

Criminal Liability Of The Press For News Generated By Artificial Intelligence (Ai)

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Article Info	Abstract
Dates: Accepted: 3-08-2025 Revised: 8-09-2025 Published: 21-5-2026 Keywords: <i>Accountability, Cyber Law, Digital Journalism, Artificial Intelligence.</i>	. This study aims to analyze the criminal liability of newspapers when journalists write false news using artificial intelligence based on Law Number 40 of 1999 concerning Newspapers, as well as the second amendment to the Electronic Information and Transactions Law (ITE). The use of artificial intelligence (AI) in journalism raises legal challenges related to responsibility for the news produced. Especially if the news is false, violates the law such as spreading hoaxes or misleading information that is not in accordance with the facts and is not balanced. The method used in this study is normative legal research. The results of the study show that Law Number 40 of 1999 concerning Newspapers regulates press freedom, and criminal liability for journalists while on duty. However, when using artificial intelligence (AI) in news production is not yet regulated. The criminal liability of newspapers in using artificial intelligence when writing news is regulated in the Information Technology Law, which emphasizes criminal sanctions for perpetrators who spread dangerous electronic information, including fake news produced by artificial intelligence (AI). Researchers found that regulations on the use of artificial intelligence (AI) in writing digital journalistic news that has the potential to harm the public have not been clearly regulated.

I. Introduction

The use of artificial intelligence (AI) as a whole, in the world of journalism offers various conveniences, ranging from data collection, preparation of news manuscripts, analysis of information trends, to the distribution of content quickly and massively.(Nasrullah 2024) The development of the use of artificial intelligence (AI) raises more complex legal problems than just the use of assistive technology.(Arifin, Fernando, dan Handayani 2025a) Artificial Intelligence (AI) can no longer be understood only as a neutral technical instrument, but has created a new form of legal subjectivity in the digital journalism ecosystem.(Škiljić 2021) Through the ability to autonomously generate, process, and recommend information, AI has also influenced the process of constructing social reality, which has been the main domain of journalists and press institutions.(Purnomo et al. 2025) This raises fundamental questions about who should be held accountable when AI-generated information contains factual errors, defamation, hate speech, privacy violations, or even causes legal losses for certain parties.(Cantika et al. 2025)

The responsibility for every journalistic product from the perspective of Indonesian press law remains with the press company and the person in charge of the editorial. This responsibility is in line with the principles stipulated in Law Number 40 of 1999 concerning the Press which emphasizes that press freedom must be carried out responsibly while still upholding the principles of accuracy, balance, independence, and respect for the rights of citizens. The use of AI cannot be used as an excuse to transfer or remove the media's legal responsibility for published content.(Bayer 2024) Although news is generated through an AI system, the verification, validation, and editorial supervision

process remains the obligation of press companies as a form of applying the principle of due diligence in journalistic activities.(Yeswant 2024)

The development of AI, on the other hand, also has the potential to create tensions between press freedom and state regulations. The freedom of the press guaranteed by Law Number 40 of 1999 aims to ensure that the press can carry out the functions of social control, education, information, and supervision of power without excessive intervention. However, in the digital space, press activities are also subject to the provisions of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law). The intersection of the two legal regimes often raises debates about the boundaries between freedom of expression and the protection of individual rights in cyberspace. When AI generates content that contains false, manipulative, or harmful information to certain parties, the question arises whether accountability should be placed in the press law regime, the cyber law regime, or both simultaneously.

This problem is increasingly relevant because AI has the ability to generate content automatically through generative AI technology which is often difficult to distinguish from human-made journalistic work.(Rosati 2025) The application of cyber media reporting guidelines and cyber law news writing guidelines in such conditions is very important to ensure that every information published still meets journalistic professionalism standards. The media is obliged to implement a transparency mechanism regarding the use of AI, verify all data and facts generated by artificial intelligence systems, and provide quick corrections if misinformation is found. This transparency is

important to maintain public trust while ensuring that technology does not reduce the accountability of the press as a pillar of democracy.

The development of AI in digital journalism not only presents technical challenges, but also demands a reconstruction of the concept of press law accountability in the digital era.(Moran dan Shaikh 2022) AI should be positioned as a tool that is under human control and oversight, not as a subject that can replace the legal responsibilities of the media.(Jones, Jones, dan Luger 2022) The use of AI in the news production process must remain based on the principles of press law, cyber law provisions, journalistic code of ethics, and the values of human rights protection. This approach is necessary so that technological innovation can go hand in hand with the protection of press freedom, legal certainty, and the public interest in obtaining accurate, balanced, and accountable information.(Sonni et al. 2024)

The rapid development of digital technology, especially in the field of artificial intelligence (AI), has had a major impact on the world of journalism.(Yeste-Piquer et al. 2025) Mass media is now using this technology to speed up the process of writing news, analyzing data, and producing algorithm-based content.Ongky Hojanto dkk., "Jurnal Mahardika Adiwidia," Scholar.Archive.Org, no. 2022 (2022): 111–18, <https://scholar.archive.org/work/v7rywulsnvfb7nqfrfowldzoju/access/wayback/http://jurnal.usahid.ac.id/index.php/mahardikaadiwidia/article/download/34/652>. However, while AI can improve efficiency and productivity, it also raises a number of questions about the criminal liability of media that uses AI in news writing that violates legal norms.Hojanto dkk. In this context, an important question that needs to be answered is what form of legal responsibility for media that use AI in news production that can mislead or harm the

public, especially regarding the Press Law and the Second Amendment ITE Law. This research aims to delve deeper into the criminal liability of the media in using AI technology in the context of journalism, as well as provide insights into the legal and ethical implications that arise.

AI technology brings convenience to the media world, but its use in news writing cannot be separated from the risk of spreading misinformation, such as fake news or hoaxes. (Chairunnisa Chairunnisa dkk., "Penerapan Algoritma pada Kecerdasan Buatan sebagai Upaya Menghadapi Penyebaran Hoaks," *Langit* 15, no. 2 (2021): 174–87, <https://doi.org/10.32781/cakrawala.v15i2.316>). In this case, the Press Law provides a legal basis regarding press freedom that must be carried out by the media with full responsibility. (Satino, Iswahyuni, dan Surahmad, "Peran Pers dalam Penegakan Hukum Ditinjau Kembali Dari Ketentuan Undang-Undang Nomor 40 Tahun 1999 tentang Pers," *Esensi Hukum* 3, No. 1 (2021): 101–10, <https://doi.org/10.35586/esensihukum.v3i1.57>). However, this Press Law also emphasizes that freedom is not unlimited freedom. If the news generated by AI violates legal norms, such as spreading fake news or harming certain parties, then the media responsible for the news must be held accountable. (Rina Khairani Pancaningrum, "Jurnal Komunikasi Hukum (JKH)," *Humanisme dalam Hukum dan Peraturan Korupsi di Indonesia No.1 No.2*, no. 11 (2015): 746–58, <https://ejournal.undiksha.ac.id/index.php/jkh/article/view/6106>). On the other hand, the ITE Law also regulates the dissemination of electronic information that has the potential to harm other parties, including defamation and the spread of fake news. (I Komang Aditya Sanjaya, I Nyoman Gede Sugiarta, dan Ketut Adi Wirawan, "Peraturan Hukum

Penyebaran Berita Palsu oleh Pers di Indonesia," *Jurnal Konstruksi Hukum* 4, No. 1 (2023): 46–51, <https://doi.org/10.22225/jkh.4.1.6029.46-51>).

In the context of criminal law, it is necessary to trace who will be held criminally liable if AI-generated news turns out to violate legal norms. (Harmonisasi Hukum Pidana dalam Perspektif Demokrasi dan Hak Asasi Manusia dkk., "Proses Nasional Hukum Aktual Gagasan Mengatur Kecerdasan Buatan sebagai Subjek Hukum di Indonesia," n.d., 149–57, <https://eduparx.id/blog/insight/artificial-intelligence/4-jenis-artificial-intelligence-atau-ai>). According to Article 5 of the Press Law, the media has an obligation to present true and accurate news. However, in the use of AI, errors in fact-checking or news inaccuracies can occur, given that AI does not have the ability to consider the moral and ethical aspects of a fully human being. Therefore, the media and the individuals responsible within them need to be further examined whether they can be held accountable if news published by AI proves to be unlawful, such as spreading misinformation or harming others.

Along with technological developments, one of the relevant regulations to overcome the abuse of electronic media is the ITE Law, especially after the second amendment outlined in Law No. 1 of 2024. This law regulates the prohibition of the dissemination of harmful electronic information, including the spread of fake news or hoaxes. Articles regulating defamation and the spread of fake news are crucial to consider in this study. Thus, if AI is used to generate and disseminate news that violates the provisions of the ITE Law, then the criminal sanctions contained in this Law can be applied. (Dedi Prasetyo Wibowo, Fakultas Hukum, dan Dirgantara Marsekal, "Kerangka

Hukum Pelaku Penyebaran Informasi Palsu (Hoaks) Berdasarkan UU ITE," Jurnal Hukum Dokter 3 (2025): 45–59).

In addition, in journalistic practice, the use of AI brings with it great ethical challenges. Based on the Journalistic Code of Ethics (KEJ), journalists are expected to maintain truth, balance, and objectivity in every report submitted. However, AI cannot always meet those standards consistently. Therefore, it is important to examine the extent to which the use of AI in news writing can be considered ethical or not. On the one hand, this technology can speed up the process, but on the other hand it has the potential to produce information that is not properly verified or even incorrect. It demands strict human oversight to ensure that AI does not produce content that goes against the values of good journalism. (Rusmulyadi² Dilla Anggraeni^{1*}, Darajat Wibawa¹, "Implementasi Pasal 3 Kode Etik Jurnalistik dalam Berita," Annaba 7, tidak. April (2022): 123–42).

This issue of journalistic ethics is becoming increasingly relevant, considering that AI is not only used to compile news, but can also be used to determine which content is worth publishing. In this case, the use of AI in journalism has the potential to create an imbalance between the efficiency of technology and the moral responsibility of the media in providing correct and reliable information. Stricter scrutiny of the use of AI in news writing is needed to hold the media accountable for information published to the public. (Dilla Anggraeni^{1*}, Darajat Wibawa¹ 2022)

The research method used in this study is normative legal research, which focuses on the study of applicable legal rules, as well as juridical studies on the use of AI in journalism. This research aims to analyze existing regulations, especially those related to the Press Law and the ITE Law, as well as to explore the legal aspects that arise from the

use of AI technology in news writing. This research not only discusses the legal aspects contained in laws and regulations, but also considers its application in journalistic practice.

Previous research relevant to this topic includes Colin Porlezza 's work titled *The Ethics of AI in Journalism (Studies): A Growing Field Between Research and Practice*. This study examines the application of AI in the world of journalism, although it does not specifically discuss legal or criminal implications. Colin Porlezza dan Aljosha Karim Schapals, "Etika AI dalam Jurnalisme (Studi): Bidang yang Berkembang Antara Penelitian dan Praktek," 2024, <https://doi.org/10.1177/27523543241288818>. The second research is titled *The Use of AI in Journalism in Opportunities and Challenges for Journalists in the Web 3.0 Era*, published in the journal *Nomosleca*, 2025; 11 (1), written by Umi Hasanah Purba. (E R A Web, Umi Hasanah, dan Purba M Yoserizal, "Penggunaan AI dalam Jurnalisme dalam Peluang dan Tantangan bagi Jurnalis di Era Web 3.0" 11, no. April (2025): 58–68). Finally, Adnasohn Aqilla Respati's research, entitled *Reformulation of the ITE Law on Artificial Intelligence Compared to the AI Law Regulations of the European Union and China*. Adnasohn Aqilla Respati's research aims to analyze the legal vacuum in the Electronic Information and Transaction Law (ITE Law) related to artificial intelligence (AI) regulation in Indonesia in the context of deepfakes. (Adnasohn Aqilla Respati, "Perumusan Ulang Undang-Undang ITE tentang Kecerdasan Buatan Dibandingkan dengan Peraturan Undang-Undang AI Uni Eropa dan China," *JURNAL USM LAW REVIEW* 7, no. 3 (2024): 1737–1758, <https://doi.org/10.26623/julr.v7i3.10578>).

It is different from previous research because this research is expected to fill the existing research gap by providing an in-depth study of criminal liability related to the use of AI in news writing. The novelty of this research lies in the emphasis on the relationship

between AI technology and existing legal regulations, as well as the criminal liability analysis of media that uses AI to generate news. This research also proposes changes or additions to more specific regulations regarding the use of AI in the world of journalism, with the aim that this technology is used ethically and in accordance with applicable legal provisions.

His research also introduces a holistic approach, combining criminal law, journalistic ethics, and technology regulation to provide a more comprehensive picture of the challenges and solutions that can be taken. Overall, this study aims to make a meaningful contribution to the legal regulation of the use of AI in the press industry, while maintaining the basic principles of press freedom and public trust in the media.

A deeper understanding of criminal accountability, journalistic ethics, and the legal regulations governing these technologies is expected to serve as a basis for better policy development in the future. There are three research questions in this paper, which differ from previous research, namely: First, what form of criminal liability is it if the media uses AI to produce news that violates legal norms according to the Press Law. Second, what is the form of criminal liability if the media uses AI to produce news that violates legal norms according to the ITE Law. Third, whether the use of AI in news writing can be categorized as a violation of ethics and press laws.

1. Research Method

The research method used in this study is normative legal research or doctrinal legal research, which is research that places law as a system of norms that includes legal principles, legal principles, laws and regulations, court decisions, and the doctrine of legal scholars.(Zainal Arifin dan Emi Puasa Handayani, "The influence of mass media reporting

on the rescue and formulation of environmental laws in Kediri," *Legal Standing: Journal of Legal Science* 6, no. 1 (2022): 105–14). Normative legal research focuses on the study of applicable positive legal norms to answer legal issues related to the use of *artificial intelligence* (AI) in journalistic practice, especially in the process of writing and disseminating news. (Zainal Arifin, Zico Junius Fernando, and Emi Puasa Handayani, "Legal Implications of the Second Amendment to the Electronic Information and Transaction Law: Balancing Freedom of Opinion and Public Participation in Digital Democracy," *Litigation* 26, no. 1 (2025): 165–200, <https://doi.org/10.23969/litigasi.v26i1.21555>). This approach was chosen because of the problems studied related to the emptiness, disharmony, and adequacy of legal norms in regulating the use of AI in the press and digital media. Normative legal research aims to find arguments, concepts, and legal prescriptions for the issues at hand. (Zainal Arifin, "Policy Formulation of Violent Crimes against Journalists While Serving in the Press Law in the Future" 334, no. 1951 (2016): 336–52).

The approaches used in this study include a statute *approach*, a *conceptual approach*, and an analytical approach. (Zainal Arifin, "Criminal Liability in Press Law and Artificial Intelligence- Generated Disinformation : Urgency of Reform in Indonesia," *Jurisdiction* 8, no. 3 (2025): 153–72). The legislative approach is carried out by inventorying and analyzing various relevant regulations, including Law Number 40 of 1999 concerning the Press, Law Number 11 of 2008 concerning Information and Electronic Transactions as amended last by Law Number 1 of 2024, as well as various other regulations related to personal data protection, copyright, and journalistic ethics. Meanwhile, a conceptual approach is used to examine doctrines and theories regarding legal responsibility, the

ethics of artificial intelligence, as well as the principles of press freedom and media accountability. (Zainal Arifin et al., "A Does Media Play an Important Roles in Regional Election? A Press Law Perspective," *Pena Justisia: Communication Media and Legal Studies* 24, no. 1 (March 1, 2025): 253–71, <https://doi.org/10.31941/pj.v24i1.5777>).

The legal materials used in this study consist of primary, secondary, and tertiary legal materials. (Zainal Arifin and Emi Puasa Handayani, "Protection of Human Rights in the Context of the Implementation of Press Criminal Law," in *Proceedings of the Actual Law Seminar of the Faculty of Law, Islamic University of Indonesia*, vol. 2, 2024, 48–61). Primary legal materials include laws and regulations, court decisions, and policies related to the use of AI in the field of journalism. Secondary legal materials were obtained from books, scientific journal articles, research results, and doctrines of experts who discussed normative law research methods, cyber law, press law, and the development of artificial intelligence regulations. The tertiary legal materials are in the form of legal dictionaries, encyclopedias, and other relevant supporting sources. (Zainal Arifin and Emi Puasa Handayani, *Cybercrime: Investigating Law Enforcement and Countermeasures* (Deepublish, 2024). The technique of collecting legal materials is carried out through library *research* by tracing various credible and up-to-date scientific sources.

The analysis of legal materials was carried out qualitatively using legal interpretation methods and deductive reasoning. (Zainal Arifin et al., "Formulation of Legal Protection for Victims of Stalking Crimes from a Human Rights Perspective," in *Proceedings of the Actual Law Seminar of the Faculty of Law, Islamic University of Indonesia*, 2024, 30–47). The analysis process begins by identifying legal issues related to the use of AI in news writing, examining the suitability between applicable norms and

digital journalistic practices, and assessing the legal implications that arise for press responsibility, information validity, and protection of people's rights. Furthermore, the collected legal materials are systematically analyzed to produce legal arguments regarding the urgency of regulating AI in the journalism sector in Indonesia. The results of the analysis are expected to be able to provide normative recommendations to realize legal certainty, protection of rights, and a balance between technological innovation and journalistic ethical principles.

3. Results and Discussion

3.1. Criminal liability if the media uses Artificial Intelligence to produce news that violates legal norms according to Law No. 40 of 1999 concerning the Press.

The use of Artificial Intelligence (AI) as a whole, in the world of journalism offers various conveniences, ranging from data collection, preparation of news manuscripts, analysis of information trends, to fast and massive distribution of content. (Shangyuan Wu, "Journalists as individual users of artificial intelligence: Examining journalists' 'value-motivated use' of aChatGPT and other AI tools within and without the newsroom," *Journalism* 27, no. 2 (2026): 388–406). The development of the use of artificial intelligence (AI) raises more complex legal problems than just the use of assistive technology. (de-Lima-Santos dan Ceron 2021) Artificial Intelligence (AI) can no longer be understood only as a neutral technical instrument, but has created a new form of legal subjectivity in the digital journalism ecosystem. Through the ability to autonomously generate, process, and recommend information, AI also influences the process of constructing social reality which has been the main domain of journalists and press institutions. (Munoriyarwa dan de-Lima-Santos 2025) This condition raises fundamental questions about who should be held

responsible when AI-generated information contains factual errors, defamation, hate speech, privacy violations, or even causes legal losses to certain parties.

The responsibility for every journalistic product from the perspective of Indonesian press law remains with the press company and the person in charge of the editorial. This responsibility is in line with the principles stipulated in Law Number 40 of 1999 concerning the Press which emphasizes that press freedom must be carried out responsibly while still upholding the principles of accuracy, balance, independence, and respect for the rights of citizens. The use of AI cannot be used as an excuse to transfer or remove the media's legal responsibility for published content. Although news is generated through an AI system, the verification, validation, and editorial supervision process remains the obligation of press companies as a form of applying the principle of due diligence in journalistic activities.

The development of AI, on the other hand, also has the potential to create tensions between press freedom and state regulations. The freedom of the press guaranteed by Law Number 40 of 1999 aims to ensure that the press can carry out the functions of social control, education, information, and supervision of power without excessive intervention. However, in the digital space, press activities are also subject to the provisions of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE Law). The intersection of the two legal regimes often raises debates about the boundaries between freedom of expression and the protection of individual rights in cyberspace. When AI generates content that contains false, manipulative, or harmful information to certain parties, the question arises

whether accountability should be placed in the press law regime, the cyber law regime, or both simultaneously.

This problem is increasingly relevant because AI has the ability to generate content automatically through generative AI technology which is often difficult to distinguish from human-made journalistic work. The application of the Cyber Media News Guidelines and the Cyber Law News Writing Guidelines in such conditions is very important to ensure that every information published still meets journalistic professionalism standards. The media is obliged to implement a transparency mechanism regarding the use of AI, verify all data and facts generated by artificial intelligence systems, and provide quick corrections if misinformation is found. This transparency is important to maintain public trust while ensuring that technology does not reduce the accountability of the press as a pillar of democracy.

The development of AI in digital journalism not only presents technical challenges, but also demands a reconstruction of the concept of press law accountability in the digital era. AI should be positioned as a tool that is under human control and oversight, not as a subject that can replace the legal responsibilities of the media. The use of AI in the news production process must remain based on the principles of press law, cyber law provisions, journalistic code of ethics, and the values of human rights protection. This approach is necessary so that technological innovation can go hand in hand with the protection of press freedom, legal certainty, and the public's interest in obtaining accurate, balanced, and accountable information.

The use of Artificial Intelligence (AI) in news writing by the media brings new challenges in the world of journalism, especially related to criminal liability if the news

produced violates the legal norms stipulated in Law Number 40 of 1999 concerning the Press (Press Law). (Jurnal Ilmu Hukum dkk., "Tindak Pidana dalam Jurnalisme Berdasarkan Tanggung Jawab Hukum Jurnalis dan Media," 2025, 17–29). The Press Law regulates the obligation of the media to comply with the principles of truth, justice, and objectivity in reporting. In this case, even though AI is used as a tool to generate news, the responsibility for the truth and accuracy of the news remains in the hands of the media as its publisher. (Nikolas Panama, Ampuan Situmeang, dan Rufinus Hotmaulana Hutauruk, "Masalah Penegakan Hukum dalam Prinsip Kebebasan Pers: Studi Media Siber dan Jurnalis Palsu di Kota Tanjungpinang," Jurnal Selat 10, no. 2 (2023): 108–30, <https://doi.org/10.31629/selat.v10i2.5584>). Therefore, if AI produces news that violates legal norms, be it related to defamation, hoaxes, or violations of journalistic ethics, the media may be subject to criminal liability in accordance with the provisions of the Press (Law. Hukum et al., "Criminal Acts in Journalism Based on the Legal Responsibility of Journalists dan Media)."

First of all, Article 5 of the Press Law states that every mass media must adhere to the principle of truth in reporting, which means that any information disseminated must be based on accurate facts. The use of AI in news writing does not change this obligation. If AI generates inaccurate or misleading news, which contains lies or information that misleads the public, then the media that publishes the news remains responsible for the errors that occur. (Panama, Situmeang, dan Hutauruk, "Masalah Penegakan Hukum dalam Prinsip Kebebasan Pers: Studi Media Siber dan Jurnalis Palsu di Kota Tanjungpinang). In this case, even though AI generates news automatically, the media is still legally liable if the news is proven to be untrue.

In addition, Article 10 of the Press Law emphasizes that the mass media must be fully responsible for the content of news disseminated to the public. If AI is used to produce news that contains defamation or defamation, then the media can be subject to criminal liability under the provisions of the Press Law.(Alhakim 2022) This article stipulates that the media cannot shirk its responsibilities on the grounds that the news published is generated by technology. In other words, even though AI is used as a tool to generate news, the media is still responsible for any form of legal violations that occur as a result of the news, such as defamation that can harm certain parties.(Zainal 2016)

If the news generated by AI contains defamation or information that could damage the reputation of an individual or group, Article 27 of the Press Law provides a legal basis for the aggrieved party to file a lawsuit.(Manfaati et al. 2019) This article stipulates that media that publish news that defames or harms other parties can be criminally prosecuted. Sanctions These sanctions can be fines or imprisonment depending on the level of violation and the impact it has.(Putri, Lasmadi, dan Erwin 2021) Therefore, media that use AI to produce news that is detrimental to other parties may be subject to criminal liability in accordance with the provisions of the applicable Press Law.

Furthermore, Article 18 of the Press Law stipulates that if there is a serious violation of the provisions of the Press Law, the media or the party responsible for the news can be subject to administrative or criminal sanctions. (Moh Puji Sulistyono dan Dwi Putri Lestari, "Pertanggungjawaban Pidana Editor Pers dalam Kasus Berita Hoaks Menurut Hukum" 2, no. 40 (2024): 182–91, <https://doi.org/10.38043/jah.v7i2.5610>). This article applies not only to news generated by human journalists, but also to news generated by AI. If it is proven that the news generated by AI violates legal norms, the

media can still be subject to criminal sanctions that include fines or prison sentences according to the level of the violation.(Journal, Helga, dan Hibatulloh 2025)

It is also important to highlight Article 5 of the Press Law, which requires the media to maintain fairness in reporting. If AI is used to generate news that tends to be biased or not objective, for example by spreading news that manipulates information or contains fake news, it can also violate the principle of fairness in the Press Law. The media must ensure that the news disseminated to the public is not only true, but also balanced and impartial. (Desty Rahayu Ningrum dan Iva Khoiril Mala, "Strategi Editorial dalam Menjaga Akurasi dan Kecepatan Berita di Media Online: Analisis Peran Jurnalis dalam Meningkatkan Kualitas Berita," Jurnal Multilingual 4, no. 2 (2024): 1412–82, <https://www.Media> that fails to meet these obligations may be subject to criminal liability, even if the AI used to produce the news has no malicious intent.

In addition, Article 5 of the Press Law also states that responsible reporting is one of the basic obligations of the mass media. If the news generated by AI does not go through an adequate verification process and is proven to contain false information, then the media remains responsible for ensuring that the news does not harm others. Therefore, even though AI processes news quickly, the media still has an obligation to monitor and ensure the accuracy and correctness of the information disseminated.(Yenni Batubara, "Pemanfaatan Kecerdasan Buatan (AI) sebagai Strategi Dakwah: Analisis Peluang dan Tantangan Yenni," Tata Kelola 11, No. 1 (2019): 1–14). Media that fails to meet these obligations may be subject to criminal liability, even if the AI used to produce the news has no malicious intent.

In addition, Article 5 of the Press Law also states that responsible reporting is one of the basic obligations of the mass media. If the news generated by AI does not go through an adequate verification process and is proven to contain false information, then the media remains responsible for ensuring that the news does not harm others. Therefore, even though AI processes news quickly, the media still has an obligation to monitor and ensure the accuracy and correctness of the information disseminated. (Idri Idri, "Pers Dalam Wacana Hukum (Kajian Kebebasan Pers, Tanggung Jawab, Dan Penyimpangan Dalam Perspektif Hukum Islam Dan Hukum Positif Di Indonesia)," *Al-Ihkam: Jurnal Hukum & Lembaga Sosial* 5, no. 2 (2012): 223–42, <https://doi.org/10.19105/al-lhkam.v5i2.291>).

On the other hand, while AI offers many advantages in terms of efficiency and speed in generating news, the media must still ensure that this technology is used ethically and in accordance with existing regulations. The use of AI in news writing must always be accompanied by strict human supervision to ensure that the news produced still meets journalistic standards and applicable legal norms. (Firhan Vardha Novian, "Robotorial sebagai Pembuat Konten Berita Online" 9, no. September (2024): 353–74). If there is a violation of the provisions of the Press Law, such as the spread of fake news or hoaxes, then the media that publishes the news may be subject to criminal liability.

Overall, while the use of AI in the world of journalism offers a lot of convenience, the media still has to be responsible for the news content that is published, whether it is generated by humans or by AI. The Press Law emphasizes that the media is obliged to comply with the principles of truth, fairness, and objectivity in reporting. Therefore, media that use AI to generate news that violates legal norms must remain criminally liable if the

news harms other parties, (Ni Made Yordha Ayu Astiti, "Tanggung Jawab Ketat Kecerdasan Buatan: Akuntabilitas kepada Regulator AI atau AI Diberi Beban Tanggung Jawab?," Jurnal Magister Hukum Udayana 12, no. 4 (2023): 962–80, <https://doi.org/10.24843/JMHU.2023.v12.i0>). defame, or violate applicable journalistic ethics.

3.2. Forms of criminal liability if the media uses Artificial Intelligence to produce news that violates legal norms in accordance with the Electronic Information and Transaction Law

Law Number 1 of 2024 is the second amendment to the Electronic Information and Transaction Law (ITE Law) which brings significant changes in the regulation of the use of digital technology in Indonesia. In the context of the use of Artificial Intelligence (AI) in the world of journalism, these two amendments to the ITE Law provide a clearer legal basis regarding the dissemination of electronic information that violates legal norms, including in the case of the dissemination of news generated by AI that can harm other parties. The revised ITE Law emphasizes criminal liability for those who use electronic media to disseminate harmful or unlawful information, such as hoaxes or defamation.

One of the most important aspects of the second amendment to the ITE Law is Article 28 which regulates the prohibition of the spread of fake news or hoaxes that can harm other parties. If the media uses AI to generate news that contains false or misleading information, and the news is disseminated through digital platforms, then the media may be subject to criminal liability. Based on this article, if AI-generated news spreads false information, which can defame a person or group, then the media can be subject to criminal sanctions in the form of imprisonment for a maximum of 6 years and/or a

maximum fine of 1 billion rupiah. (Mahrus Ali, "Pencemaran Nama Baik Melalui Sarana Informasi dan Transaksi Elektronik (Peninjauan Kembali Putusan MK No. 2/PUU-VII/2009)," *Jurnal Konstitusi* 7, No. 6 (2016): 119, <https://doi.org/10.31078/jk765>). This has become particularly relevant given the speed and scale of news distribution through digital platforms, where AI plays a role in accelerating the news production process.

In addition, the second amendment to the ITE Law emphasizes the provisions in Article 27 paragraph (3) regarding defamation through electronic media. In this case, if AI is used to generate news that contains defamation or insult against a particular individual or group, then the media that publishes the news may be subject to criminal liability. (Julizar Idris dan Achmad Supandi, "Evaluasi Kebijakan Hukum ITE di Indonesia, Potret Analisis Bibliometrik," *Transparan* 7, No. 1 (2024). Published news can cause material loss or permanent reputational damage to the victim. Defamation carried out through electronic media, such as those generated by AI, has the potential to be subject to imprisonment for a maximum of 4 years and/or a maximum fine of 750 million rupiah.(Idris dan Supandi 2024)

Published news can cause material loss or permanent reputational damage to the victim. Defamation carried out through electronic media, such as those generated by AI, has the potential to be subject to imprisonment for a maximum of 4 years and/or a maximum fine of 750 million rupiah. (Shofika Hardiyanti Qurrahman, Safira Ayunil, dan Tsabita Aurelia Rahim, "Posisi dan Konsep Akuntabilitas Kecerdasan Buatan dalam Hukum Positif Indonesia" 6, no. 4 (2024): 12687–93).

As technology evolves, such as AI in journalism, the editor-in-chief or journalist responsible for published news can also be held accountable if the story violates legal

norms. According to Article 28 and Article 5 of the Press Law, even though technology is used in the process of making news, the mass media remains fully responsible for the information published. (Anggi SetyowatiPramukhtiko Suryo Kencono, "Kebebasan Pers dalam Menyampaikan Berita Menurut Undang-Undang Nomor 40 Tahun 1999 tentang Pers," Jurnal Hukum Dan Justice 2, no. 1 (2024). If the news generated by AI does not meet the legal and ethical standards of journalism, then editors-in-chief and journalists may be subject to sanctions, both administratively and criminally,) especially if they fail to keep an eye on and verify AI-generated news.

In addition, the latest ITE Law also pays more attention to social responsibility and the role of the media in maintaining information disseminated in cyberspace so as not to damage social life. (Ananda Haidarrani and Justika Hairani, "Criminal Liability of Perpetrators of Forwarding Hoax News: An Analysis in the ITE Legal Perspective," n.d., 76–120). News generated by AI that contains hatred, divisiveness, or that is discriminatory in nature, may be subject to criminal sanctions for violating the provisions of the ITE Law. In this case, media that use AI to generate news should be very careful, as errors in overseeing content can be fatal for the media and those involved in the editorial process.

One of the other forms of violations emphasized in the second amendment to the ITE Law is the dissemination of unverified information or news that is not in accordance with the facts. AI, while effective in speeding up the news production process, must be used with close oversight to ensure that the information disseminated is accurate and accountable news. If the media fails to verify the news generated by AI, the media may be subject to criminal liability under Article 28 of the ITE Law regarding the dissemination of electronic information that may harm other parties.(Haidarrani dan Hairani n.d.)

In addition, Article 27 paragraph (4) in the second amendment to the ITE Law also regulates the prohibition of disseminating information that is detrimental to other parties with the aim of damaging public image or spreading lies that can cause heavy material or reputational losses. News generated by AI that contains lies or that contains elements of defamation, for example by cornering individuals or groups, can be considered a violation of the ITE Act, potentially causing broader damage to public trust in the media. (Heny Novyanti, "Jerat Hukum Penyalahgunaan Aplikasi Deepfake Ditinjau dari Hukum Pidana," *Novum: Jurnal Hukum* 1, No. 1 (2021): 1–18).

Overall, the second amendment to the ITE Law provides a stricter legal framework in regulating the use of technology, including AI, in the world of journalism. Media that use AI to generate news must remain responsible for the truth and accuracy of the information disseminated, as well as ensure that the news does not violate applicable legal norms. Media that do not strictly supervise the news production process through AI can be subject to criminal liability, either in the form of imprisonment or fines, in accordance with the provisions of the ITE Law.

3.3. The use of AI in news writing can be categorized as a violation of press ethics and laws

The use of Artificial Intelligence (AI) in news writing has the potential to violate press ethics and laws if it is not carried out with adequate supervision. As we know, journalistic ethics regulates various aspects in the news production process, ranging from truthfulness, objectivity, to fairness in reporting. The increasingly sophisticated use of AI technology does provide efficiency in news production, but it also poses challenges in terms of verification and accuracy of information. In this context, the use of AI can risk

violating the Journalistic Code of Ethics (KEJ) that has been drafted by the Press Council, if the technology is used to produce news that is not in accordance with basic journalistic principles.

According to journalistic ethics theory, the media must always maintain high moral standards, such as truth and fairness, in the reporting process. Therefore, if the news generated by AI proves to be misleading, inaccurate, or biased, it can be categorized as a violation of journalistic ethics. For example, in Article 1 of the Journalistic Code of Ethics, it is stated that journalists are obliged to prioritize the truth in reporting, and are obliged to verify information objectively and honestly. If AI is used without strict supervision and produces fake or unverified news, it can be considered a violation of the principles of truth enshrined in the Journalistic Code of Ethics.

In addition, Article 4 of the Journalistic Code of Ethics stipulates that journalists must always maintain a balance and avoid spreading information that harms other parties unfairly. If AI is used to generate news that informs imbalances or corners certain parties, then the use of AI can be considered a violation of the principles of balance and fairness in reporting. This also has the potential to cause defamation or the spread of hoaxes, which is a serious violation of the Press Law. (Firdus Mutaki, "Dampak Kecerdasan Buatan pada Jurnalisme: Transformasi dalam Perusahaan, Produk, Konten, dan Profil Profesional" 1, no. 1 (2023): 96–101).

In addition to the ethical aspect, the use of AI in news writing can also cause violations of the law if you do not pay attention to the provisions in the Press Law and the ITE Law. For example, if the news generated by AI spreads false information or hoaxes, it clearly violates Article 5 of the Press Law which obliges the media to be responsible for the

truth and accuracy of the news published. (Hana Elga Janvier Christi dan Farid Farid, "Analisis Kode Etik Jurnalistik untuk Berita Keragaman di Media Online," Koneksi 4, No. 1 (2020): 14, <https://doi.org/10.24912/kn.v4i1.6495>). In Article 28 of the ITE Law, it is emphasized that the dissemination of misleading or false information can be subject to criminal sanctions. If AI is used to generate this unlawful news, then the media that disseminates it could be subject to criminal liability.

Regarding cyber news, the Cyber Media Reporting Guidelines published by the Press Council stipulate that cyber media must ensure accuracy, objectivity, and fairness in their reporting. (Halimatul Abkoriyah dan Tribuana Tungga Dewi, "Objektivitas pemberitaan di Kompas dan Harian Kompas.com," Jurnal Komunikasi Strategis 7, No. 2 (2017): 40–53). If the news generated by AI does not go through an adequate verification process and focuses only on the speed of dissemination, then it is against these guidelines. Cyber media that use AI to generate news automatically must have a strict surveillance system in place to ensure that the information disseminated is not misleading or harms others. The guidelines also remind us of the importance of transparency in the reporting process, which is difficult to achieve if AI generates news without human editing.

On the other hand, social media responsibility theory emphasizes that the media has a great responsibility to present news that is not only accurate, but also beneficial to society. (Dedi Kusuma Habibie, "Fungsi Ganda Media Massa," Interaksi: Jurnal Ilmu Komunikasi 7, No. 2 (2018): 79, <https://doi.org/10.14710/interaksi.7.2.79-86>). In this case, while AI can increase the speed of news production, the media must still ensure that the technology is used wisely and does not violate the principles of fairness and balance in reporting. Therefore, if AI is used to spread harmful or false information, it can be

considered a violation of social media responsibilities regulated in the Press Law.(Adnasohn Aqilla Respati, "Perumusan Ulang Undang-Undang ITE tentang Kecerdasan Buatan Dibandingkan dengan Peraturan Undang-Undang AI Uni Eropa dan China" 7, no. 3 (2024): 4–12).

In Article 27 of the Press Law, the media is obliged to comply with the principle of openness in reporting. This means that the information conveyed to the public must be accountable and transparent. The use of AI that is not explained or not based on the principle of openness can risk raising doubts among the public about the veracity of the information being disseminated. Therefore, media that use AI to generate news must ensure that any information published can be traced back to its origin and verified for truth.

Violations of journalistic ethics and press laws caused by the use of AI can have an impact on public trust in the media. Media trust theory states that society depends on the media to get correct and fair information. If the media uses AI to generate inaccurate or fake news, then public trust in the media will decline, which in turn can damage the media's image. In this case, the media must be responsible for the content disseminated and ensure that the news produced, both by humans and by technology, meets applicable ethical and legal standards.

In addition, editorial responsibilities in the world of journalism cannot be ignored, even though AI is being used to help with news writing.(Sri Hastoyo dkk., "Antara Peluang dan Ancaman: Penggunaan Kecerdasan Buatan (AI) dalam Proses Produksi Berita Media Lokal di Kota Surakarta," Samvada 4, No. 1 (2025): 10, <https://doi.org/10.54239/2319-022-001-001>). Article 5 of the Press Law requires the media to ensure the truth and

accuracy of published news, which means that editors-in-chief and journalists must exercise strict supervision over any news produced, including those generated by AI. If the news generated by the AI contains errors, then the media remains responsible for clarification and correction, and may be subject to sanctions if the news is not amended or retracted.

Overall, while AI has the potential to speed up the news production process, its use in journalism must be done with care and responsibility. If the news generated by AI violates the legal norms and ethics of the press, the media can be sanctioned both in terms of law and journalistic ethics. Therefore, the media must always ensure that AI technology is used to support true, balanced, and useful news for the public, as well as meet the standards set out in the Press Council's Journalistic Code of Ethics and Cyber Media Reporting Guidelines.

4. Conclusion

The main findings of this study show that the use of artificial intelligence (AI) in digital journalism does not remove the legal and ethical responsibility of press companies for any information published. Although AI is able to improve efficiency in data collection, information processing, and news preparation, it must still be positioned as a tool that is under human control and supervision. The responsibility for the accuracy, truthfulness, balance, and objectivity of news remains attached to the media and the person in charge of the editorial as stipulated in Law Number 40 of 1999 concerning the Press. This study also found that the use of AI has the potential to pose legal risks in the form of spreading inaccurate, misleading, privacy-violating, or defamatory information if it is not accompanied by adequate verification and editorial supervision mechanisms. The

development of AI has given birth to new challenges in the relationship between press freedom and the regulation of the digital space, especially in the implementation of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions. The use of AI in journalistic practice must remain guided by the Press Law, the Journalistic Code of Ethics, and the Cyber Media Reporting Guidelines to ensure the protection of the public interest, maintain the integrity of the journalistic profession, and ensure that technological innovations do not reduce the quality and accountability of news in a democratic system

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