

Citizens' Rights n The Face of Sexual Violence: Challenges and Solutions

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Abstract: *In an effort to address the increasing cases of sexual violence, the Online Information System for the Protection of Women and Children recorded 4,906 cases of sexual violence, with 4,215 female victims and 1,033 male victims. In response to this situation, the government has passed Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS) as a strategic step in finding a solution to this problem. This study aims to analyze the various challenges faced in implementing the policy and propose solutions that can strengthen efforts to protect victims of sexual violence in Indonesia. The approach taken in this study is a literature review, which focuses on various sources such as journal articles, books, research reports, and news. The various challenges and solutions found in this study indicate that there is still room for improvement in the management of sexual violence cases.*

Keywords: *Sexual violence, Human Rights Violations, UU TPKS, Challenges and Solutions.*

Abstrak: Dalam upaya menangani kasus kekerasan seksual yang terus meningkat, Sistem Informasi Online untuk Perlindungan Perempuan dan Anak mencatat adanya 4.906 kasus kekerasan seksual, dengan 4.215 korban perempuan dan 1.033 korban laki-laki. Menanggapi situasi ini, pemerintah telah mengesahkan Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual (UU TPKS) sebagai langkah strategis dalam mencari solusi terhadap permasalahan ini. Penelitian ini bertujuan untuk menganalisis berbagai tantangan yang dihadapi dalam implementasi kebijakan serta mengusulkan solusi yang dapat memperkuat upaya perlindungan bagi korban kekerasan seksual di Indonesia. Pendekatan yang diambil dalam penelitian ini adalah tinjauan pustaka, yang berfokus pada berbagai sumber seperti artikel jurnal, buku, laporan penelitian, dan berita. Berbagai tantangan dan solusi yang ditemukan dalam penelitian ini menunjukkan bahwa masih ada ruang untuk perbaikan dalam pengelolaan kasus kekerasan seksual.

Kata kunci: Kekerasan seksual, Pelanggaran Hak Asasi Manusia, UU TPKS, Tantangan dan Solusi.

INTRODUCTION

Sexual violence often occurs in various places, including the workplace, public places, and universities, even around us. Data shows that the majority of victims of sexual violence are women, while the majority of perpetrators are men. However, it is important to adopt a broader perspective, that sexual violence can happen to all genders, both men and women. Common forms of sexual harassment include aggressive or threatening comments, direct actions against the victim, and sexual harassment in cyberspace. Sexual harassment not only has a negative impact on the physical health of the victim but also contributes to significant mental disorders. In addition, the social aspects of the victim's life are also affected, and they can experience somatic symptoms related to the trauma they have experienced. Thus, this study aims to examine the dynamics of sexual violence in more depth and propose strategies that can strengthen protection for victims from various gender backgrounds. Various steps have been taken to address the problem of sexual violence. Even so, the number of cases of violence against women is still increasing very significantly, while incidents of violence against men also continue to increase every day.

RESEARCH METHODS

Literature review research method. Sexual violence is a serious violation of human rights, which has a wide impact on the social, psychological, and legal aspects of victims. This study aims to identify the rights of Indonesian citizens in dealing with sexual violence, including legal protection, access to recovery services, and justice enforcement mechanisms for victims. By examining the applicable legal framework and related policies, this study seeks to provide a more comprehensive understanding of victims' rights and strategies that can strengthen protection and rehabilitation for those affected by sexual violence in Indonesia. In addition, this study also analyzes various challenges faced by citizens and seeks effective solutions to help them deal with the problem of sexual violence.

RESULTS AND DISCUSSION

Indonesia is a country based on law as stated in Article 1 Paragraph (3) of the 1945 Constitution. This principle of the supremacy of law states that every aspect of life, whether in the scope of the nation, society, or state, must be based on law as the main basis for the implementation of government and national life. Therefore, Indonesia as a country based on law must ensure that law enforcement is carried out fairly and evenly for all its citizens. As a country of law, Indonesia upholds the principle of respecting and protecting human rights and individual freedoms, as guaranteed by the constitution and various laws and regulations. A strong legal basis is a major factor in ensuring that every citizen obtains their rights fairly and equally without discrimination. The rights covered are the right to life, freedom of speech, right to religion, right to expression, right to property, etc. The

law provides a framework to protect these rights and ensure that every individual lives in dignity and free from discrimination. It is heartbreaking to see the increasing number of cases of sexual violence in Indonesia. Based on data obtained from the Online Information System for the Protection of Women and Children developed by the Ministry of Women's Empowerment and Child Protection (PPPA) as of March 12, 2025, there were 4,906 cases of sexual violence recorded, with 4,215 female victims and 1,033 male victims. This data underscores the urgency of increasing protection for vulnerable groups and the need to strengthen policies to prevent sexual violence in Indonesia.



On April 12, 2025, there was a significant increase in the number of cases and victims, especially female victims. With 6,187 cases of sexual violence, 5,349 female victims and 1,249 male victims.



The development of the number of recorded cases of sexual violence reached 6,187 cases. However, only a few of these cases received attention in television media or knowledge-based media. Many cases of sexual violence have not been revealed, including the case that occurred in Mesuji in 2023. This condition reflects significant challenges in the process of documenting and publishing cases of sexual violence, which can have an impact on the effectiveness of handling and preventing similar cases in the future.

Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS) presents a new perspective in law enforcement against sexual violence, especially in protecting and fulfilling the rights of victims. This law emphasizes the importance of a victim-based approach in the legal process, as well as providing a clearer mechanism for the rehabilitation and recovery of victims of sexual violence. Currently, the main focus in law enforcement is more directed at punishing the perpetrators, while the fulfillment of victims' rights, including clinical care, treatment, and rehabilitation, is still not optimal. As stated by Hasanuddin (2022), victims of sexual violence require comprehensive intervention to restore their physical and psychological conditions. Therefore, a more holistic legal approach is needed to ensure the recovery of victims and prevent the recurrence of sexual violence in society.

This law covers various important aspects in overcoming sexual violence, including the prevention of all forms of sexual violence crimes, management and protection and restoration of victims' rights. In addition, the TPKS Law also regulates the role of the community in efforts to prevent and restore victims, with the aim of creating a safe and free environment from sexual violence. Community

participation is a crucial aspect in building a more inclusive protection system, where synergy between the government, communities, and international institutions can increase the effectiveness of strategies for handling and restoring victims of sexual violence.

The Criminal Code (KUHP) also includes a number of articles that can be applied to prosecute perpetrators of sexual violence. Article 281 of the Criminal Code regulates inappropriate behavior in public places, with a prison sentence that can reach a maximum of 2 years and 8 months. In addition, Article 289 of the Criminal Code also discusses indecent acts accompanied by violence or threats of violence. The suspect can get a maximum prison sentence of nine years. In addition, there are other provisions in Article 290 of the Criminal Code that regulate indecent acts against individuals who are incapacitated or in an unconscious state. The threat of punishment is a maximum of seven years in prison.

The increase in cases of sexual violence in Indonesia shows a significant trend, including in the university environment. In response to this situation, the government through the Ministry has issued Ministerial Regulation Number 30 of 2021 concerning the Prevention and Handling of Sexual Violence on Campus. In addition to being a preventive measure, this regulation also serves as a guide for educational institutions in handling various cases of sexual violence, in order to ensure protection for victims and the creation of a more effective law enforcement system.

According to a report from the Jakarta-IDN Times, even though it has only entered the fourth month of 2025, Indonesia has witnessed various cases of sexual violence that have occurred in various levels of society. Data shows that victims of sexual violence come from various age groups, from children to adults, indicating that this problem is not limited to one particular group. Based on a number of cases that have been revealed, perpetrators of sexual violence can come from various professional backgrounds, including educators, medical personnel, and even leaders of religious institutions. This phenomenon indicates that sexual violence can occur in various environments, including in the education and health service sectors, so that more comprehensive prevention efforts and more effective protection mechanisms for victims are needed.

One of the cases that has recently caught the public's attention is a series of rapes committed by 1 Wayan Agus Suartama, better known as Agus Buntung. A disabled man from West Nusa Tenggara, Agus, was reported to have been involved in a case of alleged sexual harassment involving 15 victims, including minors (Pulungan, 2025). The existence of this crime not only includes repeated criminal acts, but also has a significant impact on the victims, their families, and society in general. This crime has raised great concern in society, not only because of the significant number of victims, but also because the perpetrators come from vulnerable groups that are usually protected by law. In carrying out his actions, Agus uses emotional manipulation and psychological threats as the main mode to

force the victim to do what the perpetrator wants. He takes advantage of the victim's emotional weakness, threatening to spread personal information or defame the victim if they do not do what he wants or is ordered to do. This shows that sexual harassment is not always carried out through physical violence, but can also be carried out through non-physical violence. In this case, many victims were initially reluctant to speak up about the sexual violence they experienced. However, a number of them eventually came forward after the case gained public attention. As more victims and reports emerged, the case began to be taken seriously and even attracted the attention of the Indonesian public.

The naming of Agus as a suspect sparked various reactions in society. As a person with a disability, Agus received special treatment in legal proceedings, such as being placed under house arrest due to the lack of disability-friendly facilities in correctional institutions. This case of sexual violence highlights the urgent need for active involvement from the community, the government, and law enforcement agencies in preventing sexual crimes in the future. Collaboration among all parties is essential to create an effective protection system and to ensure proper law enforcement that delivers justice for victims, while also reducing the number of sexual violence cases in various environments.

Challenges of Sexual Violence

1. Stigma and Social Perception

This social stigma is one of the problems of sexual violence in Indonesia. Because, there are still many perpetrators who think that sexual violence comes from the victim, who they assume triggers the perpetrator's lust. In fact, many perpetrators do sexual violence without even caring about how the victim is dressed, even if it's just normal clothing.

2. Lack of Legal Enforcement

A lot of laws that regulate sexual relations in Indonesia don't really work effectively, so it causes confusion in how they are applied. Even though, regulations about sexual violence have actually been clearly stated in various legal rules, including Law Number 12 of 2022 about Criminal Acts of Sexual Violence (UU TPKS), Ministerial Regulation Number 30 of 2021, and also several articles in the Criminal Code (KUHP), like Article 281, 289, and 290. But still, problems in implementing these rules often cause a lack of legal protection for victims of sexual violence.

3. Lack of Education

Education about sexual violence is really important and should be given to all Indonesian people, even from children to adults. But sadly, until now there's still inequality in sexual violence education. So, a lot of victims think that the inappropriate things they experience don't count as sexual violence.

4. Difficult Reporting Process

One of the main challenges in handling sexual violence cases in Indonesia is how complicated the reporting process is. Even though the number of sexual violence

victims is pretty high, only a small part of them dare to report what they went through. One of the reasons why reporting is low is because the procedure feels complicated and takes a long time, so many victims prefer to stay silent rather than go through a long and tiring process.

5. Perpetrators Not Afraid of the Law

The next challenge comes from the perpetrators themselves. There are quite a lot of sexual violence perpetrators who feel like they're above the law. Maybe because they have family members in certain institutions, or they think they can just pay fines, or maybe they're corrupt people in the government who feel safe because they think they're protected by the institution or their name.

Solutions in Facing Sexual Violence

Based on the analysis and cases we discussed, there are three strategies that can be applied to overcome sexual harassment (Ardiansyah et al. 2023). *First*, sex education that's given from the early stages of a child's development has a crucial role in building a healthy understanding of sexual and reproductive functions. Even though this topic is still considered taboo in society, a scientific-based approach allows accurate information to be shared, and also helps explore personal values and attitudes that shape a child's way of thinking. With the right sexual education, children can gain a complete understanding, so their awareness about their health and well-being can grow in the long run.

Second, on the other hand, is about giving information related to harassment. Understanding sexual behavior in children under one year old is one way to help them learn to use their own brains. Every teenager has the ability to understand the possibilities and consequences that come from sexual harassment. This way, a teen can express their sexual feelings about how they see others — whether as a victim, a bystander, or a perpetrator. It's hoped that through this plan, teenagers will behave well and maybe even feel encouraged to take part in preventing sexual harassment.

Third, an approach that focuses on building positive actions in sex education also plays an important role in improving healthy sexual behavior and helping prevent sexual harassment. Observation programs have been proven effective in lowering the number of harassment cases, both in schools and among educators in higher education. Implementing this strategy shows that monitoring-based interventions can really help create a safer educational environment free from sexual violence. Observers are not just passive people — they can also take part and help us understand other people's feelings, give us advice, and help us adopt caring attitudes. Some bystander interventions in this case include: paying attention and observing, recognizing the situation as something urgent that needs help, wanting to hear the impact of the situation, understanding how to intervene, and reporting it.

These three things we've explained can actually be applied into the education curriculum. *Fourth*, the role of Indonesian citizens in facing sexual violence. The role of Indonesian people is very important in the effort to lower the number of sexual violence cases. The surrounding environment has a big influence in shaping a person's behavior (Darmini, 2021), so community involvement becomes a key factor in preventing and handling sexual violence cases. In the legal context, sexual violence as stated in the Law on Sexual Violence Crimes is a violation of human dignity, so we need firm legal action as well as a complete social approach to deal with this issue.

In Article 85 of that law, it's explained that society and families have a role in prevention, supervision, and support for victims of sexual violence. That's why active participation from citizens is really needed in fighting sexual violence, including increasing understanding and awareness about this issue so that prevention efforts can be more effective (Jaman and Zulfikri, 2022). And also, the government plays a role too. With active and firm actions, it's really important to solve the problem of sexual violence. Because, when the government is active and firm in taking legal action against sexual violence perpetrators, then the number of sexual violence cases will decrease.

Conclusion

This research discusses the various challenges and solutions in facing the rise of sexual violence cases that continue to increase over time. Even though the public in general has become aware of the existence of sexual violence around them, only a small number of cases actually receive attention or follow-up from the authorities. This situation shows the need for a more systematic and effective approach in handling and preventing sexual violence in society.

Acts of sexual violence can happen regardless of gender, social status, or age, proving that this crime is not limited to any specific group. Sexual violence is not just a violation against individuals, but also reflects power imbalance in society. Ministerial Regulation Number 30 of 2021 concerning the Control and Handling of Sexual Violence in Higher Education was issued to respond to the challenges that arise in the education world due to sexual violence happening on campus. This regulation aims to improve protection for victims, and also to tackle various structural obstacles in handling sexual violence cases.

In a broader context, the recognition of sexual violence also shows a power dynamic that can affect how effectively cases are handled. That's why the involvement of the community, government, and law enforcement is really important to prevent and deal with sexual crimes in the future. A comprehensive and systematic approach is needed to create a safer and more supportive environment for everyone.

We have reviewed several challenges of sexual violence through the cases we analyzed, and most of these challenges happen because of things like the lack

of legal enforcement, stigma and public perception, lack of education, complicated reporting processes, and the fact that many perpetrators are not afraid of the law. This all happens again and again mostly because there's still not enough seriousness in enforcing the laws that already exist.

From the analysis and observations we've done, there are several steps that can be taken to fight sexual violence. These include providing sexual education focused on the child's development stage, encouraging active behavior in preventing sexual violence, bystander training which focuses on prevention and spreading awareness, and the role of the community in tackling sexual violence. In our opinion, these four suggestions should be integrated into the national education curriculum. This is important to provide real education and help children understand what sexual violence is, how to recognize the dangers, and how to act if they experience or witness it. Slowly, these solutions can shape the next generation of Indonesian citizens into a golden generation — people with strong character, integrity, and high competence in various fields — making the country more advanced, modern, and able to compete equally with developed nations around the world.

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