



## Sexual Violence Crime Reform in Indonesia: Political and Legal Characteristics of Its Formation

 Rijal Ulil Abshar<sup>1\*</sup>

<sup>1</sup>Fakultas Hukum, Universitas Islam Indonesia, DI Yogyakarta, Indonesia

\*Corresponding Author, *Email:* [rizalabzhar@gmail.com](mailto:rizalabzhar@gmail.com)

Received: 2024-02-06

Revised: 2024-03-07

Accepted: 2024-05-16

### Abstract

Handling sexual violence and gender-based violence remains a significant issue in Indonesia. The state plays a crucial role in ensuring the enforcement of laws against sexual violence by enacting Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS). This study aims to identify the legal characteristics of UU TPKS. The study employs the literature review method. This research is descriptive-analytic, focusing on normative juridical legal research. The results show that the state is obliged to provide human rights protection, particularly in the context of eliminating sexual violence. UU TPKS is characterized as a responsive legal product. It fulfils the state's duty to provide comprehensive legal protection, encompassing prevention, resolution, and mitigation of both psychological and material losses suffered by victims of sexual violence due to the introduction of new formulations regarding sexual violence crimes that were not present in previous legislation. The criminal law reform in UU TPKS aims to change the existing legal substance to enhance the effectiveness of law enforcement, address crime, and tackle social and humanitarian issues. UU TPKS will become the primary and foremost special regulation in combating Sexual Violence Crimes, complementing the existing legislation that previously regulated the substance of sexual violence crimes.

Keywords: Characteristics; Reform; Sexual Violence Crimes



Open access under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

Copyright © 2024 by Authors

## Introduction

The Republic of Indonesia, as a state governed by the rule of law, embodies a fundamental concept that guarantees the protection of its citizens from arbitrary actions. As a legal state, Indonesia mandates that all actions, including enforcing laws related to human violations, must adhere to the established legal framework.<sup>1</sup> The presence of institutions dedicated to law enforcement serves as tangible evidence of the country's commitment to upholding the supremacy of law. The imposition of sanctions functions as a mechanism employed by state authorities to ensure compliance across all societal strata with the requirements set by governmental authorities.<sup>2</sup>

Human rights are fundamental rights intrinsic to the human condition and have universal and equal application to all individuals. Indonesia has established a formal framework for protecting human rights, enshrined in laws and legal regulations. The Universal Declaration of Human Rights (UDHR, 1948), a global reference for human rights protection, asserts that all individuals possess inherent freedoms and equal dignity.<sup>3</sup> However, it is evident that in various regions, there are instances where the principles of equal dignity and value between men and women, as beings created by a higher power, are not upheld.<sup>4</sup>

One of the persistent issues highlighted by human rights activists in Indonesia is the handling of sexual violence and gender-based violence.<sup>5</sup> This concern is based on Article 2 of the Universal Declaration of Human Rights, which states that everyone is entitled to specific rights and freedoms without

---

<sup>1</sup> Rosania Paradias dan Eko Soponyono, "Perlindungan Hukum Terhadap Korban Pelecehan Seksual", *Jurnal Pembangunan Hukum Indonesia*, Program Magister Hukum, Fakultas Hukum Volume 4, No. 1, 2022, 61-72

<sup>2</sup> Roni Sulistyanto Luhukay, "Independensi Kekuasaan Kehakiman Pasca Amandemen UUD 1945 Dan Relevansinya Bagi Penegakan Hukum Berkeadilan", *Jurnal Jurisprudentie*, UIN Alauddin Makassar, Volume 6 No 1 June 2019, 136.

<sup>3</sup> Nur Rochaety, "Menegakkan HAM Melalui Perlindungan Hukum Bagi Perempuan Korban Kekerasan Di Indonesia," *Jurnal Palastren*, Fakultas Hukum Universitas Diponegoro Semarang, Volume. 7, No 1, 2014.

<sup>4</sup> I Made Wahyu Chandra Satriana, and Ni Made Liana Dewi, "Law Brakes to Protect Victims of Sexual Violence Against Children and Women in the Private Field", *Journal Equity of Law and Governance*, Vol. 2, No. 1, April 2022.

<sup>5</sup> Aparinah Sadli, *Hak Asasi Perempuan adalah Hak Asasi Manusia*, (Bandung: Alumni. 2002), 1.

discrimination, including discrimination based on sex. Considering the provisions outlined in Article 2, violations of women's rights, such as instances of violence against them, can be readily interpreted as prohibited activities (as no one should be subjected to torture or cruel, inhuman, or degrading treatment or punishment).<sup>6</sup>

In response to the sexual violence crisis in Indonesia, the Draft Law on Sexual Violence Crimes (RUU TPKS) was introduced by the National Commission on Violence Against Women (Komnas Perempuan) in 2012. Initially referred to as the draft law on the Elimination of Sexual Violence (RUU PKS),<sup>7</sup> This legislative proposal was developed to establish a legal framework for the formation of state institutions dedicated to addressing sexual violence. On Tuesday, April 12, 2022, the House of Representatives (DPR) of the Republic of Indonesia officially passed the Draft Law on Sexual Violence Crimes (RUU TPKS), enacting it as Law Number 12 of 2022 concerning Sexual Violence Crimes (UU TPKS). This law was ratified during the 19<sup>th</sup> Plenary Session of the People's Consultative Assembly of the Republic of Indonesia (MPR RI) in the fourth session period of the 2021-2022 legislative year. The implementation of the UU TPKS in Indonesia marks a significant advancement in law enforcement and the legal protection of human rights for those subjected to sexual harassment.<sup>8</sup>

A previous study by Eko Nurisman discusses the challenges of enforcing laws on sexual violence crimes following the enactment of Law Number 12 of 2022.<sup>9</sup> Further research by Hasanuddin Muhammad explores the legal implications of regulating the rights of victims of sexual violence crimes under Law Number 12 of 2022.<sup>10</sup> Lastly, research by Andi examines the controversies

---

<sup>6</sup> Osgar S, Matompo, Muladi & Andi Nuruk Isnawidiawinarti A, *Hukum dan Hak Asasi Manusia*, (Malang: Intrans Publishing, 2018), 59

<sup>7</sup> Ellen Kusuma dan Nenden Sekar Arum, *Memahami dan Menyikapi Kekerasan Berbasis Gender Online*, (Jakarta: Safe Net, 2012), 1

<sup>8</sup> Ardiyaningsih Puji Lestari, Nys. Arfa, and Hj. Andi Najemi, "Perlindungan Hukum Terhadap Anak Korban Perkosaan Di Wilayah Hukum Pengadilan Negeri Jambi," *Jurnal Ilmu Hukum* 7, no. 1 (2016): 85–105

<sup>9</sup> Eko Nurisman, "Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022." *Jurnal Pembangunan Hukum Indonesia* 4.2 (2022): 170-196. DOI: <https://doi.org/10.14710/jphi.v4i2.170-196>

<sup>10</sup> Hasanuddin Muhammad, "Implikasi Yuridis Pengaturan Hak Korban Tindak Pidana Kekerasan Seksual Dalam Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana

surrounding the enactment of the draft law on sexual violence crimes.<sup>11</sup> Unlike previous studies, this research aims to understand the political context and legal characteristics of the UU TPKS (Sexual Violence Crimes Law). Referring to the process from proposal to enactment, it is evident that the UU TPKS is one of the legal products ratified during President Jokowi's administration (2014-2024). As part of the government's legal outputs, the UU TPKS is intricately linked to the legal-political processes during President Jokowi's administration.

## **Research Method**

The research method used in this study is library research. This research is descriptive-analytic, focusing on normative juridical legal research. The study is based on the prevailing laws and regulations, as well as other documents related to sexual violence crimes. Primary materials refer to academic manuscripts and drafts of the law on eliminating sexual violence, along with relevant legislation. Secondary materials in this research include research findings or scholarly works in journals that discuss sexual violence or the legal-political mechanisms in Indonesia.

## **The Basis for the Enactment of Law Number 12 of 2022 on Sexual Violence Crimes**

Violence is a behaviour that contravenes the law, whether it is merely a threatening act or an act that leads to actual physical damage, property destruction, or even death. In cases of sexual violence, the impact is not limited to physical harm but also significantly affects the mental state of the victim. The mental impact caused by sexual violence is often more challenging to overcome

---

*Kekerasan Seksual." Jurnal Surya Kencana Dua: Dinamika Masalah Hukum Dan Keadilan 9.1 (2022): 1-15.DOI: <https://doi.org/10.32493/SKD.v9i1.y2022.22495>*

<sup>11</sup> Andi Sri Ratu Aryani, "Analisis Polemik Pengesahan RUU Tindak Pidana Kekerasan Seksual (TPKS)." *Najwa: Jurnal Muslimah dan Studi Gender* 1.1 (2021): 30-49.

than physical injuries, requiring a considerable amount of time for the victim to fully recover from the traumatic experience.<sup>12</sup>

Sexual violence can be defined as unwanted sexual advances from one person to another. These advances do not necessarily have to be physical; they can also be verbal. Therefore, sexual harassment can manifest in various forms, such as rape, intentional touching of another person's body, sexual jokes or remarks, personal questions about someone's sex life, sexual gestures or expressions, sexually suggestive sounds, and many more.<sup>13</sup>

Sexual violence cases are often likened to an iceberg phenomenon, where only a small portion is visible while many cases remain unreported. Sexual violence is a global issue that requires serious attention. This problem is not confined to developing or impoverished nations; it is also a significant concern in developed countries. This is especially true for cases of sexual violence involving children or minors from various communities and gender groups.<sup>14</sup>

The United Nations Children's Fund (UNICEF) reported in 2014 that 6 out of 10 children worldwide have been victims of violence in 190 countries. Other data show that nearly 5% of children in the United Kingdom have experienced sexual harassment, with 90% of incidents perpetrated by someone they know. In 2012, police recorded 4,171 cases of rape involving girls under the age of 13. In South Africa, research by Trade Union Solidarity Helping Hand in 2009 indicated that a child is raped by an adult every three minutes. The Asian Centre for Human Rights reported in 2013 that fathers, brothers, and neighbours committed 7,112 cases of child rape in India. In the United States, the Children's Assessment

---

<sup>12</sup> I Made Wahyu Chandra Satriana, and Ni Made Liana Dewi, "Law Brakes to Protect Victims of Sexual Violence Against Children and Women in the Private Field", *Journal Equity of Law and Governance*, Vol. 2, No. 1, April 2022.

<sup>13</sup> Ivo Noviana, "Kekerasan Seksual Terhadap Anak: Dampak Dan Penanganannya Child Sexual Abuse: Impact And Handling", *Jurnal Sosio Informa*, Vol. 01 No. 1, Januari-April 2015.

<sup>14</sup> Supanto, "Pelecehan Seksual Sebagai Kekerasan Gender: Antisipasi Hukum Pidana", *Mimbar Jurnal Sosial Dan Pembangunan*, Vol. XX No. 03 (2004), 302

Center (CAC) in 2016 predicted that 500,000 newborns would become victims of sexual abuse before the age of 18.<sup>15</sup>

In the last decade, specifically from 2012 to 2022, the National Commission on Violence Against Women has recorded 49,762 cases of sexual violence in Indonesia. In 2022 (January to November), the commission reported 1,729 cases of sexual violence, including 860 cases in the public/community sphere and 899 cases in the personal sphere. These numbers do not fully represent the total number of cases in the country, as many victims of sexual violence do not report their experiences. The Ministry of Women's Empowerment and Child Protection revealed that in 2021, there were 8,730 cases of sexual violence involving minors.<sup>16</sup>

The impact of sexual violence extends beyond the physical and psychological well-being of the victim, affecting their economic and social conditions as well. Victims and their families often face increased financial burdens for medical and psychological treatment, with costs being substantial enough to strain the family's economy.<sup>17</sup> Additionally, victims and their families must confront social situations such as bullying, victim-blaming, and other similar challenges.<sup>18</sup>

Aside from these social issues, the academic manuscript and the draft law on sexual violence crimes reveal three foundational reasons for the enactment of the law, as follows:

---

<sup>15</sup> F Rasyid and Ian Baron, *Why the focus of clerical child sexual abuse has largely remained on the catholic church among other non-catholic Christian denominations and religions*. *Jurnal of Child Sexual Abuse*, 28 (5) 2019.

<sup>16</sup> See (<https://komnasperempuan.go.id/siaran-pers-detail/siaran-pers-komnas-perempuan-tentang-peringatan-kampanye-internasional-hari-16-anti-kekerasan-terhadap-perempuan-25-november-10-deember-2022#:~:text=Komnas%20Perempuan%20pada%20Januari%20s.d,899%20kasus%20di%20ranah%20personal>) accessed in January 28, 24 at 19.55 Western Indonesian Time.

<sup>17</sup> Emaliawati et al., "Concept of Restorative Justice Towards Light Criminal Acts Perspective of Criminal Objectives," *International Journal of Law* 7, no. 3 (2021): 107

<sup>18</sup> Judith Lewis Herman, *Trauma and Recovery: The Aftermath of Violence-From Domestic Abuse to Political Terror*, (New York: Hachette Book Group, 1997), 199-121.

a. Philosophical Foundation

Protection for victims of sexual crimes (sexual violence) is a form of justice fulfilment as articulated in the fifth principle of Pancasila: "social justice for all Indonesian people." This philosophy is then translated into norms governed by the highest law in Indonesia, the Constitution. The Constitution is the supreme norm that guarantees human rights protection and the protection of citizens, agreed upon as a consensus for national and state life. As mandated by the Constitution, the state must rely on a foundation that dignifies the fulfilment of victims' rights, which includes the right to truth, justice, reparation, satisfaction, and guarantees of non-repetition.

The state is obligated to provide protection, particularly for victims of sexual violence, to fulfil their rights and dignity as human beings. The state must establish a strong foundation within society to foster mutual respect and protect the dignity of every citizen from acts of sexual violence, especially among vulnerable groups (women, children, and persons with disabilities). The state's obligation in human rights protection, particularly in the eradication of sexual violence, encompasses prevention, handling, protection, and recovery mechanisms for victims. These mechanisms are essential to achieving justice and legal certainty within society. Therefore, the formation of the Draft Law on Sexual Violence Crimes (RUU TPKS) has a robust foundation for building mechanisms of prevention, handling, protection, and recovery for victims to ensure a dignified life.

b. Sociological Foundation

Protection for victims of sexual violence remains suboptimal due to the general lack of societal understanding regarding the causes and impacts of sexual violence. This is further exacerbated by the inadequacy of victim protection services facilitated by the state. Consequently, the state is obligated to provide protection, especially for victims of sexual violence, to ensure they can fully enjoy their rights and dignity as human beings, as mandated by the Constitution. Within

the framework of human rights protection, particularly in eradicating sexual violence, the state must undertake preventive efforts by fostering a culture of justice through continuous and long-term programs.

Sexual violence is not merely an individual issue but one deeply rooted in the social, economic, and political values of society. A prevalent issue in societal culture is the "peaceful resolution" approach, such as marrying the rape victim to the perpetrator. Another form of "peaceful resolution" in domestic sexual violence cases is the law enforcement's request for the victim to forgive the perpetrator, deeming it a family matter that should not be escalated.<sup>19</sup> These "peaceful resolution" methods illustrate a blatant disregard for the detrimental effects of sexual violence, prolonging the victim's suffering.<sup>20</sup> In the effort to eliminate all forms of sexual violence, the state plays a crucial role in establishing a comprehensive system for justly handling victims and their families, creating deterrence, and breaking the cycle of impunity

### c. Juridical Foundation

Constitutionally, the eradication of sexual violence is the implementation of the constitutional rights of citizens, as stipulated in several articles of the Constitution of the Republic of Indonesia Year 1945, including Article 20, Article 28A, Article 28B Paragraph (2), Article 28D Paragraph (1), Article 28G Paragraph (1) and (2), Article 28H Paragraph (1) and (2), Article 28I Paragraph (1), (2), (4), and (5), and Article 28J Paragraph (2). The realization of human rights protection and constitutional rights has been derived through various laws, including human rights instruments that have been enacted into national law. Therefore, the state must implement constitutional mandates and enacted laws, including protecting all forms of discrimination and violence.

---

<sup>19</sup> Baby Jim Aditya, "Menjadi Sintas: Tindakan dan Upaya Pencegahan dan Pemulihan Kekerasan Seksual", *Jurnal Perempuan*, Volume 21, Nomor 2, Jakarta, 2016, 48.

<sup>20</sup> Asmaul Khusnaeny, "Rancangan Undang-undang Tentang Penghapusan Kekerasan Seksual: Akses Keadilan, Kebenaran dan Pemulihan bagi Korban", *Jurnal Perempuan*, Volume 21, Nomor 2, Jakarta, Mei 2016, 144.



However, from a legal substantive perspective, existing legislation has not yet provided legal certainty in handling cases of sexual violence and protecting the rights of victims. Additionally, current legislation lacks both substantive and procedural completeness; it needs improvement and does not yet provide mechanisms for the prevention, protection, and victim-centred handling of sexual violence. Misunderstanding of the types of sexual violence contributes to the inadequacy of existing legal frameworks in addressing and providing solutions to the barriers faced by victims of sexual violence. Furthermore, there is a significant issue regarding how existing laws create deterrence effects and break the cycle of impunity for perpetrators of sexual violence to prevent recurrence. In light of these issues, the enactment of the Sexual Violence Crimes Act (UU TPKS) is expected to serve as a legal umbrella providing clarity and legal certainty, as well as specific provisions and regulations for the prevention, handling, protection, and recovery of victims of sexual violence.

### **Characteristics of the Legal Policy Product: Law Number 12 of 2022 Concerning Social Violence Criminal Acts**

The enactment of the draft law on eliminating sexual violence into Law Number 12 of 2022 concerning Social Violence Criminal Acts (UUTPKS) is part of the state's responsibility to fulfil, respect, and protect human rights and women's rights. It is part of the RPJMN 2020-2024 achievement, the Vision of Indonesia for the Century, and the SDGs. The enactment of the UUTPKS is a constitutional obligation of the state as stipulated in Article 20, Article 22D paragraph (1) and paragraph (2), Article 28A, Article 28D paragraph (1), Article 28G paragraph (1) and paragraph (2), Article 28H paragraph (1) and paragraph (2), Article 28I paragraph (1), paragraph (2), paragraph (4), and paragraph (5), and Article 28J paragraph (2) of the Constitution of the Republic of Indonesia Year 1945. Furthermore, the enactment of the UUTPKS manifests the implementation of the values enshrined in Pancasila as the foundation of the State's ideology.<sup>21</sup>

---

<sup>21</sup> Academic Paper and Draft Law on the Elimination of Sexual Violence

A similar sentiment is articulated in the preamble of the UUTPKS as follows: "*The right of every citizen to receive protection from violence and to be free from torture or treatment that degrades human dignity is a constitutional right guaranteed in the Constitution of the Republic of Indonesia Year 1945. Sexual violence is a form of violence and treatment that degrades human dignity, contrary to the values of divinity and humanity, and disrupts the security and tranquillity of society*".<sup>22</sup>

Referring to the statements above and considerations outlined in the academic manuscript of the UU TPKS, it can be concluded that as a legal and legal policy product, the UU TPKS has the characteristic of being a responsive legal product. The UU TPKS is present as a fulfilment of the state's duty to provide comprehensive legal protection, starting from prevention measures and resolutions to mitigating psychological and material damages experienced by victims of sexual violence criminal acts. According to Article 1 number 1 of the UU TPKS, sexual violence criminal acts are any actions that meet the elements of criminal acts as regulated in this Law, and other sexual violence acts as long as they are not regulated in this Law. The explanation of Law number 12 of 2022 concerning social violence criminal acts describes several innovations contained in the law, namely, first, the TPKS Law is present as a complement to the Indonesian criminal law instrument used to enforce the law against sexual violence crime act. The presence of the TPKS Law will erode the challenges of enforcing criminal law against sexual violence criminal acts because these rules accommodate every aspect of mitigating sexual violence criminal acts, starting from prevention efforts and handling to efforts to restore victims of TPKS. Second, the TPKS Law provides legal protection for sexual violence victims systemically.<sup>23</sup>

The enactment of Law Number 12 of 2022 concerning Sexual Violence Criminal Acts (UU TPKS) provides future protection for victims of sexual violence crimes due to its inclusion of new formulations regarding sexual violence crimes not found in previous legislation. However, UU TPKS as a legal substance

---

<sup>22</sup> Law No. 12 of 2022 on the Crime of Sexual Violence

<sup>23</sup> Draft of Law No. 12 of 2022 on Sexual Violence Crime

still needs reinforcement by legal and cultural structures to fully protect victims of sexual violence crimes by the state. Following the birth of UU TPKS, there are 9 (nine) types of sexual violence criminal acts, consisting of non-physical sexual harassment, physical, sexual harassment, forced contraception, forced sterilization, forced marriage, sexual torture, sexual exploitation, sexual slavery, and electronic-based sexual violence.

In addition to these nine types, sexual violence criminal acts also include rape; indecent acts; intercourse with a child, indecent acts against a child, and/or sexual exploitation of a child; acts contrary to the victim's will that violate decency; child pornography or explicit pornography involving violence and sexual exploitation; forced prostitution; trafficking in persons for sexual exploitation; domestic sexual violence; money laundering crimes originating from Sexual Violence Criminal Acts; and other crimes expressly declared as sexual violence criminal acts under statutory provisions.

UU TPKS can be categorized as a form of criminal law reform concerning sexual violence criminal acts in Indonesian legislation. As a form of renewal, this legal product aims to amend existing legal substance to enhance law enforcement effectiveness, address crime, and tackle social and humanitarian issues in achieving national social protection and welfare goals.<sup>24</sup> Furthermore, criminal law reform also involves reassessing the fundamental ideas and socio-philosophical, socio-political, and socio-cultural values underlying criminal policy and enforcement already in place.<sup>25</sup> With the enactment of UU TPKS, it becomes the primary and leading specific rule in combating sexual violence criminal acts, supplementing previous legislation that regulated the substance of sexual violence crimes.<sup>26</sup>

---

<sup>24</sup> Randy Pradityo, "Menuju Pembaharuan Hukum Pidana Indonesia: Suatu Tinjauan Singkat (Towards Criminal Law Reform Of Indonesia: An Overview)", *Jurnal Legislasi Indonesia*, Vol. 14 no. 2 June 2017

<sup>25</sup> Otto Yudianto, "Karakter Hukum Pancasila Dalam Pembaharuan Hukum Pidana Indonesia". *Dih*, *Jurnal Ilmu Hukum*, Vol. 12, No. 23 February 2016.

<sup>26</sup> Raden Muhammad A. Ilyasa, (2021). Legal and Victimological Perspective on Sexual Violence against Children Cases in Indonesia. *The Indonesian Journal of International Clinical Legal Education*, Vol. 3, (No. 3), pp. 281-300, DOI: <https://doi.org/10.15294/ijicle.v3i3.48269>

This reform process must be based on policy approaches and values that align with the socio-cultural context of the community where the law will be applied. Therefore, it is crucial for criminal law reform in Indonesia to draw inspiration from the foundational ideas of Pancasila, which encompass a balance of values and ideas within it. Referring to the three pillars proposed in the academic manuscript, the author concludes that the enactment of UU TPKS aligns with the philosophical, socio-cultural, and juridical principles in Indonesia.

## **Conclusion**

Efforts to eliminate sexual violence are the responsibility of the state in upholding the principles of Pancasila and the 1945 Constitution. These philosophical foundations serve as norms enshrined in Indonesia's highest law, the Constitution, which guarantees human rights protection and safeguards for citizens, agreed upon as the consensus of national life. Therefore, the Draft Law on Sexual Violence (RUU TPKS), which has now become Law Number 12 of 2022 concerning Sexual Violence Criminal Acts, is crucial. Cases of sexual violence are increasing day by day, and existing regulations are not sufficiently substantial to accommodate these cases. Law Number 12 of 2022 concerning sexual violence criminal acts provides legal certainty regarding criminal acts committed by sexual violence perpetrators, resolves cases that often harm victims of sexual violence, and ensures justice for them through firm penalties and actions against sexual violence perpetrators. As a legal, political product during the second term of President Joko Widodo, UU TPKS can be categorized as a responsive legal product. UU TPKS fulfils the state's duty to provide comprehensive legal protection, starting from prevention and resolution to mitigation of the psychological and material losses experienced by victims of sexual violence criminal acts.

## Authors' Contributions

As the main author of this article, RUA was responsible for the research activities, such as data collection, presentation, and writing of the report and manuscript.

## References

- Aparinah Sadli, "Hak Asasi Perempuan adalah Hak Asasi Manusia", (Bandung: Alumni. 2002)
- Ardiyarningsih Puji Lestari, Nys. Arfa, and Hj. Andi Najemi, "Perlindungan Hukum Terhadap Anak Korban Perkosaan Di Wilayah Hukum Pengadilan Negeri Jambi," *Jurnal Ilmu Hukum* 7, no. 1 Tahun 2016.
- Asmaul Khusnaeny, "Rancangan Undang-undang Tentang Penghapusan Kekerasan Seksual: Akses Keadilan, Kebenaran dan Pemulihan bagi Korban", *Jurnal Perempuan*, Volume 21, Nomor 2, Jakarta, Mei 2016.
- Aryani, Andi Sri Ratu, "Analisis Polemik Pengesahan RUU Tindak Pidana Kekerasan Seksual (TPKS)." *Najwa: Jurnal Muslimah dan Studi Gender* 1.1 (2021): 30-49.
- Baby Jim Aditya, "Menjadi Sintas: Tindakan dan Upaya Pencegahan dan Pemulihan Kekerasan Seksual", *Jurnal Perempuan*, Volume 21, Nomor 2, Jakarta, 2016.
- Barda Nawawi Arief, *Pembaharuan Hukum Pidana dalam Perspektif Kajian Perbandingan*, (Bandung: PT. Citra Aditya Bakti, 2011).
- Ellen Kusuma dan Nenden Sekar Arum, *Memahami dan Menyikapi Kekerasan Berbasis Gender Online*, (Jakarta: Safe Net, 2012)
- Emaliawati et al., "Concept of Restorative Justice Towards Light Criminal Acts Perspective of Criminal Objectives," *International Journal of Law* 7, no. 3 (2021).
- Nurisman, Eko, "Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022." *Jurnal Pembangunan Hukum Indonesia* 4.2 (2022): 170-196. DOI: <https://doi.org/10.14710/jphi.v4i2.170-196>
- F. Rasyid and Ian Baron, "Why the focus of clerical child sexual abuse has largely remained on the catholic church among other non-catholic christian denomination and religious", *Jurnal of Child Sexual Abuse*, 28 (5) 2019.
- I Made Wahyu Chandra Satriana, and Ni Made Liana Dewi, "Law Brakes to Protect Victims of Sexual Violence Against Children and Women in the Private Field", *Journal Equity of Law and Governance*, Vol. 2, No. 1, April 2022.
- Ivo Noviana, "Kekerasan Seksual Terhadap Anak: Dampak Dan Penanganannya", *Child Sexual Abuse: Impact And Handling*, *Jurnal Sosio Informa*, Vol. 01 No. 1, Januari-April 2015.
- Ilyasa, Raden Muhammad A., (2021). *Legal and Victimological Perspective on Sexual Violence against Children Cases in Indonesia*. *The*

- Indonesian Journal of International Clinical Legal Education*, Vol. 3, (No. 3), pp. 281-300, DOI: <https://doi.org/10.15294/ijicle.v3i3.48269>
- Jaringan Masyarakat Sipil, dan Komnas Perempuan, “Naskah Akademik dan Naskah Rancangan Undang-Undang Penghapusan Kekerasan Seksual”, (Jakarta; Komnas Perempuan, 2020).
- Judith Lewis Herman, “*Trauma and Recovery: The Aftermath of Violence-From Domestic Abuse to Political Terror*”, (New York: Hachette Book Group, 1997).
- Kathryn Sharratt, dkk. “Childhood Abuse and Neglect, Exposure to Domestic Violence and Sibling Violence: Profiles and Associations With Sociodemographic Variables and Mental Health Indicators”, *Journal of Interpersonal Violence*, No. 1 Vol. 3, 2023.
- Hasanuddin, Muhammad, "Implikasi Yuridis Pengaturan Hak Korban Tindak Pidana Kekerasan Seksual Dalam Undang-Undang Nomor 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual." *Jurnal Surya Kencana Dua: Dinamika Masalah Hukum Dan Keadilan* 9.1 (2022): 1-15. DOI: <https://doi.org/10.32493/SKD.v9i1.y2022.22495>
- Nur Rochaety, “Menegakkan HAM Melalui Perlindungan Hukum Bagi Perempuan Korban Kekerasan Di Indonesia,” *Jurnal Palastren*, Fakultas Hukum Universitas Diponegoro Semarang, Volume. 7, Nomor.1, Tahun 2014.
- Otto Yudianto, “Karakter Hukum Pancasila Dalam Pembaharuan Hukum Pidana Indonesia”. *Dih, Jurnal Ilmu Hukum*, Vol. 12, No. 23 Februari 2016.
- Randy Pradityo, “Menuju Pembaharuan Hukum Pidana Indonesia: Suatu Tinjauan Singkat (Towards Criminal Law Reform Of Indonesia: An Overview)”, *Jurnal Legislasi Indonesia*, Vol. 14 no. 2 Juni 2017).
- Rosania Paradias dan Eko Soponyono, “Perlindungan Hukum Terhadap Korban Pelecehan Seksual”, *Jurnal Pembangunan Hukum*, Indonesia Program Magister Hukum, Fakultas Hukum Volume 4, Nomor 1, Tahun 2022.
- Roni Sulistyanto Luhukay, “Independensi Kekuasaan Kehakiman Pasca Amandemen UUD 1945 Dan Relevansinya Bagi Penegakan Hukum Berkeadilan”, *Jurnal Jurisprudentie*, UIN Alauddin Makassar, Volume 6 No 1 Juni 2019.
- Rofiwul-Umam Ahmad, M. Ali Safa’at, dan Raiusddin M. Tamar (ed.), *Konstitusi dan Ketatanegaraan Indonesia Kontemporer*, (Jakarta: the Biography Institute. 2007).
- Supanto, “Pelecehan Seksual Sebagai Kekerasan Gender: Antisipasi Hukum Pidana”, *Mimbar Jurnal Social Dan Pembangunan*, Vol. XX No. 03 (2004).
- Titon Slamet Kurnia, *Reparasi (Reparation) Terhadap Korban Pelanggaran HAM di Indonesia* (Bandung: Citra Aditya Bakti, 2005).
- Undang-Undang No. 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual.