (RSF) over the past five years, where Norway ranks first as the country with the best press freedom in the world. As the country with the highest level of press freedom in the world, Norway ranks first with a score of 92.31 in 2025 and 91.89 in 2024. This highest ranking is based on the minimal violence against journalists that occurs in Norway. Press freedom in Norway is guaranteed by the law in force, namely Article 100 of the Grunnloven (Norway's Constitution), which was ratified in 1814 and has been amended in 2004.

There are significant differences in Article 100 of the Norwegian Constitution before and after the amendment. Freedom of the Press in Norway is often seen reflected in its constitution. In the version of the constitution before the amendment, there is the phrase, “There shall be liberty of the Press. No person may be punished for any writing…,” and “...Everyone shall be free to speak his mind frankly on the administration of the State and on any other subject whatsoever.” This indicates that Norway has recognized and guaranteed freedom of the press at the constitutional level. This means Norway believes that the Press is an important part of a country's sustainability. The constitution also stipulates that every person has the right to express their opinions regarding the government system. This means no one has the right to be punished for expressing their opinions unless it is proven by law that someone openly incites others to break the law, opposes existing regulations, or shows disrespect for religion. (The Constitution of the Kingdom of Norway (1814), 1814).

On August 26, 1996, the Commission on Freedom of Expression was established to assist the process of amending Article 100. This Commission later reviewed and proposed the Amendment to Article 100 through its report, which served as the basis for the publication of the Green Paper (Stortingsmelding) (Rieber-Mohn, 2004). This report was later officially adopted into the Norwegian Constitution in 2004. The provisions regarding freedom of the

press were made more specific after the amendment. The article begins with the phrase, "There shall be freedom of expression…" Instead of solely focusing on freedom of the press, the article expands its scope to freedom of expression, where every person has the right to express their opinions openly without having to be legally liable. This emphasizes that freedom of expression and the right to express opinions are fundamental rights that serve as the foundation for a transparent government. Norway, through Article 100 in its constitution, provides special protection for freedom of expression to have freedom in disseminating information and openly expressing opinions. The expansion of the article also includes censorship, "..."Prior censorship and other preventive measures may not be applied unless so required in order to protect children and young persons from the harmful influence of moving pictures…," it is explained that censorship is only implemented on certain media products to protect children and adolescents, supervision of publications only applies to certain institutions, every person has the right to access documents belonging to the state and has the right to follow the legislative process in court. Such censorship needs to be implemented in accordance with the content and to whom the media product is published, therefore, censorship is strictly limited.

The guarantee of press freedom in the Norwegian Constitution can be said to directly refer to the standard of the International Covenant on Civil and Political Rights (ICCPR). The rules for restrictions mentioned in Article 100 are not applied arbitrarily and must refer to human rights standards. This can be seen from the citation in the post-amendment constitution that regulates: "...shall be prescribed by law," which phrase directly refers to the standard of the International Covenant on Civil and Political Rights on how a country can impose restrictions. This sentence aligns with the cumulative Three-past-test condition of Article 19(3) specifically the condition of Necessity and Proportionality and General Comment No.34 issued by the ICCPR. This is more or less in line with the theory proposed by Jan Oster in his book titled "Media Freedom as a Fundamental Right." The book explains that press freedom (Media Freedom) is a specific manifestation of freedom of expression. Not only is it an embodiment of freedom of expression, but freedom of the press is also a legal principle that plays a vital role in democracy (Oster, 2013). The important role referred to aligns with the press's function in conveying information to the public and acting as a power balancer.

Article 100 of the Norwegian Constitution serves as a constitutional guarantee, explicitly prohibiting censorship and restrictions on freedom of expression. The state must ensure public access to information by promoting transparency, which strengthens public trust and reinforces the role of the press as the fourth estate of democracy (the fourth pillar in democracy). The meaning of the fourth estate power here refers to the essential function of the press itself as a watchdog. The role of the press as a watchdog refers to it as a check and balance mechanism (Balancer) in a democracy. (Romaliani, 2020).

Article 100 in this Norwegian Constitution is in line with the principles found in the European Convention on Human Rights (ECHR). Specifically, Article 10, where it guarantees freedom of expression publicly without government interference. In essence, Article 10 of the ECHR has similarities with Article 100 of the Norwegian Constitution, but with clearer details on the boundaries established. The similarity in this article is due to Norway being a member of the Council of Europe and having ratified the ECHR since 1952. Therefore, all forms of decisions and provisions issued by the Council of Europe are binding and Norway must comply with these decisions. As a result, cases involving violations of freedom of expression against individuals or groups in Norway, may be submitted to the European Court of Human Rights (ECtHR) (Mehdiyev, 2025). This mechanism provides a strong guarantee for the protection of freedom of expression in Norway. Because not only is it regulated in the Norwegian Constitution, but there is also an external party that acts as a watchdog to ensure that Norway, as a country, fulfills its human rights obligations.

The check-and-balance mechanism mentioned earlier is evident in the way in which cases related to freedom of expression can be brought before the ECtHR when a decision is deemed unfair. Once a final judgment is rendered and all domestic remedies have been exhausted, the case can be submitted to the ECtHR within four months from the date of the final judgment. This is possible when domestic legal procedures prove ineffective, take too long, or pose a risk to the safety of the victim (Judiciary Hub, 2023). This demonstrates that mechanisms governing freedom of the press are consistent with the principle of checks and balances, as the state recognizes systems of social oversight over the press as part of the broader effort to maintain a balance of power.

Norway's commitment to ensuring freedom of the press is reflected in its foreign policy. This is manifested through a diplomatic initiative known as "Freedom of Expression". Freedom of Expression refers to the state's active role in facilitating and strengthening freedom of expression abroad, through assistance, cooperation, and political initiatives. This was also mentioned by Norway's former Foreign Minister, Ine Eriksen Søreide, during an online event on Freedom of Expression on June 29, 2021. Ine Eriksen Søreide explained that promoting freedom of expression is a priority for Norway's international efforts. Norway will support journalists, independent media, and human rights organizations around the world through financial and diplomatic means (Putih, 2021). Since Freedom of Expression became part of Norway's foreign policy agenda,Norway has positioned itself as a supporter of freedom of the press in international forums. This shows that, in addition to ensuring that freedom of expression is upheld within its own borders, Norway also strives to promote freedom of expression as part of its foreign policy. This diplomatic approach serves as an effort to strengthen freedom of expression, particularly freedom of the press.

Like the guarantee of freedom of expression implemented as foreign policy, the Norwegian government proceeds to implement the same strategy domestically. This can be seen from the formation of the Norwegian Freedom of Expression Commission (Ytringsfrihetskommisjonen), an agency established by the Norwegian government on August 23, 1996. The formation of this commission was established through the Royal Resolution in the Council of State (Kongelig resolusjon i statsråd) with the aim to review the condition of Norwegian press freedom so that it aligns with Article 100 of the Norwegian Constitution and international standards, namely Article 10 of the ECHR and Article 19 of the ICCPR (Norwegian Ministry of Culture and Equality, 2022). The Norwegian Freedom of Expression Commission also has a role to propose domestic legal and policy reforms to keep the space for freedom of the press in Norway strong and adaptive to new developments. For example, like the report issued by the freedom of expression commission in 2022 which proposed several changes to nine laws to strengthen the legal framework that supports freedom of expression in Norway (*Ytringsfrihetsrapport foreslår flere lovendringer*, 2022).

Specifically, this commission is tasked with examining social, technological, legal, and economic developments that affect press freedom. The Commission for Freedom of Expression also conducts oversight and recommends policies to establish a framework that supports press freedom. This is demonstrated in the Official Norwegian Reports NOU 2022, where this commission outlines national surveys on journalist safety, economic protection for media diversity, self-evaluations and ethical transparency of the press, and others.

Press freedom cannot stand on its own with just its constitution; the supporting institutions must also contribute through independent oversight bodies. The Norwegian Press Association is a representative umbrella organization comprising various media organizations in Norway. The Norwegian Press Association (Norsk Presseforbund – NP) is a private association formed by media organizations to oversee organizations or companies operating in the news media sector. NP was established in 1910 with the goal of advancing ethical standards, professionalism, and integrity in Norway's journalistic world. This organization is a balancer,

such that freedom of the press in Norway comes not only from state-established institutions but also from associations formed by journalists themselves. The Norwegian Press Association (NP) plays a vital role in spreading its journalistic ecosystem to the global stage through collaboration. Some examples include NP being an active member of the Alliance of Independent Press Councils of Europe (AIPCE), and actively participating in formulating journalistic ethical standards in the digital era (Press Councils EU, 2025). NP also provides journalism safety program training in conflict zones.

The country also contributes to the prosperity of press freedom in Norway. This is also shown by how the country highly respects press freedom in Norway. Norway's openness is not merely a political policy, proven by how the country protects its press freedom through Constitutional Article 100. Additionally, Norway fully acknowledges the right of public oversight, where the press can access incoming and outgoing letters and documents from public institutions, as well as providing services where the press can access conference documents without bureaucratic barriers. Another example is shown by how the Norwegian government respects press autonomy by not interfering in press disputes, meaning the dispute resolution process is fully handled by PFU.

NP is the umbrella organization for media and journalistic organizations in Norway, overseeing journalists who work according to high ethical standards to earn public trust in the media. NP also advocates for transparency and access to information for the press so that journalists can access documents and public information as stated in the Freedom of Information Act. Providing support to the press when covering sensitive issues when state agencies withhold information is also a form of protection by NP. Through the Press Transparency Committee (Pressens offentlighetsutvalg), NP provides legal, technical, and strategic support to its journalists. Another example in 2020, one of Norway's news outlets published an article titled “Derfor bør du klage” (Therefor, you should complain) (Meldalen & Strand, 2020). In the article, it explained how to write a complaint letter if an institution or government refuses to grant access to certain documents. NP is tasked with developing and upholding the Press Ethics Code (Vær Varsom-plakaten) that applies in Norway. The other tasks include promoting press freedom and resolving complaints submitted by supervisory bodies such as the Norwegian Press Complaints Commission (PFU).

The Norwegian Press Complaints Commission (Pressens Faglige Utvalg) is an independent regulatory body established by the Norwegian Press Association in 1928. Its purpose is to promote ethical and professional standards in Norwegian media. The commission serves as a self-regulatory mechanism within the press industry. It handles disputes related to news content that may violate journalistic ethics, ensuring that such disputes are resolved fairly and independently, outside of court proceedings. In resolving disputes, the commission’s decisions are binding on those media outlets that adhere to its self-regulatory framework. These decisions are final and cannot be appealed (endelig) (Omdal, 2015). In other words, while the commission’s decisions aren’t legally binding like court rulings, they carry moral and ethical weight for its members.

When media outlets ignore such decisions, it can undermine public trust. One example of media ignoring PFU’s rulings is the scandal involving the newspaper Verdens Gang (VG). In 2019, VG published an investigative story about Trond Giske, a senior member of the Labour Party. The article included a video showing Trond Giske dancing with a young woman named Sofie. VG presented the video in a way that suggested Giske had harassed Sofie, although, according to Sofie, the dance was completely consensual. VG ignored Sofie’s statements, which were later reported to PFU. PFU ruled against VG, ordering them to publish Sofie’s defense and apologize publicly in their news outlets. As a result, VG faced widespread resignations, accompanied by a significant decline in public trust in the organization. (Norsk Presseforbund, 2019).

In addition to the mechanisms put in place by PFU, the decisions made are also influenced by the awareness of the media and the public. The media dispute resolution mechanism involves editors, journalists, and representatives of the public (independent members who represent the public's interests) in the evaluation process. This mechanism is designed to ensure independence and preserve public trust in the media. Furthermore, the committee's decisions are broadcast live and made available to the public, thereby enhancing transparency. There are two types of procedures for resolving media disputes: the "Full Case Procedure," (Full klagesak) which takes 90 days from the time a complaint is filed and requires thorough investigation; and the "Summary Procedure," (Forenklet behandling) which takes 30 days if the complaint does not meet the criteria for violating basic ethical standards.

Regardless of the strict state protection of the press and physical safety, the press in Norway still faces psychological pressure in the digital space. Particularly journalists from LGBTQ+ groups, ethnic minorities, and journalists with disabilities. Due to the widespread nature of this pressure, the Council of Europe launched a campaign related to journalist safety. As a result of the campaign, in September 2025, Norway announced its strategy titled "Readiness in Realizing Freedom of Speech – National Strategy for Open and Informative Public Discourse." This strategy acknowledges that journalist safety is a prerequisite for freedom of speech. To fulfill this freedom of the press, the Attorney General has ordered the police and public prosecution services to pay special attention to cases involving violence and threats against journalists. Additionally, the Supreme Court has ruled that acts of threats and violence directed at journalists must be punished with heavier sentences. Norwegian journalist unions also regularly discuss the issues faced by journalists (Council of Europe, n.d.). This indicates that, although journalists in Norway are still vulnerable to psychological pressure in the digital space, the country continues to uphold the freedom of the press as stipulated in its constitution.

To protect freedom of the press in Norway, on May 29, 2020, the Norwegian Ministry of Culture (*Regjeringen*) introduces the Media Liability Act 2020 as legal protection to ensure editorial independence from interference, and it was implemented on July 1, 2020. This law aims to maintain public trust through editorial independence and ensures legal responsibility for media lies with the editor-in-chief (Norwegian Ministry of Culture and Equality, 2018). This means journalists, as practitioners of journalistic products, cannot be held directly legally responsible for journalistic products they create, and therefore the person responsible is the editor-in-chief. Because a journalistic product must pass the editorial process before being published, with the editor-in-chief's approval determining whether the product is suitable for publication.

The Constitution guarantees freedom of expression and the right to public information—on the other hand, media also fulfills its role by adhering to general ethical codes. In addition to Article 100 of the Norwegian Constitution, there is also the Freedom of Information Act, which this law ensures transparency for journalists. The purpose is to create a transparent and accountable government so that the press can easily obtain information. This transparency is an implication for journalists to have, obtain, and disseminate information to the public.

Although Norway applies transparency to data and information that is accessible, there are limitations that are enforced even though the data accessible to the public is transparent. In Section 13 of the Freedom of Information Act, it is stated regarding exceptions to access to public information deemed confidential. The confidential documents include physical/mental health records, sexual orientation, whistleblowers, business tactics that can be exploited by competitors, and others. This means that in addition to the data mentioned, other data must be transparent and accessible to its citizens.

Furthermore there is the Broadcasting Act which covers broadcasting media, licenses, content protection, and regulates streaming services. The Broadcasting Act plays a role in

adapting broadcasting institutions and media to operate legally. The existence of the Broadcasting Act and Freedom of Information Act regulates the protection against broadcasting censorship. Due to this ban on censorship from the government, it creates a space for freedom of expression, supporting a safe space for the press and media to operate but still remains accountable. Therefore, the government does not have legitimacy to intervene in the media.

The Freedom of Information Act and the Broadcasting Act complement Article 100 of the Norwegian Constitution by supporting its implementation and enforcement, thereby ensuring freedom of the press in Norway. In addition to the supporting legislation, it needs to be examined to what extent criminal law provisions in Norway that impede or threaten press freedom are present. In practice, freedom of the press certainly has its own limitations. Matters such as hate speech, discrimination, and fake news are regulated in certain articles. The criminal offense of hate speech in Norway is regulated in Penal Code Section (Article) 185 on Hate Speech, which states that anyone with intent to discriminate or express hate speech that includes matters such as: skin color, race, nationality, religion, or sexual orientation will be imprisoned for three years. This article explains in detail the classifications that can be applied regarding the hate speech offense.

In the provision concerning Hate Speech, specific elements of discrimination have been elaborated to reduce the risk of misusing this provision in media disputes. Besides hate speech, another provision regulated within the Penal Code is False Statement (Keterangan Palsu). False statement is found in Chapter 22 on False Statement and Accusation (The Penal Code, 2019). This chapter specifically discusses false statements, whether oral or written, with the threat of criminal sanctions for intentionally spreading false statements in the context of courts or official documents. The provisions in this chapter include detailed classifications, thereby reducing the risk of misuse.

Article 221 of the Penal Code on False Statement states that any person who provides false information to; the court, public notary, government agencies with the duty to give testimony, public authorities, the European Free Trade Association (EFTA) court, and the International Criminal Court. The false information referred to in this article refers to information that does not align with the actual facts and/or intentionally conceals critical information. This means that if there is false information that does not match the facts on the ground and is directed to state agencies, the person can be prosecuted. Furthermore, Article 222 on False Accusation states that any person who provides false information to the court, police, or other public authorities, by means of "fabricating" (Pemalsuan barang bukti) or other behavior creating a "false ground" (Alasan palsu) for criminal liability will be sentenced to a fine or imprisonment for up to 3 years. The meaning of False Accusation in this article includes fabricating evidence and creating a false alibi to criminally accuse someone.

Regarding the subsequent enhanced false accusation described in Article 223, this article explains that when there is an enhanced false accusation, a person can be sentenced to prison for a term not exceeding 10 years, with consideration given to the consequences and potential of the accusation, the nature and content of the accusation, and other circumstances. Article 224 on Unsubstantiated Accusation explains that a fine or prison sentence of up to one year shall be imposed on any person who provides false information to the court, prosecutor, or other public authorities, accusing someone of committing a crime without reasonable grounds to suspect.

Article 225 governs the accusation of fictional criminal acts, imposing a fine or imprisonment for one year on the person who reports a criminal act that has not been reported to the court, prosecutor, or other public authorities, or creates suspicion that a criminal act has been committed, although it has not. Finally, Article 226 on the obligation to provide information about a false accusation or punishment. This article discusses the imposition of a

fine or imprisonment for one year on every person who fails to provide information about the circumstances that prove the innocence of a person accused or sentenced for a criminal offense punishable by imprisonment for more than one year. The obligation to provide information applies regardless of the duty of confidentiality.

Based on the provisions stipulated in The Penal Code, it can be concluded that Norway has established clear boundaries regarding its legal object in official authority interactions. This means the risk of libel being imposed on these provisions is considered very minimal. The protection of the press is also strengthened by the abolition of the criminal defamation (Pencemaran nama baik) article from the criminal law since 2015, and it was established in civil law. This is because the government cabinet felt that compensation and restitution as penalties are the appropriate form of legal resolution for criminal defamation (Ministry of Justice and Police, 2008). Articles about blasphemy (Penistaan agama) were also completely removed from the criminal law (Freedom House, 2016). The official statement of the abolition of the blasphemy and defamation articles was issued by the Norwegian Ministry of Culture. The articles on blasphemous acts and defamation are indeed prone to misuse in press dispute cases, therefore the abolition of the blasphemy article and the full transfer of the defamation article to civil law can reduce the risk of misuse. Therefore, if there is any form of problem related to public dispute settlement that will be resolved through PFU and Civil Law.

The provisions regarding defamation are regulated within the civil context known as the Damages Compensation Act (Kompensasi Kerugian). The Damages Compensation Act (Skadeserstatningsloven) applies because this law focuses on providing compensation to the party that is harmed due to actions that damage the victim's reputation. Articles 3-6a state that if a person injures another's reputation, they must pay compensation to the injured party. This article is enacted to maintain a balance between freedom of expression and the protection of individual reputation. By directing such violations into the realm of compensation for damages, Norway avoids criminalization that could threaten the freedom of the press guaranteed by the constitution.

This section also regulates compensation that must be paid if someone damages the honor or reputation of another person, causing harm to that individual. Additionally, this section also regulates what constitutes a defense if the statement is deemed valid when based on facts and can be proven with good faith. Since 2005, Norway has abolished defamation from its criminal law. This is because criminal sanctions for defamation are considered disproportionate and create a chilling effect on freedom of the press and public expression (Strømme & Tennfjord, 2023).

The imposition of criminal sanctions imposed by Norway can be used as a reference. Because the provision of the defamation article that is enforced is very strict to avoid the criminalization of press dispute cases. However, unfortunately, one of the chronic problems in freedom of the press is imprisonment or attacks that make journalists feel unsafe carrying out their functions, this is what causes self-censorship. In fact, there are still many countries that regulate defamation within criminal law. Therefore, the defamation provision made by Norway can be used as a reference.

The situation or legal system in ensuring press freedom in Norway is recognized as the number one best and has been ranked above the World Press Freedom Index by RSF. This data is supported by the press freedom index at RSF where Norway ranks first from 2023 to 2025. The existence of free press activities in Norway is also supported by strong political, economic, legislative, social, and security indicators. The supporting aspects present in the RSF index also rank at the top in the world. As already explained, the press legal system in Norway is the best practice. However, it must be understood that this is also influenced by the legal compliance of the community.

Based on Freedom House's 2024 report, Norway guarantees press freedom by its constitution and it is generally respected (*Freedom in the World*, 2026). It shows from how Freedom House highlights government transparency and widespread access to public information. Norwegian press freedom is rated under sub-category D1 with a political rights score of 39/40 and a civil liberties score of 60/60. A strong democratic environment with minimal intervention indicates that press freedom in Norway is free from political censorship. This means that the media in Norway is free and independent in carrying out its functions.

Overall, the system implemented in Norway to support its freedom of the press is considered complete. This proves that these factors have continuously placed Freedom of the Press in Norway at the top rank. It is not just the regulations, but also the role of the government and its citizens, as well as the clear boundaries set for press dispute cases, that provide a safe space to convey information as fulfillment of citizens' rights. Moreover, press disputes in Norway are certainly resolved by the NP and PFU due to the high sociological trust of its society. This is also influenced because Norwegian law does not have a multitafsir clause, as well as the impactful rulings of the PFU.

A comparative review of Norway's press freedom system as a reference for strengthening press freedom protection in Indonesia.

The regulations regarding press freedom in Norway, which have been established in such a manner, can actually serve as a lesson for Indonesia. As has been conveyed, Indonesia is a country where its press freedom index ranks 129 out of 180 countries, with a global score of 43.02, where this ranking indicates that Indonesia's press conditions are in the lower-middle range. This is evident from the situation regarding the safety of journalists. In terms of its normative legal framework, Indonesia still regulates articles that are quite subjective in their implementation. In this section, the author attempts to compare how the provisions of Norway, as best practice, contrast with the situation regarding press freedom in Indonesia.

Indonesia itself frequently experiences restrictions on information that should be disseminated to the public. First, regarding journalist safety, according to the Data from the Alliance of Independent Journalists (AJI) from 2025 showed that there were at least 89 cases of violence targeted at journalists. This violence includes physical violence, digital attacks, official intimidation, and legal suits. This indicates that protection for press freedom is increasingly weakening despite the regulations that protect it still being in effect. It should be—as a communication tool for citizens, press freedom must be guaranteed so that the press can fulfill its role in providing criticism and input to the government in carrying out its tasks well (Wahyudiono & Muna, 2023). In contrast, data from RSF Norway ranks Norway as the country with the highest level of press freedom in the world. Furthermore, data published by Safety of Journalists indicates that journalists in Norway rarely experience violence, whether physical, psychological, or digital. This situation highlights a significant disparity between the state of press freedom in Indonesia and that in Norway.

On January 20, 2026, the Indonesian Press Council released an article entitled "Journalists' Freedom Deteriorating, the Indonesian National Commission on Human Rights (Komnas HAM) Reveals Systemic Intimidation." The article highlights that violence against the press has become increasingly visible. It further notes that the frequent use of legal proceedings against journalists indicates that existing legal mechanisms are often misused in the resolution of press-related disputes (Dewan Pers, 2026). Journalists in Indonesia are often charged with criminal offenses in resolving their press conflicts, which also indicates that there are still vague or ambiguous legal provisions, leading to overlapping applications of the law. Compared to Norway itself, all press dispute issues are resolved directly by the PFU and NP (Omdal, 2015). As previously explained, the decisions issued by the PFU are final and binding on all parties. Additionally, the issue of defamation and religious slander is considered

vulnerable to misuse already fully removed from the criminal code in 2015 and the defamation provision was fully moved to the civil law realm..

Second, in Indonesia, there is a legal provision or offense related to freedom of expression, which has sparked debate about the urgency of its regulation. For example, Article 27A of the Information and Communication Technology Law (UU ITE) concerning Defamation, in this article, the phrase "attacking honor or good name," remains too subjective. This issue can be seen from how vulnerable journalists are to physical attacks, as well as legal attacks. In reality, the regulation of press freedom guarantees in Indonesia in the normative context can be said to be quite robust. For example, as stipulated in the constitution, there are provisions such as Article 28E about Guarantees for Protection of Human Rights (Jaminan perlindungan Hak Asasi Manusia) and Article 28F about Guarantees of Human Rights to Communication and Information (Jaminan Hak Asasi Manusia atas komunikasi dan informasi) of the 1945 Constitution (Undang-Undang Dasar 1945, 1945). Moreover there is law No. 39 of 1999 on Human Rights (Undang-Undang Nomor 39 Tahun 1999 tentang Hak Asasi Manusia) serves as the primary legal framework for the protection of human rights in Indonesia, guaranteeing, protecting, and upholding fundamental rights in accordance with legal principles and democratic values. In addition, it guarantees freedom of expression and the right to information, while providing for limitations on State intervention in the enjoyment of those rights.

The provision within the constitution is further regulated in Number 40 Year 1999 on the Press or so called Press Law (Undang-Undang Nomor 40 Tahun 1999 Tentang Pers, UU Pers), as the sole regulation on press protection. The Press Law specifically regulates regarding the dispute provisions of the press against all forms of objection to press products or journalistic activities. The provisions used to protect press freedom include the right to retract, the right to reply, as well as the status of the Press Council as a dispute resolution mechanism outside criminal channels. There is a clear statement that the press receives absolute legal protection in Article 8, which is the main legal basis for journalists to be protected from acts of violence, intimidation, physical or psychological threats while performing their duties in accordance with the code of ethics.

To hold published information accountable, this law also regulates the Right of Answer (Hak Jawab) and the Right of Correction (Hak Koreksi). Its purpose is that if any party is harmed by the information disseminated, journalists have the right to fulfill their Right of Answer (Hak Jawab) as a form of legal accountability. As a form of protection for sources, Law Number 40 of 1999 explains the Right of Refusal (Hak Tolak), where journalists have the right to refuse to disclose the personal information of sources in the presence of law enforcement, investigators, or courts. This is aimed at protecting sources from threats or criminalization. Public participation is also elaborated on in this law. Article 17 explains that the right of civilian society to monitor, analyze, and provide constructive criticism regarding the quality of national press is included.

As a legal umbrella for press freedom, Article 15 (2) states that the formation of the Press Council as an independent institution which functions to uphold the independence of the press, establish the Code of Journalistic Ethics, register media companies, and resolve press disputes. This indicates that the Press Council serves as an executing agency. The Press Council acts as an executive facilitator and mediator based on the mandate of Article 15 (2) (d) of the Press Law.

In addition, to protect journalists from easy criminal reporting, the Memorandum of Understanding (MoU) between the Press Council and the Police of the Republic of Indonesia on the Protection of Press Freedom Number: 01/PK/DP/XI/2022 was issued (Perjanjian Kerja Sama antara Dewan Pers dan Kepolisian Negara Republik Indonesia, 2022). The MoU or Agreement is an agreement aimed at preventing the criminalization of journalistic work and

ensuring that press disputes are resolved through the mechanism of Law Number 40 of 1999 and not through criminal law. This MoU is intended in case there is a party harmed by information disseminated by a journalist to the police office. Therefore, the Polri is obligated to implement a coordination system by requesting expert evaluation from the Press Council, this is aimed at examining whether the media and writers reported are legitimate press products or not. Consequently, the Polri investigator is not allowed to directly issue a Search and Investigation Order. If the Press Council states that the report is purely a dispute over professional reporting by the press, then the case must be resolved through Hak Jawab, Hak Koreksi, or Ethical Mediation (Mediasi Etik), and the criminal law process at the police must be stopped.

This MoU is expected to filter out the differences in the resolution of media disputes submitted to the Media Council and the misuse of the journalist profession submitted through the criminal process. One example of a media dispute case involving criminal law is the case of Diananta Putra Sumedi, the former Editor-in-Chief of the cyber media Banjarhits (Arbi, 2020). The article on community land published on November 9, 2019, was reported under the grounds of SARA and using Article 28 (2) of the UU ITE, which is considered as vague law (pasal multitafsir). This indicates that criminal law continues to be applied in cases that should instead be resolved through media dispute mechanisms. Furthermore, the police's disregard of the ethical resolution recommendations issued by the Media Council in this case demonstrates that law enforcement authorities failed to comply with the provisions of the applicable Memorandum of Understanding.

This is actually similar to Norway's regulations, where the dispute resolution mechanism for the press is handled by NP and PFU in line with the applied Journalists' Code of Ethics. In their systems as well, the press systems of Indonesia and Norway adhere to the same system, namely self-regulation. This means that in terms of systemically safeguarding press freedom, Indonesia and Norway have considerable similarities.

The problem lies in the implementation, where this MoU has not been fully effective. This is stated by LBH Pers in their article explaining that the dynamics of arbitrary arrests against the press are still accompanied by violence. Therefore, this MoU is considered to be ineffective in handling the protection of press freedom. This statement was issued by LBH Pers through a press release titled ‘POLRI's Face on the 79th Bhayangkara Day: Incomplete Case of Journalist Violence, Enduring Impunity, and the Main Actors Behind Attack Practices’ on July 1, 2025 (LBH Pers, 2025).

Back in 2008, the Supreme Court issued SEMA Number 13 of 2008, which contains specific guidelines for judges in handling cases related to press crimes (Surat Edaran Mahkamah Agung Nomor 13 Tahun 2008 Tentang Meminta Keterangan Saksi Ahli, 2008). These press crimes involve requesting the availability of expert witness testimony from the Press Council so that the panel can obtain an objective and consistent understanding with the Press Law. This is also aimed at allowing existing press cases to be resolved through the Right of Reply as provided in the Press Law, with the note that the aggrieved party can pursue the resolution through the State Court if not satisfied with its right of reply (Persada et al., 2023).

The resolution of cases through criminal law is also explained in the Attorney General's Regulation (Peraturan Jaksa, Perja) Number PER-036/A/JA/09/2011 regarding the regulation of Standard Operating Procedures (SOP) for handling general criminal cases within the Indonesian Republic Attorney General's Office—this has now been replaced by Perja Number 13 of 2019. This SOP regulates the coordination process with relevant parties if a case being handled touches upon certain professional fields, including the Press Council for cases related to journalistic products. The existence of this SOP plays a role in preventing the criminalization of cases related to journalistic products (Peraturan Jaksa Agung Republik Indonesia Nomor:

PER-036/A/JA/09/2011 Tentang Standar Operasional Prosedur (SOP) Penanganan Perkara Tindak Pidana, 2011).

The Police Chief's Circular Letter (Surat Edaran Kapolri) No. SE/2/II/2012 concerning the Handling of Cases Related to the Press requires investigators to treat criminal law as an ultimum remedium in press-related cases (Surat Edaran Kapolri Nomor SE/2/II/2012, 2012). This means that criminal proceedings should not constitute the primary mechanism for resolving press disputes, with greater emphasis instead being placed on restorative justice and amicable settlement. The Circular also provides guidance for investigators in distinguishing between criticism and feedback, policy-related expressions, hoaxes, and defamatory statements that fulfill the elements of a criminal offense. In doing so, it seeks to prevent the criminalization of criticism against the government and public officials (LBH Pers, 2021).

The Constitutional Court (Mahkamah Konstitusi) issued Decision Number 145/PUU-XXIII/2025 regarding Legal Protection for Media Disputes (Putusan MK Nomor 145/PUU-XXIII/2025 Perlindungan Hukum Sengketa Pers). The decision, which will be read on January 19, 2026, marks a new milestone in freedom of the press in Indonesia. MK states that the phrase "Legal Protection" in Article 8 of the Press Law is conditionally contrary to the 1945 Constitution. Therefore, as long as it is not interpreted that criminal and/or civil sanctions against journalists who carry out their profession lawfully can only be used after the right of reply, right of correction, and ethical evaluation mechanisms at the Press Council have been completed. This means that the regulation of freedom of the press in Indonesia has been strengthened with the issuance of this decision, which until now was only regulated through the Memorandum of Understanding between the Press Council and the Police. That Memorandum of Understanding is considered ineffective because its form is merely a Memorandum of Understanding, which is not included in the hierarchy of legislative regulations.

The guarantee of press freedom under the Indonesian Constitution (UUD 1945) and the Press Law is generally regarded as the foundation for the protection of press freedom. However, when compared with Article 100 of the Norwegian Constitution, which expressly guarantees freedom of the press, Norway's constitutional commitment to press freedom appears more explicit. Meanwhile, in Indonesia, the regulation is still symbolized through "freedom of expression." Moreover, as demonstrated in practice, the existing legal framework continues to leave gaps that may undermine the effective protection of press freedom. This suggests that legal regulation alone is insufficient to create and sustain a genuinely free press environment Indonesia's current press freedom conditions stand in contrast to those of Norway. Where the regulation governing freedom of the press itself is solely based on the Norwegian Constitution in Article 100, with its practice guaranteed, it can deliver Norway as a country with the highest freedom of the press ranking. This indicates that the country views the press as a democratic infrastructure that must be protected through public information transparency and support for the media.

Although it has a sufficiently clear mechanism regarding press disputes—especially reinforced by Decision MK No. 145—this still contradicts its implementation. The completeness of legal protection for the press does not align with press data as victims of violence, intervention, or legal disputes. This differs from Norway, where the mechanism and its implementation are consistent. From the framework of press protection itself, Indonesia has the Press Council and the Journalists' Ethics Code as the basis for self-regulation, but the state regulations play a more dominant role. This means, in addition to the Press Law, there are other layers of regulation that open loopholes for the authorities to enter the press domain. Other regulations, such as the UU ITE, which can be involved in press disputes, weaken the regulations created to protect press freedom, consequently making the space for criticism narrow. Unlike Norway, where its self-regulation is considered strong and unified, where

media adhere to the same ethical code and accept the binding and final decisions of the PFU. Therefore,If a dispute arises in the press, it can be resolved through an ethical code mechanism rather than criminal law.

Third, Norway's commitment is evident in how they define that the state shall not intervene in freedom of expression. Any form of limitation for freedom of the press in Norway to operate, in accordance with the International Human Rights Standards, follows these principles of Proportionality and Necessity. Furthermore, Norway has explicitly stated in its constitution regarding freedom of expression. This indicates that the state consciously acknowledges the role of the press as one of the pillars of democracy. Meanwhile, Indonesia in Article 28J merely describes that human rights are limited by the rights of others. This shows that such limitations are still unclear and not strict enough. Considering that, in the context of human rights limitations, there are several stages that must be met. Therefore, the narrative 'Human rights are limited by the rights of others', in Article 28J, is still too broad in its interpretation and does not truly refer to the standards of International Human Rights Limitations.

Fourth, there are significant differences in the application of provisions in Indonesia and Norway, especially provisions that are prone to misuse in media disputes. For example, the provision concerning defamation, in Indonesia this offense is a formal criminal complaint, namely Article 27A of the UU ITE No. 1 of 2024 Defamation in the digital space (Pencemaran nama baik di ruang digital) and Article 433 of the KUHP No. 1 of 2023 Defamation by speech (Pencemaran nama baik secara lisan) (Undang-Undang Republik Indonesia Nomor 1 Tahun 2024 Tentang Perubahan Kedua Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik, 2024). However, the boundaries of 'Defamation' are not explicitly defined on how to distinguish defamation from criticism. Meanwhile, the 'Defamation' provision in Norway is stipulated under civil law, considering factors that support freedom of expression, based on legitimate facts and the severity of the negative impact received from the statement.

As mentioned earlier, Norway has abolished the provision on balsphemy since 2015. This was driven by the official statement of Parliament members during the Plenary Session of Parliament on May 5, 2015. In that session, it was stated that there may be various different views on the religion one adheres to, and that anyone should be given freedom to criticize, as criticism is a crucial and inseparable part of freedom of expression. That statement did not immediately make the Norwegian society free to throw out hateful speech against other religions. There are specific boundaries set regarding hate speech as written in Article 185, The Penal Code. It is here that the boundaries regarding criticism and hate speech are clearly regulated, where criminal law is not permitted to defend religious ideas. While in Indonesia, the Offense against Religion and Belief is regulated in Articles 300 to 305 of the New Criminal Code ((Undang-Undang Republik Indonesia Nomor 1 Tahun 2023 Tentang Kitab Undang-Undang Hukum Pidana, 2023)).

Press are often generalized under the charge of defamation. Other provisions, such as hate speech within the KUHP, also constrain press freedom. The resolution of press disputes that can be pursued through the Press Council is often deemed insufficient for parties that criminalize press freedom, resulting in such disputes frequently being subjected to criminal charges. One example of a press dispute case is the case of Muhammad Asrul, a journalist for Berita.news media in Palopo, South Sulawesi. This case began in May 2019, when Asrul wrote an investigative article about alleged corruption in three large projects in Palopo city, which implicated FKJ, the son of the Palopo Mayor at the time. FKJ reported Asrul to Polda Sulawesi Selatan with charges of defamation, hate speech, and spreading false news. In March 2020, the Press Council issued an official written assessment stating that Asrul's writing was a legitimate journalistic product. Considering the alignment of the Memorandum of Understanding between

the Press Council and the police, the criminal investigation against Asrul should have been halted at that time to allow the case to be resolved through the mechanism of self-regulation. However, the recommendation was not followed and Asrul was still required to undergo a trial at the general court. As a result, Asrul was sentenced to three months in prison because the Palopo District Court Judges' Council ruled that Asrul had violated Article 27 paragraph 3 of the UU ITE (Reporters Without Borders, 2021). Therefore, the resolution of press-related disputes should be governed by Law No. 40 of 1999 concerning the Press, rather than by other legal instruments.

Fifth, with the stricter criminal law provisions regarding defamation to reduce the risk of lawsuits being filed over ambiguous interpretations, the rules on defamation remain regulated through civil law. The role of public awareness is also considered important to support press freedom. Accordingly, in cases of press disputes or other media-related complaints, Norwegian citizens have the opportunity to submit their grievances directly to the NP and the PFU. Furthermore, the removal of the criminal law provision on religious offense and the criminal law provision on defamation, which only allows resolution through civil litigation, indicates that their citizens consciously regard the press as a pillar of democracy and do not misuse criminal law provisions in press disputes. Meanwhile, Indonesia itself still experiences overlap in the application of press dispute resolution methods. As previously mentioned, where criminal law is still used as a tool for criminalizing press freedom.

It must be understood that the points above are expected to serve as a reference for Indonesia to take Norway as a best-practice country in its press freedom index. It is interesting that both countries adhere to the same legal system, namely Civil law. Additionally, the author also hopes that in the future we can create a space for press freedom in Indonesia without criminalization. Because it is very unfortunate that the regulations that have been structured in such a way are not matched by consistent implementation.

CONCLUSION

Press Freedom in Indonesia has legally sufficient normative foundations. However, in practice, freedom of the press still faces various obstacles and threats. As a result, press protection in Indonesia has not fully reflected the ideal principles of freedom of the press. Meanwhile, Norway explicitly protects its freedom of the press based on Article 100 of the Norwegian Constitution. It is not just the regulations that place Norway as the top-ranked country with the highest press freedom, but also effective self-regulation mechanisms, transparency and independence of the press, regulatory structure, and the role of citizens who are aware of the press's own role. This is what Indonesia can learn from Norway as a country with the world's number-one press freedom index.

Applicable recommendations include, first, Indonesia needs to strengthen the principle that disputes related to the press must be resolved first through special press mechanisms to prevent the criminalization of journalistic work. Second, harmonization needs to be carried out between the Press Law, the Criminal Code, and the Information Technology Law so that provisions for multiple interpretations are not easily used to pressure journalists or limit public criticism. Third, the country needs to enhance protection for journalists, including handling cases of violence against the press and refraining from interfering with the press mechanisms themselves. Lastly, the public also plays a role in maintaining press freedom by being more critical in receiving information and not easily spreading hoaxes. From its own institution, Norway has NP and PFU similar to the Indonesian Press Council Model. Meanwhile, for theoretical contributions, Norway builds press law with high confidence. Conversely, Indonesia is built with a low confidence foundation. Therefore, the adoption of Norwegian institutions in Indonesia must take the form of Protective Institutionalization to build an explicit legal fortress so that the press can be protected from parties that abuse their authority.

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