


## Doxing Actions in Personal Data Protection

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### Abstract

With the rapid development of information technology, various types of cybercrimes have emerged, one of which is doxing. Doxing refers to the act of collecting and disseminating someone's personal information without consent, with the intent to harm, embarrass, or intimidate the victim. This research aims to analyze the effectiveness of the PDP Law in addressing doxing in Indonesia. While the law Number 27 of 2022 on Personal Data Protection (PDP Law) can be applied to prosecute doxing perpetrators, Indonesia currently lacks explicit legislation specifically regulating this act. This study uses a normative juridical method with a statutory and case study approach. The results show that, compared to the previous Electronic Information and Transactions Law (ITE Law), the PDP Law provides stronger legal protection against doxing. Articles 65 and 67 of the PDP Law impose criminal sanctions for those who intentionally access, collect, or distribute personal data without legal authority. For example, the case of Febriansyah Puji Handoko in 2020 illustrates that if the case had occurred after the enactment of the PDP Law. Therefore, the PDP Law is considered relatively effective in providing legal protection for doxing victims. However, its implementation still faces challenges, such as the suboptimal function of the data protection authority and low levels of digital literacy in society.

**Keywords:** *Doxing; Personal Data Protection; Cybercrime; Criminal Law.*

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## INTRODUCTION

The rapid development of information technology and the internet, especially in social media, has a very complex impact, where people can interact and communicate with anyone, anytime, and wherever they are. Humans often lose control over their use, which can increase the problem of crime. The increase in the number of hard-to-contain crimes shows this. Communication media no longer has to be sent by mail for months, it is easier nowadays to upload and access information through posts on online platforms such as Instagram, WhatsApp, Youtube, Facebook, Tiktok, Twitter, and other applications.<sup>1</sup> This technological advancement brings various legal problems, cybercrime or commonly called *Cyber Crime is a criminal act by using computer technology and the internet network to commit digital criminal acts. There are several types of Cyber Crime that occur such as online fraud, the spread of hoax news, cyberbullying, including doxing.*

*Doxing* stands for *Dropping Documents* which involves collecting, disclosing and disseminating a person's personal data with the aim of harming, intimidating, or

<sup>1</sup> Kiki Andrian, "Penegakan Hukum Terhadap Pelaku Tindak Pidana Pengancaman Dengan Kekerasan Melalui Media Sosial," *Jurnal Justisia : Jurnal Ilmu Hukum, Perundang-Undangan Dan Pranata Sosial* 7, no. 1 (2022): 268, <https://doi.org/10.22373/justisia.v7i1.13220>.

threatening the victim.<sup>2</sup> *Doxing* includes *cyberbullying*, which is often associated with activities such as *stalking*, and the dissemination of personal data through *doxing* often occurs in situations that can trigger fear and discomfort, making it unsettling for the target. In Indonesia, along with the increase in digital platform users, the phenomenon of *doxing* continues to increase. Statistics released by the Indonesian Internet Service Providers Association (APJII) show that the number of internet users in Indonesia has reached more than 221 million by 2024<sup>3</sup>. From the existing number, the risk of *doxing* will increase.

Cases of *doxing* involving journalists, politicians, celebrities, and activists often attract media attention and even ordinary people, showing that this practice can be experienced by anyone regardless of the victim's social status or profession. One of the *doxing* cases in Indonesia is Cakra, a journalist, who was hit by a *doxing attack* after writing a Fact Check about PDIP politician Arteria Dahlan, which was published in Liputan6 on September 10, 2020. Although the article asserts that rumors about Arteria being the granddaughter of the PKI's founder are not true, some people are still angry. Furthermore, the Instagram account @d34th.5kull uploaded a photo of Cakra without his permission with a provocative narrative. In addition, he disseminated his personal data, including family information and photos of his infant son, via Telegram and Instagram. In addition, the perpetrator conveyed a story that damaged Cakra's reputation and Liputan6's reputation as an institution.<sup>4</sup> From this case, it is explained that the act of *doxing* can damage the reputation and can make the victims mentally shaken. *Doxing* is a cyber act regulated by several Indonesian laws, including in Article 26 Paragraphs (1) and (2) of Law Number 19 of 2016 concerning Electronic Information and Transactions (UU ITE) which stipulates regulations related to the protection of personal data in the electronic sector. In addition, Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) strengthens citizens' rights to protect the security of their personal data. However, there are still no explicit regulations regarding *doxing*.

## LITERATURE REVIEW

*Doxing* or *dropping documents* is the act of disseminating someone's personal information to the public based on the internet<sup>5</sup>, while in the explanation contained in the *Cambridge Dictionary* which defines *doxing* as the act of obtaining and broadcasting this act occurs by revealing names, addresses, and various other personal identities.<sup>6</sup> The crime of *doxing* makes a person uncomfortable to browse social media for fear of doing something that could disseminate their personal data on social media. In addition, these actions violate a person's right to privacy and can facilitate online harassment of victims, although it is possible that real intimidation and violence will occur due to the victim's identity and location that has been made public.<sup>7</sup>

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<sup>2</sup> Muhammad Arvy Chico Armnado and Hari Soeskindi, "Pertanggungjawaban Pidana Bagi Para Pelaku Doxing Menurut UU ITE Dan UU PDP," *Bureaucracy Journal: Indonesia Journal of Law and Social-Political Governance* 3, no. 1 (2023): 559-68, <https://doi.org/10.53363/bureau.v3i1.201>.

<sup>3</sup> Stefan Gergely, "Jumlah Pengguna Internet Indonesia Tembus 221 Juta Orang," *APJII (Asosiasi Penyelenggara Jasa Internet Indonesia)*, 2024, <https://apjii.or.id/berita/d/apjii-jumlah-pengguna-internet-indonesia-tembus-221-juta-orang>.

<sup>4</sup> Liputan6.com, "Pernyataan Liputan6.Com Soal Doxing Jurnalis Cakrayuri Nuralam," *Liputan6.com*, 2020, <https://www.liputan6.com/news/read/4354423/pernyataan-liputan6com-soal-doxing-jurnalis-cakrayuri-nuralam>.

<sup>5</sup> tim hukum Online, "Apa Itu Doxing Dan Bagaimana Jerat Hukumnya?," *Hukum Online.Com*, 2023, <https://www.hukumonline.com/berita/a/jerat-hukum-pelaku-doxing-lt624d35e6c4f7a/>.

<sup>6</sup> "Definisi Doxing Menurut Cambridge Dictionary," n.d., <https://dictionary.cambridge.org/dictionary/english/doxing>.

<sup>7</sup> Nancy E Willard, "Cyberbullying and Cyberthreats: Responding to the Challenge of Online Social Aggression, Threats, and Distress," *Cyberbullying and Cyberthreats: Responding to the Challenge of Online Social Aggression, Threats, and Distress*, 2007, 311-v, 311.

In his paper entitled *Conceptual Analysis of Doxing* (2016), David M. Douglas states that not all acts of *doxing* aim to harm. He then grouped *doxing* into several specific categories, namely: 1) *Doxing Deanonimizing*: This type of *doxing* is done by leaking the identity of someone who has chosen to remain anonymous, for example revealing the real identity of the owner of an anonymous social media account. Many people choose to remain anonymous for personal reasons, such as maintaining their privacy, avoiding threats, or because they feel more comfortable expressing themselves anonymously; 2) *Doxing Targeting*: *Doxing* is done through the disclosure of specific information that allows a person to be contacted or found. The dissemination of a victim's phone number, home address, or personal social media account password is a common example; *Delegitimizing* this type of *doxing* is carried out by disseminating inf 3) personal information such as photos, medical records, financial records, messages, or legal records that aim to damage the reputation or credibility of the victim.<sup>8</sup>

Based on Law Number 27 of 2022 Article 1 concerning Personal Data Protection (PDP Law) explains that personal data is data about an individual that is identified or can be identified separately or in combination with other information either directly or indirectly through electronic or non-electronic systems. And in the Regulation of the Minister of Communication and Information of the Republic of Indonesia Number 20 of 2016 Article 1 concerning the Protection of Personal Data in Electronic Systems, personal data is the data of certain individuals that are stored, maintained, and guaranteed to be true and confidential.

## METHODS OF THE RESEARCH

This research uses normative juridics, namely by examining the main legal materials, such as theories, concepts, legal principles, and laws and regulations relevant to the research topic. According to Peter Mahmud Marzuki, normative legal research is the process of finding rules, principles, or legal principles to solve legal problems.<sup>9</sup> Legal materials are collected through literature studies, and the approach used is a legislative approach. This study also analyzes *doxing cases* in Indonesia from a criminal law perspective.

## RESULTS AND DISCUSSION

### A. Legal Provisions of Doxing in the Personal Data Protection Act

The act of *doxing* is the activity of taking and publishing other people's personal data without permission. Although the word "*doxing*" has not been mentioned directly in the PDP Law, in fact the content of this act has been regulated indirectly in the law. *Doxing* often occurs on social platforms, online forums, and messaging applications such as Telegram and WhatsApp, where perpetrators share other people's personal data, such as full names, home addresses, Population Identification Numbers, Mobile phone numbers, or even more sensitive data without permission from the owner.<sup>10</sup>

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[http://www.lib.udel.edu/cgi-bin/getit.cgi?url\\_ver=Z39.88-2004&rft.atitle=Cyberbullying+and+cyberthreats:+Responding+to+the+challenge+of+online+social+aggression,+threats,+and+distress.&rft.au=Willard,+Nancy+E.&rft.date=2007&rft.genre=article&rft.i](http://www.lib.udel.edu/cgi-bin/getit.cgi?url_ver=Z39.88-2004&rft.atitle=Cyberbullying+and+cyberthreats:+Responding+to+the+challenge+of+online+social+aggression,+threats,+and+distress.&rft.au=Willard,+Nancy+E.&rft.date=2007&rft.genre=article&rft.i)

<sup>8</sup> David M. and Douglas, "Doxing: A Conceptual Analysis," n.d.

<sup>9</sup> Peter Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi*, Revisi (Prenada Media, 2017).

<sup>10</sup> Moody Rizqi Syailendra et al., "Kasus Doxing Di Indonesia Dalam Perspektif Hukum Dan Etika Corresponding Author : " 4, no. 4 (2024): 32–45.

The purpose of *doxing* is varied, but most of them are aimed at harming the victim. For example, humiliating, intimidating, or triggering attacks from third parties,<sup>11</sup> This is clearly an infringement of one's right to privacy. The PDP Law contains several relevant articles to ensnare doxing perpetrators. One of them is Article 65 Paragraph (2) which contains "Every Person who deliberately and without the right to use Personal Data that does not belong to him can be sentenced to a maximum of 4 (four) years in prison and/or a maximum fine of IDR 4,000,000,000.00 (four billion rupiah)."<sup>12</sup> From this article, it can be seen that disseminating other people's personal data without the owner's knowledge such as home addresses, phone numbers, or other sensitive information is an act that can be subject to criminal sanctions. In the context of *doxing*, the perpetrator knowingly and without rights disseminates a person's personal information into public spaces, such as through social media, online forums, or digital conversation groups, with the aim of cornering, humiliating, or intimidating the victim. Although not always motivated by financial gain, such actions still fall into the category of unauthorized use of personal data and clearly violate the privacy rights of individuals that have been guaranteed by law.

In addition, the nature of Article 67 Paragraph (1) and (2), explains that perpetrators who collect personal data illegally can be imprisoned for up to 5 years and fined a maximum of IDR 5,000,000,000.00 (five billion rupiah), while those who disseminate data can be imprisoned for up to 4 (four) years and fined IDR 4,000,000,000.00.<sup>13</sup> So both the process of collecting and disseminating personal data without permission can be subject to criminal penalties. Therefore, the above article explicitly refers to *doxing*, which involves the acquisition or publication of a person's personal information without consent. This shows that Indonesian law has provided an adequate legal basis to provide protection to victims of *doxing* and to take firm action against the perpetrators.

## **B. The Effectiveness of the Personal Data Protection Law in Handling *Doxing***

Since the enactment of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law), Indonesia now has clearer and stronger legal provisions in handling personal data breaches, including *doxing cases*. Previously, the handling of *doxing* only relied on a number of articles in the Electronic Information and Transaction Law (ITE Law), such as Article 26 which regulates privacy and Article 45 which provides sanctions for violators.<sup>14</sup> However, these arrangements are still too common and have not been able to effectively ensnare *doxers*.

The PDP Law is here as a solution to overcome this vacuum. One of the important points in the PDP Law is the existence of criminal sanctions and much heavier fines. For example, Article 67 states that perpetrators who deliberately collect or disseminate personal data without rights can be punished with up to 5 years in prison and/or a fine of IDR 5 billion. These sanctions are considered effective enough to prevent the practice of *doxing*, especially those carried out for commercial purposes or to the detriment of other parties.

One of the real forms that we can see from the case of Febriansyah Puji Handoko in 2020. He leaked Denny Siregar's personal data to the public. Because the PDP Law was not in

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<sup>11</sup> Aulia Sabrini Saragih, "Apa Itu Doxing: Waspada! Metode Hingga Tujuan-Tujuannya," 15 Oktober, 2024, <https://www.tempo.co/digital/apa-itu-doxing-waspada-metode-hingga-tujuan-tujuannya-102879>.

<sup>12</sup> "Undang-Undang Republik Indonesia Nomor 27 Tahun 2022 Tentang Pelindungan Data Pribadi" (n.d.).

<sup>13</sup> *Ibid.*

<sup>14</sup> "Undang-Undang Republik Indonesia Nomor 19 Tahun 2016 Tentang Perubahan Atas Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik" (n.d.).

effect at that time, Febriansyah was only charged using Article 30 paragraph (1) jo Article 46 paragraph (1) regulating the prohibition of unauthorized access to other people's electronic systems, in this provision it is explained that anyone is not allowed to access someone's personal data without permission, if violated, the perpetrator can be charged with criminal sanctions in the form of imprisonment for a maximum of 6 years and/or a fine of up to IDR 600 million. This policy aims to maintain the security of electronic systems and ensure the integrity of data and transactions that take place in them. Meanwhile, Article 30 paragraph (2) jo Article 46 paragraph (2) emphasizes the prohibition of accessing computer devices or electronic systems with the intention of obtaining information or electronic documents illegally. If a person does not comply with this provision, he or she can be subject to criminal sanctions in the form of a maximum prison sentence of 7 years and/or a fine of up to IDR 700 million. This rule was made to provide protection for electronic information from hacking or unauthorized access and provide a deterrent effect through strict criminal sanctions.<sup>15</sup> As a result, the punishment received was quite light, namely less than two years in prison, the impact on the victim was quite severe, both mentally and in terms of personal safety.<sup>16</sup>

If the incident occurred after the PDP Law was enacted, the perpetrator may be charged with Article 67 which gives the perpetrator a much heavier legal threat. This means that the PDP Act provides stronger protections for victims and makes it possible to anticipate the significant consequences of *doxing* acts, which are often overlooked. Seeing that *doxing* is a serious threat to the right to *privacy*, coupled with the rapid advancement of information technology and the rapid circulation of data on the internet, personal data becomes very vulnerable to misuse. Therefore, *doxing* is not only a legal issue, but it is also a human rights issue that needs attention, as guaranteed in Article 12 of the Universal Declaration of Human Rights (DUHAM) which states that "No one shall be the target of arbitrary interference with his personal life, his family, his household, or his correspondence, as well as attacks on his honor and good name".<sup>17</sup>

As a country that upholds human rights principles, Indonesia has a constitutional and moral obligation to protect its citizens from privacy violations, including *doxing*. This is affirmed in Article 28G paragraph (1) and 28I paragraph (4) of the 1945 Constitution (1945 Constitution), which states that everyone has the right to personal protection, that the protection and fulfillment of human rights is the responsibility of the state.<sup>18</sup> *Doxing* is generally carried out without physical interaction or direct contact between the perpetrator and the victim, so it often goes unnoticed, even though the impact can be very detrimental.<sup>19</sup> Along with the enactment of Law Number 27 of 2022 concerning Personal Data Protection (PDP Law), it is necessary to further examine the principles of personal data protection,

<sup>15</sup> Leonardo Latsiano Dade, Caecilia J.J Waha, and Nurhikmah Nachrawy, "Kajian Yuridis Tentang Tindak Pidana Penyebaran Data Pribadi Melalui Internet (Doxing) Di Indonesia" 13, no. 3 (2024): 9, <https://ejournal.unsrat.ac.id/v3/index.php/lexprivatum/article/view/54687>.

<sup>16</sup> M Yusuf Manurung, "SAFEnet Minta Polri Tak Cuma Urus Kasus Doxing Denny Siregar," 13 Juli 2020, n.d., <https://www.tempo.co/hukum/safenet-minta-polri-tak-cuma-urus-kasus-doxing-denny-siregar-602258>.

<sup>17</sup> Majelis Umum PBB, "Deklarasi Universal Hak-Hak Asasi Manusia," Indonesian Journal of International Law § (2006), [https://www.komnasham.go.id/files/1475231326-deklarasi-universal-hak-asasi-\\$R48R63.pdf](https://www.komnasham.go.id/files/1475231326-deklarasi-universal-hak-asasi-$R48R63.pdf).

<sup>18</sup> Max Ki, "Undang-Undang Dasar 1945 (UUD 1945)," 1945 Undang-Undang Dasar 1945 § (2023), <https://peraturan.bpk.go.id/Details/101646/uud-no-->.

<sup>19</sup> Muhammad Kamarulzaman Satria and Hudi Yusuf, "Analisis Yuridis Tindakan Kriminal Doxing Ditinjau Berdasarkan Undang Nomor 27 Tahun 2022 Tentang Perlindungan Data Pribadi," JICN: Jurnal Intelek Dan Cendekiawan Nusantara 1, no. 2 (2024): 2442-56, <https://jicnusantara.com/index.php/jicn>.



especially in the context of the crime of *doxing*. This research also ties these regulations to the ITE Law, which was previously the legal basis for handling digital privacy violations.

## CONCLUSION

*Doxing*, which is the collection and dissemination of personal data without permission, is a serious violation of the right to privacy and can have a negative psychological, social, and legal impact on the victim. This act clearly violates the right to privacy, and is included in the form of cybercrime that is relevant to be examined in the context of Indonesian law. *Doxing* can be classified into several forms, including *deanonymizing doxing*, *targeting*, and *delegitimizing*, all of which aim to harm victims through the dissemination of personal information without rights. Law Number 27 of 2022 concerning Personal Data Protection (PDP Law) covers the essence of this act, although the term "*doxing*" has not been used explicitly in the law in Indonesia, the substance of the act has been accommodated, especially in Article 65 and Article 67 which contain criminal sanctions for anyone who intentionally and without the right to access, collect, and disseminate personal data belonging to another person. The PDP Law provides a stronger legal basis than the ITE Law in tackling *doxing*. However, there are still several problems that hinder the implementation of the PDP Law, such as the non-optimal function of the Personal Data Supervisory Institution, the low digital literacy of the community, and the lack of adequate technical regulations for implementation. Therefore, the government, law enforcement, and the public must work together to increase awareness, surveillance, and law enforcement to effectively prevent and crack down on *doxers*, by improving regulations and public education, the PDP Law is expected to be a strong foundation for protecting individuals' privacy rights in the digital era. In addition, it can also be a clear legal umbrella to combat cybercrimes such as *doxing*.

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