

Journalists' Workplace Safety Protection during Demonstrations

Valensia Lie¹, Natasya Stella Maris Losak Kelen¹, Zefanya Alita Zafira¹

¹*Faculty of Social Science and Law Surabaya State University, Indonesia*

valensialie.22024@mhs.unesa.ac.id, natasya.21194@mhs.unesa.ac.id, zefanya.21203@mhs.ac.id

Keywords: Journalist, Work Safety, Demonstration

ABSTRACT

In terms of connecting his life every human being needs a job. Human life is considered more prosperous when getting a decent job. Workers in carrying out their work in addition to getting wages, of course, need to get legal protection and work safety protection. There are many workers who work in dangerous areas, one of them is a journalist. Journalists in reporting for the sake of news that will be broadcast to the public or the audience, sometimes the coverage area is included in dangerous areas such as demonstrations or rallies. Demonstrations or rallies often end in chaos, in this case it is certain that many journalists from various media come to cover the demonstration. It is not uncommon for journalists to also get bad effects from such demonstrations such as accidents during demonstrations against journalists. In demonstrations the safety of journalists needs to be accounted for, because it is the journalists bet their lives for the sake of covering the news about the demonstration. Workers have the right to safety in their work area from the above problems in this study, the formulation of the problem can be raised, namely how is the form of occupational safety protection for journalists at the time of the demonstration?. This study uses normative legal methods in which there is a lack of clarity on the regulation of occupational safety protection for journalists, especially when covering demonstrations. The purpose of this study is to know the form of occupational safety protection for journalists and of course provide full protection of Occupational Safety for journalists, especially when covering demonstrations. The solution that can be given is to clarify the regulations about who is responsible if journalists have an accident, especially when covering demonstrations.

INTRODUCTION

Indonesia will ensure that everyone has an equal opportunity to be heard by the law, often known as equality before the law. With the help of this principle, we can be sure that there is no distinction in how the general people and elected officials are treated when it comes to the law. Members in the journalism community are hardly an exception. Journalism, as we all know, play as a major part in covering an event so that it can be transmitted via information technology and consumed by.

If we examine the reports that are currently available, we can see that journalism has been extremely busy recently due to the increase in community demonstrations for the purpose of demanding their right to vote, which is considered not to be for the community's welfare as the means of expressing fundamental opinions has been regulated by State Law. Article 28 E of the Republic of Indonesia of 1945 underlines that everyone is free to associate, gather, and hold opinions. We were recently stunned by the approval of the TPKS Bill, and to be exact, on October 4, 2022, we were also shocked by the increase in the price of fuel oil (BBM), which sparked large-scale protests in Jakarta's Palace district involving tens of thousands of people.

Journalism, of course, does not erase what we think when seeking information, and we frequently run into challenges that could impede the process, such as the challenge of locating sources because many sources decline to share information. But if we discuss this issue, it is stated in Law No. 40 of 1999 Article 1 which states that journalists are required to preserve the private information of sources with the option of rejection that can be offered to journalism. Article 1 Point 10 of Law No. 40 of 1999 states that you have the right to refuse to reveal your name or any other identify that should be kept private. This is where the right of refusal comes into play. Every journalist covering an event or one that is currently taking place frequently runs into this issue [1].

It is a requirement of the international community that there be protection for work safety when we discuss journalistic responsibilities. The United Nations Human Rights Council (UN Human Rights Council) unanimously agreed on the significance of journalist safety in achieving freedom of expression on September 27, 2012, for the first time.

As is well known, Indonesia continues to struggle with the safety of journalists covering protests. There are still many people who don't give job safety for journalists the attention it deserves. As stated in Article 8 of Law of the Republic of Indonesia Number 40 of 1999, which governs the press, journalists are protected for their work safety when practicing their profession. So that with the help of this article, journalists can feel secure against any action that might endanger their bodily and emotional well-being. However, this paper does not explicitly and concurrently address how to apply work safety measures by the governing body and the public. The safety of journalists is sometimes disregarded or taken for granted in real-world situations. This occurred because the community and the government lacked comprehension. As a result, this occurrence gave journalists the impression that workplace safety was not given the proper amount of attention [2]. The focus of further research into whether Indonesian law is functioning well is on this. Considering that journalists working in Indonesia are protected in terms of workplace safety when they take a step that, of course, puts them in danger, but that step must be justified as a professional act of carrying out a mission.

LITERATURE REVIEW

Human rights are essentially being discussed along with workplace safety and rules. And in this instance, human rights are the most fundamental requirements for living. Humans can be referred to as legal subjects when discussing them because they are intimately tied to the rights and obligations in their lives. The establishment of comfort or order in society is one of the roles of law in Indonesia. Every citizen has the freedom to publicly express their thoughts, as is common knowledge. The safety of journalists during protests is one of the topics that will be covered here, as it is with Indonesian employees.

The Alliance of Indonesian Independent Journalists was established as a result of extensive research into the literature that was examined. When participating in protests against the existence of labor copyright laws in various regions, 56 journalists were injured, according to Yang. The issue happened between October 7 and October 21, 2020. In this instance, there have been much more violent incidents after the initial report, which was made on October 10 of 2020 and listed 28 such incidents, was submitted.

In this instance, victims who typically perform the role of public oversight through the media are frequently discovered to be in a vulnerable position, which is when dealing with powerful public authorities, because they can start debates on relevant topics through their work as journalists. As a result, there was an assault that ultimately put the journalists in danger. Because it affects not only individual rights but also the public's right to learn information from the journalist, in this situation the threat is unquestionably included as a violation of human rights. These kinds of roadblocks are purposefully put in place with the intention of impeding journalists' efforts to gather information for their duties to the public. In this instance, the impact includes both endangering the safety and secure environment for these journalists as well as making journalists and other media players reluctant to carry out their responsibilities as public watchdogs [3].

In this regard, the Journalistic Code of Ethics—which is a set of journalistic professional ethics in and of itself—plays a significant role in the protection of workplace safety. maintaining the confidence of the public and the ethics and professionalism of the media themselves Based on this, journalists or journalists in Indonesia create and abide by the Journalistic Code of Ethics, which among other things mandates that they carry out their journalistic duties in a professional manner. The rights of sources regarding their private life are respected by journalists, or journalists in Indonesia, unless it is in the public interest. The Press Council established the two codes of ethics mentioned above as part of the Journalistic Code of Ethics through Press Council Regulation Number: 6/Peraturan-DP/V/2008 Regarding Ratification of Press Council Decrees Number 03/SK-DP/III/2006 concerning the Journalistic Code of Ethics as a Regulation of the Press Council, among other articles of the code of ethics.

Secondly, based on the views of professionals like Mathis and Jackson, who believe that work safety refers to a person's physical wellbeing being protected against job-related injuries¹¹. Experts Andriana Pusparini, Jusuf, and Sugeng Budiono claimed that one of the aims of work safety programs is to safeguard workers for their right to safety in doing job for their welfare and boost productivity. This is related to work safety. Based on the perspectives of experts on work safety, it can be deduced that expectations for greater productivity and the idea of work safety itself are intimately tied to work safety initiatives. In this sense, worker protection in every industry and occupation, without exception, must be based on the legal imperative of work safety.

As stated in article 86 of the Manpower Law No. 13 of 2003 about workers or laborers, in this situation, workers or laborers have the right to get protection for occupational safety and health. Article 8 of Law No. 40 of 1999 Concerning the Press then went on to say that journalists or journalists get legal protection when practicing their profession¹³. The Law No. 40 of 1999 Concerning the Press also states that press freedom is safeguarded as one of a citizen's human rights. In this case, Article 28 F of the 1945 Constitution of the Republic of Indonesia, which explains how to protect the freedom to use various media in terms of obtaining, seeking, possessing, storing, processing, and disseminating information to the public, has served as the foundation for and affirmation of the freedom or freedom of the press in Indonesia [4].

MATERIALS AND METHODS

Materials

The case studies on the protection of journalist job safety during demonstrations employ a normative legal approach because this research relies on secondary sources to comprehend the legal regulations governing this topic. Scientific articles, statutes, and other materials all address the application of laws relevant to the protection of journalists' work safety when covering protests. You can assess how Law No. 40 of 1999's Article 88 protects journalists' workplace security during protests. Both Article 3 of the Declaration of Human Rights and the law provide protection for journalists as they carry out their duties. Each and every person is entitled to life, freedom, and personal security.

Journalists were obliged to cover the occurrence so that the public may be informed due to the raging demonstrations that took place. Naturally, whether on purpose or not, riots frequently happen during demonstrations. It is hoped that in accordance with Article 86 of Labor Law No. 13 of 2003, which states that workers/laborers have the right to obtain protection for occupational safety and health, this will apply appropriately to journalists who cover demonstration activities in the event of a work accident, such as being shot at while covering demonstrations that degenerate into anarchic stone-throwing.

Method

Through the analysis of literature, documents, and court records, secondary data are used in this study. Included in the literature search tasks were reading, reviewing, summarizing data, examining laws and regulations, documents, and other information pertaining to issues pertaining to the protection of journalists' job safety at the time of disclosure. The method of secondary document study is best suited for this research because the information was gathered from sources other than journalists, such as the 1945 Constitution, the 1948 Human Rights Declaration adopted and ratified by the UN General Assembly, and the Labor Law, given that the subject of the study is a journalist

RESULT AND DISCUSSION

In essence, every person has a right to protection, including journalists, who have a duty to ensure their safety at all times. According to Law No. 13 of 2003's Paragraph (1), every worker is required to have the right to protection under Article 86. In this situation, a number of things are regulated, including workplace health and safety, morals, and decency. Additionally, it is regulated how people are treated in accordance with

religious beliefs and human dignity. The goal of protecting this workforce is unquestionably crucial because it aims to uphold all of the workers' fundamental rights and shield them from any form of discrimination. Human rights are a set of rights that are unquestionably attached to every individual and, as we already know, are based on Article 1 of Law No. 39 of 1999 concerning Human Rights, which states that these rights must be respected, upheld, and also protected by the state, the law, and the protection of human dignity itself.

From a legal standpoint, this regulation was created to control how human rights are treated at work. because everyone can experience a successful life once they begin working. However, it is possible for someone to lose their job if the employer does not apply or execute work protection and safety, therefore there will be a lot of resentment all around. Considering that work is a basic right, everyone must rely on it [5]. The state and society have an obligation to preserve workers' rights to safety and protection, everyone has the right to live freely, independently, and with a sense of security over their own individual self, according to the Universal Declaration of Human Rights (UDHR).

This life is a gift from God and that life is guaranteed for every human being, which is a duty of every human being, and the state must safeguard against any abuses, according to Article 2 (a) of the Cairo Proclamation, a declaration of Islamic human rights. When they are performing their duties, nothing is an exception. This law was created as a normative foundation to achieve worker protection for their safety, health, and job security. Unfortunately, this human rights guarantee is not always upheld. The protection of legal interests ensures that Indonesian law has the final say when deciding whose human interests need to be safeguarded [6].

What we must understand is that businesses that disregard workplace safety may be seen to be violating human rights. As stated in Article 1 Paragraph 6 of Law Number 39 of 1999 Concerning Human Rights, which defines a human violation as any act of a human or a group that is carried out unlawfully in preventing, restricting, or even rescinding human rights that have been protected by law, and does not receive a fair and correct legal resolution in accordance with applicable law [7]. Therefore, it is crucial to ensure that employees are treated well by offering the highest level of work safety and ensuring it as well.

In this instance, kindly take note that Indonesian law has regulated workplace safety protection. Because this has to do with journalists and reporters, who both play a part in carrying out journalistic tasks like gathering and looking for news. Additionally, journalists themselves are reporters. On the basis of Article 8 of Law No. 40 of 1999 Concerning the Press, which declares that "while performing its tasks, journalists get legal protection," the discussion then turns to the topic of legal protection for the journalistic profession. The government's and/or the public's protection guarantee for journalists in carrying out their duties, rights, and obligations, as well as their position, in line with the terms of the relevant laws and regulations, is what is meant by "protection legislation" in this context [5].

CONCLUSION

In conclusion, the protection of journalists' workplace safety during demonstrations is a crucial aspect of upholding freedom of the press and ensuring the rights of journalists in Indonesia. Legal provisions, such as Article 8 of Law No. 40 of 1999 Concerning the Press and Article 86 of Labor Law No. 13 of 2003, acknowledge the importance of safeguarding journalists' occupational safety and health. However, there is a need for greater implementation and enforcement of these laws to address the challenges journalists face, including violence and threats during protests.

Additionally, it is essential to foster a deeper understanding within society about the vital role of journalists as public watchdogs and the importance of their safety. This can be achieved through education, awareness campaigns, and promoting a culture that values and respects the work of journalists. By ensuring the protection of journalists' workplace safety, Indonesia can create an environment that upholds press freedom, allows for the free flow of information, and strengthens democracy as a whole.

REFERENCES

- [1] H. Maros and S. Juniar, "Aliansi Jurnalis Independen," 2016, pp. 1-23.

- [2] "Undang-Undang Republik Indonesia No. 40 Tahun 1999 Tentang Pers.pdf," n.d.
- [3] Majelis Umum PBB, "Deklarasi Universal Hak-Hak Asasi Manusia," Indonesian Journal of International Law, vol. 4, no. 1, pp. 133-168, 1948.
- [4] A. R. Sabela, D. W. Pritaningtias, F. Hukum, U. N. Semarang, F. Hukum, and U. Negeri, "19484-Article Text-38208-1-10- 20171205," 2017, pp. 81-92.
- [5] E. Hardiyanti, "Perlindungan Hukum Terhadap Jurnalis Perempuan Ketika Meliput Berita Dalam Aksi Demonstrasi," Interdisciplinary journal on law, social sciences and humanities, vol. 2, no. 2, pp. 96, 2021. <https://doi.org/10.19184/idx.v2i2.24959>.
- [6] A. Kidi, "Aca La Tinjauan Yuridis Hak Pekerja Untuk Melakukan Demonstrasi Menurut Peraturan Perundang-Undangan Di Indonesia," Doctoral dissertation, I. A., 2021.
- [7] S. Bakti Nugroho, "Pers Berkualitas, Masyarakat Cerdas," Dewan Pers, pp. 1-345. https://dewanpers.or.id/assets/ebook/buku/822-Buku_Pers_berkualitas_masyarakat_cerdas_final.pdf. 2013.