

**JLPH:**
**Journal of Law, Politic
and Humanities**

E-ISSN: 2962-2816
P-ISSN: 2747-1985

<https://dinastires.org/JLPH> dinasti.info@gmail.com +62 811 7404 455

DOI: <https://doi.org/10.38035/jlph.v5i6>
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Sexual Violence Crimes And Legal Protection For Victims: Law Number 12 Of 2022 On Sexual Violence Crimes And The Reality Of Handling Sexual Violence Cases In Indonesia

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Abstract: Sexual violence remains a complex social and legal issue and continues to be a significant challenge in Indonesia. Victims of sexual violence often face various forms of injustice, ranging from inadequate legal protection to persistent social stigma. This study aims to analyze the legal protection for victims of sexual violence based on the recently enacted Sexual Violence Crime Law (UU TPKS). The research employs a normative juridical method, using a literature review approach to examine relevant legislation, legal doctrines, and court decisions related to sexual violence crimes. The findings indicate that the UU TPKS provides a clearer and more comprehensive legal framework to protect victims' rights, including rights to accompaniment, rehabilitation, and compensation. However, in practice, there remain several obstacles such as limited understanding among law enforcement officers, insufficient supporting resources, and stigma and discrimination that hinder victims' access to justice and protection. In conclusion, although the UU TPKS has brought significant progress in handling sexual violence cases in Indonesia, its implementation still faces challenges that require synergy among the government, victim protection agencies, and society to ensure effective and sustainable protection for victims.

Keyword: Sexual Violence, Victim Protection, Sexual Violence Crime Law (UU TPKS).

INTRODUCTION

According to the fourth paragraph, the establishment of the 1945 Constitution of the Republic of Indonesia (UUD 1945 n.d.) states that protecting Indonesian citizens and the entire territory is one of the state's objectives. This protection must be applied universally and without exception to every citizen, in accordance with the principles contained in the 1945 Constitution. As the Constitution, the 1945 Constitution implicitly regulates this matter in Article 28G and Article 28I (Wikisource on June 22, 2025 n.d.). Article 28G states that everyone has the right to self-protection, honor and dignity, as well as a sense of security and protection from threats or fear to do or not do something. Meanwhile, Article 28I mentions that everyone has the right not to be tortured and to be free from discriminatory treatment. This is important to implement,

especially in cases of sexual violence, which are often not comprehensively regulated in the Criminal Code (KUHP). The problem formulation contains article questions that must be explained in the discussion and answered in the conclusion.

The legislation governing sexual violence in Indonesia includes several key provisions. In the Indonesian Criminal Code (Kitab Undang-Undang Hukum Pidana or KUHP), Article 285 regulates the criminal act of rape, stating that “any person who by force or threat of force compels a woman to have intercourse with him outside of marriage shall be punished for rape with a maximum imprisonment of twelve years” (Abdus Syahid Ihsan 2024 n.d.). This article emphasizes that rape can only be prosecuted if it occurs outside of a marital relationship and if the victim is a woman, thereby excluding marital relations from its scope (Rumbiak and Widjajanti n.d.). The element of force or threat of force is central to this crime, which also includes situations where the victim is rendered helpless or unconscious (WEMPIE JH. KUMENDONG 2016 n.d.).

In addition to the Criminal Code (Kitab Undang-Undang Hukum Pidana or KUHP), Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection provides more specific legal protection against sexual violence involving children as victims. Furthermore, Law Number 19 of 2016 concerning Electronic Information and Transactions (commonly known as the ITE Law) regulates digital-based sexual violence or cyber pornography, which has become increasingly relevant in the information technology era. This includes the prohibition of distributing and spreading pornographic content via electronic media as stipulated in Article 27 paragraph (1) of the ITE Law (Pendidikan and Konseling 2022; Rizky Firdaus and Virdaus n.d.).

The Law on the Crime of Sexual Violence (UU TPKS) was jointly approved by the Indonesian House of Representatives (DPR RI) and the Government on April 12, 2022, ratified by the President of the Republic of Indonesia on May 9, 2022, and promulgated in the State Gazette of the Republic of Indonesia in 2022 Number 120. The National Commission on Violence Against Women (Komnas Perempuan) identified six key elements in the UU TPKS, namely:

1. Criminal Acts of Sexual Violence;
2. Sanctions and Measures;
3. Legal Procedures for Criminal Acts of Sexual Violence, from reporting to the implementation of the court’s decision;
 1. Victims’ Rights to Protection, Handling, and Recovery;
 2. Prevention; and
 3. Coordination and Monitoring, which includes the involvement of the community and families in the prevention and handling of sexual violence crimes.

Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS) (M. Chaerul Risal 2022) provides comprehensive protection for victims of sexual violence. This protection covers legal, physical, psychological, economic, as well as social and medical recovery aspects. The following are the forms of protection for victims of sexual violence as stipulated in the UU TPKS:

1. Legal protection and confidentiality of identity.
2. Psychological and legal assistance.
3. Economic recovery and restitution.
4. Medical, psychosocial, and rehabilitation services.
5. Social protection, shelter, and reintegration.
6. Protection from discrimination, threats, and criminal prosecution.
7. The right to information and the removal of digital content related to the case.

Victim protection under the Law on the Crime of Sexual Violence (Law No. 12 of 2022) is regulated from Articles 42 to 47 and Articles 66 to 70. All of these provisions aim to ensure that victims receive justice, recovery, and are able to resume a dignified life (Muzayin et al. 2024). As a follow-up to the enactment of the UU TPKS, the government issued implementing regulations to ensure effective and integrated implementation. Article 91 paragraph (1) of the UU TPKS stipulates that implementing regulations must be established no later than two years after the law is promulgated, which is by May 9, 2024. These implementing regulations consist of several Government Regulations (PP) and Presidential Regulations (Perpres), which govern technical aspects of prevention, handling, victim protection and recovery, as well as coordination among related institutions (PERPRES et al. n.d.). The government has enacted several key implementing regulations, including:

Government Regulations (PP):

1. Government Regulation on the Coordination and Monitoring of the Implementation of Prevention and Handling of Sexual Violence Crimes
2. Government Regulation on the Prevention of Sexual Violence Crimes as well as the Handling, Protection, and Recovery of Victims of Sexual Violence
3. Government Regulation on Victim Assistance Funds for Sexual Violence Crimes

Presidential Regulations (Perpres):

1. Presidential Regulation Number 9 of 2024 concerning the Implementation of Education and Training on the Prevention and Handling of Sexual Violence Crimes
2. Presidential Regulation Number 55 of 2024 concerning Regional Technical Implementation Units for the Protection of Women and Children (UPTD PPA)
3. Government Regulation Number 27 of 2024 concerning the Coordination and Monitoring of the Implementation of Prevention and Handling of Victims of Sexual Violence Crimes
4. Presidential Regulation on the National Policy for the Eradication of Sexual Violence Crimes (currently in the process of harmonization and awaiting ratification)

As of now, out of the seven implementing regulations, only two Presidential Regulations have been promulgated Presidential Regulation Number 9 of 2024 and Presidential Regulation Number 55 of 2024. The remaining regulations, including three Government Regulations (PP) and two Presidential Regulations (Perpres), are still in the finalization stage and awaiting enactment by the President.

In criminal law, a criminal act is a human action that violates the norms of criminal law and can be held legally accountable (Andin Dwi Safitri n.d.). The process of criminalization designates an act as a criminal offense so that it can be subject to criminal sanctions by the state. A criminal act consists of both subjective and objective elements, namely actions committed intentionally or negligently that violate legal provisions. The crime of sexual violence (TPKS) is a specific category of criminal offense related to sexual acts committed without consent, which cause harm to the victim physically, psychologically, and socially.

Sexual violence is a form of gender-based discrimination that involves sexual advances or requests, as well as other verbal and physical contact of a sexual nature. It is also a component of gender-based discrimination that reflects unequal power relations between men and women (Ani Purwanti 2020 n.d.). Sexual violence is a deeply degrading act that violates human dignity and has very serious consequences. According to Law Number 39 of 1999 on Human Rights, every citizen has the right to be free from sexual violence. Article 4 of the law affirms the right of every individual to life, to be free from torture, and not to be enslaved. However, sexual violence has become a serious and recurring social phenomenon, spanning various areas of life—from education and the workplace to family environments. Sexual violence is committed through coercion with the aim of satisfying the perpetrator's desires, regardless of their relationship to the victim.

Article 4 of the Law on the Crime of Sexual Violence (UU TPKS) states that the scope of sexual violence consists of nine forms, namely: physical and non-physical sexual harassment, forced contraception and sterilization, forced marriage, sexual torture, sexual exploitation, sexual slavery, and electronic-based sexual violence. In addition to these nine forms, sexual violence crimes also include rape, abuse, assault, unwanted touching (such as groping or fondling), and other related acts. However, sexual harassment can also occur in non-physical forms, such as verbal insults, humiliation, unwelcome attention, whistling, inappropriate remarks or greetings, and so on (Abs.UU-12-Tahun-2022 n.d.).

Indonesia already has various legal regulations governing sexual violence crimes, including specific provisions addressing sexual violence. However, ironically, such crimes continue to occur, and the existing laws have yet to be implemented optimally. The legal norms contained in Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS) are still considered ineffective in resolving the issue of sexual violence in Indonesia due to several key factors, namely:

- a. The incomplete implementation regulations remain the biggest obstacle. The UU TPKS mandates the issuance of seven derivative regulations, consisting of three Government Regulations and four Presidential Regulations, which cover the technical and operational aspects of handling sexual violence. However, two years after the law's enactment, the government has only issued one implementing regulation—namely, the Presidential Regulation on the implementation of TPKS education and training.
- b. Law enforcement officers' understanding of the UU TPKS is still very limited and uneven. Many officers, including police, prosecutors, and judges, do not yet fully understand the elements of sexual violence crimes as outlined in this law. As a result, they tend to rely on the Criminal Code (KUHP) or older regulations when handling sexual violence cases, thus hindering the optimal application of the UU TPKS as *lex specialis*.
- c. The absence of clear technical guidelines (*juknis*) and operational instructions (*juklak*) from law enforcement institutions has led to multiple interpretations and inconsistencies in the application of the UU TPKS. Law enforcement officers often delay or refuse to apply the law, citing the lack of implementing regulations, even though the law is already in effect. This situation creates legal uncertainty and slows the process of handling sexual violence cases.
- d. The legal norms within the UU TPKS do not fully accommodate all forms of sexual violence, particularly electronic-based sexual violence and complex cases of domestic violence. As a result, some cases cannot be handled effectively under the UU TPKS, prompting law enforcement to revert to other regulations that are perceived as easier to apply.
- e. Fear and stigma experienced by victims of sexual violence also weaken the effectiveness of legal norms.

The ineffective implementation of the legal norms in Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS) was clearly evident in a sexual violence case that came to light in 2019 at the Shidiqiyah Islamic Boarding School in Losari Village, Ploso District, Jombang Regency, East Java. The perpetrator, MSAT, the son of the boarding school's owner and caretaker, was alleged to have committed sexual harassment and assault against several female students (*santriwati*) since 2017. This case was initially stalled due to the perpetrator's influential status as the son of a prominent religious leader (*kiai*) in Jombang, as well as active obstruction of the arrest process by the perpetrator's supporters. Victims faced intimidation and pressure, while legal proceedings progressed slowly and were even halted by the police in 2019 due to an alleged lack of evidence. It wasn't until 2022 that the case began to be taken seriously once the investigation files were declared complete, the perpetrator was sentenced by the Surabaya District Court to seven years in prison, a verdict significantly lighter

than the prosecutor's demand of 16 years. The verdict drew criticism from the victims' families, who denied the allegations, while the Witness and Victim Protection Agency (LPSK) stated that the victims had been intimidated by the perpetrator's supporters, thereby complicating the pursuit of justice.

This situation directly contradicts the norms of the UU TPKS, particularly Article 67, which emphasizes the importance of protection and assistance for victims throughout the legal process, including the obligation of law enforcement officers to avoid abuse of power and to safeguard the victim's security and dignity. This case is highly complex due to the unequal power relations involved. It also highlights weaknesses in the implementation of victim protection norms, as well as differences in understanding and interpretation among law enforcement officials such as the police, prosecutors, and judges. Nevertheless, in practice, there are still gaps or weaknesses in the law, especially regarding the certainty of criminal sanctions for certain forms of sexual violence. For example, non-physical sexual harassment is still subject to vague and relatively lenient penalties (Ramadhan Saputra et al. 2022).

Similar findings were also revealed by Nurisman (2022), who stated that the protection provided by the UU TPKS is comprehensive, covering victims' rights to information, legal assistance, psychological services, and medical recovery. However, in practice, there are still differences in understanding and interpretation among law enforcement officers, as well as legal gaps in certain types of sexual violence—such as non-physical harassment, which is still subject to vague or insufficiently firm sanctions (Muzayin et al. 2024). Based on the above explanation, the author intends to comprehensively examine the regulation of sexual violence crimes under the UU TPKS, along with an in-depth analysis of the forms and effectiveness of legal protection for victims based on the actual handling of cases in Indonesia.

METHOD

The type of research used by the researcher is normative juridical research, which focuses on the study of legal norms and regulations to systematically address legal issues. According to Peter Mahmud Marzuki, normative legal research is the process of examining and analyzing legislation, legal doctrines, and relevant legal principles to provide understanding and solutions to the legal issues under investigation. This research is conducted through library research, collecting data from sources such as laws and regulations, court decisions, legal literature, and policy documents related to sexual violence.

In this study, a case study and comparative approach is applied to examine how the provisions of the Law on the Crime of Sexual Violence (UU TPKS) are implemented and interpreted in legal practice. The research instrument used is a document analysis guide, which helps identify the effectiveness of legal protection for victims of sexual violence based on existing legal norms. This normative juridical approach is considered highly appropriate because its primary focus is on legal norms and their implementation, thereby providing a clear picture of the strengths and weaknesses of the existing regulatory framework.

RESULTS AND DISCUSSION

Sexual violence is one of the most severe forms of human rights violations, with far-reaching impacts not only physically, but also psychologically, socially, and economically for the victims. For many years, legal gaps and weak protection mechanisms have led to numerous sexual violence cases being inadequately addressed and denied justice (Saefudin et al. 2023).

According to data from the National Commission on Violence Against Women (Komnas Perempuan), in recent years, the number of sexual violence cases has shown a significant upward trend. In 2024, sexual violence was recorded as the second most reported form of violence after psychological abuse, with 17,305 cases reported by CATAHU partners and 3,166 cases from Komnas Perempuan's own data. This data indicates that sexual violence is one of

the most frequently reported types of violence, accounting for 26.94% of all reported violence cases. The number of reported sexual violence cases has increased significantly compared to previous years. Komnas Perempuan also recorded that the total number of violence cases reported in 2024 reached 445,502 an increase of 9.77% compared to 2023. Although there was a slight decrease in the number of cases directly reported to Komnas Perempuan in 2024, the average number of complaints remains very high, at 16 cases per day (Executive Summary and Recommendations of Komnas Perempuan's 2024 CATAHU Report, n.d.).

Table 1: The percentage increase in the number of violence against women (VaW) cases from 2018 to 2024 based on data from Komnas Perempuan:

Tahun	Jumlah Kasus KtP (Total)	Persentase Perubahan KtP (%)	Sumber/ Catatan
2018	280.185	+21,3% (dari 2017)	Data tren 2018
2019	302.686	+8,0% (dari 2018)	-
2020	299.911	-1,0% (dari 2019)	CATAHU 2020
2021	338.496	+12,9% (dari 2020)	-
2022	339.762	+0,37% (dari 2021)	-
2023	289.111	-14,9% (dari 2022)	-
2024	445.502	+54,1% (dari 2023)	CATAHU 2024

The percentage increase in the number of violence against women (VaW) cases from 2018 to 2024, based on data from Komnas Perempuan, is approximately 29.3%.

Data from Komnas Perempuan shows that sexual violence has been one of the most frequently reported forms of violence during the 2018–2024 period. In 2024, sexual violence was recorded as the second most reported type of case after psychological violence, with 17,305 cases reported by CATAHU partner institutions and 3,166 cases recorded directly by Komnas Perempuan. Compared to previous years, there has been a significant increase in the number of reported cases. The Sexual Violence Crime Law (UU TPKS) is expected to provide maximum protection for victims of sexual violence and to promote stronger law enforcement. However, the fact that many sexual violence cases have yet to be handled under the UU TPKS raises concerns, especially considering that the law already contains comprehensive provisions for addressing sexual violence in Indonesia. The continuing rise of sexual violence cases in Indonesia is driven by a variety of interrelated factors.

One of the main causes of sexual violence is the imbalance of power between the perpetrator and the victim, which is influenced by a patriarchal culture in which men occupy dominant positions and women are placed in subordinate roles, making them more vulnerable to gender-based violence (Ciputra Hospital, 2024). Gender inequality within families, society, and workplaces also reinforces the risk of violence—especially in the domestic context—while economic factors, such as women's dependence on the perpetrator, further contribute to the occurrence of violence (Irfawandi et al. 2023). The misuse of religious teachings that demand absolute obedience from wives without acknowledging women's rights is often used as justification for perpetrators to commit sexual violence. Additionally, rapid technological developments have facilitated the spread of pornographic and sexual content, which can trigger violent behavior. Moreover, the increasing public awareness and willingness to report sexual violence has led to a rise in reported cases, although this does not necessarily reflect a true increase in the actual incidence of violence (Rukman, Huriani, and Shamsu 2023). According

to 2023 data from Komnas Perempuan, there were 180 cases of molestation, 143 cases of rape, and 72 cases of sexual intercourse, with a total of 4,374 reports of violence against women (CATAHU 2023, Komnas Perempuan n.d.). The majority of sexual violence perpetrators were individuals close to the victim, such as ex-boyfriends (550 cases), boyfriends (462 cases), and husbands (174 cases), indicating complex power relations in private spaces. Meanwhile, in higher education institutions, tens of thousands of victims of sexual violence have been recorded, demonstrating the major challenges in implementing the UU TPKS. Despite its holistic provisions, many cases remain unaddressed effectively (Komnas Perempuan 2023 n.d.; Ardinata, Hangabei, and Suryani 2025).

The Effectiveness of Legal Norms in the UU TPKS in Preventing and Addressing Sexual Violence Crimes

Law Number 12 of 2022 on the Crime of Sexual Violence (UU TPKS) is a significant breakthrough in Indonesia's legal system, aimed at providing protection and justice for victims of sexual violence (Kekerasan Seksual et al. 2023). This law was introduced in response to the high incidence of sexual violence, which had previously not been adequately addressed by existing legal frameworks. With its broad scope, the UU TPKS regulates not only physical acts of sexual violence, but also non-physical harassment, forced contraception, sterilization, forced marriage, torture, exploitation, and electronic-based sexual violence. This demonstrates that the legal norms in the UU TPKS have been comprehensively designed to cover the various forms and patterns of sexual violence that frequently occur in society.

The deeply rooted patriarchal culture and social stigma in society have proven to be major obstacles in the reporting and handling of sexual violence cases, as emphasized by various studies and academic analyses. Research by Rahayu and Agustin (2018) shows a significant positive correlation between patriarchal cultural perceptions and sexual violence behavior against women, where patriarchal perceptions among young adult males contributed 63.2% to the occurrence of such behavior (Pasya Pangestika, Esterlita Purnamasari, and Putra Kurniawan n.d.). Furthermore, the patriarchal paradigm positions women as inferior and easily blamed, resulting in secondary victimization through stigma, discrimination, and judgmental treatment both from law enforcement and the community. This ultimately leads many victims to hesitate or refuse to report their cases or proceed with legal processes (Irma Sakina dan Dessy Hasanah Siti n.d.). This phenomenon is also supported by findings from the National Commission on Human Rights (Komnas HAM) and academics, who point out that unequal power relations, victim-blaming culture, and a lack of institutional support have hindered the effective implementation of victim protection and recovery mechanisms as mandated by the UU TPKS.

The effectiveness of the legal norms in the UU TPKS has not yet been fully optimal in practice, partly due to the incomplete issuance of implementing regulations that serve as technical guidelines for law enforcement officers and relevant institutions in carrying out their duties. The UU TPKS mandates the establishment of several implementing regulations in the form of Government Regulations and Presidential Regulations to govern coordination, prevention, case handling, as well as victim protection and recovery. However, two years after its enactment, most of these derivative regulations have yet to be issued, leaving field officers confused and struggling to apply the norms of the law in concrete terms (Konde.co, 2024 n.d.; Kompas.id, 2024 n.d.). This situation has led to slow and inconsistent case handling, with many officers still relying on articles from the Criminal Code (KUHP) due to a lack of understanding of the UU TPKS as a *lex specialis*. Similar findings were also reported by Komnas Perempuan and researchers from ICJR, who stated that uneven understanding among law enforcement, minimal public outreach, and the absence of evidentiary guidelines and standard operating procedures have worsened the ineffectiveness of UU TPKS implementation in the field (YKP

2022 n.d.). Several researchers have also emphasized that the absence of implementing regulations and poor understanding among officers directly impacts delays in victim recovery, barriers to compensation and restitution, and legal uncertainty in the judicial process of sexual violence cases.

In the context of criminal law, the UU TPKS functions as a *lex specialis* that complements and strengthens the provisions of other laws that also regulate sexual violence crimes, including:

1. The Indonesian Penal Code (KUHP), which regulates general criminal offenses such as rape, acts of obscenity, and sexual harassment. However, the KUHP does not specifically accommodate the various forms of sexual violence as outlined in the UU TPKS, making the UU TPKS the primary legal reference in handling sexual violence cases.
2. Law Number 35 of 2014 on Child Protection, which provides special protection for children from various forms of violence, including sexual violence, and regulates mechanisms for the recovery of victims and the prosecution of perpetrators of child sexual abuse.
3. Law Number 23 of 2004 on the Elimination of Domestic Violence (PKDRT), which provides protection for victims of domestic violence, including sexual violence occurring within the family setting.
4. Law Number 19 of 2016 on Electronic Information and Transactions (UU ITE), which regulates electronic-based sexual violence crimes such as the distribution of pornographic content and online sexual harassment forms of violence that also fall under the scope of sexual violence as defined by the UU TPKS.

The primary legal basis for this effort is Law Number 12 of 2022 on the Crime of Sexual Violence (UU TPKS), which explicitly regulates various forms of sexual violence, mechanisms for victim protection, and law enforcement procedures that prioritize the rights and needs of victims. In addition, the Penal Code (KUHP), the Child Protection Law, the Law on the Elimination of Domestic Violence, and the Law on Electronic Information and Transactions (UU ITE) serve as complementary legal foundations in the handling of sexual violence crimes in Indonesia. The synergy in implementing these legal norms is crucial to ensure that the national legal system delivers real justice and provides maximum protection for victims of sexual violence.

Implementing regulations play a central role in realizing the spirit and objectives of the UU TPKS. Just like a building framework, the UU TPKS provides the foundational structure for the protection of victims of sexual violence, while Government Regulations (PP) and Presidential Regulations (Perpres) serve as the architectural details and construction guidelines that translate general norms into operational procedures, service standards, and effective coordination mechanisms. According to Article 91 Paragraph (1) of the UU TPKS, seven implementing regulations three Government Regulations and four Presidential Regulations were required to be enacted no later than two years after the law was promulgated, that is, by May 9, 2024 (Komnas Perempuan 2024 n.d.).

Several implementing regulations that have been enacted such as Presidential Regulation Number 9 of 2024 on the education and training of law enforcement officers, and Presidential Regulation Number 55 of 2024 on Regional Technical Implementation Units for the Protection of Women and Children (UPTD PPA) are highly strategic in ensuring integrated services, improving the capacity of officers, and enhancing victims' access to assistance and recovery services across regions. However, delays in the enactment of most implementing regulations have resulted in suboptimal inter-agency coordination, inconsistent service standards, and confusion among officers in the field when applying the law (Seksual et al. n.d.). Komnas Perempuan has welcomed the enactment of these implementing regulations and encourages civil society to actively monitor their implementation to ensure that maximum protection for victims is truly achieved. Overall, implementing regulations are vital instruments that bridge

the legal norms within the UU TPKS and actual practice in the field. Therefore, accelerating the finalization of all implementing regulations must be a priority, so that the core objective of the UU TPKS to eliminate sexual violence can be effectively realized.

Overall, implementing regulations are vital instruments that bridge the legal norms contained in the UU TPKS with practical application in the field. Without complete and clear implementing regulations, the enforcement of the UU TPKS will vary and lack consistency, making it difficult to achieve the law's primary objectives of preventing sexual violence and providing justice and protection for victims. Therefore, the completion and enactment of all implementing regulations under the UU TPKS must be prioritized so that the national legal system can function effectively in eradicating sexual violence in Indonesia.

The Reality of Handling Sexual Violence Cases in Indonesia

The reality of handling sexual violence cases in Indonesia reveals a deeply concerning situation, with a steadily increasing trend in reported cases year after year. Data from the Ministry of Women's Empowerment and Child Protection (KemenPPPA), through SIMFONI PPA, recorded 6,918 reports of violence from January 1 to April 21, 2025 alone, with 5,950 cases (86.01%) involving women as victims. The most prevalent type of violence was sexual violence, which frequently occurred in domestic settings and educational environments (Riza Asyari Yamin, Susiana n.d.). The 2024 Annual Report (CATAHU) by Komnas Perempuan also highlighted a significant surge in violence against women, reaching 445,502 cases, a substantial increase from the previous year. Among these, sexual violence accounted for the highest proportion of all reported forms of violence based on both public reports and court rulings (Ringkasan Eksekutif dan Rekomendasi Catahu Komnas Perempuan 2024 n.d.).

Sexual violence cases that surface in society often involve perpetrators in positions of higher power relations such as teachers, lecturers, medical personnel, law enforcement officers, and religious leaders. As a result, victims who are predominantly women and children face significant challenges in reporting and seeking justice due to pressure, intimidation, and the risk of secondary victimization (Sali Susiana 2025 n.d.). The "iceberg phenomenon" is also acknowledged by Komnas Perempuan, where the number of recorded cases is believed to be far lower than the actual number of incidents. This is due to the persistent influence of patriarchal culture, social stigma, and the lack of oversight and protection for victims.

On the other hand, although Indonesia has enacted Law Number 12 of 2022 on the Crime of Sexual Violence (UU TPKS) which mandates comprehensive protection for victims its implementation in the field still faces many challenges. This is evident from the suboptimal law enforcement, the incomplete set of implementing regulations, and the weak coordination and capacity of authorities to provide victim-friendly services. As a result, efforts to prevent, handle, and support the recovery of victims of sexual violence have not been carried out effectively or evenly across all regions of Indonesia (Riza Asyari dan Yamin et al. n.d.).

In addition to the high number of cases, the implementation of the UU TPKS in the field still faces several serious challenges. Recent studies show that although the substance of the UU TPKS is relatively comprehensive and has encouraged the establishment of Women and Children Protection Units (UPT PPA) across all provinces (Rachmawati et al. 2023), the equitable distribution of services and qualified personnel, such as psychologists and gender counselors, remains suboptimal. As a result, victims' access to assistance and recovery is highly dependent on the availability of services in their respective regions (Ayun et al. 2024). Furthermore, the deeply rooted patriarchal culture and the lack of public participation in the prevention of sexual violence continue to be major obstacles in efforts to protect and empower victims (Jawab et al. n.d.).

Efforts to address sexual violence in Indonesia have shown several positive developments in recent years. The government, through KemenPPPA, Komnas Perempuan,

and various civil society organizations, has become increasingly active in conducting awareness campaigns, education initiatives, and strengthening victim-centered services (Novitasari, Widiati, and Laba 2020). The enactment of the UU TPKS and the establishment of Regional Technical Implementation Units for the Protection of Women and Children (UPTD PPA) in various regions serve as evidence of the state's commitment to providing more comprehensive protection. In addition, an increasing number of educational institutions, hospitals, and community organizations are starting to develop internal reporting and support systems, giving victims more access to seek help and obtain justice. Mass media and social media have also played a role in raising public awareness, encouraging victims to speak out, and pressuring law enforcement to respond more effectively to cases of sexual violence.

However, the reality on the ground shows that cultural and systemic changes have not progressed as quickly as regulatory reforms. Many victims still face psychological and social barriers, such as shame, fear, or pressure from their surroundings, leading them to choose not to report the incidents they have experienced. On the other hand, the lengthy legal process, which often results in secondary victimization, leaves victims feeling exhausted and distrustful of the justice system. Nevertheless, support from communities, advocacy organizations, and the development of integrated service networks continues to grow, offering hope that the handling of sexual violence in Indonesia will improve in the future provided that synergy between regulations, services, and cultural transformation is continuously and sustainably strengthened.

CONCLUSION

Sexual violence is a serious issue that impacts victims physically, psychologically, and emotionally. The Law on the Crime of Sexual Violence (UU TPKS) has been enacted to provide better protection for victims of sexual violence and to enhance the effectiveness of law enforcement. The UU TPKS is also linked to other laws such as the Child Protection Law, the Domestic Violence Law (PKDRT), and the Electronic Information and Transactions Law (ITE), which regulates cyberpornography.

Based on the results of the study on the effectiveness of legal norms in Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS) and the reality of handling sexual violence cases in Indonesia, it can be concluded that the enactment of the UU TPKS brings new hope for victims to obtain justice and more comprehensive legal protection. However, in practice, the effectiveness of the legal norms in the UU TPKS is still not optimal, as reflected in the persistently high number of sexual violence cases each year, the “iceberg phenomenon” of unreported cases, and the uneven understanding and commitment of law enforcement officers in supporting victims. The implementation of legal protection for victims also continues to face challenges, such as a shortage of professional human resources, inadequate support services in many regions, weak inter-agency coordination, and social stigma, which discourages victims from reporting and fighting for justice.

In addition, the incomplete implementation regulations of the Sexual Violence Crime Law (UU TPKS) and the limited availability of Regional Technical Implementation Units for the Protection of Women and Children (UPTD PPA) across various regions have further slowed the comprehensive fulfillment of victims' rights. Although the government and civil society have undertaken various efforts such as public outreach, training of law enforcement officers, and strengthening victim-centered services cultural and systemic changes have not progressed as quickly as regulatory reforms. As a result, legal protection for victims of sexual violence has not yet been fully realized. Therefore, serious and continuous efforts are needed to enhance the effectiveness of the implementation of the UU TPKS and other related laws, in order to provide better protection for victims of sexual violence and prevent such crimes in society.

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