

Law Enforcement Against Online Gambling Promoters in Indonesia

*Faisal Tanjung¹, Wahyudi², Listiyani Wulandari³, Asri Rumalowak⁴

¹ Universitas Terbuka, Indonesia

² Universitas Komputer Indonesia

³ Faculty of Business, Monash University, Australia

⁴ Sekolah Tinggi Agama Islam Seram Timur, Maluku

*Email: faisal.borneo36@gmail.com¹, wahyudi@email.unikom.ac.id²,
listiyaniwulandari@gmail.com³, asrirumalowak43@gmail.com⁴

Received:	Revised:	Accepted:	Available Online:	Published:
12/4/2025	27/7/2025	29/7/2025	31/7/2025	17/8/2025

Abstract

The development of technology is experiencing very rapid growth. One of them spreads to advertising activities where the advertising activities carried out become more effective and directed. However, these activities are also used by certain parties so that they become negative, such as online gambling advertising. Online gambling is also currently increasingly prevalent, one of which is caused by promoters who promote or advertise online gambling. The purpose of writing this scientific paper is to find out about law enforcement against online gambling promoters and the efforts of the Ministry of Communication and Information Technology (Kominfo) or which has now changed its nomenclature to the Ministry of Communication and Digital (Komdigi) in eradicating advertising content from online gambling. The methods used are historical approaches and legislative approaches. As a result of this writing, online gambling promoters are charged with article 27 paragraph 2 of Law Number 1 of 2024 and article 45 paragraph 3 of Law Number 1 of 2024 and the efforts of the Ministry of Communication and Information Technology (Kominfo) or which has now changed its nomenclature to the Ministry of Communication and Digital (Komdigi) in eradicating advertising content from online gambling have made their best efforts.

Keywords: Law, Advertising, Online Gambling, Promoter, Technology.

Abstrak

Perkembangan teknologi saat mengalami pertumbuhan yang sangat pesat. Salah satunya merambat kepada pada aktifitas periklanan yang mana aktifitas periklanan yang dilakukan pun jadi lebih efektif dan terarah. Namun aktivitas tersebut juga dimanfaatkan oleh pihak tertentu sehingga menjadi negatife seperti periklanan judi online. Judi online pun saat ini semakin marak yang mana salah satunya diakibatkan oleh promotor yang melakukan promosi atau mengiklankan judi online tersebut. Tujuan dari penulisan karya ilmiah ini adalah untuk mengetahui tentang penegakkan hukum terhadap promotor judi online dan upaya dari Kementerian Komunikasi dan Informatika (Kominfo) atau yang sekarang telah berubah nomenklatur menjadi Kementerian Komikasi dan Digital (Komdigi) dalam memberantas konten iklan dari judi online. Metode yang digunakan adalah pendekatan historis dan pendekatan perundang-undangan. Hasil dari penulisan ini bahwa promotor judi online dijerat dengan pasal 27 ayat 2 Undang-Undang Nomor 1 Tahun 2024 dan pasal 45 ayat 3 Undang-Undang Nomor 1 Tahun 2024 dan upaya dari Kementerian Komunikasi dan Informatika (Kominfo) atau yang sekarang telah berubah nomenklatur menjadi Kementerian Komikasi dan Digital (Komdigi) dalam memberantas konten iklan dari judi online sudah berupaya semaksimal mungkin.

Kata Kunci: Hukum , Iklan , Judi Online, Promotor, Teknologi.

INTRODUCTION

In the current era of digitalization, there is an increasingly rapid and significant development of information technology. Technological advances now cannot be separated from people's lives. Similar to glue and stamps that are linked to each other, starting from children to adults, technology is always tied to every element of people's lives. (Silalahi, Ismunarno & Lukitasari, 2024).

Advances in information technology have made it easier for us to learn and obtain the information we need from anyone, anytime, anywhere. However, information technology today is like a double-edged sword. This is because information technology not only contributes to the increase of human happiness, progress, and civilization, but is also a technology that is very vulnerable to criminal and illegal acts by those who control it. (Arro, 2022).

Advances in information technology have both positive and negative impacts on our lives. The positive impact of technological advances is very much felt in various fields or sectors of life today such as the ease of access to information, the increasingly advanced field of health, improvements in communication, advances in education, increased productivity, innovation in industry, ease of transportation and others. In addition to the extraordinary positive impacts that we enjoy to date, there are also negative impacts in various areas of life. As we know today that gambling activities have turned into online gambling by taking advantage of technological advancements.

The State of Indonesia is a state of law, this is explained in article 1 paragraph (3) of the Constitution of the Republic of Indonesia of 1945 which states "The State of Indonesia is a state of law". In a country that is based on law, human actions are governed by legal norms. With this norm, it aims to create a safe and peaceful life.

Gambling is a behavior that is contrary to the law. Gambling activities have become a habit almost everywhere in all levels of society. Various types and forms of gambling have spread in people's lives, both overtly and covertly. The crime of gambling is an act that many people do, because from gambling people can get multiple benefits from the results.

In the past, gambling activities were available only at certain places and times. Nowadays, online gambling can be accessed easily anytime and anywhere. Players use information and communication technology as a means to play in a modern way. In accordance with Article 303 of the Criminal Code, gambling is defined as any game that relies on luck, although the chances of winning may increase if the player has better skills. Gambling includes various forms of betting related to the outcome of a game or race. Promotion is one of the strategies carried out by bookies to build communication and transactions with consumers. Through promotion, information about services or products can be disseminated to the public. This makes it easier for consumers to get to know the products offered and has become a common practice among business people today, because it is able to attract great interest from potential buyers.

Promotion comes from the word "*promote*" in English, which means to improve or develop. Promotional activities involve the introduction and dissemination of information about a certain product, with the aim of attracting public interest to buy or use the promoted goods. (Akbar et al., 2024).

The purpose of advertising and promotion is a declaration aimed at a competitive situation (Lubis, 2007). Therefore, advertising and promotion aim to convey a positive image of a product or service to the wider community. This is because a good image will increase the attractiveness of the product or service in the eyes of the public.

An important role that supports the rise of online gambling today is the promoters who are empowered to advertise or promote online gambling. A promoter is a person who is in charge of promoting a product. Tempted by a fantastic nominal, these promoters promote online gambling on various *electronic media* platforms.

The case that recently occurred related to the promotion of online gambling as reported by bandung.kompas.com the police named Gunawan "Sadbor" who is a *content creator* and tiktok application activist from Sukabumi, West Java who was arrested on Thursday, October 31, 2024 at their home in Babakan Baru Village, Bojongkembar Village, Cikembar District, Sukabumi Regency. And there are many more similar cases that have dragged several artists in Indonesia.

Efforts are also made by the government by eradicating content related to online gambling. However, it has not been done optimally because the new content that has emerged is more than the amount of content that has been blocked by the government.

In several research journals, gambling is a social disease and has many negative impacts. Several steps and efforts have been welcomed to eradicate this gambling but until now it still exists in the community. Gambling used to be only done by a few people, now all levels of society are easier to access due to technological developments. This cannot be separated from online gambling advertising which is an activity that is carried out online which usually appears when we are looking at content on social media, the form of the content is an invitation to participate in gambling game activities that are carried out online, while the game mechanism is the same as the offline game mechanism, as a bet and the amount of bets determined by the gambler *online* and using electronic media with internet access as an intermediary. The law in Indonesia prohibits the existence of Advertising or Promotion of prohibited products or elements, namely Online Gambling Advertisements.

On this basis, the author examines the regulations that regulate law enforcement against people who promote or promote online gambling, which we all know is very prevalent in the news in the media about individuals who advertise or promote online gambling. And delving into the role of the government, especially the Ministry of Communication and Information Technology (Kominfo) or which has now changed its nomenclature to the Ministry of Communication and Digital (Komdigi), referring to Presidential Regulation Number 174 of 2024 concerning the Ministry of Communication and Digital in eradicating advertisements related to online gambling which is increasingly rampant.

RESEARCH METHODS

The research used is normative legal research, supported by empirical research., Normative law research is literature research, namely research on secondary data and empirical research methods in the form of data collection by means of field research. Then the research approach used is a historical approach and a legislative approach. A historical approach is an approach carried out by researchers by researching the history of laws and regulations to understand the thinking behind them. With this approach, more objective research can be produced because it can understand the legal background being researched. Meanwhile, the legislative approach is an approach that is carried out by examining all laws and regulations related to the legal issues being studied. This approach examines Law Number 11 of 2008 concerning Electronic Information and Transactions and Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Electronic Information and Transactions and related to the efforts of the Ministry of Communication and Information Technology (Kominfo) or which has now

changed its nomenclature to the Ministry of Communication and Digital (Komdigi) referring to Presidential Regulation Number 174 of 2024 concerning the Ministry of Communication and Digital.

RESULTS AND DISCUSSION

Law Enforcement Against Online Gambling Promoters in Indonesia

The history of gambling has a long history in Indonesia, at least since the Dutch colonial era. In general, gambling has always been associated with nightlife and entertainment since ancient times. Under Dutch rule in Indonesia, gambling was based on regulations set by the locals. In the post-independence era, gambling games still existed. One of them that often comes into contact with the public is the practice of lottery activities that attract the attention of many people because it promises prizes from the lottery until the current era along with the massive flow of technology, especially with the presence of the internet, gambling has changed its form online or online.

During the old order, gambling was even stronger with the existence of Law Number 22 of 1954 concerning Lotteries. Based on the regulations that govern the draw, this is the basis for the emergence of fundraising activities in exchange for prizes. In the 1960s, gaming became a form of social contribution. The game was created by the Social Rehabilitation Foundation established by the government to combat social poverty. However, in this era, the Indonesian people are not only entertained by lottery prizes, but there is a type of gambling that is not licensed, namely the Oxtail Lottery. In 1965, for reasons of damaging the nation's morals, President Soekarno issued Presidential Decree of the Republic of Indonesia No. 133 of 1965 which decided, stipulated and "declared that the lottery is an activity of subversion." Which is an act that disturbs the safety, security, and peace of the community, so that it can disrupt people's lives, especially in the economic and social fields and damage the morale of the nation which is evolving to form an Indonesian socialist society.

In the mid-1970s, the Government of Indonesia issued a ban on gambling through Law No. 07 of 1974 concerning the Regulation of Gambling. The enforcement of this law is based on the view that gambling is contrary to religious teachings, moral norms, and moral values of Pancasila, and can endanger the life and livelihood of the community, nation, and state. In this law, Article 2 paragraph 1 changes the threat of punishment in Article 303 paragraph (1) of the Criminal Code. The punishment which was originally in the form of imprisonment for a maximum of two years and eight months or a fine of up to ninety thousand rupiah, is now a prison sentence for a maximum of ten years or a fine of up to twenty-five million rupiah. Furthermore, Article 2 paragraph 2 changes the threat of punishment in Article 542 paragraph (1) of the Criminal Code from imprisonment for one month or a fine of up to four thousand five hundred rupiah, to a maximum prison sentence of four years or a fine of up to ten million rupiah. Article 2 paragraph 3 also makes changes to Article 542 paragraph (2), where the prison sentence which was originally a maximum of three months or a fine of up to seven thousand five hundred rupiah, is now increased to a maximum of six years in prison or a fine of up to fifteen million rupiah. Finally, Article 2 paragraph 4 stipulates that the designation of Article 542 is changed to Article 303 bis.

After the reform period, all forms of gambling were banned in Indonesia. However, the significant development of the gambling industry, along with the rapid advancement of technology, as well as the transformation of forms of gambling due to the use of digital media and online platforms, has become a striking phenomenon. Now, with just a mobile phone and the internet, there are a variety of choices of online

gambling sites that can be accessed by the public. The types of online gambling offered are varied, ranging from various casino-style games, card games, soccer gambling, to types of slot gambling.

The rapid development of this online gambling phenomenon should not be allowed because it has a wide socio-economic impact on society and the digital ecosystem. The government must act decisively, among other things by strengthening cyber security, regulations and strict law enforcement on illegal gambling sites.

Law enforcement is a process of law enforcement carried out by authorities in society, with the aim of ensuring that every citizen complies with and implements the law. This process involves security forces and judicial institutions, which have the responsibility to examine and process unlawful acts. In addition, they are also authorized to sanction individuals or groups who are proven guilty.

In this case, a person who violates the law will be enforced by looking at the criminal liability committed. Criminal liability is a legal concept that a person is responsible for the crimes he or she commits and must be sanctioned accordingly. Criminal acts cannot stand alone; The meaning only appears when there is criminal liability. This means that someone who commits a criminal act does not automatically have to receive a punishment. To be criminally charged, there must be clear accountability. Criminal liability arises through an objective assessment of actions that are recognized as criminal acts, as well as subjective assessments of perpetrators who are eligible to be subject to legal sanctions due to their actions.

To establish sanctions for the perpetrators of criminal acts, the legal principles of criminal responsibility are used to determine the conditions that must exist so that a person can be punished legally. Criminal liability concerns the question of who commits a criminal act, the rules of criminal liability are regulations on how to deal with people who violate their obligations. Therefore such actions are prohibited by the responsible society to whoever utters them, which means that the objective punishment of the punishment falls on the defendant. Criminal liability cannot arise without the fault of the guilty party. Therefore, it is impossible for a person to be held accountable and punished if he or she does not commit a criminal act. But even if he commits a crime, he cannot always be punished. (Fadlian, 2020).

According to Sudarto (2015), for a person to be considered to have an aspect of criminal responsibility, which means he can be subject to punishment, there are a number of elements that must be met, namely:

- 1) It contains a criminal act committed by the maker; Elements in the act are the main element in criminal liability, because a person cannot be imprisoned if he does not commit an act that is prohibited by law. This is in line with the principle of legality that we adhere. The principle of legality *nullum delictum nulla poena sine praevia lege poenali* means that a person cannot be punished for an act if there is no law or rule governing the prohibition of such acts.
- 2) There is an element of guilt, namely intentionality or forgetfulness, guilt, which in foreign languages is known as "schuld," referring to a person's psychological condition related to the actions he committed. In this context, the action can be criticized or denounced based on the circumstances behind it. The notion of error here is used in a broader sense. However, in the Criminal Code (KUHP), the term mistake is interpreted narrowly, namely as a form of forgetfulness, which can be seen in the

Dutch formulation listed in Articles 359 and 360.

The term "fallacy" can be understood in two contexts: psychological and normative. Psychological error refers to actions that a person actually performs, which is related to the mental state and feelings in that individual. This type of error is difficult to prove because of its abstract nature and is not physically visible.

Meanwhile, in the context of criminal law in Indonesia, what is used is the concept of error in a normative sense. Normative error is the assessment of a person's actions from the point of view of others, based on applicable legal norms. In this case, mistakes can be categorized into two, namely intentionality and forgetfulness. In other words, from the actions that have occurred, the community will evaluate based on the law whether the actions fall into the category of errors, both intentional and caused by negligence.

- 3) There are makers in it who are capable of being responsible; The ability to be responsible always has to do with the psychological condition of the individual in question. This aspect is often associated with criminal liability, so the ability to be responsible is one of the important elements in this context. This ability serves as a basis for determining the punishment imposed on the perpetrator. Therefore, the judge needs to prove the existence or not of the ability to be responsible. If an individual is proven to have no ability to be responsible, this can be used as a basis for waiving criminal liability. In other words, the perpetrator cannot be sanctioned for the criminal act he committed.

Andi Zainal Abidin (2010) stated that most laws formulate the conditions of error with a negative approach. In the Criminal Code, there are no provisions regarding the ability to be responsible; In fact, what is regulated in the Criminal Code is actually contrary to this concept.

The ability to be responsible is closely related to the age of the perpetrator of the crime. Only the perpetrator who has reached a certain age has the capacity to be responsible and the obligation to account for the actions he has committed. This is due to psychological factors that affect individuals at a certain age in carrying out actions. Children at a certain age are not yet fully aware of the consequences of their actions, making it difficult for them to distinguish between good and bad. As a result, they are unable to understand the mistakes that have been made. When children at that age are involved in criminal acts, the legal process that follows can interfere with their psychological development in adulthood.

In the criminal process, the judge has the responsibility to find and prove whether the perpetrator meets the elements of responsibility. If the perpetrator does not have these abilities, either because of his age that has not reached the specified limit or because of a disturbed psychological condition, then the individual cannot be held accountable for his actions.

Under certain conditions, a criminal offender may have no other choice but to commit a criminal act, even if he or she does not want to. As a result of his actions, the perpetrator must face legal consequences. This situation is inevitable, even if the perpetrator does not want to be trapped in it. These actions are often triggered by external factors that affect the individual.

Factors that come from outside and from within a person are the reasons why the perpetrator of a criminal act cannot act better, which then leads to the elimination of his mistake. Broadly speaking, this means that there is a possibility to abolish the penalty imposed on the perpetrator, so legal liability related to this matter must be considered until it can be ascertained that there is an element of excuse for forgiveness in the perpetrator. Although the perpetrator of a criminal act can be reproached, the criticism cannot be passed on to him, because he has no other choice but to commit the criminal act in question.

In the essence of criminal law, there are two important terms, namely excuse and excuse. Justification is a basis that removes the unlawful nature of an act. Although the two are related, the justifier reason and the excuse have different functions. The justification reason serves as a "justification" for criminal acts that are considered unlawful, while the excuse gives "forgiveness" to individuals, even if they have committed a violation of the law. This distinction is important to understand in the context of law enforcement.

In criminal law, there are several reasons that can justify certain actions, such as emergencies, forced defenses, the implementation of laws and regulations, and the implementation of valid office orders. A state of emergency, as one of the justificatory reasons, reflects a situation in which a person is faced with a dilemma and has to choose between the actions taken. Emergencies can manifest in three possibilities. First, individuals are caught between two equally important interests. For example, a person is in the middle of the sea with three friends, and there is only one lifeguard board that can accommodate two people. In this situation, he must choose who can be saved, potentially sacrificing one of his friends. The second possibility is when a person is caught between interests and obligations. Finally, the third possibility occurs when the individual is faced with two conflicting obligations. These three scenarios show how complex the decisions that must be made in an emergency.

Based on the references above that have been described, the author conducts an analysis of the criminal liability of online gambling promoters historically. It is explained in article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia where "The State of Indonesia is a state of law". This means that the law has a high position in Indonesia, and all orders of life in the nation, society, and state are based on the applicable law. As a country of law, every Indonesian citizen is bound by the applicable laws and regulations in order to create a safe, peaceful and peaceful life.

Gambling legally has been regulated in Article 303 of the Criminal Code, especially in paragraph 3 of Article 303 of the Criminal Code. In those terms, gambling games are defined as any type of game in which the probability of making a profit generally depends solely on the luck factor, although there is also the possibility that the players involved are more trained or more skilled. This definition includes any form of betting relating to the outcome of a race or other game, which is not held between the parties participating in the race or game, as well as any other form of betting.

The crime of gambling or participating in gambling was initially prohibited in the criminal provisions of Article 542 of the Criminal Code, but based on the provisions stipulated in Article 2 Paragraph (4) of Law No. 7 of 1974 concerning gambling regulation, the name has been changed to a criminal provision regulated in Article 303 bis of the Criminal Code. Article 303 bis paragraph (1) of the Criminal Code states a maximum penalty of four years in prison or a fine of ten million rupiah for those who use gambling opportunities that violate the rules in Article 303, as well as for those who

engage in gambling held in public places without permission from the authorities (Fatimah & Taun, 2023; Rodhiyah et al., 2022). Article 303 paragraph (3) of the Criminal Code defines gambling as an activity that generally relies on luck to obtain profits, including games whose profits increase due to the player's proficiency or experience. It also includes betting on the results of races or games that are not participated by participants, as well as other betting, underlining the prohibition of all forms of gambling that are detrimental to society and contrary to social values and religious norms (Fatimah & Taun, 2023; Rodhiyah et al., 2022).

The Role and Efforts of the Ministry of Technology and Information in eradicating

In Law Number 11 of 2008 concerning Information and Electronic Transactions and Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008, there are provisions that regulate online gambling promoters. Article 27 paragraph 2 of Law Number 1 of 2024 can be defined as any person, intentionally and without rights, distributing, transmitting, and/or making Electronic Information and/or Electronic Documents that have gambling content can be subject to sanctions.

Furthermore, the sanctions for actions regulated in Article 27 paragraph 2 are explained in Article 45 paragraph 3 of Law Number 1 of 2024 concerning Electronic Information and Transactions, which states: "Every person who deliberately and without rights distributes, transmits, and/or makes Electronic Information and/or Electronic Documents containing gambling content as referred to in Article 27 paragraph (2) will be subject to imprisonment with a maximum duration of 10 (ten) years and/or a maximum fine of Rp 10,000,000,000.00 (ten billion rupiah)."

Based on the reading of Article 27 paragraph 2 of Law Number 1 of 2024, there are a number of explanations regarding the elements that need to be considered, as follows:

- 1) Distributing is sending and/or disseminating information and/or electronic documents to several persons or parties through an electronic system.
- 2) Transmitting is sending information and/or electronic message documents addressed to third parties through an electronic system.
- 3) Making accessible is any action other than distribution and transmission through an electronic system that makes information and/or electronic documents known to other parties or the public.

Furthermore, what is meant by Article 27 paragraph 2 of Law Number 1 of 2024, refers to the provisions regarding gambling, namely in the context of offering or providing opportunities to play gambling, making it a source of income, and providing opportunities for the public to be involved in gambling games, including participating in companies engaged in the field.

After conducting a study of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, it was found that online gambling promoters are regulated in Article 27, Paragraph 2. In this paragraph, it is explained that the individuals involved carry out information dissemination activities about a product with the aim of attracting public interest as consumers, which in this case is related to online gambling promotion activities.

This shows that before the ITE Law, gambling was already regulated in Articles 303 and 303 bis of the Criminal Code, which focused on providing gambling opportunities and the use of those opportunities in accordance with those described in the article. These two articles ask law enforcement to prove the involvement of the

perpetrator, with legal responsibility falling on the organizer or party involved in the online gambling (Nurdin, 2022).

Efforts from the Ministry of Communication and Information Technology (Kominfo) or which has now changed its nomenclature to the Ministry of Communication and Digital (Komdigi) based on Presidential Regulation Number 174 of 2024 concerning the Ministry of Communication and Digital continue to strive to strengthen online gambling eradication actions through various strategic steps. The protection of the public from the threat of online gambling is one of the government's top priorities. Reporting from the Kominfo Press Release (September 19, 2024), *In the period from July 17, 2023 to September 17, 2024, Kominfo has closed access to 3.383.000 gambling content, with the aim of creating a safe digital space free from illegal practices.*

The handling of content containing gambling elements is carried out in accordance with the provisions stipulated in Law Number 11 of 2008 concerning Information and Electronic Transactions, which has been amended through Law Number 19 of 2016 (hereinafter referred to as the ITE Law) in Article 27 paragraph (2). In addition, the Ministry of Communication and Information Technology also terminated based on Government Regulation Number 71 of 2019 concerning the Implementation of Electronic Transaction Systems (PP PSTE) and Ministerial Regulation Number 5 of 2020 concerning Private Scope Electronic System Operators, along with its amendments (PM PSE Privat), especially in Article 13 and Article 15.

Another strategic step taken by the Ministry of Communication and Information Technology is to warn platforms to manage public Domain Name System (DNS), which is a gap in access to online gambling. This is followed by the termination of access to the IP address that has been blacklisted. In addition, the policy of disconnecting Network Access Points (NAP) from countries such as Cambodia and the Philippines has also been strengthened, as well as blocking of free VPN services that are generally used to access gambling sites.

In an effort to strengthen law enforcement, the Ministry of Communication and Information Technology (Kominfo) has issued instructions to carry out audits of Electronic System Operators (PSEs) suspected of being involved in online gambling activities, especially in the financial sector. If violations are found, the list of PSEs concerned has the potential to be revoked. In addition, Kominfo also implements a policy of restricting credit transfers with a maximum limit of IDR 1 million per day to prevent misuse of credit in online gambling transactions. To ensure the commitment of PSEs, Kominfo asked 11,693 PSEs to sign an integrity pact.

Cross-sector collaboration is a top priority, including cooperation with eleven associations and associations to strengthen efforts to eradicate online gambling. The Ministry of Communication and Information Technology (Kominfo) is also actively coordinating with financial technology associations, such as the Indonesian Fintech Association (Aftech) and the Indonesian Joint Funding Fintech Association (AFPI), to collect data on financial technology entities, especially those engaged in online lending, that are suspected of being involved in gambling activities. Innovations implemented by the Ministry of Communication and Information Technology to address the spread of online gambling have shown significant results, with a 50% decrease in public access to online gambling sites. Data obtained from the Financial Transaction Reporting and Analysis Center (PPATK) in July 2024 recorded a decrease in the number of public deposits on online gambling sites of IDR 34.49 trillion.

According to information obtained from the Viva.co.id page, Indonesia should emulate the steps taken by Singapore, Malaysia, and the United Arab Emirates in an effort to eradicate online gambling practices. Singapore has successfully developed an integrated and controlled gambling system, which prevents online gamblers as well as gambling promoters from operating unsupervised. This system functions to monitor and supervise these activities more effectively. In addition, the Singapore government also imposed heavy and strict sanctions against the perpetrators of these crimes. For the same purpose, Malaysia and the United Arab Emirates also apply strict sanctions against online gambling perpetrators and promoters, both in the form of fines and prison sentences. Therefore, Indonesia may need to learn from the strategies implemented by Singapore, Malaysia, and the United Arab Emirates. The countries have taken decisive measures to stop the spread of online gambling and reduce the negative impact it has by implementing a system that allows the control of all gambling activities and the promotion of online gambling.

However, until now, the government, through the Ministry of Communication and Information, remains committed to increasing public awareness about the risks of online gambling through various digital literacy programs. The ministry engages various elements of society, including students, mothers, and youth, in a joint effort to campaign against the dangers posed by online gambling.

It is important to educate the public about the dangers of online gambling. Educational campaigns that combine knowledge about the risks of online gambling with a means of help have been proven to raise public awareness and change behavior. For example, research conducted by Johnson et al. (2020) found that multimedia educational campaigns targeting teens can reduce their interest in online gambling.

Strong collaboration between policymakers, online media platforms, and the public is key to addressing the complex issues associated with online gambling advertising promotion. By implementing these recommendations, it is hoped that it can reduce the negative impact of online gambling advertising promotions and protect the Indonesian people, especially groups that are vulnerable to online gambling.

CONCLUSION

Based on the results of the analysis and review of law enforcement against online gambling promoters in Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions and the efforts made by the Ministry of Communication and Information Technology (Kominfo) or which has now changed its nomenclature to the Ministry of Communication and Digital (Komdigi) based on Presidential Regulation Number 174 of 2024 concerning the Ministry of Communication and Digital in eradicating online gambling advertising, it can be concluded that online gambling promoters are regulated in article 27 paragraph 2 of Law Number 1 of 2024 concerning Information and Electronic Transactions, and article 45 paragraph 3 of Law Number 1 of 2024 concerning Information and Electronic Transactions is very strong to provide legal certainty to online gambling promoters. The Ministry of Communication and Information Technology has shown good performance in eradicating content and advertisements related to online gambling. The ministry continues to be committed to raising public awareness of the risks posed by online gambling through various digital literacy programs. The effort involves various elements of society, including students, mothers, and youth, to jointly campaign against the dangers posed by online gambling. The government and the community must work hand in hand in eradicating online gambling as well as advertisements or content related to online

gambling. The government is obliged to carry out socialization and education at all levels of society by collaborating with influential figures such as religious leaders, traditional leaders and youth leaders so that they are right on target and reach the lower layers of society. The government continues to massively block content that contains advertisements related to online gambling. Strong collaboration between policymakers, online media platforms, and the public is key to addressing the complex issues associated with online gambling advertising promotion. By implementing these recommendations, it is hoped that it can reduce the negative impact of online gambling advertising promotions and protect the Indonesian people, especially groups that are vulnerable to online gambling.

BIBLIOGRAPHY

- Akbar, M. Y., Pradekso, T., & Ulfa, N. S. (2024). *Pengaruh Terpaan Iklan Judi Online di Media Sosial, Tingkat Pengawasan Orang Tua, dan Intensitas Komunikasi Peer Group terhadap Minat Bermain Judi Online*. *Interaksi Online*, 12(4), 120–129.
- Arro, M. R. G. (2023). *Tinjauan Hukum Islam dan Hukum Positif tentang Iklan Perjudian Online* (Skripsi, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta).
- Bahri, I. S. (2023). *Cyber Crime dalam Sorotan Hukum Pidana* (Edisi 2023). Bahasa Rakyat.
- Bakhtiar, S. H., & Adilah, A. N. (2024). *Fenomena Judi Online: Faktor, Dampak, Pertanggungjawaban Hukum*. *Innovative: Journal Of Social Science Research*, 4(3), 1016–1026.
- Desriwati, S. (2023). *Pertanggungjawaban Pidana terhadap Pelaku Promosi Judi Online yang Dilakukan melalui Media Sosial ditinjau dari Perspektif Hukum Pidana* (Disertasi, Prodi Ilmu Hukum).
- Gabriela, F., Effendi, I. A., & Dewi, R. (2023). *Analisis Pengaruh Endorsement Influencer/Artis terhadap Penggunaan Judi Online pada Generasi Millennial atau Z di Media Sosial*. *JEHSS*, 6(2), 773–786.
- H. Adami Chazawi, S. H., Ferdian, A., & Kn, M. (2022). *Tindak Pidana Informasi dan Transaksi Elektronik Ed. Revisi*. Media Nusa Creative.
- Kesuma, R. D. (n.d.). *Penegakan Hukum Perjudian Online di Indonesia: Tantangan dan Solusi*. *Jurnal Exact: Journal of Excellent Academic Community*, 1(1), 34–52.
- Majid, N. K., & Maskur, A. (2023). *Tinjauan terhadap Legalitas dan Tanggung Jawab Hukum Selebgram dalam Promosi Judi Online*. *LEX et ORDO Jurnal Hukum dan Kebijakan*, 1(1), 68–74.
- Marzuki, M. (2017). *Penelitian Hukum: Edisi Revisi*. Prenada Media.
- Moeljatno. (1990). *Kitab Undang-Undang Hukum Pidana*. Jakarta: Bumi Aksara.
- Oktavianiasih, K. (2025). *Penegakan Hukum terhadap Konten Promosi Judi Online yang Dilakukan oleh Influencer di Media Sosial*. *Hukum Inovatif: Jurnal Ilmu Hukum Sosial dan Humaniora*, 2(3), 01–08.
- Paramartha, P. P. R., Dewi, A. A. S. L., & Seputra, I. P. G. (2021). *Sanksi Pidana terhadap Para Pemasang dan Promosi Iklan Bermuatan Konten Judi Online*. *Jurnal Preferensi Hukum*, 2(1), 156–160.
- Parandita, R. A. (2023). *Urgensi Regulasi Khusus terhadap Perjudian Online sebagai Penyakit Baru di Masyarakat*. *LEX et ORDO Jurnal Hukum dan Kebijakan*, 1(1), 22–28.
- Peraturan Pemerintah Republik Indonesia Nomor 71 Tahun 2019 tentang Penyelenggaraan Sistem dan Transaksi Elektronik.
- Peraturan Presiden Nomor 174 Tahun 2024 tentang Kementerian Komunikasi dan Digital.
- Keputusan Presiden Republik Indonesia Nomor 133 Tahun 1965.
- Ramdhani, H., Fauzi, M., & Tiga, A. M. (2020). *Otoritas Negara dalam Penegakan Hukum terhadap Pemberantasan Situs Judi Online di Indonesia*. *LEX SUPREMA Jurnal Ilmu Hukum*, 2(2).
- Ruba'i, M. (2021). *Buku Ajar Hukum Pidana*. Media Nusa Creative.
- Silalahi, D. G. P., Ismunarno, I., & Lukitasari, D. (2024). *Pengaturan Hukum Positif di Indonesia Terkait Promosi Judi Online di Media Sosial*. *Aliansi: Jurnal Hukum, Pendidikan dan Sosial Humaniora*, 1(2), 317–330.

- Sipayung, F. J. E., & Handoyo, C. A. (2024). *Dampak dalam Mempromosikan Iklan Judi Online (Studi Kasus Iklan Judi Online Indonesia)*. Jurnal Intelek dan Cendekiawan Nusantara, 1(3), 4548–4553.
- Sudarto. (2015). *Sistem Pertanggungjawaban Pidana: Perkembangan dan Penerapan*. Rajawali Pers.
- Trisista, R. G. M. (2024). *Darurat Judi Online: Eksistensi Kebijakan Perjudian di Indonesia dan Brunei Darussalam*. Jurnal Legisia, 16(2), 1–17.
- Undang-Undang Nomor 1 Tahun 2024 tentang Perubahan Kedua Atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.
- Undang-Undang Nomor 2 Tahun 2002 tentang Kepolisian Negara Republik Indonesia.
- Undang-Undang Nomor 7 Tahun 1974 tentang Penertiban Perjudian.
- Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik.
- Undang-Undang Nomor 22 Tahun 1954 tentang Undian.
- Wicaksana, H. B. (2024). *Motivasi Mahasiswa Bermain Judi Online (Studi Kasus)*. Observasi: Jurnal Publikasi Ilmu Psikologi, 2(4), 81–88.
- Wiyadnyana, I. K. P., & Sukardi, N. M. R. (2023). *Patroli Cyber Guna Pencegahan Judi Online*. Jurnal Aktual Justice, 8(2), 154–167.
- Wulandari, T. F., & Ramadhany, S. W. (2023). *Ketentuan Hukum Pidana terhadap Promosi Konten Judi Online*. Aufklarung: Jurnal Pendidikan, Sosial dan Humaniora, 3(1), 71–74.
- Yuliati, R., et al. (2024). *Judi Itu Candu: Panduan Anti Judi Online*.
- Zega, V. F., Aruan, H., Purba, R. D. A., & Rumapea, M. S. (2021). *Pertanggungjawaban Pidana Selebgram dalam Mempromosikan Judi Menurut UU ITE*. JISIP (Jurnal Ilmu Sosial dan Pendidikan), 5(3), 494–504.