

LEGAL PROTECTION OF WOMEN AS VICTIM OF THE CRIME OF PORNOGRAPHY (REVENGE PORN)

Ade Saptomo, Mustika Mega Wijaya, Aripin, Fidri Sahri, Angga Perdana.

Borobudur University

ABSTRACT: *Revenge porn* This includes illegal contents, namely a crime committed by entering data or information on the internet about something that is incorrect, unethical, and can be considered to violate the law or disturb public order, an example of which is the distribution of pornography. Efforts to enforce criminal law against perpetrators of the crime of Revenge porn are efforts to protect women as victims which are carried out through electronic media with two channels, namely non-penal or preventive (prevention before a crime occurs) through the socialization of statutory regulations, especially laws governing the crime of Revenge porn through electronic media, and the penal or repressive route (eradication after the crime has occurred) by carrying out an investigation so that it can then be processed through the courts. Protection and resolution of criminal acts of Revenge porn include restitution, medical assistance, psycho-social rehabilitation assistance, protection from the family and protection from the community

Keywords: *Revenge porn; pornography; protection; criminal act.*

I. INTRODUCTION

In this era of increasingly advanced and developing technology, of course it makes it easier for someone to get information either through social media or through other platforms. The more advanced technology becomes, the more advanced people's mindsets become. This can be seen from the way people think, who utilize existing technology by selling live via social media, including Instagram, TikTok and others. However, it is not only used for positive things but is also used for negative things, for example buying and selling pornographic content and this also has its own market. Law Number 11 of 2008 concerning Information and electronic transactions Article 27 paragraph 1 states:

Every person intentionally and without right distributes and/or transmits and/or makes accessible Electronic Information and/or Electronic Documents which have content that violates decency¹

The more advanced and more modern society is, the more it will show positive and negative sides. An example of this is cybercrime. Cybercrime is a crime committed by utilizing information and communication technology, usually through social media.

Cybercrime is a criminal act committed using internet technology, whether attacking public facilities or private property, cybercrime can be defined as an unlawful act committed using the internet which is based on sophisticated computer and telecommunications technology.²

Cybercrime crimes can be handled with criminal law regulations, but it is often questioned whether they are effective in the types of crime that are currently developing, the number of cybercrime crimes continues to increase every year and one of the most disturbing cybercrime cases is cases of morality, namely pornography (revenge porn), anyone can be a victim but often the victim is a woman, under the pretext of revenge the perpetrator spreads the victim's pornographic video through the perpetrator's social media, and there are even perpetrators who sell the pornographic video to accounts that specialize in buying and selling pornographic content at an agreed price.

According to Yurizal in his book, cybercrime consists of 11 forms, namely³:

1. *Unauthorized Access*
2. *Illegal contents*
3. *Virus on purpose*

¹Article 27 paragraph 1, Law Concerning Electronic Information and Transactions, Number 11 of 2008.

²Yurizal, Law Enforcement of Cybercrime Crimes, (Malang: Media Nusa Creative, 2018), p.17.

³Ibid, p. 30

4. *Data forgery*
5. *Cyber espionage, sabotage, extortion*
6. *Cyberstalking*
7. *Carding*
8. *Hacking and crackers*
9. *Cybersquatting and typosquatting*
10. *Hijacking*
11. *CyberTerrorist*

Revenge porn This includes illegal contents, namely a crime committed by entering data or information on the internet about something that is incorrect, unethical, and can be considered to violate the law or disturb public order, an example of which is the distribution of pornography.

The crime of pornography is regulated in Law Number 44 of 2008 concerning Pornography, in this law pornography is defined as images, sketches, illustrations, photos, writing, voices, sounds, moving images, animations, cartoons, conversations, body movements or forms. other messages through various forms of communication media and/or public performances containing obscenity and sexual exploitation that violate the norms of decency in society.⁴

Article 172 Law Number 1 of 2023 concerning the Criminal Code:

Pornography is an image, sketch, illustration, photo, sound, sound, moving image, animation, cartoon, conversation, body movement or other message sounds through various forms of communication media and/or public performances, which contain obscenity or sexual exploitation which violates norms of decency in society.⁵

It can be said that revenge porn refers to threats or acts of spreading intimate content without the victim's consent, carried out by a partner or ex-partner or even other people who have a context of hurt towards the victim which is carried out to lower the victim's self-esteem, defame, and mentally attacking the victim based on revenge.

Anyone can become a victim of revenge porn, but often the victims are women, the content is used to attack women both in real life and on the victim's social media life, which has an impact on the victim's mental state, the perpetrators themselves come from people closest to them, either partners or friends. .

Revenge porn is an act that violates the law because it harms the victim and destroys the morals of the perpetrator who commits it. Pornography cases are included in criminal law. The criminal law currently in force in Indonesia is criminal law that has been codified, namely that most of its rules have been compiled in one law book. -criminal law, according to a certain system.⁶

Women who are victims of revenge porn are the victims who are blamed the most, pushed into a corner and even degraded because women are considered mere objects of sexuality, women are blamed because of their clothing style, because of the look in their eyes, even because of their body posture, this often happens when women are victims of acts pornography crime, women are cornered because they are seen as seducers, there are many public opinions which actually put women as victims mentally, such as "why do you want to do it even though you are not married" "bear the consequences yourself for committing adultery" even though in reality the victims are intimidated, threatened, even violent acts such as beatings are carried out, to obey and comply with what the perpetrator orders.

This negative stigma attached to a woman for having sex before marriage makes women as victims reluctant to report it because they are afraid that their friends and family will find out and stay away from the victim.

This situation makes women who are victims of revenge porn feel embarrassed to report it, embarrassed to speak up about what happened to them, because there will always be someone who blames the victim, the victim needs support, not insults or insults, the victim needs legal protection.

II. DISCUSSION

1. Theoretical review

a. Legal Protection Theory

The term legal protection theory comes from English, namely legal protection theory, while in Dutch, it is called van de wettelijke bescherming theory, and in German it is called der rechtliche Schutz theory.

⁴Ruslan Renggong, *Special Criminal Law Understanding Offenses Outside the Criminal Code*, (Jakarta: Prenadamedia Group, 2016), p. 279.

⁵Article 172, Law Concerning the Criminal Code, Number. 1 of 2023.

⁶Moeljatno, *Principles of Criminal Law*, (Jakarta: Rineka Cipta, 2015), p.17.

According to Satjipto Raharjo, legal protection is providing protection for human rights that are harmed by other people and this protection is given to the community so that they can enjoy all the rights granted by law.⁷ In carrying out and providing legal protection, a place or container is needed for its implementation which is often called a means of legal protection. Means of legal protection are divided into two types which can be understood, as follows:⁸

1. Means of preventive legal protection

In this preventive legal protection, legal subjects are given the opportunity to submit objections or opinions before a government decision takes definitive form. The aim is to prevent disputes from occurring. Preventive legal protection means a lot for government action that is based on freedom of action because with the existence of preventive legal trade, the government is encouraged to be careful in making decisions based on discretion. In Indonesia itself there are no special regulations regarding preventive legal protection.

2. Repressive legal means of protection

Repressive legal protection aims to resolve disputes at the point of handling legal protection by general courts and administrative courts in Indonesia, including this category of legal protection. The principle of legal protection for government actions relies on and originates from the concept of recognition and protection of human rights because according to western history, the emergence of concepts regarding recognition and protection of human rights was directed towards limitations and the laying down of community obligations. and government.

The second principle underlying legal protection against government action is the principle of the rule of law. Associated with the recognition and protection of human rights, the recognition and protection of human rights has a primary place and can be linked to the objectives of the rule of law

b. Legal Responsibility Theory

The theory of legal responsibility, which in English is called the theory of legal liability, in Dutch, it is called *de theorie Van wettelijke aansprakelijkheid*, while in German it is called *die theorie der haftung* is a theory that analyzes the responsibility of legal subjects or perpetrators. who has committed an unlawful act or criminal act resulting in loss or disability or death of another person. There are three elements contained in the theory of legal responsibility, which include Theory, Responsibility and Law.

In Indonesian, the word responsibility means the state of having to bear everything (if something happens, you can be sued, blamed, sued, etc.). to bear is defined as the provision of carrying costs (managing, maintaining) guaranteeing, expressing a state of willingness to carry out obligations.

According to Roeslan Saleh, he said that:⁹

"In the definition of a criminal act, it does not include responsibility. Criminal acts only refer to prohibited actions. Whether the person who committed the act is then also punished depends on whether he or she committed the act was guilty or not. "If the person who committed the criminal act is indeed guilty, then of course he will be punished."

2. Understanding Victims

Based on Republic of Indonesia Government Regulation Number 3 of 2002 Article 3 paragraph (3) Concerning Compensation, Restitution and Rehabilitation for victims of serious human rights violations:

Victims are individuals or groups of people who experience physical, mental or emotional suffering, economic loss, or experience neglect, reduction or deprivation of their basic rights, as a result of serious human rights violations, including victims who are their heirs.

From the boundaries of the definition of victim contained in statutory regulations, even though they are editorially different due to different contexts, there are still similarities between them. This similarity mainly lies in the subject of victims which is limited to humans and the impact of criminal acts experienced can be in the form of physical and psychological losses as well as economic losses.¹⁰

⁷Suryani Yusi and Renol Ababil, "Protection of witnesses and victims according to Law Number 31 of 2014", p. 4, Article justice Available at <http://117.74.115.107/index.php/justici/article/view/71>, Accessed December 30, 2023

⁸Ibid, p.6

⁹Roeslan Saleh. "Thoughts About Criminal Liability". Ghalia Indonesia. Jakarta. 2002. P.78

¹⁰Natangsa Surbakti, "Penal mediation as an alternative breakthrough in protecting the rights of victims of criminal acts", Journal of Legal Studies Published by Muhammadiyah University of Surakarta, (Vol 14, No. 1, March 2011) : 90, Available at <https://publikasiilmiah.ums.ac.id/xmlui/handle/11617/4188>, Accessed December 30, 2023.p. 6.

Legal protection for women who are victims of this crime is not only limited to the punishment of the perpetrator, but also to the consequences that befall them, such as pregnancy due to rape. Victims of acts of sexual violence have rights that must be upheld, the pain, suffering, fear and various kinds of negative impacts that befall them after the act of violence receive serious attention from Islamic law. Victims must not be left alone to fight for their fate but must be bridged by law enforcers fight for their fate.¹¹

In general, what is meant by victims are those who suffer physically and spiritually as a result of the actions of other people who seek to fulfill their own or other people's interests which conflict with the interests and human rights of those who suffer.

If you pay attention to the definitions of victims above, there are several similarities in the elements of victims, namely:

1. People (who suffer)
2. Suffering of a physical, mental and economic nature
3. Suffering due to unlawful actions
4. Carried out by another party.

The definition of victim also includes the definition of direct victims of crime or direct victims of crime and indirect victims of crime, indirect victims of crime, both individually and collectively who experience suffering, whether physical, mental or material, and includes victims of abuse of power. Direct victims are victims who directly experience and feel suffering due to criminal acts.

3. Understanding the Crime of Pornography

The crime of pornography is regulated in Law Number 44 of 2008 concerning Pornography. In this Law, pornography is defined as images, sketches, illustrations, photos, writing, sounds, sounds, moving images, animations, cartoons, conversations, gestures, or other forms of messages through various forms of communication media and/or public performances. which contains obscenity and sexual exploitation that violates the norms of decency in society. Pornographic services are all types of pornographic services provided by individuals or corporations through live performances, cable television, terrestrial television, radio, internet telephones and other electronic communications as well as newspapers, magazines and other printed materials.

The criminal act of pornography is an act in all forms and methods regarding and relating to sketches, illustrations, photographs, writing, sounds, sounds, moving images, animations, cartoons, conversations, body movements or other forms of messages through various forms of communication media and/ or public performances, which contain obscenity or sexual exploitation which violates the norms of decency in society as formulated in the pornography law and is punishable by criminal law for those who commit these acts.

Pornographic objects according to the Pornography Law are broader than pornographic objects according to the Criminal Code. The Criminal Code mentions 3 objects, namely:

1. Writing;
2. Images, and;
3. Object.

Included in the items are tools to prevent and abort pregnancy. The objects of pornography according to the pornography law have been expanded to include images, illustrative sketches, photographs, writing, sounds, sounds, animated moving images, cartoons, conversations, body movements, or other forms of messages through various forms of communication media.

Pornographic objects contain two characteristics, namely;

1. The content contains obscenity and sexual exploitation;
2. Violates the norms of decency.

Meanwhile, the Criminal Code calls it a violation of morality. Between pornographic objects and obscenity and violating decency norms is an inseparable unity because if it contains obscenity then it violates decency norms, obscenity is the content of pornography. Pornography containing obscene content must be formed in a form, for example in the form of pictures, sketches, illustrations, writing, sounds, moving images, animations, cartoons, poetry, conversations, in this form there is obscene content.¹²

The form of obscenity attached to an object is called a pornographic object, for example newspapers, magazines, tabloids and similar print media, films, and/or what is equated with film, video, video compact disc, compact disc, personal computer-compact disc read only memory, cellphone cassettes and recordings, and/or other communication tools.¹³

¹¹Abdul Wahid, Muhammad Irfan, Protection of Victims of Sexual Violence, Advocacy for Women's Human Rights, (Bandung: PT Refika Aditama, 2011), p. 96.

¹²Adami Chazawi, Crime of Pornography (Jakarta: Sinar Grafa, 2016), p. 116.

¹³Ibid, p. 117.

4. Factors causing the crime of revenge porn against women

The development of crime with the use of information technology, one of which is the development of cyber porn, the dynamics of the development of crime in the form of revenge porn, which is a form of coercion against someone, generally often happens to women, to distribute pornographic content in the form of photos or videos that have been sent to the perpetrator. carried out with the aim that the victim can be humiliated, ostracized and have their life destroyed, the perpetrator is usually someone close to the victim such as a boyfriend or ex-girlfriend who has a grudge against the victim, revenge porn is an act that violates the right to life, the right to privacy and the right to respect and dignity. one's dignity.

The state's responsibility in providing protection to revenge porn victims is to respect victims by providing legal assistance, protect victims by providing legal protection to victims, as well as the state's obligation to fulfill recovery for revenge porn victims.¹⁴

Violence in the online realm can generally occur and affect both men and women, but if we look at it from a gender perspective and existing cases, women are considered more vulnerable to becoming victims, women are currently not safe anywhere, both in the real world and in the real world. in cyberspace, violence against women is often normalized by society with the assumption that the non-consensual distribution of core data in the digital realm is the result of women's negligence and carelessness, victims are often blamed for not being careful with their personal data.

When viewed from the perspective of female victimology, according to the type of victim, including latent victims, other things that give rise to the potential to cause women to become victims from a psychological point of view, women are generally characterized as being emotional, easy to give up, passive, subjective, easily influenced and physically weak. The psychological characteristics of a woman when seen as a victim start from the fear that a person has, which is then followed by an attitude of resignation. The meaning of the word surrender is accepting the actions carried out by other people against her as a fate for her suffering, where this thought can be said to be a fatalistic culture.

This condition of surrender will further open up the potential for women to become victims in the helpless phase, so that this can become a potential for perpetrators to seek profit. According to Von Hentig, this condition of fear followed by an attitude of resignation is caused by biological factors that categorize women as victims as the female, women are not very vulnerable to becoming victims because they are physically weaker. Women as victims of revenge porn as well as triggers for crimes are caused by the victim's own behavior which is known as provocative victim (criminal acts occur due to provocation from the victim). Looking at the reality in Indonesia, women practice revenge porn not only from the perpetrator's perspective, but also from the victim's perspective. The reason why women are vulnerable to becoming victims is because:

1. The view that women are weak creatures who give up easily and are physically weak can trigger women to become victims of revenge porn.
2. Most victims don't just give their pictures or videos to people they don't know, they share these pictures with people they trust. Many cases of revenge porn are carried out by ex-lovers (or third parties) who try to destroy women's image by distributing pornographic photos or videos.
3. Another reason women become victims is because their pictures or videos are taken by force, such as having their computer on top or people close to them forcing their photos to be taken.

The revenge porn case itself has the aim of not only avenging the heartache they have experienced, but based on research on the problem of internet pornography, it shows that pornography as revenge is a form of pornographic crime with a new modus operandi.

*Revenge porn*It can be done by someone who really intends to defame or damage another party's image, used by the perpetrator as a tool to force women to do something, such as asking for money, making threats, which can lead to sexual violence.¹⁵

The factors causing the crime of revenge porn are:¹⁶

¹⁴Hervina, Anggraini, "Victims Impact Statement as an Effort to Legally Protect Women Victims of Revenge Porn", East Java Veterans National Development University, USM Law Review Journal Vol. 4 No.1 of 2021, Available at <https://journals.usm.ac.id/index.php/julr/article/view/3307>, Accessed December 30, 2023.

¹⁵Okamaisya Sugiyanto, "Women and Revenge porn: social construction of Indonesian women from a victimology perspective" in Journal of Women and Families Vol. 2 No. 1 of 2021, Available at <https://doi.org/10.22146/jwk.2240>, Accessed December 30, 2023.

¹⁶Benny Alpris Yudianto, "Efforts to overcome criminal acts of pornography in society by the police in Semarang", Journal of the Faculty of Law, Muhammadiyah University of Surakarta. Available at https://www.google.com/url?sa=t&source=web&rct=j&url=https://ejournal.unsrat.ac.id/v3/index.php/lexcrime/article/view/21464&ved=2ahUKEwiThZTmr67-AhUh-zgGHeRNceOQfnoECAkQAQ&usq=AOvVaw3KTkw29vxj-M_Rj7UOn7QL, Accessed December 30, 2023.

1. The factor is the weakness of a person's faith and morals in God Almighty, if a person has good morals and beliefs then he will not commit criminal acts of pornography because basically the criminal act of pornography itself is identical to the norms of decency.
2. Economic factors, economic factors are one of the factors that cause criminal acts of pornography, this is because of the pressure and needs and lifestyle that must be met, if they are not met, it is not uncommon for someone to use any means possible so that all their life needs can be met.
3. Factors of morality that have decreased, cultures that have experienced mixing then have a negative impact in the form of a person's morality also decreasing, polite manners and considering the criminal act of pornography as a crime that is strictly prohibited by religion. Over time it will fade so that someone considers This is a biological need for every human being, even though the crime of pornography is prohibited and threatened with heavy criminal sanctions.
4. Low education, low level of education and lack of equipping themselves with sufficient knowledge means that they do not understand the existence of articles that regulate immoral acts or criminal acts of pornography.
5. Bad environmental factors, in fact environmental factors can influence someone to commit criminal acts of pornography, someone who lives in a good environment will behave well and vice versa if their living environment is bad then someone will follow that bad behavior, bad environmental factors greatly influences perpetrators to commit pornographic crimes.
6. The factor of the perpetrator's desire and persuasion, the factors and desires of the perpetrator and this persuasion are related to the individual perpetrator and also the business industry that needs sexual workers, that is, when every industry needs workers, they will persuade them with the aim of getting them to want to work. with them, usually the perpetrator will offer the promise of a large salary and attractive facilities so that the victim is attracted to doing this work, and usually the targets in this case are women.
7. The factor of dating outside the limits, a woman who is dating outside the limits in the sense of having husband and wife relations while dating, then indirectly she has fallen into a problem which in the future will backfire on herself, women must be good at taking care of themselves to protect their self-esteem. himself and his parents.
8. Lack of attention and supervision from parents, the role of parents in supervising their children is very important, parents are people who understand the child's desires and they are the front guard who can control and supervise the child's every move.
9. Jealousy factor, there is personal revenge and hurt because of being disappointed by other people, for example when someone has broken up with someone who will spread pornographic photos or videos of their ex-girlfriend to tarnish their good name, this jealousy factor is caused by the feeling of disappointment within the perpetrator. because they have been disappointed because of something that is usually done by people who are dating and have had intimate relations outside of marriage because of a breakup, the perpetrator spreads the disgrace of their partner.
10. In the era of globalization, free internet access and misuse of technological advances, many people are taking advantage of the internet on their cellphones to do inappropriate things, such as taking revenge by distributing videos made during sexual intercourse with the aim of embarrassing their partner/ex-partner, downloading videos. porn then watch it and share it with his friends.
The factors that cause the increase in cases of revenge porn are:¹⁷

1. The existing legal umbrella and applicable laws are still ineffective.

In Indonesian positive law, the rules used to handle revenge porn pornography cases currently only refer to several regulations, namely the Criminal Code, Law Number 44 of 2008 concerning Pornography (Pornography Law), and Law Number 2016 Concerning Electronic Information and Transactions (UU ITE). However, these three regulations do not specifically guarantee protection for victims because the formulation is very general with limited elements.

In the Criminal Code, for example, there are three forms of crime related to sexuality, namely immorality, sexual immorality, decency is defined as a form of violation of decency norms which are often gender biased, because obscene acts are defined as violations of decency or heinous acts which fall within the scope of lust, for example kissing each other, touching the vagina and penis or breasts and so on. Including homosexual intercourse which is considered by criminal academics to be an obscene act that is contrary to nature. The form of sexual violence in the articles of the Criminal Code requires that the elements of sexual intercourse be fulfilled, namely sexual activity or relations, so that forms of online gender-based crime development cannot be

¹⁷Elika Angie, "Law Enforcement in Providing Protection to Women Victims of Crime Threats (Revenge Porn) That Occur on Social Media", *Lex Privatum* Vol. IX No. October 11, 2021, Available at <https://ejournal.unsrat.ac.id/index.php/lexprivatum/article/view/38361>, Retrieved December 31, 2023.

accommodated by the articles in the Criminal Code.

2. Patriarchal culture is still very embedded in Indonesian society

Patriarchy is a social system that places men as the main central authority figures in social organizations. Men's position is higher than women in all aspects of social, cultural and economic life. In various aspects of social life there is gender inequality where women are often at a disadvantage compared to men. If we look deeper, revenge porn is closely related to the patriarchal system in society. Patriarchy produces unequal relations between men and women.

Sadly, it is often the victim who has to bear the burden in cases *revenge porn* revealed in society. The strong culture of victim blaming in society has resulted in a lot of criticism from people who have no empathy and feel that they are the most self-righteous. What's worse is that victim blaming is not only carried out by men against women, but also by women against other women, resulting in victims not seeking help when experiencing violence. Victims feel embarrassed to speak out or even just to defend themselves. This is because they do not feel safe if they reveal what happened to them.

3. Lack of gender understanding among law enforcement

Considering the limited formulation of criminal acts, this is further exacerbated by the lack of gender perspective from law enforcement officials. Often acts of revenge porn which take the form of threats to victims are considered not as acts of violence or criminal crimes but as mere jokes or just for fun. This assumption arises as a result of the impact of online gender-based violence (KBGO) which is considered "invisible" or does not have direct physical implications, such as no bruises or other signs of physical violence that can be seen directly. In fact, revenge porn has a tremendous impact psychologically and can affect the victim's mental condition for a long time, and some law enforcement officers actually blame and assume that the victim contributed to the occurrence of revenge porn.

4. Treatment often backfires on the victim

The application of articles related to sexual violence, including those regulated in the pornography law and the information and electronic transactions law, is often interpreted very broadly, so that it can actually criminalize victims. With a very "rubber" interpretation of the article and a lack of gender perspective from law enforcement officials, victims can be categorized as perpetrators.

Apart from that, in several cases, victims were actually threatened with defamation articles in the Information and Electronic Transactions Law when calling out publicly.

5. Low public understanding of the law

One of the factors causing the increase in cases or reports of this phenomenon is due to the public's low understanding of the law. The increase in case reports of this phenomenon has increased due to awareness among the public who have just learned that KBGO/KBGS can be reported to the National Commission on Violence Against Women. Previously, people did not know that this case or phenomenon could be reported to the National Commission on Violence Against Women.

According to Nia Amalia, quoted from AA Sagung Poetri Paraniti and I Wayan Wiryawan, violence and discrimination against women occurs due to several factors.

The factors in question include:¹⁸

1. Lifestyles and relationships between men and women are increasingly free.
2. The perpetrator's desire to carry out and take revenge on the victim's attitudes, words and behavior which are considered hurtful and detrimental.
3. The perpetrator's inability to control emotions and sexual desires.
4. The level of community control is low, meaning that various behaviors suspected of being deviant, violating the law and religious norms receive less supervision from elements of society.
5. Patriarchal culture is still strong so that men are considered the most dominant, where men and women are not positioned equally in society.
6. Judges' decisions tend to be unfair, for example a fairly lenient decision handed down to the perpetrator. This makes it possible to encourage other members of society to do cruel and evil acts, meaning that those who want to do evil no longer feel afraid of the legal sanctions they will receive.

Some of the negative impacts experienced by victims of sexual violence include:¹⁹

1. Physical and sexual impacts

¹⁸Ibid, p. 183.

¹⁹Atikah Rahmi, "Fulfillment of Restitution and Compensation as a Form of Protection for Victims of Sexual Crimes in the Indonesian Legal System", *De Lega Lata Journal*, Faculty of Law, UMSU, Vol. 4 No. December 2, 2019, Available at <http://jurnal.umsu.ac.id/index.php/delegalata/article/view/3173>, Accessed December 30, 2023.

In the form of impact resulting in external or internal bruising, permanent physical disability, reproductive organ disorders, pregnancy problems, and sexually transmitted diseases including HIV or AIDS.

2. Social impact

Difficulty building relationships both in the immediate environment and in the wider environment, in some cases, victims have to build their own world, hide and isolate themselves and feel safer when they are in it.

3. Psychological impact

Anti-social behavior: feelings of helplessness, low self-esteem, anxiety, depression which result in victims showing negative behavior by drinking alcohol, abusing illegal drugs, plunging themselves into the world of prostitution, having deviant relationships, and some even attempting to commit suicide. self.

5. Legal Protection Efforts for Women as Victims of Criminal Acts of Pornography Revenge Porn

The crime of pornography via social media is a criminal offense contained in Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Electronic Information and Transactions. This law regulates the prohibition of the distribution of electronic information and/or documents. electronics contain immoral content and in the criminal law book (KUHP) there is a second book CHAPTER XIV concerning crimes against decency. In fact, the Criminal Code does not recognize the term sexual acts, but it is known as obscene acts which are regulated in Articles 289 to 296 of the Criminal Code.

Article 289 of the Criminal Code states that anyone who, by force or threat of violence, forces someone to commit or allows an obscene act to be committed, is threatened for committing an act that attacks the honor of morality with a maximum prison sentence of 9 years.

6. Completion of the Crime of Pornography Revenge porn

Resolving the crime of Revenge Porn must start from the family, the family must care more about the child's relationships and environment, with the child's openness to the family, revenge porn can be minimized, as well as reducing curiosity about things that are negative.

The aim of Legal Protection is to provide a sense of security for the victim, in this case the theory of legal protection is considered to have been fulfilled and the victim received justice because the Judge's decision was higher than the demands of the Public Prosecutor, the victim must receive legal protection both during the trial and outside the trial, such as the victim's psychological well-being and also to provide prevention or preventive measures so that no one commits similar acts in society, this is to provide a deterrent effect on the defendant so that it can reduce the crime of revenge porn, because from this case it appears that there is an element of intent on the part of the defendant in carrying out this act which The defendant should be able to learn that similar cases have occurred and been resolved legally and the act can be punished.

III. CONCLUSION

UEfforts to enforce criminal law against perpetrators of criminal acts. Revenge porn is an effort to protect women as victims which is carried out through electronic media using two channels, namely non-penal or preventive (prevention before a crime occurs) through the socialization of statutory regulations, especially laws governing the crime of Revenge porn through electronic media, and the penal or repressive route (eradication after the crime has occurred) by carrying out an investigation so that it can then be processed through the courts. Protection and resolution of criminal acts of Revenge porn include restitution, medical assistance, psycho-social rehabilitation assistance, protection from family and protection from the community. The government should make new legal regulations that are more specific about violence through electronic media, namely Revenge Porn, and can guarantee and provide legal protection for victims of online gender-based violence (KBGO), especially women who are victims of other types of violence.

BIBLIOGRAPHY

- [1] Indonesia. Law Concerning the Criminal Code, Number. 1 of 2023.
- [2] _____. Law on Information and Electronic Transactions Number 11 of 2008.
- [3] Law on Witness and Victim Protection Number 31 of 2014
- [4] Article 27 paragraph 1, Law Concerning Electronic Information and Transactions, Number 11 of 2008.
- [5] Yusrizal, Law Enforcement of Cybercrime Crimes, (Malang: Media Nusa Creative, 2018).
- [6] Ruslan Renggong, Special Criminal Law Understanding Offenses Outside the Criminal Code, (Jakarta: Prenadamedia Group, 2016).
- [7] Moeljatno, Principles of Criminal Law, (Jakarta: Rineka Cipta, 2015).
- [8] Suryani Yusi and Renol Ababil, "Protection of witnesses and victims according to Law Number 31 of 2014", p. 4, Article justice Available at <http://117.74.115.107/index.php/justici/article/view/71>, Accessed December 30, 2023
- [9] Roeslan Saleh. "Thoughts About Criminal Liability". Ghalia Indonesia. Jakarta. 2002.

- [10] Natangsa Surbakti, "Penal mediation as an alternative breakthrough in protecting the rights of victims of criminal acts", *Journal of Legal Studies Published by Muhammadiyah University of Surakarta*, (Vol 14, No. 1, March 2011) : 90, Available at <https://publikasiilmiah.ums.ac.id/xmlui/handle/11617/4188>, Accessed December 30, 2023.
- [11] Abdul Wahid, Muhammad Irfan, *Protection of Victims of Sexual Violence, Advocacy for Women's Human Rights*, (Bandung: PT Refika Aditama, 2011).
- [12] Adami Chazawi, *Crime of Pornography* (Jakarta: Sinargrafia, 2016).
- [13] Hervina, Anggraini, "Victims Impact Statement as an Effort to Legally Protect Women Victims of Revenge Porn", *East Java Veterans National Development University, USM Law Review Journal Vol. 4 No.1 of 2021*, Available at <https://journals.usm.ac.id/index.php/julr/article/view/3307>, Accessed December 30, 2023.
- [14] Okamaisya Sugiyanto, "Women and Revenge porn: social construction of Indonesian women from a victimology perspective" in *Journal of Women and Families Vol. 2 No. 1 of 2021*, Available at <https://doi.org/10.22146/jwk.2240>, Accessed December 30, 2023.
- [15] Benny Alpris Yudanto, "Efforts to overcome criminal acts of pornography in society by the police in Semarang", *Journal of the Faculty of Law, Muhammadiyah University of Surakarta*. Available at <https://www.google.com/url?sa=t&source=web&rct=j&url=https://ejournal.unsrat.ac.id/v3/index.php/excrimen/article/view/21464&ved=2ahUKEwiThZTmr67-AhUh-zgGHeRNceoQFnoECAkQAQ&usg=AOvVaw3KTKw29vxj-M Rj7UOn7QL>, Accessed December 30, 2023.
- [16] Erika Angie, "Law Enforcement in Providing Protection to Women Victims of Crime Threats (Revenge Porn) That Occur on Social Media", *Lex Privatum Vol. IX No. October 11, 2021*, Available at <https://ejournal.unsrat.ac.id/index.php/lexprivatum/article/view/38361>, Retrieved December 31, 2023.
- [17] Atikah Rahmi, "Fulfillment of Restitution and Compensation as a Form of Protection for Victims of Sexual Crimes in the Indonesian Legal System", *De Lega Lata Journal, Faculty of Law, UMSU, Vol. 4 No. December 2, 2019*, Available at <http://jurnal.umsu.ac.id/index.php/delegalata/article/view/3173>, Accessed December 30, 2023.