

ABSTRACT

Russell Victory Satria (01052190032)

LEGAL ANALYSIS OF THE INTERNET SHUTDOWN IN PAPUA DURING THE 2019 RIOT BASED ON THE 230/G/TF/2019/PTUN-JKT

The purpose of this study is to determine whether or not the restrictions of internet access constitute a violation of human rights and whether or not the judge's ruling number 230/G/TF/2019/PTUN-JKT is in line with the principles of human rights. The author conducts normative legal research, which incorporates both the statute approach and the case approach into the investigation. According to the findings of this research project, internet access rights should be considered a subset of human rights due to the fact that freedom of speech and the unrestricted ability to seek for, transmit, and receive information are shared characteristics of both. If there is a policy that restricts the rights that people have to use the internet, then such policy is the same as restricting people human rights, and one may argue that the policy violates people human rights. In its court decision no. 230/G/TF/2019/PTUN-JKT, the Panel of Judges concluded that the activities of the defendants constituted a restriction on human rights. Furthermore, the Panel of Judges found that the actions included a legal vacuum, which led them to believe that the actions were in violation of the law. The results of this study found that Internet network restrictions are included in human rights violations, however such violations are justifiable by law. As for the ideal mechanism for limiting the internet network must be carried out after a court decision has been made or a decision on government administration or a decision on state administration in writing under normal circumstances and when in a state of danger, then the conditions for a state of danger must be fulfilled first.

Key word: Internet Restrictions, Human Rights