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## **Integrating Islamic Values with the Right to Be Forgotten: A Legal Approach to Addressing Deepfake Pornography in Indonesia**

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### **Abstract :**

The potential for deepfake pornography to infringe upon personal data protection and violate privacy and dignity has become a significant concern. This study examines the role of the Right to Be Forgotten (RTBF) as a legal mechanism to mitigate the harmful effects of deepfake pornography in Indonesia, utilising a normative legal research approach and analysing extant regulations, including the Personal Data Protection (PDP) Law and the Electronic Information and Transactions (IET) Law, as well as Islamic legal principles on the protection of human dignity. The findings of the study suggest that while Indonesia provides a legal basis for RTBF, its implementation is hindered by limitations in Article 15 of the PDP Law, which restricts data deletion requests. The study proposes amendments to this article to enhance victim protection and argues for integrating RTBF with Islamic values to reinforce the moral and ethical necessity of erasing non-consensual deepfake content. To ensure effective enforcement, it is essential to strengthen the legal frameworks, foster collaboration between technology companies and regulators, and enhance digital literacy. The study concludes that effective implementation of RTBF has the potential to serve as a critical safeguard against deepfake pornography, thereby ensuring individuals can regain control over their digital identities and privacy in an evolving technological landscape.

**Keywords :** deepfake pornography; Islamic value; right to be forgotten.

### **Introduction**

New technologies often trigger public anxiety, but the intensity of concern about the implications of artificial intelligence (AI) advances is noteworthy. Some respected technology scholars and inventors warn that AI is on its way to turning

robots into a master class that will conquer humanity, if not destroy it. Others worry that AI could enable governments to mass-produce autonomous weapons—“killing machines”—that would choose their own targets, including innocent civilians. Renowned economists point out that unlike previous technologies, AI destroys more jobs than it creates, leading to major economic disruption.<sup>1</sup>

One well-known definition is: “Artificial intelligence is the activity devoted to creating intelligent machines, and intelligence is the quality that enables an entity to function appropriately and with foresight in its environment.” According to Lasse Rouhiainen, “Artificial intelligence involves the ability of machines to use algorithms to learn from data and use what has been learned to make decisions like humans would. AI is a system that thinks like humans, a system that acts like humans, a system that thinks rationally, a system that acts rationally”.<sup>2</sup> The popular understanding of AI is that it allows computers to think like humans. The famous Turing Test states that AI is achieved when a person cannot determine whether the answer to a question he asks is generated by a person or a computer. Others use the term to refer to computers that use algorithms to process large amounts of information, draw conclusions, and learn from their experiences.<sup>3</sup> Meanwhile, cybercrime in this era could occur with the theft or hacking of personal data stored in the Internet world system. Based on the survey results of internet penetration released by *Asosiasi Penyelenggara Jasa Internet Indonesia* (APJII) or the Indonesian Internet Service Providers Association (APJII) in 2024, Internet users in Indonesia reached 221,563,479 out of a total of 278,696,200 Indonesians,<sup>4</sup> making up 79.5% of Indonesians as internet users.<sup>5</sup> However, behind the booming number of internet users, the number of cybercrimes has also grown fantastically. Based on data from the *Badan Siber dan Sandi Negara* (BSSN) or the National Cyber and Crypto Agency, The total anomaly traffic of cyber-attacks in Indonesia in 2023 reached 361 Million.<sup>6</sup>

According to a survey conducted by Home Security Heroes<sup>7</sup> - the number of deepfake videos circulating in 2023 reached 95,820, of which 98% contained deepfake pornography content. An even more shocking fact is that out of the total survey, 99% of women are the main target of deepfake content. Between 2019 and 2023, the increase in deepfake videos reached 550%. Although in this survey, Indonesia is not included in the ranks of countries that are the main targets of deepfake content, deepfake pornography has also attacked Indonesia.

<sup>1</sup> Amitai Etzioni and Oren Etzioni, “Should Artificial Intelligence Be Regulated?,” *Issues in Science and Technology* (blog), August 7, 2017, <https://issues.org/perspective-artificial-intelligence-regulated/>.

<sup>2</sup> Bernhard Heiden and Bianca Tonino-Heiden, “Key to Artificial Intelligence (AI),” *Advances in Intelligent Systems and Computing* 1252 AISC, no. 2 (2021): 647–56, [https://doi.org/10.1007/978-3-030-55190-2\\_49](https://doi.org/10.1007/978-3-030-55190-2_49).

<sup>3</sup> Etzioni and Etzioni, “Should Artificial Intelligence Be Regulated?”

<sup>4</sup> PDSI KOMINFO, “Siaran Pers No. 80/HM/KOMINFO/01/2024 tentang Pengguna Internet Meningkat, Kominfo Galang Kolaborasi Tingkatkan Kualitas Layanan,” Website Resmi Kementerian Komunikasi dan Informatika RI, accessed August 31, 2024, [http://content/detail/54481/siaran-pers-no-80hmkominfo012024-tentang-pengguna-internet-meningkat-kominfo-galang-kolaborasi-tingkatkan-kualitas-layanan/0/siaran\\_pers](http://content/detail/54481/siaran-pers-no-80hmkominfo012024-tentang-pengguna-internet-meningkat-kominfo-galang-kolaborasi-tingkatkan-kualitas-layanan/0/siaran_pers).

<sup>5</sup> “APJII Jumlah Pengguna Internet Indonesia Tembus 221 Juta Orang,” 2024, <https://apjii.or.id/berita/d/apjii-jumlah-pengguna-internet-indonesia-tembus-221-juta-orang>.

<sup>6</sup> Mahinda Arkyasa, “BSSN Records 361 Million Cyber Attacks in Indonesia,” *Tempo*, November 17, 2023, <https://en.tempo.co/read/1797753/bssn-records-361-million-cyber-attacks-in-indonesia>.

<sup>7</sup> Security Heroes Home, “2023 State of Deepfakes: Realities, Threats, and Impact,” 2023, <https://www.homesecurityheroes.com/state-of-deepfakes/#deepfake-porn-survey>.



Born on Reddit in 2017, ‘deepfakes’—a combination of ‘deep learning’ and ‘fake’—started with AI-swapped celebrity faces in videos. Initially confined to pornographic content, the practice sparked ethical concerns when the code was shared, enabling widespread creation.<sup>8</sup> The challenge is that the simplicity of creating realistic deepfakes and fake media environments is no longer limited to experts. Not only can deepfake videos be created, but equally fake accounts are used to amplify them: X accounts which post links to the video, accounts that comment on it, sites that host it and create misleading information, and Instagram accounts that generate memes using it.<sup>9</sup> The ease with which manipulations can be created, particularly using generative AI tools, poses an existential threat to the integrity of information and trust in public discourse.<sup>10</sup>

Today, there has been an example of online-based gender violence in the form of “Deepfake Pornography”. Deepfake pornography can be considered a derivative of Cyber Pornography, where the content of Cyber Pornography<sup>11</sup> in social media is generally in the form of pornographic videos, moving animations and erotic images. Deepfake pornography<sup>12</sup> is created using face-swapping apps or software to transfer the victim’s face to another person’s body in pornographic content to give the fake (yet realistic) impression that the victim is committing a sexual act.<sup>13</sup> Perpetrators use the Internet to spread deepfake pornography content on social media without the victim’s permission. Therefore, deepfake technology that uses data in the form of images/photos of someone’s face, which is part of personal data, raises the potential to be misused to commit crimes such as pornography, revenge, bullying, political sabotage, extortion, fake video evidence, fraud, theft, and other privacy issues. The act of the perpetrator falsifying someone’s personal data using deepfake technology to gain profit results in losses for the victim.

If the crime of deepfake pornography has already occurred, then this can be said to involve legal issues of persona. This introduction implies that the state should be obliged to take action by creating a legal framework that can protect privacy rights and personal data to regulate governance in Indonesia’s cyber world. Bruce Schneier, an American cryptographer, computer security professional, and privacy specialist,

<sup>8</sup> Thanh Thi Nguyen et al., “Deep Learning for Deepfakes Creation and Detection: A Survey,” *Computer Vision and Image Understanding* 223 (October 1, 2022): 103525, <https://doi.org/10.1016/j.cviu.2022.103525>.

<sup>9</sup> Bart van der Sloot and Yvette Wagenveld, “Deepfakes: Regulatory Challenges for the Synthetic Society,” *Computer Law & Security Review* 46 (September 1, 2022): 105716, <https://doi.org/10.1016/j.clsr.2022.105716>.

<sup>10</sup> Felipe Romero Moreno, “Generative AI and Deepfakes: A Human Rights Approach to Tackling Harmful Content,” *International Review of Law, Computers & Technology* 0, no. 0: 1–30, accessed August 31, 2024, <https://doi.org/10.1080/13600869.2024.2324540>.

<sup>11</sup> Andrew Christian Banjarnahor and Hana Faridah, “Tinjauan Yuridis Dalam Proses Pembuktian Cyber Pornography Yang Dilakukan Melalui Media Sosial Berdasarkan Hukum Positif Indonesia,” *Jurnal Analisis Hukum* 6, no. 1 (April 25, 2023): 3, <https://doi.org/10.38043/jah.v6i1.3998>.

<sup>12</sup> Catherine Patricia Samosir, “Kekerasan Berbasis Gender Online (KBGO) dan Cara Mendukung Korban: Analisis Konten Film Like dan Share,” *Jurnal PIKMA : Publikasi Ilmu Komunikasi Media Dan Cinema* 6, no. 1 (October 11, 2023): 5, <https://doi.org/10.24076/pikma.v6i1.1303>.

<sup>13</sup> Nur Azisa et al., “Criminal Acts of Physical and Non-Physical Sexual Violence in University,” *Jurnal IUS Kajian Hukum dan Keadilan* 12, no. 3 (December 26, 2024), <https://jurnalius.ac.id/ojs/index.php/jurnalIUS/article/view/1497>; Ferry Irawan Febriansyah et al., “Analysis of Offense Sexual Abuse on The Psychological Effects of Victims,” *International Journal of Law and Society* 2, no. 3 (August 15, 2023): 226–37, <https://doi.org/10.59683/ijls.v2i3.61>.

says that strong data security practices are not just good business; they are essential for protecting the privacy and security of individuals. Deepfake porn belongs to Online Gender-Based Violence. According to Ellen Kusuma and Nenden Sekar Arum, the possible impacts of Online Gender-Based Violence victims and survivors, in this case, deepfake porn, include<sup>14</sup> psychological losses, social alienation, economic losses, limited mobility, and self-censorship, which is the loss of confidence in security using digital technology. Furthermore, deepfake porn perpetrators, in carrying out their actions, will steal the authority of the victim's body by engineering the victim to do something that the perpetrator wants without the permission and even the knowledge of the victim. The perpetrator acts as if he has full power over the victim who is in cyberspace. This is included in criminal acts, where the perpetrators commit several crimes at once when making deepfake porn, such as stealing personal data, disseminating information with content that violates decency, and also data manipulation or falsification.

## Method

According to Terry Hutchinson, as quoted by Peter Mahmud Marzuki, "Doctrinal research, which provides a systematic exposition of the rules governing a particular legal category, analyses the relationship between rules, explains areas of difficulty and, perhaps, predicts future development."<sup>15</sup> The research method used is normative legal research or library law research.<sup>16</sup> Authors reviewed library materials or secondary data, including primary legal materials, secondary legal materials, and tertiary legal materials.<sup>17</sup> To find answers to existing problems, authors use a statutory approach to analyse legal aspects related to deepfake pornography. A conceptual approach is used to develop concepts and theories related to the RTBF and deepfake pornography. Meanwhile, a literature review was conducted to collect data and relevant information.<sup>18</sup> Authors search for and review laws, books, government documents, and academic articles related to the RTBF and deepfake pornography. The collected data were analysed using the content analysis method, involving analysing and interpreting the contents of the collected library materials.<sup>19</sup> To keep the discussion within its scope, the authors will limit the issue formulation to specify the focus of the discussion at the core of this paper: The RTBF: An Escape Door to Personal Data Protection Violation in Deepfake Pornography in Indonesia.

<sup>14</sup> Ellen Kusuma and Nenden Sekar Arum, "Memahami Dan Menyikapi Kekerasan Gender Berbasis Online: Sebuah Panduan" (Southeast Asia Freedom of Expression Network, 2019).

<sup>15</sup> Ibrahim, Johnny, *Teori Dan Metodologi Penelitian Hukum Normatif* (Malang: Banyumedia, 2006).

<sup>16</sup> I. Gusti Ayu Apsari Hadi, "Perbuatan Melawan Hukum Dalam Pertanggungjawaban Dokter Terhadap Tindakan Malpraktik Medis," *Jurnal Yuridis* 5, no. 1 (August 2, 2018): 98–133, <https://doi.org/10.35586/v5i1.318>.

<sup>17</sup> Soerjono Soekanto and Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat* (Jakarta: Raja Grafindo Persada, 2001); Nur Fadhillah Mappaselleng et al., "Beyond the Surface: Exploring the Next Level of Terrorism on the Dark Web," *Jambura Law Review* 7, no. 1 (February 21, 2025): 309–35, <https://doi.org/10.33756/jlr.v7i1.26150>.

<sup>18</sup> Anis Widyawati et al., "Urgency of the Legal Structure Reformation for Law in Execution of Criminal Sanctions," *Lex Scientia Law Review* 6, no. 2 (December 19, 2022): 327–58, <https://doi.org/10.15294/lesrev.v6i2.58131>.

<sup>19</sup> Zico Junius Fernando et al., "Robot Lawyer in Indonesian Criminal Justice System: Problems and Challenges for Future Law Enforcement," *Lex Scientia Law Review* 7, no. 2 (November 14, 2023): 489–528, <https://doi.org/10.15294/lesrev.v7i2.69423>.





## Results and Discussion

### Deepfake Pornography and Its Regulation in Indonesia

The development of technology over time not only requires the global community to master how to use it but also requires users to train their minds to cope with many different problems that arise with such a development. The emergence of artificial intelligence (AI) demonstrates how technological developments in the digital age can positively impact many different aspects of life. Artificial intelligence (AI) has the advantage of replacing human work. The development of artificial intelligence (AI) has created a certain algorithm called deepfake technology.<sup>20</sup> Marissa Koopman, Andrea Macarulla Rodriguez, and Zeno Geradts, in their journal, shed light on Deepfake Technology as an algorithm in the following form: "The Deepfake algorithm allows a user to switch the face of one actor in a video with the face of a different actor in a photorealistic manner. Deepfake refers to an algorithmic technique that allows users to seamlessly replace the facial appearance of one actor with that of another in a visually convincing manner in a photorealistic film. Deepfake technology has become a new video processing method in recent years. This technology allows the appearance of an individual's face to be changed by seamlessly superimposing it onto another person's face in video format. What makes deepfake different from other forms of video manipulation? First, the potential for realistic results is clear, as the algorithm can generate complete facial representations for each artist. Given enough time, the resulting film would likely exhibit a high degree of visual authenticity."<sup>21</sup> Deepfake is a relatively new technology whose applications can be downloaded for free. It is the result of artificial intelligence.<sup>22</sup>

Deepfake is a human image synthesis technique based on AI, allowing existing images and videos to be combined and placed into image or video sources using a machine learning technique called adversarial networking.<sup>23</sup> Additionally, the usability of publicly available Deepfake applications such as FaceApp and Reface is limited to non-experts. Humans have built many tools and methods to assist them in performing various activities, including Deepfake technology. Technology, especially the Internet, has its advantages and disadvantages. Facilitating the communication of information provides many opportunities for its development. On the contrary, invasion of privacy from outside will create new risks. Digital data distribution bypasses physical and jurisdictional boundaries, making it easy and illegal to transmit or manipulate personal data without the consent or control of the

<sup>20</sup> Ivana Dewi Kasita, "Deepfake Pornografi: Tren Kekerasan Gender Berbasis Online (KGBO) Di Era Pandemi Covid-19," *Jurnal Wanita Dan Keluarga* 3, no. 1 (July 26, 2022): 16–26, <https://doi.org/10.22146/jwk.5202>; Redhina Aulia, Retanisa Rizqi, and Sheikh Adnan Ahmed Usmani, "Pornography in the Perspective of Islamic Criminal Law," *MILRev: Metro Islamic Law Review* 2, no. 1 (June 30, 2023): 79–89, <https://doi.org/10.32332/milrev.v2i1.7354>.

<sup>21</sup> Muhammad Ilman Abidin, "Legal Review Of Liability From Deepfake Artificial Intelligence That Contains Pornography," *MIMBAR: Jurnal Sosial Dan Pembangunan*, December 29, 2023, 344–52, <https://doi.org/10.29313/mimbar.v39i2.2965>.

<sup>22</sup> M. A. Itsna Hidayatul Khusna and Sri Pangestuti, "Deepfake, Tantangan Baru Untuk Netizen (Deepfake, A New Challenge For Netizen)," *PROMEDIA (Public Relation dan Media Komunikasi)* 5, no. 2 (December 30, 2019), <https://doi.org/10.52447/promedia.v5i2.2300>.

<sup>23</sup> Oscar Schwartz, "You Thought Fake News Was Bad? Deep Fakes Are Where Truth Goes to Die," *The Guardian*, November 12, 2018, sec. Technology, <https://www.theguardian.com/technology/2018/nov/12/deep-fakes-fake-news-truth>.



owner. Deepfake has attracted attention for its use in creating explicit material about celebrities, spreading misinformation, fraud schemes and financial wrongdoing.<sup>24</sup>

The use of deepfake technology involves the use of personal data in the form of images of human faces. This technology has the potential to be exploited, especially in the context of illegal activities such as disseminating propaganda, creating pornography, committing identity theft, and other rights-related issues private.<sup>25</sup> During the COVID-19 pandemic, which forced people to limit direct contact, the existence of deepfake technology has been very beneficial for everyone, especially workers. Korea, for example, uses deepfake technology in the television world to replace the existence of news anchors. This technology is used to create perfect replicas of the presenter's voice, facial expressions and even body movements, minimising face-to-face meetings in the office.<sup>26</sup> As artificial intelligence tools become increasingly sophisticated and widely accessible, rapid technological advances have given rise to a growing problem that primarily affects women and children. Deepfake porn is synthetic pornography created using AI "deep" learning software, which can take images of real people and make their likenesses appear in explicit images or videos. A study by Italian cybersecurity company DeepTrace in 2019 found that 96 per cent of online deepfake videos were pornographic and non-consensual. Another study in 2023 by US cybersecurity firm Home Security Heroes reported that deepfake porn makes up 98 per cent of all deepfake videos online, with 99 per cent of them targeting women. The study found 95,820 deepfake videos online, a 550 per cent increase from 2019.<sup>27</sup>

A similar case—misuse of AI technology in 2023—has occurred in Indonesia. A Fulgar's photo of a university student in Malang, a TikTok celebrity, was spread on Twitter. The victim clarified on his Tiktok account that Fulgar's photo, which was broadcast by 1.5 million people who saw the post, was edited by an irresponsible perpetrator. He also proved that the photo used by the perpetrator was taken by the victim himself after carrying out endorsement work for the mobile legend diamond game, which was posted on the victim's Instagram story. In another similar case, a beautiful photographer from Surabaya also experienced an unpleasant incident. The photo she posted on Instagram was used by the AI abuser to become a graphic photo and was distributed on Twitter. In reality, the photo posted by the victim on her Instagram feed was a form of promotion for her portrait work because the victim is a photographer and content creator, and her clothes were still relatively modest and discreet. This was very detrimental to the victim in terms of mental health and the victim's career.<sup>28</sup> Several positive laws regulate cyber security and personal data protection in Indonesia, including (1) Law Number 11 of 2008 concerning Electronic Information and Transactions (IET Law); (2) Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and

<sup>24</sup> Abidin, "Legal Review Of Liability From Deepfake Artificial Intelligence That Contains Pornography."

<sup>25</sup> Abidin.

<sup>26</sup> Kasita, "Deepfake Pornografi."

<sup>27</sup> Katherine Noel, "Journalist Emanuel Maiberg Addresses AI and the Rise of Deepfake Pornography," April 22, 2024, <https://igp.sipa.columbia.edu/news/rise-deepfake-pornography>.

<sup>28</sup> Guntur Permana Putra and Mochammad Tanzil Multazam, "Law Enforcement Against Deepfake Porn AI: Penegakan Hukum Terhadap Deepfake Porn AI" (UMSIDA Preprints Server, March 27, 2024), <https://doi.org/10.21070/ups.4378>.



Transactions (IET Law); (3) Law Number 1 of 2024 concerning Second Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions (IET Law); (4) Law Number 44 of 2008 concerning Pornography (Pornography Law); (5) Law Number 36 of 1999 concerning Telecommunications (Telecommunication Law); (6) Law Number 19 of 2002 concerning Copyright (Copyright Law); (7) Law Number 8 of 1997 concerning Corporate Document Law; and (8) Law Number 27 of 2022 concerning Personal Data Protection (PDP Law).

AI characteristics include the ability to rationalise and take actions most likely to achieve a specific goal. The main purpose of AI is to be used in learning, reasoning, and so on. AI in information processing automation can be considered an "Electronic Agent" in Indonesian legislation. The definition of this term is regulated in Article 1 of IET Law, which reads, "the device of an electronic system made to perform an action on a certain Electronic Information automatically held by a person." The word "automatically" in the article means to work alone. In addition, artificial intelligence technology is a computer-based processing system that can think for itself and make its own decisions. Thus, the nature of artificial intelligence technology can be equated with the characteristics of the electronic agent. Deepfake porn as an abuse of AI is one of the prohibited acts under Article 27 paragraph (1) of IET Law, which reads: "Everyone intentionally and without rights broadcasts, performs, distributes, transmits, and/or makes accessible Electronic Information and/or Electronic Documents that have content that violates decency to be known to the public."

Deepfake technology is used to engineer images or videos using other people's faces in their creations. For information, facial images are included in specific biometric data. Based on the PDP Law, deepfake provisions are contained in Article 66 of the PDP Law, asserting that everyone is prohibited from making false personal data or falsifying personal data to benefit themselves or others, which may harm others. Then, people who violate these provisions can be sentenced to a maximum of 6 years imprisonment and/or a maximum fine of IDR 6 billion. The Pornography Law, the abuse of deepfake porn is included in the elements regulated in Article 1 point 1 of the Pornography Law as follows: Pornography is images, sketches, illustrations, photographs, writings, sounds, sounds, moving images, animations, cartoons, conversations, gestures, or other forms of messages through various forms of communication media and/or public performances, which contain obscenity or sexual exploitation that violates the norms of decency in society. Article 4 paragraph (1) of the Pornography Law prohibits anyone from producing, making, reproducing, duplicating, disseminating, broadcasting, importing, exporting, offering, trading, renting, or providing pornography that explicitly contains compounds, including deviant compounds; sexual violence; masturbation; nudity or an impressive display of nudity; genitals; or child pornography. Then, perpetrators who violate Article 4 paragraph (1) of the Pornography Law can be sentenced to imprisonment for a minimum of six months and a maximum of 12 years and/or a fine of at least Rp. 250 million and a maximum of Rp. six billion, as stipulated in Article 29 of the Pornography Law.

Although the presence of AI is regulated in Indonesia, no specific law is dedicated to regulating AI separately. As a result, crimes such as deepfake porn made using AI and through the internet network will only be subject to laws and regulations related to electronic information, decency, pornography, and defamation. Without special legal protection, the sanctions imposed have been ineffective. Regulations

that contain legal issues related to ethics, privacy, and social implications related to the use of AI are needed. The lack of a specific and detailed legal framework for the use of AI could lead to uncertainty regarding the responsibilities, ethics, and social impact of AI technology. The urgency of establishing the regulation of AI technology is to protect victims of deepfake porn crimes, as well as to prevent other crimes from appearing as technology becomes more sophisticated and its development knows no limits.

### **Deepfake Pornography and Its Regulation in Islamic Law Perspective**

Deepfake porn is also a clear example of the violation of human honour. Deepfake porn is the manipulation of technology used to create fake videos that damage a person's good name. In the Islamic view, these actions fall under the categories of slander, *qadzaf* (accusing without evidence), and violation of honour (*'ird*),<sup>29</sup> all of which are major sins.<sup>30</sup> Allah SWT says: "Those who wish that the news of their abominable deeds should spread among the believers, for them is a painful punishment in this world and in the Hereafter." (QS. An-Nur: 19) Defaming through technology such as deepfake is a form of moral corruption that harms the victim and society. Victims of deepfake porn deserve support from society and the government to restore their honour according to Islamic principles that emphasise the protection of human dignity. The Prophet Muhammad said: "Whoever covers the disgrace of a Muslim, Allah will cover his disgrace in this world and the next." (HR Muslim)

Thus, preserving honour and protecting victims of deepfake porn is part of Muslims efforts to live up to religious values while maintaining the moral stability of modern society. Every human being highly upholds human dignity and honour. Safeguarding it is something that every believer always strives for. This passage reflects an Islamic approach to dealing with the issue of pornography, with a strong emphasis on prevention rather than just addressing the problem after it arises. The key idea here is that Islam encourages proactive measures to protect individuals and society from the harms associated with pornography. In terms of regulation, the first approach is about putting in place and enforcing strict rules that limit exposure to pornography. This could mean tightening existing laws or creating new ones with tougher penalties. The idea is that by controlling what content is available, especially in the media, society can reduce the risk of people being exposed to pornography in the first place. The underlying belief is that the rise of pornography is partly due to the ease with which it can be accessed through various media channels.

In strengthening moral and religious values, the second approach emphasises the importance of moral and religious strength in preventing the spread of pornography. It suggests that when people's religious beliefs and moral values are

<sup>29</sup> Ariyadi Ariyadi et al., "Moderation of Homosexual Fiqh in Indonesia: A Study of The Huzaamah Tahido Yanggoâ€™s Thought," *Al-Istinbath: Jurnal Hukum Islam* 7, no. 2 November (December 1, 2022): 381–98, <https://doi.org/10.29240/jhi.v7i2.5462>; Mulida Hayati and Nuraliah Ali, "Husband's Sexual Violence: Protection Rights for Wives in Terms of Islamic and Indonesian State Law," *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 21, no. 1 (June 30, 2021): 65–81, <https://doi.org/10.30631/alrisalah.v21i1.662>.

<sup>30</sup> M. Quraish Shihab, *Tafsir al -Mishbah Pesan, Kesan Dan Keserasian Al - Qur'an*, vol. 13 (Jakarta: Lentera Hati, 2022); Islamul Haq, "Prison in Review of Islamic Criminal Law: Between Human and Deterrent Effects," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 4, no. 1 (June 30, 2020): 132–50, <https://doi.org/10.22373/sjhk.v4i1.6683>.





strong, they are better equipped to resist the temptation of pornography.<sup>31</sup> On the other hand, when these values are weak, people are more likely to be influenced by negative content, including pornography. The passage draws on Islamic teachings to argue that effective religious practice, such as regular prayer, helps prevent immoral behaviour. Therefore, if pornography is becoming more common in society, it may indicate that religious practices are not as effective as they should be. In simpler terms, this perspective suggests that to combat pornography, society should focus on both strict regulations and strengthening the moral and religious values that help people resist negative influences. The goal is to create a community that is less vulnerable to the harms of pornography by being both legally protected and morally resilient.

Islamic law recognises '*Illat* or legal principle. '*Illat* is the reason for the existence of the law. In other words, '*illat* is the reason that gives rise to the law or causes the law to be prescribed, not the reason for doing and realising the law. Hence, the '*illat* must be a relevant attribute or *mufhim* (that gives understanding).<sup>32</sup> The attribute must contain a meaning worthy of Allah's intention in prescribing the law. In Islamic law, there is an '*Illat* that is closely related to the development of technology, which reads: "*Dar'u al-mafâsid muqaddamun 'alâ jalbi al-mashâlih*", which means "preventing damage takes precedence over seeking benefit".<sup>33</sup> The principle of "*Dar'u al-mafâsid muqaddamun 'alâ jalbi al-mashâlih*" in Islamic law emphasises the importance of preventing damage (*mafsadah*) before pursuing benefit (*mashlahah*).<sup>34</sup> In the context of technological development, especially with the emergence of deepfake porn, this principle is very relevant. Deepfake porn is a technology that enables the creation of videos that show a person in a situation that never happened, often with harmful purposes, such as damaging an individual's reputation or exploiting them sexually.

<sup>31</sup> Ilda Hayati and Busman Edyar, "Pornography in The Perspective of Islamic and National Law," *AJIS: Academic Journal of Islamic Studies* 9, no. 1 (June 9, 2024): 53–70, <https://doi.org/10.29240/ajis.v9i1.9897>.

<sup>32</sup> Al-'Allamah al-Qadhi Syaikh Taqiyuddin an-Nabhani, *As-Syakshiyah al-Islamiyyah*, Muktmadah (Dar al-Ummah, 1426).

<sup>33</sup> H. Zainal Arifin Haji Munir, "Exchanging Maslahah Between Landowners and Land Tenants: The Practice of Sandak-Tanggep in Pringgasela District," *JURISDICTIONE* 13, no. 1 (July 27, 2022): 24–39, <https://doi.org/10.18860/j.v13i1.15027>.

<sup>34</sup> Vivi Ariyanti and Supani, "Examining Muslims' Aspirations in Drafting the New Criminal Code: Analyzing Criminal Law Policy in Indonesia from a Maslaha Perspective," *Al-Manahij: Jurnal Kajian Hukum Islam*, March 16, 2024, 37–58, <https://doi.org/10.24090/mnh.v18i1.8280>; Budi Rahmat Hakim et al., "Reactualization of Maslahat and Social Justice Principles in the Contextualization of Fiqh Zakat," *Syariah: Jurnal Hukum dan Pemikiran* 24, no. 1 (June 26, 2024): 102–18, <https://doi.org/10.18592/sjhp.v24i1.12909>; Muhammad Aulia Rahman, Roibin Roibin, and Nasrulloh Nasrulloh, "Dayak Ngaju Customary Fines in Pre-Marriage Agreement to Minimize Divorce in The Perspective of Maslahah Mursalah Ramadhan Al-Buthi," *El-Mashlahah* 13, no. 1 (June 30, 2023): 57–75, <https://doi.org/10.23971/el-mashlahah.v13i1.5623>; Iffatin Nur and Muhammad Ngizzul Muttaqin, "Reformulating The Concept of Maâ'laâ, 'ah: From A Textual Confinement Towards A Logic Determination," *Justicia Islamica* 17, no. 1 (June 2, 2020): 73–91, <https://doi.org/10.21154/justicia.v17i1.1807>; Nur Insani, Suud Sarim Karimullah, and Sulastris, "Islamic Law Challenges in Addressing Human Trafficking and Sexual Exploitation," *Jurnal Hukum Islam* 21, no. 2 (December 22, 2023): 357–87, [https://doi.org/10.28918/jhi.v21i2\\_06](https://doi.org/10.28918/jhi.v21i2_06); Iqbal Kamalludin Iqbal Kamalludin and Bhanu Prakash Nunna Bhanu Prakash Nunna, "Formulation of Criminal Policy on Sexual Violence Rehabilitation Based on Family Therapy with the Maqasid Al-Sharia Principles," *Jurnal Hukum Islam* 22, no. 1 (June 15, 2024): 123–60, [https://doi.org/10.28918/jhi.v22i1\\_5](https://doi.org/10.28918/jhi.v22i1_5).

In this case, the following are several damages that come as consequences: (1) Breach of Privacy: Deepfake porn can be used to spread content that harms individuals without their consent; (2) Defamation: Individuals who are the subject of deepfake porn can suffer significant reputational damage, which can impact their personal and professional lives; (3) Exploitation and abuse: This technology can be used to exploit individuals, especially women, and can contribute to rape culture and objectification; and (4) Psychological Impact: Victims of deepfake porn may experience psychological trauma, including depression, anxiety, due to the dissemination of harmful content. In the face of AI technology advances, applying the principle “*Dar’u al-mafâsid muqaddamun ‘alâ jalbi al-mashâlih*” should be done with a more comprehensive approach. This involves a balance between the prevention of harm and the utilisation of the technology’s positive potential and involves education, adaptive regulation, and ethical discussions involving various parties. In this way, we can take advantage of technological advances while minimising the risks they may bring.

In 2001, the Indonesian Ulema Council issued a fatwa addressing pornography, outlining 11 key points: 1) Any depiction of erotic behaviour, whether through painting, drawing, writing, sound, billboards, advertisements, or speech, in print or electronic media that incites lust, is forbidden (haram). 2) Exposing the *aurat* by wearing tight or see-through clothing with the intent of being photographed is haram. 3) The act of taking such photographs, as described above, is also haram. 4) Engaging in sexual acts or scenes in the presence of others, photographing or filming such acts, and viewing these acts is haram. 5) The reproduction, sale, purchase, viewing, or displaying of images, whether printed or visual, that show the *aurat* or tight, see-through clothing that can arouse lust, as well as images of sexual acts is haram. 6) Being in a private setting or alone with a member of the opposite sex who is not a *mahram* (a close relative with whom marriage is not permissible), as well as any behaviour that encourages sexual activity outside of marriage, is haram. 7) Exposing the *aurat* defined as the area between the navel and knees for men, and all parts of the body except the face, palms, and soles of the feet for women is haram, except in situations justified by Islamic law. 8) Wearing tight or see-through clothing that reveals the shape of the body is haram. 9) Any act or speech that encourages sexual activity outside of marriage or behaviour similar to that mentioned in point 6 is haram. 10) Assisting in or allowing any of the above-prohibited acts without objection is haram. 11) Profiting, gaining benefits, or receiving facilities from the acts prohibited above is haram.<sup>35</sup>

Islamic law and national law share a similar perspective on pornography and pornographic actions, both of which are considered forbidden. In Islam, these acts are deemed haram, with specific guidelines like the requirement to cover the *‘awrah/aurat* (intimate parts of the body) and the prohibition against others viewing these parts. Similarly, national law also prohibits pornography and pornographic actions, enforcing these rules through various regulations that include criminal penalties for violations. Deepfake porn is a serious violation of human honour,

<sup>35</sup> Novelia Musda, “Pornography in Diversity: A Study of the MUI’s Fatwa on Pornography,” *Afkaruna: Indonesian Interdisciplinary Journal of Islamic Studies* 9, no. 2 (July 28, 2013): 95–111, <https://doi.org/10.18196/auijis.2013.0022.95-111>; Norshahril Saat, “Theologians ‘Moralising’ Indonesia?: The Case of the Post-New Order Ulama Council of Indonesia (MUI),” *Asian Journal of Social Science* 44, no. 4–5 (January 1, 2016): 546–70, <https://doi.org/10.1163/15685314-04404005>.

privacy and dignity. Victims are entitled to protection, support, and recovery from its adverse effects, while perpetrators are subject to strict sanctions according to Sharia. Human honour is a trust from Allah SWT that must be preserved with all efforts.

### **The Right To Be Forgotten and Personal Data Protection: Challenges and Opportunities**

Deepfake pornography has emerged as a formidable challenge to personal data protection, posing complex ethical and legal dilemmas in the digital age. With the rapid advancement of artificial intelligence and machine learning technologies, individuals' faces can be seamlessly superimposed onto explicit content, often without their consent or knowledge. This malicious manipulation of digital imagery not only violates personal privacy but also undermines the integrity of individuals' identities, leaving them vulnerable to exploitation, harassment, and reputational harm. Like many other countries, the proliferation of deepfake porn in Indonesia has prompted concerns regarding the adequacy of existing regulatory frameworks and the need for innovative solutions to mitigate its adverse effects. While the country has made strides in enacting laws to protect personal data, such as the Electronic Information and Transactions (IET) Law and the Personal Data Protection Law, deepfake technology presents novel challenges that transcend traditional legal paradigms. At the heart of the deepfake porn dilemma lies the fundamental right to privacy, enshrined in Indonesia's Constitution and various international human rights conventions.

In other words, exercising the constitutional right to communicate and obtain information is limited by the privacy rights of others. Simply put, one person cannot illegally obtain another person's personal information.<sup>36</sup> The unauthorised use of individuals' images in explicit content infringes upon their privacy rights, subjecting them to potential harm and emotional distress. Moreover, the dissemination of deepfake pornographic material on digital platforms exacerbates the risk of data breaches and identity theft as personal information becomes commodified and exploited for malicious purposes. The RTBF appears in Recitals 65 and 66 and in Article 17 of the GDPR, stating, "The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay" if one of several conditions applies. "Undue delay" is considered to be about a month. You must also take reasonable steps to verify that the person requesting erasure is the data subject. The RTBF appears in Recitals 65 and 66 and in Article 17 of the GDPR, stating, "The data subject shall have the right to obtain from the controller the erasure of personal data concerning him or her without undue delay, and the controller shall have the obligation to erase personal data without undue delay" if one of several conditions applies. "Undue delay" is considered to be about a month. One must also take reasonable steps to verify the person requesting erasure is the data subject.<sup>37</sup>

<sup>36</sup> Ahmad M Ramli et al., "Legal Aspect Of The Right To Be Forgotten (RTF) On Social Media In Indonesia," *Technology and Economics Law Journal* 1, no. 2 (August 24, 2022), <https://doi.org/10.21143/TELJ.vol1.no2.1008>.

<sup>37</sup> Fiona Brimblecombe, "The Public Interest in Deleted Personal Data? The Right to Be Forgotten's Freedom of Expression Exceptions Examined through the Lens of Article 10 ECHR," *Journal of*



The RTBF, as a legal mechanism to protect personal data in deepfake pornography cases in Indonesia, has a significant connection to Islamic teachings on maintaining honour (*hifẓ al-'irdh*). In Islamic law, the preservation of honour is recognised as one of the five fundamental principles of *maqāṣid al-sharī'ah*, which aims to safeguard the dignity, privacy and reputation of individuals from potential threats. Islamic teachings emphasise that the honour of every human being must be respected and protected, as affirmed in the Qur'ān (QS. Al-Hujurat: 12), which prohibits gossip and behaviour that degrades the dignity of others. The principle of *hifẓ al-'irdh* is violated by deepfake pornography, which often involves manipulating technology to create fake content for the purpose of defaming or exploiting individuals. In Islamic jurisprudence, such actions are regarded not only as a transgression against individual rights but also as a grave sin that defames an individual's honour without a legitimate basis. Consequently, the RTBF can be regarded as a contemporary legal manifestation that aligns with Islamic principles by affording victims the right to erase damaging digital traces, restore their good name, and prevent severe social and psychological consequences.

The RTBF is in line with the basic rules contained in the 1945 Constitution of the Republic of Indonesia Article 28J, where RTBF is an instrument that reflects moral and ethical values by ensuring that individuals are not subjected to perpetual harm by outdated, irrelevant, or harmful information. Moreover, The RTBF is predicated on respecting individual privacy and personal data rights. Article 28J enables the curtailment of these rights, provided that such curtailment is balanced with the rights of other parties and the interests of society as a whole. Conversely, the RTBF is subject to limitations when the public interest, freedom of expression, or the right to access information prevails over an individual's request for deletion. This resonates with the ethical dimensions of Article 28J, which emphasises morality and public order. The RTBF could serve as a powerful tool in addressing personal data protection violations, particularly in cases of deepfake pornography, under the framework of Indonesian regulation. Deepfake technology can generate highly realistic but fabricated images or videos of individuals, often used without consent to create explicit content. This violates personal privacy and can cause significant psychological, reputational, and social harm. In Indonesia, efforts to regulate deepfake porn and protect personal data are underway, albeit with varying degrees of effectiveness. The IET Law criminalises the dissemination of defamatory content online, providing a legal basis for prosecuting individuals involved in the creation and distribution of deepfake porn. RTBF can indeed be considered a form of rehabilitation to solve the problem of protecting personal data, which is guaranteed by Article 26(3) of the IET Law.<sup>38</sup> The EIT Law regulates various legal protections for activities that use the Internet as a medium in transactions and information utilisation. In the EIT Law, information and/or electronic documents are known as legitimate legal evidence of electronic signatures, implementation of certification and

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*Internet Law* 23, no. 10 (April 1, 2020), <https://research.manchester.ac.uk/en/publications/the-public-interest-in-deleted-personal-data-the-right-to-be-forg>.

<sup>38</sup> Sintong Arion Hutapea, "RTBF Sebagai Bentuk Rehabilitas Bagi Korban Pelanggaran Data Pribadi," *Jurnal Jurisprudencia* 4, no. 1 (June 30, 2021): 1–10, <https://jurisprudencia.bunghatta.ac.id/index.php/jurisprudencia/article/view/3>.



electronic systems, domain names, intellectual property rights in cyberspace, and so on.<sup>39</sup>

The protection of personal data, which is guaranteed by Article 26 paragraph (3) of the IET Law, regulates and obliges each Electronic System Operator to delete irrelevant electronic information and/or electronic documents under the IET Law. RTBF may become effective if there is a request from the person concerned to the court, and it must be decided by a court order.<sup>40</sup> However, the enforcement of existing laws remains challenging, given the global nature of deepfake porn dissemination and the anonymity afforded by digital platforms. Moreover, the lack of specific provisions addressing deepfake technology highlights the need for targeted legislative reforms tailored to the unique challenges posed by digital manipulation. Additionally, personal data protection, which is governed by Law No. 27 of 2022 concerning Personal Data Protection (PDP Law), provides mechanisms for individuals to control the processing of their personal data, including the right to request the deletion of data under certain conditions which are set out in Article 43. On the contrary, a limitation to the subject of personal data is stipulated in Article 15. This article sets limitation to subject personal data only to the following matters: the interests of national defence and security; law enforcement; public interest in the context of state administration; supervision of the financial services sector, monetary, payment systems, and financial system stability in the implementation of the state; and statistical and scientific research interests.<sup>41</sup> With the existence of Article 15 of the PDP Law, it can be said that this article is one of the articles that risks hampering efforts to implement RTBF in terms of removing deepfake pornography content. Furthermore, this is not in line with Islamic teachings on maintaining honour, as explained in the previous description.

In the context of deepfake pornography, the RTBF can be a crucial remedy. Victims can request the deletion of content featuring their likeness, even if it is not genuinely them, as the imagery constitutes personal data. This right could compel digital platforms, search engines, and websites to remove such content, mitigating the spread and impact of deepfake pornography. The implementation of the RTBF in Indonesia aligns with global trends in data protection, as seen in the European Union's General Data Protection Regulation (GDPR). However, its effectiveness will depend on robust enforcement mechanisms and the cooperation of tech companies. By any means, the RTBF offers a legal pathway for victims to reclaim control over their digital identities and seek redress for the violations caused by deepfake pornography. The RTBF appears in sections 65 and 66 and Article 17 of the GDPR. It states, "The data subject shall have the right to request that the controller erase personal data relating to him or her without undue delay, and the controller shall have an obligation to erase personal data without undue, excessive delay" if one of several conditions applies. "Excessive delay" is considered to be

<sup>39</sup> Zaka Firma Aditya and Sholahuddin Al-Fatih, "Indonesian Constitutional Rights: Expressing and Purposing Opinions on the Internet," *The International Journal of Human Rights*, October 21, 2021, <https://www.tandfonline.com/doi/full/10.1080/13642987.2020.1826450>.

<sup>40</sup> Hutapea, "Right to be Forgotten Sebagai Bentuk Rehabilitasi Bagi Korban Pelanggaran Data Pribadi."

<sup>41</sup> Ady Thea DA, "Perlunya Harmonisasi Pengaturan The Right To Be Forgotten," *hukumonline.com*, accessed January 14, 2025, <https://www.hukumonline.com/berita/a/perlunya-harmonisasi-pengaturan-the-right-to-be-forgotten-lt63fc6617227cb/>.



approximately one month. One must also take reasonable steps to verify that the person requesting deletion is the data subject. The RTBF is consistent with individuals' right to access personal information. Their personal rights are set out in Article 15. One's right to control their data is meaningless if individuals cannot act, they no longer consent to the processing, there are serious errors in the data, or they consider information being stored unnecessarily. In these cases, a person can request data deletion. But it is not an absolute right. If so, critics claiming that the RTBF is tantamount to rewriting history are right. Therefore, GDPR goes over the top when it comes to data deletion.<sup>42</sup>

Teguh Arifiyadi, head of the Investigative and Enforcement Sub-Division of the Ministry of Communication and Information Technology (Kominfo), said that the application of the RTBF in Indonesia will be different from other nations. Unlike in Indonesia, content removal in the European Union, Russia, and other countries is limited to search engines. The implementation of the RTBF in Indonesia will not be on search engines. The removal of content deemed irrelevant based on a court order is carried out directly by the electronic system organiser, who has direct control over a particular content. Another difference in implementing the RTBF is the broad scope of electronic information or documents that can be requested to be deleted by an individual. In the revised IET Law, the content that can be requested for deletion is not only content related to personal data but is broader. Any electronic information or document, as long as it is considered irrelevant, then the person concerned can request deletion by waiting for a court order.<sup>43</sup>

The concept of the RTBF emerges as a potential solution to mitigate the harms inflicted by deepfake porn and protect individuals' privacy rights. In the context of deepfake pornography, where malicious actors superimpose individuals' faces onto explicit content without consent, the RTBF becomes instrumental in mitigating the profound harms inflicted upon victims. Rooted in the principle of privacy and personal autonomy, the RTBF grants individuals the ability to request the removal or suppression of personal information from public access. By exercising this right, victims can compel platforms and content hosts to erase such damaging material, thus stemming its dissemination and minimising the enduring trauma and reputational damage suffered. In Indonesia, where digital literacy is still developing, and the legal framework around data protection is evolving, the proliferation of deepfake pornography poses a significant challenge. Victims of deepfake pornography face difficulties in having such content removed from the Internet, leading to ongoing harm. The RTBF empowers individuals to request the deletion of personal data or content that is inaccurate, irrelevant, or no longer necessary from online platforms and search engines. Implementing this right in Indonesia could help victims of deepfake pornography by enabling them to request the removal of harmful content, thus reducing the likelihood of further distribution and victimisation. By ensuring that individuals can have their data erased from the public domain, the RTBF provides a powerful tool to protect privacy and restore the dignity of victims.

Furthermore, the RTBF acts as a preventative measure, dissuading potential perpetrators by signalling the swift and robust legal recourse available to victims. This

<sup>42</sup> Brimblecombe, "The Public Interest in Deleted Personal Data?"

<sup>43</sup> Anonymous, "Ini Bedanya Konsep Right to be Forgotten di Indonesia dengan Negara Lain," hukumonline.com, December 27, 2017, <https://www.hukumonline.com/berita/a/ini-bedanya-konsep-right-to-be-forgotten-i-di-indonesia-dengan-negara-lain-lt586214ee33609/>.



serves as a crucial deterrent against the creation and proliferation of deepfake pornography, thereby curbing its prevalence and affording greater protection to individuals' privacy and integrity. In essence, the RTBF serves as a vital solution in combatting the proliferation of deepfake pornography, offering victims a potent means to reclaim agency over their personal data and shield themselves from the pernicious repercussions of digital exploitation. The RTBF could encourage online platforms and tech companies operating in Indonesia to adopt stricter content moderation policies, proactively preventing the spread of deepfake pornography. However, making this solution effective will require a robust legal framework, clear guidelines, and cooperation from technology companies to ensure the timely and comprehensive removal of harmful content.

By empowering individuals to assert control over their digital identities and reclaim ownership of their personal data, the RTBF offers a mechanism for redress in cases of deepfake porn victimisation. However, the effective implementation of the RTBF in the context of deepfake porn requires a multifaceted approach that encompasses legislative reforms, technological solutions, and public awareness initiatives. Legislative reforms are needed to clarify the applicability of the RTBF to digital manipulation and to establish procedures for requesting the removal of deepfake pornographic content. Moreover, collaboration between government agencies, tech companies, and civil society organisations is essential in developing technical tools and protocols to detect and mitigate the proliferation of deepfake pornographic content effectively.

Collaborative efforts with international partners and multilateral organisations are crucial in formulating comprehensive strategies to combat the spread of deepfake porn and protect individuals' privacy rights on a global scale. By sharing best practices, coordinating enforcement actions, and promoting information exchange, Indonesia can strengthen its regulatory capacity and enhance its ability to address transnational threats posed by deepfake technology. Besides, enhancing digital literacy and awareness among Indonesian citizens is paramount in fostering a culture of responsible online behaviour and empowering individuals to recognise and report instances of deepfake pornographic content effectively. Civil society organisations play a pivotal role in advocating for the rights of deepfake porn victims and holding perpetrators accountable for their actions. By amplifying voices of dissent, raising awareness about the perils of digital manipulation, and providing support services for affected individuals, these organisations contribute to the broader discourse on privacy, data protection, and digital rights in Indonesia. Deepfake pornography presents profound challenges to personal data protection, but the RTBF offers a promising solution to mitigate its adverse effects. By empowering individuals to assert control over their digital identities and reclaim ownership of their personal data, Indonesia can strive towards a more equitable and secure online environment that upholds the rights and dignity of all individuals.

## Conclusion

The concept of the RTBF emerges as a potential solution to mitigate the harms inflicted by deepfake porn. Rooted in the principle of privacy and personal autonomy, the RTBF grants individuals the ability to request the removal or suppression of personal information from public access. By empowering individuals to assert control over their digital identities and reclaim ownership of their personal



data, the RTBF offers a mechanism for redress in cases of deepfake porn victimization. However, the effective implementation of the RTBF in the context of deepfake porn requires a multifaceted approach that encompasses legislative reforms, technological solutions, and public awareness initiatives. Legislative reforms are needed in the form of an amendment to Article 15 of PDP Law since this article tends to hamper the enforcement of the RTBF of the victim of deepfake pornography. Moreover, it is necessary to form implementing regulations regarding the implementation of the RTBF and to establish procedures for requesting the removal of deepfake pornographic content. Additionally, collaboration between government agencies, tech companies, and civil society organisations is essential in developing technical tools and protocols to detect and mitigate the proliferation of deepfake pornographic content effectively.

Furthermore, RTBF also supports the Islamic principle of repentance, which allows an individual to make amends and move on with a better life without the shadow of the past. In this case, the RTBF serves as a legal procedure that allows victims to remove digital content that defames their honour, thus providing space for them to return to living their lives with their dignity intact. Accordingly, the implementation of RTBF not only supports the protection of personal data in accordance with positive law in Indonesia but also reflects justice and compassion at the core of Islamic teachings. Deepfake pornography poses significant challenges to personal data protection, but the RTBF offers a promising solution to mitigate its adverse effects. The RTBF has the potential to address the privacy violations associated with deepfake pornography in Indonesia and to help protect individuals' privacy and dignity in the digital age. By empowering individuals to assert control over their digital identities and reclaim ownership of their personal data, society can strive towards a more equitable and secure online environment that upholds the rights and dignity of all individuals.

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