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Try not to become a man of success, but rather try to become a man of value.

- Albert Einstein

Albert Einstein, 1879-1955, was a German-born theoretical physicist who is widely held to be one of the greatest and most influential scientists of all time.



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Indonesia declares war on online gambling

An uphill battle for the newly established Task Force against shadowy networks and resilient operators exploiting the digital landscape

By Christina Clarissa Intania

Technological advancement has allowed many people to earn a living in ways never imagined before, like becoming a content creator, marketing affiliate, live streamer, vlogger, etc. However, it has also opened up new opportunities for gambling, previously carried out in dark and cloistered rooms; now people may place their bets at their fingertips, through the convenience of their mobile phones. As a form of entertainment, gambling has moved online. However, as in traditional real-life gambling, rampant online gambling has now ruined the lives of many Indonesians.

The online gambling phenomenon started with sites featuring flashy advertisements that offered a variety of wagering games, allowing players to convert points earned or balance accumulated into cash. As of January 2 this year, data from the Communications and Information Ministry (*Kominfo*) lists 596,348 sites and IP addresses with online gambling content whose access had been denied by the authorities. According to the latest findings in the period from May-June, head of the Criminal Investigation Department (*Bareskrim*) Comr. Gen. Wahyu Widada revealed that three online gambling sites – 1XBET, W88, and Liga Ciputra – had a whopping turnover of Rp1.41 trillion.

Beyond dedicated websites, online gambling content is also pervasive on social media platforms. According to report by Katadata, Kominfo has blocked 173,134 meta platforms, 29,257 file sharing services, 5,993 Google and YouTube channels, 367 accounts on X, 170 Telegram channels, 15 TikTok accounts, eight apps on App Store and one SnackVideo. This shows that online gambling content can be easily accessed on various platforms and viewed by internet users from all walks of life.

In reality, gambling in Indonesia is not as glamorous as in Las Vegas casinos. Nevertheless, due to its widespread presence and several high-profile incidents, online gambling has sparked outrage and unease among members of the public. One case is that of Nofrianto, 32, who has to attend hypnotherapy sessions in Bandar Lampung, to overcome his gambling urges. Nofrianto was addicted to online gambling in 2019 and has lost his house and two cars to fund his addiction. If one is to believe his own account, he used to earn quite a high salary as an employee in a prominent oil and gas company. However, he gambled away most of his income that was supposed to be used to meet the needs of his family. As he started to run into financial problems, his relationship with his family became strained, leading to frequent conflicts.

What Nofrianto experienced was not an isolated incident. According to the latest report from the Coordinating Political, Legal and Security Affairs Minister Hadi Tjahjanto, there



are 4 million online gamblers in Indonesia, with 1.64 million (40 percent) aged between 31-50, 34 percent aged over 50, 13 percent aged between 21-30, and 11 percent (440,000) aged between 10-20. The ease with which they can access online gambling content and platforms explains the high figures. With active gamblers as

young as 10, the scourge has become a matter of serious concern.

In general, the adverse impacts suffered by online gamblers are self-destructive addiction, disruption of individual and family financial stability, and damage to familial and social relationships, including rising trends of domestic violence and di-

vorce. Criminal acts such as theft, fraud and even murder, committed to fuel one's online gambling addiction, have also been on the rise.

It is clear that compulsive gambling is a serious condition that can destroy lives and should be of great concern. The vice can lead to rising crime and security disturbances.

On a broader level, it can also erode people's purchasing power, affecting the economy as a whole. Children of gamblers denied proper education and health will also affect the quality of human resources in the future. The Government will find it harder to fulfill its mandate to tackle poverty and improve the welfare of the people.

The consequences are far-reaching. Therefore, efforts to eradicate online gambling must begin in earnest. One of the initiatives is the establishment of the Online Gambling Eradication Task Force.

Long road to eradicate online gambling

Efforts to eradicate gambling date as far back as the Dutch colonial period, through the issuance of Staatsblad 230/1912 which was later amended into Staatsblad 526/1935. Gambling was also regulated in the old Penal Code (*Wetboek van Strafrecht*) in Articles 303 and 303 *bis* (a Latin adverb connoting a second article with the same number to indicate another version of the text) which stipulated that the criminal act of gambling applied not only in playing, but also offering and participating in the activity for that purpose.

Over the course of time, Law 7/1974 (Gambling Control Law) was passed together with Government Regulation 9/1981 concerning the implementation of gambling control. The fundamental difference in this law is the severity of punishment which includes threats of imprisonment and fines, which later became Article 303 of the Penal Code. However, these provisions only apply to traditional gambling, not the online variety. Therefore, Law 11/2008 concerning Electronic Information and Transactions (ITE Law) has been passed, to prohibit the distribution, transmission and/or provision of electronic information and/or documents containing gambling-related content.

However, recently changes have been made to the Penal Code and the ITE Law. In the current Penal Code (passed in 2023), gambling is regulated in articles 426 and 427, which threatens offenders with a maximum prison term of nine years, or a maximum fine in category VI. The new ITE Law (passed in 2024) empowers the authorities to order electronic system operators to terminate access and/or content moderation of information and/or electronic documents containing gambling content.

The enforcement of online gambling law is comprised of two measures, both **preventive** and **repressive** (Gymnastiar, et al., 2024). **Preventive** measures include the enactment of regulations, awareness-raising campaigns at schools and communities, police raids on internet cafes, and cyber-patrols to block websites and platforms offering or promoting online gambling (Saputra & Pranoto, 2023). This campaign is being carried out in collaboration between Kominfo, the National Police (Polri), and relevant ministries/agencies.

Meanwhile, **repressive** efforts take the form of law enforcement actions, including investigation, prosecution, detention and imposition of sanctions. However, according to Raharjo, et al (2024), online gambling remains pervasive, not only because of the ease of access but also the gov-

AGUNING WAHIDUDIC



The National Police's Criminal Investigation Department (Bareskrim), which is part of the Online Gambling Eradication Task Force, uncovered 318 cases of illegal online betting and arrested 464 suspects in the past three months, it reveals in a press conference at Bareskrim office, Jakarta, Friday (21/6).

ernment's lack of firm stance and deterrent measures against online gambling operators. Dini Ramdania (2018) points out in her research that despite the threat of up to 10 years of imprisonment for gamblers, the law is rarely enforced, because gambling is often treated as a minor offense or infraction that does not warrant jail time.

As an example, a police blitz leading to arrests during Operation *Cipta Kondisi* in Bandung City only saw the organizers being charged in court, but not the gamblers (Ramdania, 2018). If you look at articles 303 and 303 bis of Penal Code as well as the Gambling Control Law, gamblers can also be punished. Arrests of perpetrators of online gambling have been carried out from time to time, but these have not succeeded in preventing the public from gambling online.

Obstacles to eradicating online gambling include the lack of capable human resources to enforce the law and the difficulty faced by the police in collecting evidence, as not all police officers are technology-savvy. This is not surprising, as to enlist in the police force one only needs a high school diploma. Furthermore, the sophisticated online gambling operations makes tracking and collecting evidence even more difficult (Saputra & Pranoto, 2023).

Not only that, what investigators face in eradicating online gambling is the location of the servers and online "bookies" (bookmakers) which are generally located overseas and the foreign jurisdiction where syndicates operate from. Polri will have to work with Interpol in a close inter-agency coordination across state borders. Kominfo spokesperson Dedy Permadi on Wednesday (5/6) stated that close synergy with relevant authorities is really needed in eradicating online gambling. Meanwhile, to facilitate the reporting of online gambling activities by the public, Kominfo has set up an official website: jasa.kominfo.go.id.

Interministerial/inter-agency coordination, including with foreign law enforcement agencies, is vital in the efforts to eradicate online gambling. Overlapping policies at the central government level and convoluted bureaucracy will only lead to further confusion and inconsistency in law enforcement efforts and other policies pursued by local administrations. Therefore, an Online Gambling Eradication Task Force was formed to synchronize the disparate components and bring them together under a unified, centralized command.

Online Gambling Eradication Task Force

The Online Gambling Eradication Task Force, chaired by the Coordinating Political, Legal and Security Affairs Minister Hadi Tjahjanto, was established based on Presidential Decree 21/2024. Its mandate is to optimize the prevention and enforcement efforts against online gambling, improve coordination between different ministries/agencies and with international law enforcement agencies

and foreign counterparts, as well as to formulate strategic, comprehensive policies to achieve the goals.

In its investigation, from May-June the Task Force has identified three online gambling sites, with transactions worth Rp40 billion involving around 5,000 active accounts. A total of 464 individuals have been arrested in the past two months. The Task Force also found out that online gamblers do not only come from the lower-income communities, but also the middle and upper classes, individuals who spend anywhere between Rp100,000 and Rp40 billion, compared to between Rp10,000 and Rp100,000 on average for the working class.

The findings only show that online gambling has indeed become an epidemic that plagues people from all social quarters. This is quite worrying. It serves as a wake-up call also to the Government and other relevant parties that prevention through education and supervision needs to reach a wider spectrum of society, and involve multi-stakeholder collaboration. The discovery of up to 5,000 accounts and the trading of accounts was the result of successful inter-agency coordination, especially the Financial Services Authority (OJK) and the Financial Transaction Reports and Analysis Center (PPATK). In addition, *Kominfo* has coordinated with Bank Indonesia (BI) to shut 555 e-wallet accounts. OJK, PPATK, and BI are members of the Online Gambling Eradication Task Force, in which OJK and BI are tasked with prevention while PPATK with the enforcement role.

The Task Force also uncovered the trading of online gambling accounts to facilitate transactions by the actors involved. This practice even extends to the villages. In response, the Task Force chairman has enlisted the assistance of the village supervisory

non-commissioned officers (*Babinsa*) and the police's security and public order officers (*Bhabinkamtibmas*) through the Indonesian National Armed Forces (TNI) and Polri, to take action against this shady practice. To ensure its effectiveness, the Task Force will provide necessary training for *Babinsa* and *Bhabinkamtibmas*. This shows a concerted effort to reach the smallest locales to ensure that supervision is carried out efficiently and effectively according to the authority and capabilities of each institution.

A report from the Task Force vice executive chairman Wahyu Widada lists a total of 464 individuals named suspects in the period from April 23 until June 17. At the same time, investigators have confiscated Rp67.5 billion in cash. This was only possible through centralized coordination of human and financial resources, under the Task Force empowered by a presidential decree (executive order). Challenges often faced by investigators in the evidence collection stage now appears to have been overcome.

What the future holds for the task force

As a preventive measure, the Task Force also plans to monitor transactions under the guise of "game top-up" at convenience stores. According to Hadi Tjahjanto, this method is very common and the virtual codes used for online gambling account top-up are different from games, meaning they can be tracked through surveillance. Understanding the technicalities behind the use of virtual codes is critical to the success of supervision. Constant adaptations and evasive tactics employed by online gambling operators also make it difficult for the authorities in conducting supervision. Information technology is a field that will continue to develop rapidly, enabling bad actors to always

be one step ahead of law enforcement officers. This will present a daunting challenge for the Task Force, especially when they have to empower *Babinsa* and *Bhabinkamtibmas* in the regions.

In addition to capacity building, there is also a need for sophisticated technology that can identify various online gambling channels and platforms, as well as collaboration with the IT community, social media platforms and other relevant parties, as online gambling is a very complex and sophisticated operations. And because illegal online betting is also transnational organized crime, the Task Force has established cooperation with police agencies in countries from which the operations are allegedly run. Kominfo also recently cut access to Philippine and Cambodian online gambling sites as per Kominfo circular letter dated June 21, 2024 to telecoms operators and network access providers that were given three days to implement the policy.

Cross-border collaboration is one of the hurdles that stands in the way of online gambling eradication which the Task Force is expected to clear. Members of the Task Force also include the Foreign Ministry's (*Kemlu*) director general for information and public diplomacy and the director general for protocol and consular affairs. In terms of function and authority, this will facilitate dialogue and dynamics of online gambling enforcement with other countries.

Unfortunately, the Task Force has also sparked a discourse that has drawn flak from the public. This relates to plan to give social assistance (*bansos*) for families of online gambling victims. It was widely slammed because it was seen as an abuse of the function of social assistance and an additional burden to state budget. Social Affairs Ministerial Regulation 1/2019 concerning distribution of

social assistance stipulates that recipients of social assistance are individuals, families, groups or communities who are poor, underprivileged, and/or vulnerable. The Social Affairs Ministry (*Kemensos*) clarified that the families of online gamblers affected by financial losses due to online gambling can be given social assistance only if they meet the eligibility criteria. The regulation clearly states that social assistance is only given to the poor, and if they are recorded in the integrated database on poverty handling.

In a normative sense, social assistance for families of online gambling victims has been in accordance with applicable laws and regulations. However, the policy plan failed to take into account the long-term goal to root out online gambling and create a deterrent. This will be counterproductive to the efforts because the gamblers will feel incentivized to shirk their responsibility toward their family and not having to bear the consequences of their actions. The government will actually provide "peace of mind" to the perpetrators, leading them to think that the people they harm will still benefit. This may also cause the rise in neighborhood crimes as gambling addicts would think that their families will be taken care of even if they go to jail.

In addition, there is also no guarantee that the social assistance will reach the intended target. Comprehensive data collection will be required to update the recipient database, but data collected in haste will only lead to duplicates, inaccuracies and other maladministration. Errors in social assistance data is nothing new. For example, the Supreme Audit Agency (BPK) in its audit report for the second half of 2021 has found many irregularities in the distribution of social assistance in 2020 which caused the state to lose up to Rp6.9

trillion. This is prone to happen again in this case.

Public expectations of the task force

According to the presidential decree, the Online Gambling Eradication Task Force will operate until December 31, 2024, a very short period indeed. It can be extended by another decree, but this provision is optional, not mandatory. Thus, the short term must be utilized as optimally as possible.

The formation of the Task Force is an answer to the wishes of the community and deserves to be appreciated, despite all the challenges it is facing, including the lack of digital infrastructure and capable human resources, information leakage, and inadequate personal data protection in Indonesia.

Online gambling has proven difficult to eradicate, with ministries and government agencies working separately. This momentum is an opportunity for the Government to take swift action to eradicate online gambling.

Despite its short term, the Task Force must still heed the principles of good governance in its implementation. The policies taken must be in the interests of justice and the public good. Additionally, policies need to be based on scientific consideration to ensure that they are not mistargeted or arouse unintended negative consequences.

Multiple ministries and agencies constitute the Task Force according to their respective authority and area of expertise. It is hoped that the integration of various institutions under the same umbrella can streamline the bureaucracy, encourage the sharing of resources and the elimination sectoral egos. Each ministry and agency is expected to be able to work in synergy to make sure that the Task Force can deliver on the mandate.

The public is expecting a breakthrough in uprooting online gambling. Law enforcement is expected not only to apply to the low-level gamblers, but also those at the peak of the pyramid and its ecosystem. All hopes rest on the Task Force to deliver concrete results. Therefore, the Task Force needs to learn from previous experience, as well as from the successful experience of other countries, and replicate it in Indonesia. The Task Force must do all within its power to eradicate online gambling that has wreaked havoc and caused devastating damage to people's lives.

Finally, as previously mentioned, efforts to eradicate online gambling call for multi-party collaboration, needed and self-awareness on the part of each individual on the devastating impacts brought by online betting, as well as support from all elements of society. In addition, capacity-building and firm law enforcement actions, as well as the commitment and integrity of law enforcement officers which must not waver. **10**



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Coordinating Political, Legal, and Security Affairs Minister Hadi Tjahjanto, alongside Communications and Information Minister Budi Arie Setiadi gave a statement following the coordination meeting on online gambling eradication at the office of the Coordinating Political, Legal, and Security Affairs Ministry, Jakarta (23/4).