

## Rape of Minors: Criminal Sanctions and Law Enforcement Efforts

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Received : September 20, 2024

Revised : September 30, 2024

Accepted : October 15, 2024

Published : October 28, 2024

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**Abstrak:** *Rape that occurs in minors is a form of sexual violence that is increasingly concerning in Indonesia, which has serious impacts on the physical, mental, social development of victims and adverse effects on the child's developmental psychology. Children who experience the crime of sexual intercourse can experience deep trauma because in essence children must receive love and protection. The purpose of this study is to determine the criminal sanctions imposed on the perpetrators and to determine the law enforcement efforts made in dealing with this case. This study uses normative juridical research because this study discusses applicable legal regulations, such as the Child Protection Law and the Sexual Violence Crime Law (TPKS), which regulate the types and severity of punishment for perpetrators of rape. The results of this study indicate that criminal sanctions against perpetrators of child rape can include imprisonment, fines and additional penalties. However, law enforcement efforts face various obstacles, such as limited evidence, social stigma and internal factors of rape victims, in addition, legal protection efforts for children who are victims of rape are still lacking and not commensurate with the losses suffered by rape victims.*

**Keywords :** *Child Rape, Criminal Sanctions, Law Enforcement*

### INTRODUCTION

Along with the development of the era and the advancement of technology today, it is undeniable that many acts deviate from applicable legal norms, especially in Indonesia. Indonesia as a country of law regulates all actions of society through existing regulations. With these regulations, in essence, the state must be protected from various aspects. However, even though Indonesia has various laws, crime is still rampant and tends to increase along with technological advances that make it easier for perpetrators to commit criminal acts.

The law, which is supposed to protect society and the state, sometimes actually makes individuals more daring to commit crimes. With the increasing crime rate in Indonesia, existing laws need to be updated and improved to keep up with the times, in order to reduce the crime that occurs. Crime can occur at any time and in various forms, such as theft, murder, and rape.

Rape cases in Indonesia involve many groups, from children to adults. In recent years, rape cases have continued to increase, with many involving underage

victims. The perpetrators' modus operandi is often in the form of certain lures or offers, and in some cases, accompanied by acts of violence. Cases of sexual violence against minors continue to increase in Indonesia, making it a serious problem that needs to receive deep attention. This phenomenon reflects the weak protection of children as the most vulnerable part of society.<sup>1</sup> Children who are victims of sexual violence, especially rape, experience a huge negative impact on their physical, psychological, and social development. In addition to causing deep trauma, sexual violence against children has the potential to affect the quality of life and future of children in the long term.<sup>2</sup> Rape of minors is the most extreme form of sexual violence, has reached a very alarming level. Every year, data from child protection agencies show an increase in the number of reports of cases of sexual violence against children. Based on data obtained from the KPAI (Indonesian Child Protection Commission) shows hundreds of cases of children as victims of sexual violence (rape) every

year. The data is presented in the table, as follows:

Table 1. Cases of children as victims of sexual violence

KASUS	TAHUN					
	2016	2017	2018	2019	2020	2022
Anak sebagai korban kekerasan seksual (pemeriksaan/pencabulan)	192	188	182	190	419	4.683

Source: KPAI data.<sup>3</sup>

The data above shows how cases of children becoming victims of rape continue to increase rapidly. The increasing cases of children becoming victims of rape deserve serious attention. From a legal perspective, Indonesia already has a number of regulations to protect children from sexual violence, including Law No. 35 of 2014 concerning Child Protection and Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence (TPKS). The law regulates various types of criminal penalties for perpetrators, including imprisonment with varying sentences depending on the level of the crime. However, there are still many critics who say that the existing sanctions are not enough to provide a deterrent effect

<sup>1</sup> Apriyansa, D. (2019). Penegakan Hukum Terhadap Tindakan Kriminal Pemerksaan Terhadap Anak di Bawah Umur dan Sanksi yang Diterapkan. *Jurnal Panorama Hukum*, 4(2), 135-145. <https://doi.org/10.21067/jph.v4i2.3967>

<sup>2</sup> Tanjung, E., Sulastri, L., & Al Adawiah, R. (2023). Perlindungan Hukum bagi Anak-Anak sebagai Korban Pemerksaan. *Jurnal Hukum*

Sasana, 9(1).

<https://doi.org/10.31599/sasana.v9i1.1359>

<sup>3</sup>Data Kasus Pengaduan Anak," Komisi Perlindungan Anak Indonesia, terakhir diubah 2022, <https://bankdata.kpai.go.id/tabulasi-data/data-kasus-pengaduan-anak-2016-2022.htm>.<https://doi.org/10.21274/martabat.2018.2.2.315-338>

for perpetrators, given the high number of similar cases that continue to occur.

In addition to prison sentences, the law also provides for the possibility of implementing additional penalties, such as chemical castration for repeat offenders or in cases of high levels of violence. However, this penalty is still rarely implemented and requires stronger mechanisms to ensure its success.<sup>4</sup>On the other hand, handling of victims, especially in terms of psychological recovery, is often less than optimal. The protection provided is limited to punishment for the perpetrator, while the special needs of victims, both physically and psychologically, have not received adequate attention.

Children as victims of rape experience deep trauma, both physically and mentally. The effects of the incident are not only limited to their childhood but also have the potential to have negative impacts until they are adults. Adequate psychological recovery is very important to ensure that child victims of sexual violence can return to functioning normally in society. Unfortunately, psychological support for victims has not been a primary

focus in law enforcement policies related to cases of sexual violence against children in Indonesia.

Therefore, it is important to provide protection to victims of child rape. The Child Protection Law states that child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with human dignity and dignity, and receive protection from violence and discrimination. This article explains that children have the right to grow and develop freely and can live peacefully without any form of crime that could happen to them at some point because children are the hope of their parents and can later become the successors of the nation. Then it is also stated in the Law that children's rights are part of human rights that must be guaranteed, protected, and fulfilled by Parents, Family, Society, State, Government, and Regional Government. In this case, it explains that every child has rights that must be protected and fulfilled, the role of parents and the state is very important in providing protection for children.

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<sup>4</sup> Umar, CS (2021). Peninjauan hukum pidana dalam penerapan tambahan sanksi kebiri kimia bagi pelaku kekerasan seksual terhadap anak

berdasarkan Pasal 81 UU No. 17 Tahun 2016. Lex kriminal, 10(2).  
<https://doi.org/10.29313/bcsls.v2i1.734>

Basically, the purpose of providing child protection in Indonesia is to provide attention and protection to the interests of victims of violent crimes, especially rape cases, both through the criminal justice process and through certain social care facilities, which are an absolute part that needs to be considered in criminal law policies and social policies, both by executive, legislative and judicial institutions as well as existing social institutions and to encourage more effective law enforcement from various parties such as law enforcement institutions, child protection institutions and community organizations.<sup>5</sup>

This study aims to determine the criminal sanctions for perpetrators of child rape and to determine the law enforcement efforts that have been made. Therefore, this is interesting to study because of the many cases of rape of minors whose handling has so far received little attention from the government. With a normative legal approach, it is hoped that this study can provide input to improve the legal system related to child protection and provide more effective policy recommendations. So that it can be a reference for related parties to

improve the protection and recovery of child victims, and prevent the recurrence of cases of sexual violence against children.

## **METODOLOGI**

This study uses a Normative Juridical approach, which focuses on the analysis of laws and regulations related to child protection and criminal sanctions for perpetrators of sexual violence against children. The main data used is secondary data sourced from legal documents, such as: Child Protection Law, Law on Sexual Violence Crimes and other related regulations. This study also involves analysis of case report data from the Indonesian Child Protection Commission to understand trends and challenges in law enforcement. The main study of normative juridical research is law which is conceptualized as a norm that applies in society and becomes a guide for a person's behavior. So that normative legal research focuses on positive legal intervention, legal principles and doctrines, legal discovery, legal systematics and legal history. This method is considered the most appropriate for the purpose of law and the most appropriate and important method in the

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<sup>5</sup> Yulianti, SW (2022). Kebijakan Penegakan Hukum Terhadap Tindak Pidana Kekerasan Seksual terhadap Anak dalam Sistem

Peradilan Pidana di Indonesia. *Amnesti: Jurnal Hukum*, 4(1), 11-29.  
<https://doi.org/10.14710/ir.v3i2.729>

mainstream of legal discipline.<sup>6</sup> Suratman and Dillah are of the opinion that normative legal research is research that is conducted only on written regulations or other legal materials.<sup>7</sup> Therefore, in this research, to find meaning and give value to a law, a legal concept is used which is taken with normative steps.

## RESULT AND DISCUSSION

### 1. Criminal Sanctions Against Perpetrators of the Crime of Rape of Minors

Criminal acts and sanctions related to violence committed against children are regulated in Law Number 35 of 2014 concerning Child Protection. This law provides legal protection for children's rights, especially for children who are victims of criminal acts of violence. Article 1 of Law Number 35 of 2014 explains that child protection includes all efforts to guarantee and protect children and their rights, so that they can live, grow, develop, and participate optimally in accordance with human dignity, and be protected from violence and discrimination.<sup>8</sup>

Sexual abuse of children is not only regulated in the Criminal Code, but also regulated in more specific regulations, namely in Law Number 35 of 2014 concerning Child Protection in articles 81 and 82 which state that "the penalty for perpetrators of sexual crimes against children is a minimum of 5 years and a maximum of 15 years in prison and a minimum and maximum fine of Rp. 5,000,000,000.00 (five billion rupiah) while other penalties according to the Criminal Code articles 287 and 292 state that the maximum sentence for perpetrators of child molestation is 9 years (article 287) and a maximum of 5 years (article 292) this shows that the child protection law as *lex specialis* poses a greater threat than that regulated in the Criminal Code.

Article 80 paragraph (4) of Law No. 35 of 2014 concerning Child Protection also specifically regulates the criminal act of child abuse in the family accompanied by criminal sanctions, namely an additional penalty of 1/3 (one third) of the provisions as referred to in paragraph (1), (2), (3) if the perpetrator of the abuse is the parent.

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<sup>6</sup> Irwansyah, Legal Research, Mirar Buana Media, Yogyakarta, 2021, page 96

<sup>7</sup> Suratman and Philips, Dillah, metode penelitian hukum, Alfabeta, Bandung, 2015, page 15

<sup>8</sup> Wahyuni, F. (2016). Sanksi Pidana untuk pemerkosaan Anak menurut Hukum Pidana Positif dan Hukum Pidana Islam. Jurnal Media Hukum 23(1). <https://doi.org/10.18196/jmh.2015.0071.95-109>

Furthermore, Article 33 of Law No. 35 of 2014 regulates the revocation of custody rights for parents who commit criminal acts of violence against children in the family. Some of its provisions include: 1) If the parents and family cannot fulfill their obligations and responsibilities in accordance with Article 26, a party or legal entity that meets the requirements can be appointed as the child's guardian. 2) The appointment of a guardian is made through a court decision. 3) The appointed guardian must have the same religion as the child. 4) The guardian is responsible for the child's welfare and is obliged to manage the child's assets in his or her best interests. 5) Further provisions regarding the requirements and procedures for appointing a guardian will be regulated in a Government Regulation. If the judge imposes an additional penalty in the form of revocation of custody rights against the parent who committed the violence, the judge must also set a time limit for the revocation of custody rights, so that the parent has the opportunity to regain custody rights through a court decision.

The obligations and responsibilities of the state and government regarding the implementation of child protection are

emphasized in Articles 21 to 25 of Law Number 35 of 2014 concerning child protection, which include obligations and responsibilities. The form of child protection provided by the Child Protection Law includes adoption, compilation or reformulation of the form of child protection that has been regulated in the Criminal Code. The Criminal Code provides protection for children against sexual violence, protection for children is indicated by the provision of criminal penalties (sanctions) for perpetrators. This is stated in the Criminal Code in the following articles:

1. The issue of sexual intercourse is regulated in articles 287, 288, 291
2. Obscene acts are regulated in articles 289, article 292, article 293, article 294, article 295, article 298.

The form of legal protection provided by the Criminal Code for children against sexual violence is criminal responsibility for the perpetrator, not responsibility for the victim's direct and concrete losses or suffering, but rather focuses more on personal/individual responsibility.<sup>9</sup>Furthermore, Law Number

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<sup>9</sup> Suryandi, D., Hutabarat, N., & Pamungkas, H. (2020). Penerapan Sanksi Pidana

terhadap pelaku kekerasan seksual terhadap anak. *jurnal darma agung* 28(1), 84-91. <https://doi.org/10.46930/ojsuda.v28i1.464>

35 of 2014 concerning Child Protection states that "every child has the right to receive protection" from:

1. Abuse in political activities;
2. Involvement in armed conflict;
3. Involvement in social unrest
4. Involvement in events containing elements of violence
5. Involvement in war and
6. Sexual crimes.

The forms of law enforcement against sexual crimes against children, both in the Criminal Code and Law Number 35 of 2014, both explain that the crime of sexual harassment against minors is a crime against morality for which the perpetrators must be given severe punishment. The purpose of this is to provide a deterrent effect to perpetrators of child sexual crimes. Because the crime of sexual violence against children is a very serious problem, the consequences not only have physical impacts but also mental impacts.

## **2. Law Enforcement Efforts Against Perpetrators of Criminal Acts of Rape of Minors**

Law enforcement against sexual crimes against minors is very important, considering the serious impacts they have on victims, their families, and the wider community. Sexual crimes against children have very deep and often long-lasting psychological impacts. Children who are victims of sexual violence are at risk of experiencing severe psychological trauma, which can impact their self-confidence, mental health, and quality of life in the future. Strict law enforcement not only provides a sense of justice for victims, but also shows that the state is on the side of victim recovery, as well as protecting the psychological and social rights of children. Sexual crimes against children cause unrest and distrust in society.<sup>10</sup> Society has the obligation and right to live in a safe environment. Effective law enforcement against child sexual violence plays a role in maintaining security and social order, as well as building public trust in the legal system and the police.

Indonesia has a commitment to child protection as stated in the constitution and various international conventions, such as the Convention on the Rights of the Child (CRC), which has been ratified. Strict

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<sup>10</sup> Supriani, RA, & Ismaniar, I. (2022). Upaya Pencegahan Kekerasan Seksual pada Anak

Usia Dini. Jurnal Pemberdayaan Masyarakat Jambura, 1-20.  
<https://doi.org/10.37411/jjce.v3i2.1335>

law enforcement is a reflection of the state's commitment to national law and international standards in maintaining child welfare.<sup>11</sup> Strict punishment for perpetrators of child sexual violence provides a deterrent effect, which aims to prevent perpetrators from repeating their crimes and prevent others from committing similar acts. Without strong law enforcement, perpetrators of child sexual violence may feel free to commit their acts without fear of consequences. Effective law enforcement helps reduce the number of sexual crimes against children and serves as a warning to anyone who intends to commit sexual violence. Strict and transparent law enforcement against sexual crimes against children serves as a form of public education. When the public sees that sexual crimes against children are processed seriously and punished severely, awareness of the importance of protecting children from sexual violence will increase. This knowledge and education also encourages the public to report acts of sexual violence that occur in their environment.

Addressing criminal acts of sexual violence against children is a shared task

that involves the roles of various parties, namely parents, society, and the state. The following is an explanation of the role of each party in efforts to prevent and handle sexual violence against children according to Indonesian criminal law:

### **1. Role of Parents**

Parents have an important role in protecting children from the threat of sexual violence. They need to be very sensitive to unusual signs in children. However, not all victims of sexual violence show signs that are easy to recognize, especially if the perpetrator uses a persuasive approach that makes the victim think the situation is normal.

Parents (who are not the perpetrators of violence) play a very important role in helping the child adjust and recover after experiencing sexual violence. After the incident, parents also need time to deal with their feelings about the incident and adapt to the changes that have occurred. In addition, they need to rebuild their self-confidence and ability to control the situation.<sup>12</sup> The recovery of these parents is closely related to their personal resilience and the resilience of their families. Parents

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<sup>11</sup> Ameliawati, D. (2022). Kebijakan Implementasi Pengalihan dalam Sistem Peradilan Pidana Anak sebagai Pelaku Pidana (Tesis Magister, Universitas Islam Sultan Agung

(Indonesia). <https://doi.org/10.29313/aktualita.v1i1.3721>

<sup>12</sup> Freska, NW, & Kep, M. (2023). Fungsi Keluarga dalam Mencegah Kekerasan Seksual terhadap Anak. CV. Mitra Edukasi

have the primary responsibility to safeguard and protect children from all forms of sexual violence. In Indonesia, this role of parents can be carried out by:<sup>13</sup>

a. Early Sexual Education

Parents should educate their children about private body parts, boundaries, and how to refuse or report inappropriate behavior. This includes introducing the concept of "private areas" to children at an early age.

b. Supervision and Communication

Parents need to establish open communication with their children, creating a safe atmosphere so that children feel comfortable sharing their stories or concerns. Supervision of the child's social environment, such as school and playmates, also needs to be improved.

c. Legal Knowledge And Reporting Procedures

Parents need to understand the legal rights of children as victims of sexual violence, as well as reporting

procedures if sexual violence occurs. This understanding is important so that parents can accompany their children appropriately when accessing legal and medical assistance.

**2. Role of Society**

Handling sexual violence against children requires active participation from the community by paying attention to prevention aspects that involve all elements of society, including the children themselves. Community involvement can help create a safer environment at the grassroots level, where all parties play a role in protecting children from potential threats of violence.<sup>14</sup>

In addition, the involvement of children is very important as an initial effort in detecting cases of violence that they may experience. Through proper education, children can be taught to recognize various forms of threats of violence, as well as how to reject and report them to trusted adults. With this provision, it is hoped that children will become more aware of healthy

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Negeri. <https://doi.org/10.24260/raheema.v2i1.167>

<sup>13</sup> Rizqian, I. (2021). Upaya perlindungan hukum bagi anak sebagai korban tindak pidana kekerasan seksual ditinjau sesuai dengan hukum pidana Indonesia. *Jurnal Justiciabelen (Jj)*, 1(1), 51. <https://doi.org/10.35194/jj.v1i1.1115>

<sup>14</sup> Mulyani, WP, Winarni, T., Harsoyo, H., & Nurhadi, N. (2018). Model Pencegahan dan Penanganan Kekerasan Anak Berbasis Masyarakat *Jurnal Demografi Sriwijaya. (DeJoS)*, 1(2), 36-45. <https://doi.org/10.24198/share.v6i1.13150>

boundaries in their social interactions and be better able to protect themselves from risky actions. The community has an important role in preventing and overcoming criminal acts of sexual violence against children. According to criminal law in Indonesia, the role of the community includes aspects of prevention and reporting with the following efforts:

a. Prevention At Grassroots Level

Communities can be involved in establishing child protection systems or networks in local environments, such as neighborhood security posts (Posyandu, RT/RW) which can be channels for children or families to report indications of violence.

b. Community Education

Public education about the dangers and signs of sexual violence against children is very important. This activity can be done through seminars, discussions, or training to increase awareness and prevention.

c. Reporting Cases of Violence

The public is also expected to actively report if they see or suspect sexual violence

against children. The Child Protection Law (Law No. 23 of 2002 revised by Law No. 35 of 2014) gives the public the authority to report cases of violence against children.

### 3. Role of the State

The state is considered to have been less responsive in addressing sexual violence that occurs in the environment around children. As a result, the role of the state becomes very crucial in efforts to handle and prevent sexual violence against children. As an institution with the greatest authority, the state has the capacity to formulate policies, build an effective legal system, and empower individuals, families, and communities to be better prepared to face the threat of sexual violence. The state through the government is fully responsible for ensuring the safety and welfare of its people, including maximum protection for children.<sup>15</sup>Therefore, an active role of the government is needed in providing educational facilities, implementing prevention programs, and providing support for victims. These efforts are

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<sup>15</sup> Noer, KU, & Rudiatin, E. (2019). Mempertanyakan Peran Negara dan Masyarakat dalam Melindungi Perempuan dan Anak: Penilaian

Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak (P2TP2A) di Empat Kabupaten/Kota di Jawa Barat.<https://doi.org/10.37411/jjce.v2i1.775>

expected to form a society that is more caring, proactive, and ready to protect children from the risk of sexual violence.

The state has an obligation to protect and uphold children's rights, especially when children become victims or witnesses of sexual violence.<sup>16</sup> State efforts to combat criminal acts of sexual violence against children include:

a. Formulation and Implementation of Special Legal Policies for Child Protection

The state has enacted specific laws to protect children from all forms of violence, including sexual violence, as stated in Law Number 23 of 2002 concerning Child Protection, which was amended by Law Number 35 of 2014 and Law Number 17 of 2016. This regulation increases the penalties for perpetrators of sexual crimes against children. And Law Number 12 of 2022 which regulates sexual violence and strengthens protection for child victims, including through child-friendly procedures in law enforcement.

b. Provision of Child-Friendly Law Enforcement Officers and Legal Processes

The state provides special training for police, prosecutors, and judges to handle cases of sexual violence against children with a child-friendly approach. Non-traumatic interrogation or trial procedures, such as the use of video conferencing, are often implemented so that children do not have to deal directly with the perpetrators and the state guarantees the provision of legal assistance for child victims of sexual violence during the legal process, so that children's rights are protected and they receive fair treatment.<sup>17</sup>

c. Media and Psychological Rehabilitation

The state provides medical and psychological rehabilitation for children who are victims of sexual violence. This rehabilitation aims to restore the physical and mental condition of children so that they can recover and return to normal life. These rehabilitation services are provided by institutions such as the Ministry of Social Affairs, Integrated Service Centers

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<sup>16</sup> Harahap, IS (2016). Perlindungan Hukum bagi Anak Korban Kejahatan Seksual dalam Perspektif Hukum Progresif. Jurnal Media Hukum, 23(1).<https://doi.org/10.18196/jmh.2015.0066.37-47>

<sup>17</sup> Zelvania, R. Implementasi Keadilan Restoratif dalam Penyelesaian Kekerasan Seksual Terhadap Anak di Yurisdiksi Kepolisian Resor Bogor (Tesis Sarjana, Fakultas Syariah dan Hukum, UIN Syarif Hidayatullah Jakarta).<https://doi.org/10.20884/1.jih.2017.3.2.50>

(PPT), and hospitals. The state has established institutions such as the Indonesian Child Protection Commission (KPAI) and the Child Special Protection Agency (LPKA), which provide legal aid, assistance, and recovery for child victims of sexual violence.<sup>18</sup>

#### d. Restitution and Compensation for Victims

The state has an obligation to ensure that child victims of sexual violence receive restitution or compensation from the perpetrator to finance treatment, rehabilitation, and other recovery needs. If the perpetrator is unable to provide restitution, the state can provide financial assistance through a special mechanism.

#### e. Prevention Through Socialization and Education

Prevention through socialization and education can be done through an anti-sexual violence campaign, where the state runs an intensive education program for the community about preventing sexual violence against children, either through schools, communities, or the media. This education aims to increase public awareness so that they can recognize, prevent, and report acts of sexual violence

against children. In addition, children are given sexual education at school, in this case the state can work together with educational institutions to hold a child-friendly sexual education program as a preventive measure. With this education, children are taught to recognize their bodies, understand boundaries, and know how to report inappropriate behavior.

#### f. Provision of Reporting Paths and Witness Protection

This can be done through child sexual reporting services, the State provides easily accessible reporting channels, such as hotlines or online complaint services, so that the public or children can report sexual violence quickly. As well as the protection of witnesses and victims, the State through the Witness and Victim Protection Agency (LPSK) provides protection to child victims and witnesses in the legal process. This includes security protection, the right to receive assistance, and identity protection so that children are protected from pressure or threats.

#### g. Strict Law Enforcement and Transparency Against Perpetrators

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<sup>18</sup> Harefa, B., & Sitompul, LEB (2021). Peran Lembaga Perlindungan Anak dalam

Advokasi Penjahat Anak. Jurnal Hukum Pidana dan Kriminologi, 2(2), 30-48. <https://doi.org/10.51370/jhpk.v2i2.54>

This strict law enforcement is carried out by law enforcement officers as an institution enforcing the supremacy of law in Indonesia. This strict law enforcement can be done by giving severe punishment to the perpetrators, the State enforces the law by giving severe punishment to the perpetrators of sexual violence against children according to applicable regulations. This severe punishment aims to provide a deterrent effect to the perpetrators and be a warning to others. In addition to giving punishment to the perpetrators, the state needs to supervise law enforcement officers to supervise and ensure that law enforcement officers handling cases of child sexual violence do not abuse their authority and carry out their duties professionally. Because it is possible that Indonesian law enforcement officers can work beyond the control and responsibility of what has been given.

#### h. International Cooperation in Handling Child Sexual Violence

The state carries out international cooperation with other organizations and countries in handling cases of sexual violence against children, especially if it involves child trafficking networks or cross-border crimes. This cooperation

includes information exchange, joint investigations, and support in terms of victim recovery.

#### i. Systems-based approach

Law enforcement efforts against sexual violence can be strengthened through a system-based approach, namely an integrated approach between various institutions, procedures, and policies within a single coordination framework. This approach ensures that every step in the process of handling sexual violence is carried out effectively, coordinated, and oriented towards the protection and recovery of victims. One way that the state can do this is by conducting monitoring, evaluation, and an accountability system. A case monitoring system where the state needs to implement a systematic case monitoring system to ensure that every stage of the law is carried out according to procedure, from reporting to sentencing. This system can involve periodic reporting to independent parties, such as Komnas HAM or other supervisory institutions, to ensure accountability. And conducting periodic evaluations and improving procedures, in this case the state needs to evaluate every case of sexual violence handled to assess the effectiveness of the system. The results of this evaluation can be used to improve procedures or regulations

if obstacles or deficiencies are found in their implementation.

Overall, these efforts are expected to reduce the number of cases of sexual violence against children and ensure that victims receive the protection and support they need to recover from the trauma they have experienced.

### CONCLUSION

The crime of rape against minors shows that this act is a serious violation that has a negative impact on the physical, psychological, and social aspects of the child. Although there are strict criminal sanctions, such as imprisonment, fines, and additional penalties in the form of chemical castration for certain cases, the implementation of this punishment still faces various challenges in its application. Law enforcement efforts face obstacles, including social stigma and limited evidence that often hinder maximum protection for victims. Increased capacity of law enforcement agencies, public awareness campaigns, and rehabilitation support for victims are needed. These steps are important to strengthen prevention efforts, provide justice for victims, and protect children from similar crimes in the future.

### BIBLIOGRAPHY

#### Book

Irwansyah, Penelitian Hukum, Mirar Buana Media, Yogyakarta, 2021

Suratman dan Philips, Dillah, Metode penelitian hukum, Alfabeta, Bandung, 2015

#### Journal Article

Ameliawati, D. (2022). Kebijakan Pelaksanaan Diversi Dalam Sistem Peradilan Pidana Anak Sebagai Pelaku Tindak Pidana (Master's thesis, Universitas Islam Sultan Agung (Indonesia). <https://doi.org/10.29313/aktualita.v1i1.3721>

Apriyansa, D. (2019). Penegakan Hukum Terhadap Tindak Pidana Pemerkosaan Terhadap Anak Dibawah Umur Dan Sanksi Yang Diterapkan. *Jurnal Panorama Hukum*, 4(2), 135-145. <https://doi.org/10.21067/jph.v4i2.3967>

Freska, N. W., & Kep, M. (2023). Fungsi Keluarga dalam Mencegah Kekerasan Seksual pada Anak. *CV. Mitra Edukasi Negeri*. <https://doi.org/10.24260/raheema.v2i1.167>

Harahap, I. S. (2016). Perlindungan Hukum Terhadap Anak Korban Kejahatan Seksual dalam Perspektif Hukum

- Progresif. Jurnal Media Hukum, 23(1).  
<https://doi.org/10.18196/jmh.2015.0066.37-47>
- Harefa, B., & Sitompul, L. E. B. (2021). Peran Lembaga Perlindungan Anak Mengadvokasi Anak Pelaku Tindak Pidana. *Jurnal Hukum Pidana Dan Kriminologi*, 2(2), 30-48.  
<https://doi.org/10.51370/jhpk.v2i2.54>
- Mulyani, W. P., Winarni, T., Harsoyo, H., & Nurhadi, N. (2018). Model Pencegahan dan Penanganan Kekerasan Anak Berbasis Masyarakat. *Demography Journal Of Sriwijaya (DeJoS)*, 1(2), 36-45.  
<https://doi.org/10.24198/share.v6i1.13150>
- Noer, K. U., & Rudiatin, E. (2019). Menyoal Peran Negara dan Masyarakat Dalam Melindungi Perempuan dan Anak: Asesmen Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak (P2TP2A) di Empat Kabupaten/Kota di Jawa Barat.  
<https://doi.org/10.37411/jjce.v2i1.75>
- Rizqian, I. (2021). Upaya Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Kekerasan Seksual Dikaji Menurut Hukum Pidana Indonesia. *Journal Justiciabelen (Jj)*, 1(1), 51.  
<https://doi.org/10.35194/jj.v1i1.1115>
- Supriani, R. A., & Ismaniar, I. (2022). Upaya Pencegahan Kekerasan Seksual Pada Anak Usia Dini. *Jambura Journal of Community Empowerment*, 1-20.  
<https://doi.org/10.37411/jjce.v3i2.1335>
- Suryandi, D., Hutabarat, N., & Pamungkas, H. (2020). Penerapan Sanksi Pidana Terhadap Pelaku Tindak Pidana Kekerasan Seksual Terhadap Anak. *Jurnal Darma Agung*, 28(1), 84-91.  
<https://doi.org/10.46930/ojsuda.v28i1.464>
- Tanjung, E., Sulastri, L., & Al Adawiah, R. (2023). Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Pemerkosaan. *Jurnal Hukum Sasana*, 9(1).  
<https://doi.org/10.31599/sasana.v9i1.1359>
- Umar, C. S. (2021). Tinjauan hukum pidana dalam penerapan hukuman tambahan kebiri kimia bagi pelaku kekerasan seksual terhadap anak berdasarkan pasal 81 uu no. 17 tahun 2016. *Lex crimen*, 10(2).

- <https://doi.org/10.29313/bcsls.v2i1.734> 2016-2022.htm.  
<https://doi.org/10.21274/martabat.2018.2.2.315-338>
- Wahyuni, F. (2016). Sanksi Pidana Pemerkosaan Terhadap Anak Menurut Hukum Pidana Positif dan Hukum Pidana Islam. *Jurnal Media Hukum*, 23(1).  
<https://doi.org/10.18196/jmh.2015.0071.95-109>
- Yulianti, S. W. (2022). Kebijakan Penegakan Hukum Terhadap Kejahatan Kekerasan Seksual Kepada Anak Dalam Sistem Peradilan Pidana Di Indonesia. *Amnesti: Jurnal Hukum*, 4(1), 11-29.  
<https://doi.org/10.14710/lr.v3i2.729>
- Zelvania, R. Penerapan Restorative Justice Dalam Penyelesaian Terhadap Kekerasan Seksual Pada Anak Di Wilayah Hukum Kepolisian Resort Bogor (Bachelor's thesis, Fakultas Syariah dan Hukum UIN Syarif Hidayatullah Jakarta).  
<https://doi.org/10.20884/1.jih.2017.3.2.50>
- Data Kasus Pengaduan Anak,” Komisi Perlindungan Anak Indonesia, last modified 2022,  
<https://bankdata.kpai.go.id/tabulasi-data/data-kasus-pengaduan-anak->