

Reformulation of Criminal Sanctions For Perpetrators And Legal Protection For Victims of Sexual Harassment

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Abstract

Sexual harassment remains a persistent and systemic problem in Indonesia, reflecting ongoing weaknesses in criminal regulation, law enforcement practices, and victim-oriented protection mechanisms. Although legal frameworks such as the Indonesian Criminal Code (Law No. 1 of 2023) and the Law on the Crime of Sexual Violence (Law No. 12 of 2022) have been enacted to address sexual violence, their implementation has not yet produced a sufficient deterrent effect for perpetrators nor comprehensive legal and psychosocial protection for victims. This study aims to critically examine the adequacy of existing criminal sanctions against perpetrators of sexual harassment and to formulate a more effective model of legal protection for victims based on principles of justice and victim recovery. The research is grounded in normative legal research employing a statutory and conceptual approach, with primary legal materials consisting of relevant legislation and secondary materials derived from legal doctrines, scholarly literature, and previous studies. The underlying hypothesis of this study is that current criminal sanctions and victim protection mechanisms are inadequate to address the complex impacts of sexual harassment and therefore require substantive reform. The findings indicate that the relatively light criminal penalties, evidentiary difficulties, and the persistence of victim-blaming practices undermine effective law enforcement and victim recovery. Accordingly, this study emphasizes the urgency of reformulating criminal sanctions to enhance their deterrent effect, strengthening victim-centered legal protection, improving access to legal aid and psychosocial rehabilitation, and refining evidentiary standards in judicial proceedings to ensure a more just, responsive, and comprehensive legal framework for addressing sexual harassment in Indonesia.

Keywords: *Sexual Violence; Victims; Criminal Sanctions.*

Abstrak

Pelecehan seksual tetap menjadi masalah yang terus-menerus dan sistemik di Indonesia, yang mencerminkan kelemahan yang berkelanjutan dalam peraturan pidana, praktik penegakan hukum, dan mekanisme perlindungan yang berorientasi pada korban. Meskipun kerangka hukum seperti KUHP Indonesia (UU No. 1 Tahun 2023) dan Undang-Undang tentang Kejahatan Kekerasan Seksual (UU No. 12 Tahun 2022) telah diberlakukan untuk mengatasi kekerasan seksual, penerapannya belum menghasilkan efek jera yang cukup bagi pelaku atau perlindungan hukum dan psikososial yang komprehensif bagi korban. Penelitian ini bertujuan untuk mengkaji secara kritis kecukupan sanksi pidana yang ada terhadap pelaku pelecehan seksual dan merumuskan model perlindungan hukum yang lebih efektif bagi korban berdasarkan prinsip keadilan dan pemulihan korban. Penelitian ini didasarkan pada penelitian hukum normatif yang menggunakan pendekatan hukum dan konseptual, dengan materi hukum primer yang terdiri dari undang-undang yang relevan dan materi sekunder yang berasal dari doktrin hukum, literatur ilmiah, dan studi sebelumnya. Hipotesis yang mendasari penelitian ini adalah bahwa sanksi pidana saat ini dan mekanisme perlindungan korban tidak memadai untuk mengatasi dampak kompleks dari



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pelecehan seksual dan oleh karena itu memerlukan reformasi substantif. Temuan ini menunjukkan bahwa hukuman pidana yang relatif ringan, kesulitan pembuktian, dan terus-menerus praktik menyalahkan korban merusak penegakan hukum yang efektif dan pemulihan korban. Oleh karena itu, penelitian ini menekankan urgensi merumuskan ulang sanksi pidana untuk meningkatkan efek jeranya, memperkuat perlindungan hukum yang berpusat pada korban, meningkatkan akses ke bantuan hukum dan rehabilitasi psikososial, dan menyempurnakan standar pembuktian dalam proses peradilan untuk memastikan kerangka hukum yang lebih adil, responsif, dan komprehensif untuk mengatasi pelecehan seksual di Indonesia.

Kata Kunci: Kekerasan Seksual; Korban; Sanksi Pidana.

INTRODUCTION

Cases of sexual harassment and violence in Indonesia continue to experience a significant increase, especially with the development of digital technology that facilitates online gender-based violence (GBV).¹ Based on data from SafeNet Indonesia, GBV cases experienced a drastic spike of up to four times in 2024 compared to the previous year. In the first quarter of 2023, there were 118 cases, while in the first quarter of 2024, the number increased to 480.² This spike reflects that perpetrators are increasingly utilizing digital space to commit harassment, while regulations and law enforcement efforts have not been able to suppress the number of these crimes fully.

Weak legal protection for victims is the main factor causing the increasing number of cases of sexual harassment, both in the real world and in the digital space.³ The Minister of Women's Empowerment and Child Protection (PPPA) noted that the age group most vulnerable to GBV is those aged 18-25 years, with 272 cases or 57 percent of the total cases reported. Children under the age of 18 were also targeted with 123 cases or 26 percent of the total incidents. The low level of public understanding of digital security, the lack of effective protection mechanisms, and the ongoing stigma against victims are obstacles to providing maximum protection.⁴

The impact of sexual harassment and violence is not only felt in the psychological aspect but also the social and economic life of the victim.⁵ Many victims experience prolonged trauma, lose self-confidence, and face social discrimination from their surroundings. In addition, some victims even lose their jobs or educational opportunities due to the psychological impact they experience.⁶ This condition shows that serious efforts are needed to strengthen regulations and increase the effectiveness of legal protection for victims, both through improving policies and stricter law enforcement against perpetrators of sexual harassment.

¹ A.R. Yanti, "Mengatasi Kekerasan Berbasis Gender di Era Digital: Peran Pemerintah dan Teknologi dalam Upaya Perlindungan Perempuan," *Jurnal Res Justitia: Jurnal Ilmu Hukum*, 2025, 292–301.

² Fadhilah Aini et al., "Sosialisasi Pemahaman dan Pencegahan Kekerasan Berbasis Gender Online dalam Upaya Membentuk Kesadaran Hukum pada Generasi Z," *Legal Empowerment: Jurnal Pengabdian Hukum* 2, no. 2 (2024): 63–75, <https://doi.org/10.46924/legalempowerment.v2i2.251>.

³ Kayus Kayowuan Lewoleba and Muhammad Helmi Fahrozi, "Studi Faktor-Faktor Terjadinya Tindak Kekerasan Seksual pada Anak-Anak," *Jurnal Esensi Hukum* 2, no. 1 (2020): 27–48, <https://doi.org/10.35586/esensihukum.v2i1.20>.

⁴ Iwan Setiawan, *Analisis Kebijakan Hukum dan Perlindungan Anak* (Jejak Publisher, 2022).

⁵ Nurfazryana and Mirawati, "Dampak Psikologis Kekerasan Seksual pada Anak," *UNES Journal of Social and Economics Research* 7, no. 2 (2022): 32–43.

⁶ Hayatul Khairul Rahmat and Desi Alawiyah, "Konseling Traumatik: Sebuah Strategi Guna Mereduksi Dampak Psikologis Korban Bencana Alam," *Jurnal Mimbar: Media Intelektual Muslim dan Bimbingan Rohani* 6, no. 1 (2020): 34–44.

Legal regulations related to sexual violence still have weaknesses, such as relatively light criminal threats in several articles in Law Number 1 of 2023 concerning the Criminal Code (hereinafter referred to as the Criminal Code) and Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (hereinafter referred to as the TPKS Law), which have the potential not to provide a deterrent effect for perpetrators, as seen in Article 5 of the TPKS Law which only threatens a maximum prison sentence of 9 months for non-physical sexual harassment. In addition, although the TPKS Law regulates more forms of sexual violence than the Criminal Code, protection for victims in the legal process is still less than optimal, especially in dealing with the impact of psychological trauma. Legal gaps are also seen in the aspect of victim assistance, where not all cases regulate the victim's right to receive adequate psychological and legal assistance during the trial process.

Law enforcement against sexual violence faces various obstacles, one of which is the culture of victim blaming which is still strong in society, causing victims to be reluctant to report for fear of being embarrassed or blamed.⁷ Because not all officers have adequate understanding and skills in handling this case.⁸ Another obstacle is the lack of supporting facilities, such as forensic examinations and safe houses, especially in remote areas which hinder optimal investigation and protection of victims.

Proof in cases of sexual violence faces various problems, one of which is the difficulty of collecting evidence because sexual violence often occurs without witnesses and minimal clear physical evidence, post-mortems or electronic evidence are often not strong enough.⁹ In addition, although the TPKS Law has recognized the victim's statement as valid evidence, judges still tend to rely on additional, more concrete evidence, which can make it difficult for victims to obtain justice. Another factor that also hinders evidence is the pressure and intimidation that victims often experience, both from the perpetrator and their social environment so that victims feel afraid or reluctant to reveal the truth freely in court.¹⁰

Inequality in the protection of victims of sexual violence is still a significant problem, especially due to the weakness of regulations that do not fully side with victims. Although the TPKS Law has regulated various forms of sexual violence, the psychosocial recovery mechanism for victims is still less than optimal. In many cases, victims do not get adequate access to psychological rehabilitation services, legal assistance, or ongoing social assistance. It affects the victim's recovery process, which is often neglected after the case comes to the legal realm.

Social stigma is still a major obstacle for victims in reporting and fighting for justice. Victims often get pressure from their families, their environment, or even law enforcement officers who still have biased views toward them.¹¹ The fear of being ostracized, blamed, or even revictimized causes many victims to choose to remain silent

⁷ A. Virgistasari, "Pelecehan Seksual terhadap Korban Ditinjau dari Permendikbud Nomor 30 Tahun 2021," *Media of Law and Sharia* 5, no. 1 (2022): 107–23.

⁸ A. Nandhita, "Dampak Penegakan Hukum Perlindungan terhadap Kesejahteraan Psikologis Perempuan dan Anak Korban Kekerasan," *Verdict: Journal of Law Science* 2, no. 2 (2024): 102–11.

⁹ Mutiara Manaringsong, "Penerapan Alat Bukti Petunjuk oleh Hakim dalam Penjatuhan Putusan Tindak Pidana Perkosaan," *Lex Et Societatis* 4, no. 9 (2016), <https://doi.org/10.35796/les.v4i9.14165>.

¹⁰ Gita Maulida, "Perlindungan Hukum terhadap Korban Pelecehan Seksual yang Mengalami Viktimisasi Sekunder di Media Sosial," *Southeast Asian Journal of Victimology* 2, no. 1 (2024): 59–79.

¹¹ Yulianti Maya, "Pengaruh Penerapan Undang-Undang Perlindungan Anak terhadap Penurunan Kasus Kekerasan pada Anak di Indonesia," *Verdict: Journal of Law Science*, 2024, 112–22.

rather than face severe social consequences.¹² As a result, many cases of sexual violence remain unresolved, and perpetrators remain free without legal accountability.

Lack of support from state institutions and the community also worsens the condition of victims after they dare to report the violence they have experienced.¹³ Protection for victims, such as safe houses or guarantees of security from threats from perpetrators, is still limited, especially in areas that do not yet have adequate supporting facilities. In addition, coordination between institutions that handle victim protection is still ineffective, so there are often delays in providing assistance. Without comprehensive protection, victims of sexual violence not only experience physical and psychological suffering but also face greater risks after daring to speak out.¹⁴

The urgency of establishing stricter regulations against perpetrators of sexual violence and protection for victims is an urgent need to create a fairer and more effective legal system. Strengthening criminal sanctions for perpetrators is needed to provide a deterrent effect and prevent similar cases from recurring in the future. In addition, legal policy reforms that are more pro-victim must be carried out by clarifying the protection mechanism, legal assistance, and psychosocial rehabilitation for victims. Compared to several other countries that have more advanced regulations in dealing with sexual violence, Indonesia still needs to improve the effectiveness of victim protection and firmness in prosecuting perpetrators. Therefore, the active role of the government, society, and legal institutions is important in creating a responsive legal environment, where every case of sexual harassment is handled seriously and victims receive maximum protection.

RESEARCH METHODS

This study uses a normative legal research method, namely research that focuses on the study of laws and legal doctrines related to the protection of victims of sexual violence. The research approaches used are the statute approach and the conceptual approach. The statutory approach is conducted by analyzing various regulations governing acts of sexual violence, including the Criminal Code, the TPKS Law, and other relevant regulations. Meanwhile, the conceptual approach is used to understand legal theories related to the protection of victims and law enforcement against perpetrators of sexual violence. The data sources in this study consist of primary legal materials, namely laws and regulations governing sexual violence, as well as secondary legal materials, such as books, journals, and previous research results that discuss the protection of victims of sexual violence. Data analysis was carried out qualitatively with a descriptive-analytical method to describe the weaknesses of existing regulations and provide recommendations for strengthening laws that are more effective in protecting victims of sexual violence.

RESULTS AND DISCUSSION

Legal Protection for Victims of Sexual Harassment in Indonesia

Legal protection for victims of sexual harassment in Indonesia has been regulated in several laws and regulations, one of which is the Criminal Code. In this regulation, the crime of sexual harassment is categorized as part of the crime of sexual violence, as stated

¹² R.V. Sagala, *Ketika Negara Mengatur Kekerasan Seksual* (Guepedia, 2020).

¹³ Fihra Rizqi Novia Ridwan and Dewi Asri Yustia, "Pentingnya Pendampingan Hukum Bagi Korban Tindak Pidana Kekerasan Seksual: Kebutuhan Dan Keharusan Hukum Pidana," *Legal Standing: Jurnal Ilmu Hukum* 8, no. 2 (2024): 352–68.

¹⁴ M.F. Putri, "Perlindungan Hukum Anak sebagai Korban Eksploitasi Seksual Berdasarkan UU No. 35 Tahun 2014 tentang Perlindungan Anak," *Jurnal Interpretasi Hukum* 4, no. 1 (2023): 100–107.

in Article 423.¹⁵ This new Criminal Code provides clearer boundaries regarding the definition of sexual violence and provides stricter sanctions for perpetrators. One of the main points in victim protection is Article 414 of the Criminal Code, which regulates indecent acts committed in public, by force, or through pornographic publications.¹⁶ The sanctions imposed vary from 1 year and 6 months to 9 years in prison, depends on harassment form. In addition, Article 415 increases the punishment for perpetrators who commit indecent acts against victims who are unconscious or helpless, with a criminal penalty of up to 9 years. This article aims to provide more protection for victims who cannot defend themselves.

The Criminal Code also regulates the increase in penalties if sexual harassment results in serious injury or even death. Article 416 of the Criminal Code stipulates that if the victim suffers serious injuries due to sexual harassment, the perpetrator can be sentenced to up to 12 years in prison, while if the victim dies, the penalty increases to 15 years in prison. This provision shows that there are legal efforts to provide more protection for victims and ensure a deterrent effect for perpetrators.

Not only that, the Criminal Code also provides further protection for children as a vulnerable group in cases of sexual harassment. Article 418 specifically regulates the punishment for perpetrators who commit indecent acts against biological children, stepchildren, adopted children, or children under their supervision. The criminal threat in this case reaches 12 years in prison, which shows the legal commitment to protecting children from sexual violence in the family environment or educational institutions. The Criminal Code also criminalizes actions that facilitate or facilitate acts of sexual harassment. Articles 419 and 420 regulate the punishment for parties who connect or facilitate indecent acts against children or other people, with a penalty of up to 7 years. If the act is committed as part of a habit or livelihood, then the punishment can be increased by one third of the criminal threat stipulated in Article 421. It aims to eradicate sexual exploitation which often involves human trafficking networks.

Protection of victims of sexual harassment in Indonesia has also been regulated in various laws and regulations, especially in the TPKS Law. This law regulates various forms of sexual violence, including non-physical and physical sexual harassment, and provides a stronger legal basis for victims to obtain protection and recovery.¹⁷ In addition, protection for victims can also be found in the Criminal Code (KUHP), the Child Protection Law, and the Law on the Elimination of Domestic Violence (UU PKDRT).

In Article 4 of the TPKS Law, sexual harassment is categorized into non-physical and physical sexual harassment. Article 5 stipulates that non-physical sexual harassment aimed at degrading a person's dignity based on their sexuality can be punished with a maximum prison sentence of 9 months or a fine of up to IDR 10 million. Meanwhile, Article 6 regulates physical sexual harassment, where the perpetrator can be subject to imprisonment of up to 4 years or a maximum fine of IDR 50 million. The sentence can be increased to 12 years in prison or a fine of IDR 300 million if the harassment is carried out with violence, abuse of authority, or in conditions that place the victim under the perpetrator's control.

¹⁵ Moh Ansar et al., "Tinjauan Yuridis Sanksi Adat Kaili Rai terhadap Pelaku Pelecehan Seksual (Studi Kasus di Desa Lende Kecamatan Sirenja)," *Comparativa: Jurnal Ilmiah Perbandingan Mazhab dan Hukum* 1, no. 1 (2020): 37–51, <https://doi.org/10.24239/comparativa.v1i1.3>.

¹⁶ Machio Tambayong et al., "Analisis Yuridis Terhadap Eksistensi Kaum Homoseksual Dikaitkan Dengan Tindak Pidana Percabulan Sesama Jenis Di Indonesia," *Lex Administratum* 11, no. 5 (2023).

¹⁷ O.R. Megawaty, "Perlindungan Hukum terhadap Perempuan Korban Tindak Pidana Kekerasan Seksual dalam Lingkup Rumah Tangga," *Armada: Jurnal Penelitian Multidisiplin* 2, no. 8 (2024): 668–79.

This regulation also covers electronic-based sexual violence as regulated in Article 14 of the TPKS Law. Actions such as unauthorized recording, distribution of sexually charged content without the victim's consent, and electronic stalking for sexual purposes can be subject to imprisonment of up to 4 years or a maximum fine of IDR 200 million. This provision aims to provide protection for victims who experience sexual violence through digital technology, which is increasingly common in the modern era.

Although Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS) has provided a stronger legal basis for handling cases of sexual violence, the existing regulations still have several weaknesses that need to be further evaluated. One of the main weaknesses is the relatively light criminal threat, especially in cases of non-physical and physical sexual harassment. For example, Article 5 stipulates a maximum sentence of 9 months in prison or a fine of IDR 10 million for perpetrators of non-physical sexual abuse, which is considered too low compared to the psychological and social impacts experienced by the victim. Likewise, the maximum sentence of 4 years in prison or a fine of IDR 50 million for physical sexual abuse in Article 6 is still relatively light, especially when compared to other crimes that have a similar impact on the victim.

In addition, the TPKS Law still has shortcomings in the victim recovery mechanism. Although this law recognizes the victim's right to receive legal, psychological, and social assistance, its implementation still faces many obstacles. Many victims have difficulty accessing rehabilitation services due to minimal facilities, lack of experts, and limited government budgets to support victim recovery. Without adequate recovery, victims often experience prolonged trauma, which can hinder their social and professional lives in the future.

Another weakness lies in the limited legal protection in the judicial process. The legal process for victims of sexual abuse is often still re-victimization, where victims have to experience psychological pressure when giving testimony or facing cornering questions from law enforcement officers or the defendant.¹⁸ In addition, in practice, many cases of sexual harassment cannot be processed optimally due to the lack of concrete evidence, especially in cases of non-physical sexual harassment or electronic-based sexual violence. This situation often makes victims reluctant to report for fear of not getting the justice they deserve.

So far, existing regulations have not been able to provide a maximum deterrent effect for perpetrators. The threat of light criminal penalties and existing legal loopholes can make perpetrators not afraid to repeat their actions. As a result, the number of sexual harassment cases is still quite high, and victims often feel unsafe even though there are regulations governing their protection. Therefore, efforts are needed to revise and improve laws and regulations, including increasing criminal sanctions, strengthening victim recovery mechanisms, and more comprehensive protection in the legal process to ensure that the justice system truly sides with victims and is able to provide a deterrent effect for perpetrators.

Law enforcement against sexual harassment cases still faces various obstacles that hinder the effectiveness of protection for victims. One of the main obstacles is the culture of victim blaming, where victims are blamed for the harassment they experience. This social stigma often makes victims reluctant to report for fear of being ostracized or

¹⁸ Edi Nurisman, "Risalah Tantangan Penegakan Hukum Tindak Pidana Kekerasan Seksual Pasca Lahirnya Undang-Undang Nomor 12 Tahun 2022," *Jurnal Pembangunan Hukum Indonesia* 4, no. 2 (2022): 170–96.

blamed by society.¹⁹ In addition, the lack of sensitivity of law enforcement officers is also a serious challenge. There are many cases where victims have to face irrelevant questions, such as about their clothing or behavior before the incident, which worsens the trauma. The lack of understanding of the authorities about the victim's perspective in cases of sexual violence also causes many cases not to be processed seriously or even stopped because they are considered lacking in evidence.

On the other hand, the effectiveness of the justice system in handling cases of sexual harassment is also still limited, especially in terms of victims' access to legal and psychosocial assistance. Although the TPKS Law has regulated the victims' rights to receive protection and assistance, implementation in the field is still far from ideal. The lack of supporting facilities, such as safe houses and psychological services, makes it difficult for many victims to get proper recovery. In addition, the limited number of legal aid institutions and the high cost of legal proceedings are often obstacles for victims who want to seek justice. Therefore, a reform of the justice system is needed that is more pro-victim, including increasing the capacity of officers in handling cases of sexual violence and providing broader and more easily accessible assistance services.

Evidence in sexual harassment cases often faces various obstacles, especially in terms of collecting sufficient evidence to support the charges. *Visum et repertum*, which is often used as the main evidence, is not always relevant in cases of non-physical sexual harassment, while electronic evidence such as recordings or screenshots is often difficult to obtain or its validity is questionable. In addition, the victim's testimony is often the main evidence, but without other witnesses or additional evidence, it is often difficult to prove the incident in court. Another challenge is pressure and intimidation against victims, both from the perpetrator and their social environment, which often makes victims reluctant to continue the legal process for fear of the negative impacts they may face.

Although regulations such as the TPKS Law have recognized the rights of victims, implementation in the field still shows inequality in their protection. Many victims do not get adequate access to psychosocial services, legal protection, or post-incident recovery, so they continue to experience prolonged trauma. The role of society and state institutions also still needs to be improved, both in the form of moral support for victims to dare to report, as well as in the provision of facilities such as safe houses and easily accessible counseling services. Without active community involvement and state commitment to protecting victims, law enforcement efforts against sexual harassment will find it difficult to provide a deterrent effect for perpetrators or effective recovery for victims.

Strengthening Criminal Sanctions and Legal Protection for Victims of Sexual Violence

In the Indonesian legal system, criminal provisions regarding sexual harassment are regulated in the Criminal Code (KUHP) and the Law on the Crime of Sexual Violence (UU TPKS). The TPKS Law provides broader coverage for various forms of sexual violence, including forced sexual intercourse, sexual exploitation, and gender-based violence. However, the effectiveness of sanctions in providing a deterrent effect is still questionable, considering that many perpetrators receive light sentences or are even acquitted due to the difficulty of providing evidence. In addition, the application of the law is not uniform and the low awareness of law enforcement officers regarding the sensitivity of sexual harassment cases often become obstacles in the judicial process.

¹⁹ Bunga Suci Shopiani et al., "Fenomena victim blaming pada mahasiswa terhadap korban pelecehan seksual," *Sosietas: Jurnal Pendidikan Sosiologi* 11, no. 1 (2021): 13–26.

Although regulations have developed with the presence of the TPKS Law, there are still several weaknesses in ensnaring perpetrators of sexual violence. One of them is the light threat of punishment in several cases, which does not always reflect justice for the victim. In addition, recovery-based punishment for victims is still not optimal, so the rehabilitation aspect for victims tends to be neglected. Another significant obstacle is the difficulty of proving in the legal process, especially when cases of sexual harassment occur without witnesses or sufficient evidence. This situation is further exacerbated by the still widespread culture of victim blaming, which makes victims reluctant to report and fight for their rights in the justice system.

Several countries, such as Sweden, Canada, and France have adopted stricter regulations in dealing with sexual harassment, one of which is by implementing consent-based law. In this system, sexual intercourse without explicit consent from both parties is considered a violation of the law, thus narrowing the space for perpetrators to escape the law. Unlike Indonesia, which still emphasizes evidence of violence or coercion, these countries place more emphasis on the aspect of the victim's consent. In addition, the penalties imposed on perpetrators in several of these countries are also heavier, including long-term imprisonment and registration on the list of perpetrators of sexual violence which limits their civil rights in the future.

Increasing criminal sanctions against perpetrators of sexual harassment is expected to provide a stronger deterrent effect, thereby reducing the number of incidents in society. In addition, strengthening sanctions also has the potential to change social perceptions of sexual violence, by sending a clear message that harassment is not just a minor violation, but a serious crime that has a major impact on the victim. On the other hand, stricter regulations must also be balanced with better protection mechanisms for victims, such as easy access to reporting, psychosocial services, and comprehensive legal assistance. If not balanced with improvements to the justice system, increasing criminal sanctions alone will not be enough to reduce the number of sexual harassment cases. Although Indonesia already has a Law on the Crime of Sexual Violence (UU TPKS) which is more progressive in providing protection to victims, the implementation of this regulation still faces various challenges. One of the main obstacles is the limited access of victims to legal assistance, especially for those from vulnerable groups or remote areas. In addition, witness and victim protection mechanisms are often still weak, with many victims still experiencing intimidation or threats from the perpetrator after reporting. Psychosocial recovery for victims has also not been a priority in the justice system, even though the psychological impact of sexual harassment can be very severe and long-lasting.

Regulations governing sexual harassment in Indonesia still contain inconsistencies or unclear wording, which can lead to multiple interpretations in law enforcement. For example, the definition of sexual harassment in various regulations is often not uniform, making it difficult for victims to obtain justice. In addition, strict evidentiary requirements, such as the requirement for witnesses or physical evidence, make many cases difficult to process legally. As a result, many perpetrators are ultimately not punished due to limited evidence, even though the victims have experienced the real impact of the harassment they experienced.

The culture of victim blaming is still decisive in Indonesian society, where victims of sexual harassment are often blamed for the incidents that befell them. Social stigma also makes many victims reluctant to report, because they are worried about losing support from their families or communities. In addition, in many cases, victims also face pressure not to continue the legal process, both from their surroundings and from law

enforcement officers who are less sensitive to sexual harassment. These factors further worsen the situation, so that many cases of sexual harassment are never revealed and the perpetrators remain free without receiving the appropriate punishment.

One of the main strategies in strengthening legal protection for victims of sexual violence is to revise or add regulations that are clearer and more in favor of victims. For example, the implementation of consent-based laws that prioritize consent as the basis for determining the existence of sexual harassment or violence. In addition, it is important to ensure that regulations protect victims, including a prohibition on intimidation and criminalization of victims who report. Heavier penalties for perpetrators can also be a more effective legal instrument in providing a deterrent effect and preventing similar cases from happening in the future.

To improve protection for victims, it is necessary to make it easier to report cases, such as having victim-friendly complaint services and a stronger witness protection system. The provision of free legal aid is also a crucial factor so that victims are not burdened with high legal costs. In addition, the judicial mechanism must better protect victims from further trauma, for example by providing a special courtroom or an examination mechanism that does not intimidate victims. These steps will increase victims' trust in the legal system and encourage more victims to report the cases they experience.

Law enforcement officers such as the police, prosecutors, and judges have an important role in handling sexual harassment cases professionally and from a victim perspective. Intensive training is needed for law enforcement officers so that they are more sensitive to cases of sexual violence and so that there is no more practice of victim blaming or legal processes that actually corner victims. In addition, women's protection institutions must strengthen their role, both in providing legal assistance and psychosocial assistance to victims. Cooperation between law enforcement and these institutions will ensure that victims receive justice and proper recovery.

Indonesia needs to consider ratifying and adopting international legal instruments, such as ILO Convention No. 190 on the Elimination of Violence and Harassment in the World of Work, which can provide higher standards for protecting victims. Ratification of the international instrument will help strengthen national regulations and ensure that legal protection in Indonesia is under global standards. Furthermore, a commitment to international law can also increase cooperation with various international organizations in developing more effective policies and protection mechanisms for victims of sexual violence.

CONCLUSION

Strengthening criminal sanctions for perpetrators of sexual harassment and legal protection for victims are crucial steps in realizing a more just and victim-friendly legal system. Although Indonesia already has regulations such as the Criminal Code and the TPKS Law, there are still weaknesses in the effectiveness of sanctions, legal loopholes, and social and cultural barriers that hinder victims from obtaining justice. Therefore, it is necessary to revise more assertive regulations, implement consent-based legal mechanisms, increase access to legal aid, and provide an active role for law enforcement officers and women's protection institutions in handling cases of sexual harassment. In addition, harmonization of national laws with international standards through the ratification of global legal instruments, such as ILO Convention No. 190, can be a strategic step to strengthen protection for victims and provide a stronger deterrent effect

for perpetrators so that it can ultimately reduce the number of sexual harassment cases in society.

Legal protection for victims of sexual harassment in Indonesia still faces various challenges, both in terms of regulation and implementation. Although there are regulations such as the Criminal Code and the TPKS Law, there are still weaknesses in providing a deterrent effect to perpetrators and a lack of a comprehensive recovery mechanism for victims. Obstacles in law enforcement, such as the culture of victim blaming, lack of sensitivity of officers, and minimal supporting facilities, further worsen the situation. In addition, difficulties in proving cases, including limited evidence and threats to victims, often hamper the legal process. Therefore, legal reforms must be more pro-victim, improvements to the evidence system, and an increase in the role of society and state institutions in providing more optimal support for victims of sexual harassment.

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The authors state that there is no conflict of interest in the publication of this article.

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