

Legal Restoration Toward Children Victims Of Sexual Violence At The Border Of North Kalimantan, Indonesia

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Abstract

The focus of this research related to the urgency phenomenon of crimes of sexual violence against Indonesian children is the problem of irregularities in the state administration of the rights of its citizens in Indonesia. The legal regulations can help to recondition children as victims of sexual violence in Indonesia. It focuses on prevention, law enforcement, and the implementation of legal regulations. It is related to the reconditioning victims in North Kalimantan, Indonesia. To answer the purpose of this research, the type of research used is normative legal research. It also refers to library research that examines the implementation of legal provisions regarding children as victims of sexual violence in Indonesia. There are abundant natural resources in North Kalimantan. It is also hoped that human resources are protected from all crimes, especially crimes of sexual violence against children. The case of child sexual abuse continues to increase over time in North Kalimantan province. We can see the data from the Simfoni-PPA Ministry Indonesian Women and Children can represent urgent sexual violence that occurs in Indonesia, the high level of sexual violence continues to increase from year to year in the Covid 19 pandemic. Legal restoration from related parties of potential crimes of sexual violence against children in North Kalimantan is still ongoing. The solutions in preventing sexual violence against children in Indonesia include Sex education is needed from an early age to prevent children from becoming victims of sexual violence. Supervision and Interpersonal Communication by parents and environmental care for children are needed. Also, Confidentiality of the Identity of Children Victims of Sexual Violence in reporting on the news media is needed in Indonesia. It is necessary to supervise the impressions on electronic media, social media, and online games by the government and related parties which are also one of the causes of sexual violence crimes. Sex education in the Indonesian education curriculum is important, including legislation in preventing sexual violence in Indonesia.

Keywords: Legal restoration, Children victims, sexual violence, North Kalimantan, Indonesia

Introduction

North Kalimantan, the 34th and the youngest Indonesian province has abundant natural resources and the highest potential to become the largest industrial area. However, some fishery and tourism potentials have not been utilized optimally. According to official data from the North Kalimantan Provincial government in 2019, mineral and energy potentials include 654,000 tons of limestone in Malinau, 25,000 tons in Nunukan, 2.5 million tons in Sirtu, and 1 billion tons of quartz in Nunukan, North Kalimantan (Irawan, Astuti, and Khairi 2021). Also, there are 9 points of oil fields containing 764 million barrels of oil and 1.4 trillion cubic feet of gas spread across Bulungan, Tana Tidung, and Nunukan Regencies. Palm oil, a superior product, reaches 525,720 tons, with a production of up to 513,448 tons or 97.6% of the total plantation production in Kaltara as of 2012 (Irawan, Astuti, and Khairi 2021).

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A 2016 National Women's Life Experience Survey (SPHPN) was conducted by the Ministry of Women's Empowerment and Child Protection and the Central Statistics Agency. The results showed that one in three women aged 15-64 or around 28 million people had experienced physical or sexual violence perpetrated by a partner or non-partner, including during childhood (Achori, 2021). According to Marfu'ah et al, (2021), data from February 2016 showed that physical and sexual violence against women and children was 36.3% and 29.8% in urban and rural areas, respectively. The statistics showed that 39.4% of the violence was against women with a high school background and above, 35.1% was against employed women, and children aged between 1 month and 12 years. The survey indicates that violence against women and children is alarming (Marfu'ah et al, 2021). Therefore, the protection of the rights of women and children from sexual and other violence must be prioritized by the Indonesian government. An area of concern is North Kalimantan, which is abundant with natural and human resources that need protection (Alihar, 2018). Preventing and protecting children from sexual violence must be the commitment of central and local governments, the community, law enforcers, mass media, academics, and other stakeholders. They must protect children from sexual violence as the nation's next generation.

Children are the creator's gift to humans as the next generation (Anwar and Christanti 2021), and protecting their dignity and rights is the burden of the state, society, and close family, especially parents. This is because children are often victims of sexual violence crimes. In 2017, several cases of sexual violence against children were not recorded, while 24 cases were recorded by The Indonesian Child Protection Commission (KPAI) in 2018 (Wahyuni, Irawan, and Rahmah 2021) and 21 in 2019 (Cea, Silalahi, and Nadya 2020). The January 1-June 19, 2020 Ppa Symphony data showed that children suffered 852 physical, 768 psychological, and 1,848 sexual violence cases (Aristi, Janitra, and Prihandini 2021). These cases increased by 300% in 2021 during the Covid-19 pandemic. It is worrying because sexual

violence crimes are the most serious cases (Aristi et al, 2021). As a result, Indonesia could be categorized as an emergency of sexual violence covered up by the government.

Child sexual abuse continues to increase and transition to a sexual emergency, which happened in the border areas of North Kalimantan province. Cases of sexual violence against children were considered an emergency according to data obtained from the regional and local police departments in Tarakan City. In 2017, North Kalimantan had 12 cases of sexual violence, 21 in 2018, 28 in 2019, and 32 in 2020. The cases increased to 41 in 2021, caused by family, public knowledge, negative stigma, and the victim factors. The Ministry of Women and Children in Indonesia stated that worrying conditions are emerging in many places in Indonesia (Ernel, 2018). Since the recorded data is not always factual, the reality could be twice or three times as large because not all victims report the perpetrated against them. Many victims do not report for certain reasons and negative social stigma.

The Indonesian government's handling of sexual violence against children only focuses on the sanctions applied (Sitompul, 2015), such as chemical castration (Qur'aini Mardiya, 2017), with no maximum prevention efforts. In America, the handling of sexual violence is directed at prevention (Waechter, 2021) (Graybill et al, 2017). Similarly, India (Baxi, 2021), Australia (Featherstone, 2021), Saudi Arabia (Shiraz, 2016), England (Choudhary et al, 2008) focus on preventing sexual violence than dealing with criminal law.

Several studies focus on criminal sanctions as the most appropriate law for crime prevention, especially sexual violence (Archita et al., 2019 ; Prescott, 2016 ; Nesovic, 2020). Therefore, this study aimed to examine how relevant parties implement legal provisions in preventing and restoring the condition of children as victims of sexual crimes. It analyzed the efforts made by the state through the rule of law and related parties in reconditioning and reorienting victims of sexual violence crimes by anticipating their causes in North Kalimantan Province, Indonesia.

Research Methods

This research is exploratory (Lee Epstein, 2014) ; (Coetzee et al., 2021) that conducted by collecting various laws and regulations related to Indonesian legal policies in carrying out legal restoration of victims of sexual violence by identifying the nature and causes of crimes of sexual violence against children in Indonesia. Then, the legal rules are analyzed in a normative juridical way (Coetzee et al, 2021) (Sonata, 2014), in-depth by connecting them with the legal theory used to analyze the research problems by looking at the Restoration of Laws Against Child Victims of Sexual Violence in North Kalimantan, Indonesia.

This study used the law as a separate phenomenon to analyze the Legal Protection of Children from Sexual Violence in the border areas of North Kalimantan. This approach was aimed at:

- a. Conducting an inventory of regulations related to the Legal Protection of Children from Sexual Violence in the border areas of North Kalimantan. These include the material and formal criminal law provisions and their enforcement and facts in North Kalimantan.
- b. Vertical and horizontal synchronization of related regulations regarding the Legal Protection of Children from Sexual Violence in the border areas of North Kalimantan.
- c. Examining the legal principles in the regulations regarding the Legal Protection of Children from Sexual Violence in the border areas of North Kalimantan.

This approach was conducted through existing regulations and theories and related them to social reality. Therefore, this study described the answer to the problem carefully and systematically based on certain characteristics. It summarized the issues related to the legal protection of children from sexual violence in the border areas of North Kalimantan.

Findings And Discussions

Legal Protection of Children from Sexual Violence in North Kalimantan.

The child sexual abuse prevention action congress was held in 1974. Since then, the Indonesian Center for Child Abuse and Abandonment has been a resource center for people seeking information about child abuse and funding studies into its causes and treatment. The center defines child abuse as physical or mental injury, sexual abuse, or negligent treatment. Another definition is the abuse of a child under 18 years by a person responsible for the child's welfare. This is based on circumstances indicating that the child's health is being harmed or threatened (Gelles & Cornell, 1985).

Ricard J. Gelles (Hurairah, 2012) stated that violence against children intentionally causes physical and emotional harm. Violence against children could be physical, psychological, sexual, social, or mental.

End Child Prostitution in Asia Tourism (ECPAT) International defines sexual violence against children as a relationship or interaction between a child and an older person or an adult such as a foreigner, sibling, or parent. In this case, the child is used as an object to satisfy the perpetrator's sexual needs through coercion, threats, bribes, deception, or pressure. Sexual violence against children does not involve bodily contact between the perpetrator and the child as the victim but could be rape or obscenity (Sari, 2009 *in* Noviana, 2015).

Legal protection for children to protect the law against the children's freedom and human rights related to their welfare. For instance, the mass media coverage is decorated with many acts of sexual violence against children (Lievens 2007). Although children need protection against sexual violence, they are often found victims, including in North Kalimantan (Wismayanti et al, 2021). The problem is the legal protection for children victims of sexual violence and the efforts to restore the original situation, including mass media reporting that negatively stigmatizes children (Berliana et al, 2019).

Legal protection for children's victims of sexual violence in the mass media is regulated in Article 64 of Law 23 of 2002 concerning Child Protection and Article 48 of Law Number 32 of 2002 concerning Broadcasting. It is also regulated in Articles 14 and 29 of Indonesia's Broadcasting Code of Conduct and Broadcast Program Standards (P3SPS). In 2012, Article 5 of the Press Law Number 40 of 1999 concerning the Press, and Articles 4 and 5 of the 2006 Journalistic Code of Ethics. Children need special protection and care, including legal protection different from adults (Musofiana et al., 2020). This is based on immature and mature children's physical and mental reasons (Doress 1958). Furthermore, children need the protection contained in national and international statutory regulations (Lievens 2007). They need this opportunity to grow and develop their physical, mental, social, and noble character. Therefore, it is necessary to protect children and realize their welfare by fulfilling their rights through non-discriminatory treatment (La Fors 2020).

Violence against Indonesian children is very high due to the wrong paradigm or perspective. It seems legitimate because children are considered the property of parents educated even wrongfully. Mass internet media is increasingly decorated by acts of sexual

violence against adult women and underage girls and boys throughout the country. The cases of child violence indicate the poor quality of their protection, especially when they cannot live independently and need shelter from other people (Handayani 2017).

Lankford (2021), Quarshie (2021), and Daluxolo Ngidi, Moletsane & Essack (2021) found that most sexual violence acts are perpetrated by immediate family members (*ayah, paman, atau kakak*) (Byrskog et al. 2018), neighbors, school friends, and lovers that interact with victims frequently (Suwandi, Chusniatun, and Kuswardani 2019). Furthermore, these acts may be carried out by foreigners and law enforcement officers (López-Ossorio et al., 2017). News coverage on television and internet media, including online games, often shows violence against children as one of the causes (Abdullah and Puspitasari 2018). Sexual violence crimes resemble an iceberg phenomenon, which could be higher because victims hardly report to the authorities. This is because the victims and their families fear environmental and image stigmatization by the mass media. In Indonesia, the internet and mass media news of sexual violence is often reported with vulgar titles (Rossy and Wahid 2016). The mass media and the public carried out gang rape with little understanding of the victims' feelings and their families in the news. Furthermore, a victim of sexual violence must face interviews that open the wound, causing stigma or ridicule from the community as a contaminated person. The family sometimes takes unwise actions to avoid disgrace by marrying the victim to the perpetrator. This potentially exacerbates the victim's trauma than solving the problem, as is happening in Indonesia.

As a state of law, Indonesia should guarantee legal protection for child victims of sexual violence by protecting their rights. Law Number 23 of 2002 concerning Child Protection has regulated protection against reporting children's identity as crime victims. Deviations or violations of children's rights are common, as seen by the many cases of sexual violence on television and the Internet. It proves that the state does not protect children's identities as victims of crime, resulting in disclosing such cases. This is based on Law Number 23 of 2002 concerning Child Protection. As stated in Article 1 number (2) of the General Provisions of Law Number 23 of 2002 concerning Child Protection, child protection comprises all activities that guarantee children their rights to live, grow, develop, and participate optimally in line with human dignity, and receive protection from violence and discrimination. Article 59 of the Child Protection Act states that special protection must be given to children that conflict with the law. Moreover, Article 64, paragraphs 1 and 2, states that children in conflict with the law are victims of crime.

National child protection has obtained a juridical basis, including the 1945 Constitution and Articles 21 to 24 of Law Number 23 of 2002 concerning Child Protection. Article 1 point 1 of Law Number 23 of 2002 concerning Child Protection defines a child as someone not yet 18 years old, including those in the womb. Similarly, Article 17 paragraph (2) of Law Number 23 of 2002 concerning Child Protection stipulates that every child victim or perpetrator of sexual violence that conflicts with the law has the right to be kept secret. Article 64 paragraph (2) (g) also stipulates protection from reporting identity through mass media and to avoid labeling.

Article 64 paragraph (1) of the Law on Child Protection in Indonesia is directed at children in conflict with the law and victims of crimes, including sexual violence. The obligations and responsibilities of the government and other state institutions are regulated in Article 59 of the Child Protection Law. In Article 17 of the Child Protection Act, the conditions for children's victims of crime are categorized as legal protection in Indonesia. However, what is regulated or aspired to in the law to protect children from sexual violence is always different

from reality. One indication is the number of cases of sexual violence against children in the province of North Kalimantan, Indonesia (Wismayanti et al., 2019).

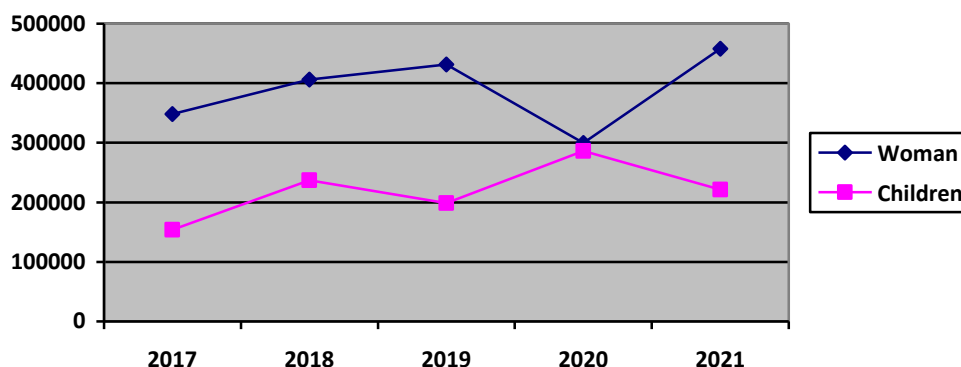


Figure 1. Data on the number of cases of violence against women and children in Indonesia 2017, 2018, 2019, 2020, 2021.

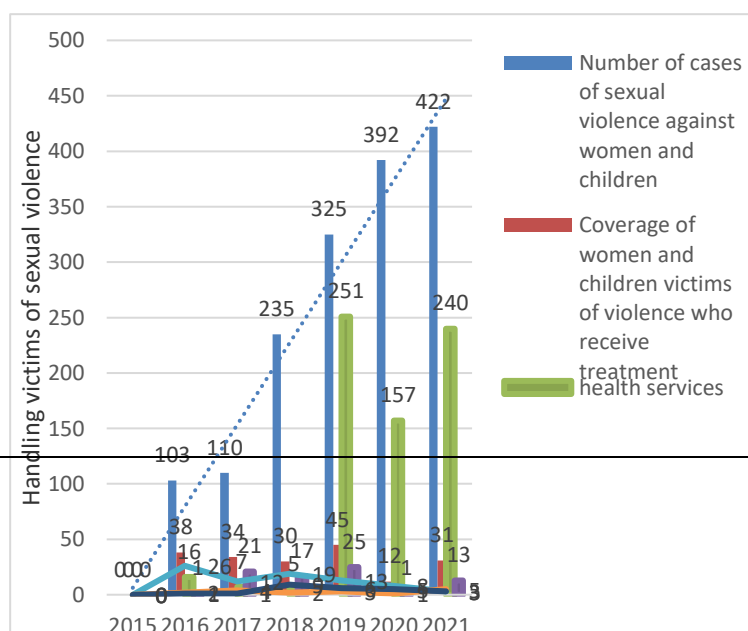


Figure 2. Data on Women's Empowerment and Child Protection in North Kalimantan Province on Handling Victims of Violence in 2016, 2017, 2018, 2019, 2020, 2021.

The North Kalimantan Regional Technical Implementation Unit (UPTD) data show high potential for violence against women and children. This includes sexual violence against children, which increases by 30-150% every year. There is a need for increased handling by reconditioning and reorienting children and women victims of sexual violence. The data on violence against women and children in North Kalimantan from 2016 to November 12, 2021,

shows that the cases are hardly handled. Therefore, it is necessary to increase the crime victims' handling, prevention, reconditioning, and reorientation.

Violence against women and children is mostly perpetrated by the closest people supposed to protect the victim (Doyle 2020). These include biological or stepparents, siblings, uncles, in-laws, husbands, and lovers. Others are close people in the home, school, and workplace environment and social media. Acts of sexual violence against children are mostly covered up by the victims, their parents, and the community, which makes it a taboo topic. This disregards the annual increase in such cases, including in North Kalimantan province (Noer, Chadijah, and Rudiatin 2021) (Sitompul 2015).

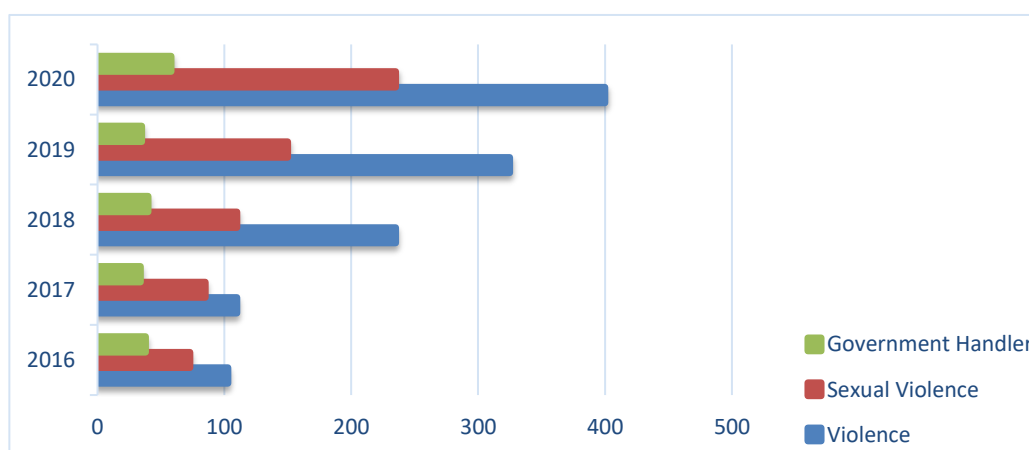


Figure 3. Graph of Data on Violence Against Women and Children in North Kalimantan

Figure 3 shows that violence against women and children in North Kalimantan increases yearly, including sexual violence, as shown in the red graph. The minimal handling of the cases should be increased in line with the increasing number of cases. The handling of sexual violence against children should be a concern of the relevant parties, especially the police as a sector in the criminal justice system. There are many indicators that cases of sexual violence against children are covered up by victims, their families, and the community. Studies at the Regional Police of North Kalimantan Province showed that the police investigated only 10% of the cases. This is because the community and the victims were ashamed of revealing incidents of sexual violence, or the perpetrator was close to the family. The graph in Figure 3 shows that the government's efforts are not proportional to the increase in cases of sexual violence in North Kalimantan. The ideal graph should be parallel, which requires attention from various parties.

Data on Victims of Sexual Violence in North Kalimantan based on case reports from the Women and Children Protection Unit of the Regional Police of North Kalimantan Province from 2018-2021 (Mardinsyah and Sukartini 2020) showed that only 2 of 235 cases received legal services by the police in 2018. In 2019, only 7 of 325 cases received police handling and 3 cases in 2020. Furthermore, the ministry data showed 422 cases, of which only 2 were handled by the police. The data shows that only 0.5-0.85% of cases of sexual violence in North Kalimantan are handled by the police. The handling does not involve the prevention and reconditioning of victims as the responsibility of the state and the police.

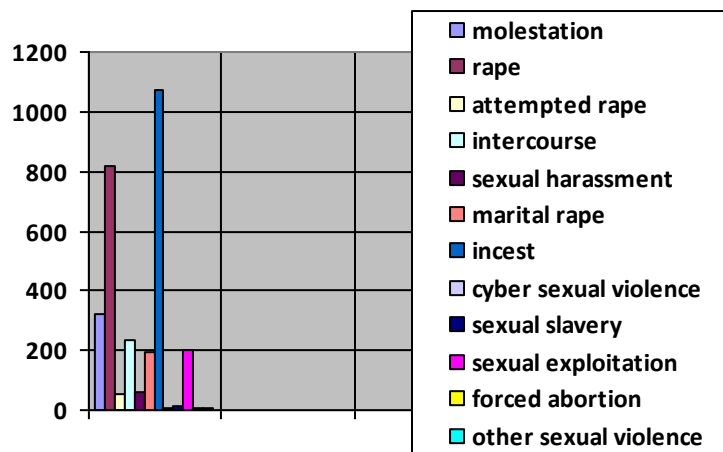


Figure 4. Annual Note 2019 Indonesian women's national commission 2019 regarding the types of sexual violence in Indonesia that occurred in 2019.

Figure 4 shows that most cases of violence in Indonesia in 2019 involved incest. In this case, the victim becomes ashamed of reporting the incident when the perpetrator was an uncle or a biological father that should provide protection. This indicates the importance of sex education from an early age to enable potential victims to deal with situations of sexual violence against them.

Data on the cases handled by the police showed that the perpetrators were close people that interacted with the children or victims daily, such as a husband, father, uncle, friend, neighbor, or housemaid. This necessitates examining how the role of families and communities becomes negligent, resulting in sexual violence crimes caused by the victim and a lack of parental supervision (Putra et al., 2020). Therefore, the legal protections and the government's attention on sexual violence crimes in North Kalimantan is described as follows:

1. The prevention of sexual violence crimes in Indonesia (Khristianti Weda Tantri 2021) is regulated in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. It is also regulated in Law Number 11 of 2012 concerning the Criminal Justice System for Children and Law Number 23 of 2004 concerning Elimination of Domestic Violence. Furthermore, other relevant laws and regulations are adequate, but no law specifically regulates the prevention of sexual violence crimes in Indonesia (Marfu'ah, Rofi'ah, and Maksun 2021).
2. There are no sex education materials in school curricula in Indonesia from early childhood to higher education. Therefore, the children's ignorance makes them vulnerable to sexual violence (Maimunah 2019).
3. The supervision from parents, the community, and families around the child's environment is weak. The children's is not conducive, making them easily become victims of sexual violence from close people (Dulwahab, Huriyani, and Muhtadi 2020).
4. There is an impact of negative stigma on victims and their families (Wadjo and Saimima 2020). The victim's parents and family are reluctant to report acts of sexual violence to law enforcement through mass media. This is the main reason the cases of sexual violence against women and children are not revealed and remain uncovered or handled.
5. There are still many broadcasts on electronic media and social media or online games in Indonesia that still broadcast sexual impressions directly and indirectly, especially on social media (Indainanto 2020).
6. The Indonesian government lacks law enforcement, rehabilitation, social, and legal aid services for victims, reflecting the poor guarantee of human rights (Fajriando 2016).

Everything affecting the rate of sexual violence against women and children in Indonesia could also be the cause (Purwanti and Zaliani 2018). The Indonesian government needs to be serious in handling victims of sexual crimes against women and children. It should disseminate information to the community and families on the importance of disclosing sexual crimes in society (Wahyuni, Irawan, and Rahmah 2021). Many broadcasts on internet social media, especially online games, are not monitored optimally by the government. The broadcasting commission in Indonesia is constrained by regulations that do not cover social media and online games. Therefore, instilling moral and religious values, including sex education from an early age, could protect children from sexual violence.

Solutions and efforts to prevent children from sexual violence in the border areas of North Kalimantan, Indonesia.

1. It is necessary to inculcate moral and religious values, including sex education, from an early age to protect children from sexual violence.

Sex education from an early age is the main obligation of parents (Aulia 2021). Parents must ensure that children protect their dignity and honor as the first and closest party to children. It is the parent's responsibility and obligation to take care of their children's future. The issue of sex education from an early age is a difficult matter for parents because they view it as teaching children to have sex. For this reason, parents are afraid and do not want their children to know, let alone teach. However, this is inevitable to prevent children from learning from the wrong party (Mukti 2018).

Sex education from an early age is important to maintain the honor of children, but it requires special methods. It is taboo to discuss sexuality issues at an early and vulnerable age. Sex education for early childhood should be given according to the child's development stages. Regarding the terms and definitions, sex education is inseparable from the two words "education" and "sex." Ahmad D Marimba defined education as conscious guidance or leadership by educators for the learner's physical and spiritual development of the main personality (Batista et al. 1998). The Indonesian dictionary defines sex as gender and things related to the genitals, such as intercourse.

The various definitions of sex could be grouped based on different perspectives. From the biological perspective, the process of merging and mixing genetic traits results in organisms specializing in various males or females, known as sex. The psychological viewpoint of sex is related to how people carry out activities as sexual beings based on their identity and roles according to gender. From the medical dimension, sex is knowledge about the disease caused by sexual relations, social dimensions, and interpersonal relationships between humans (Mukti 2018).

Based on the definitions, Machisa Id et al. (2021) defined sex education as an effort to provide knowledge about biological, psychological, and psychosocial changes in human growth and development in general (Ali 2020). Moh Rosyad defined sex education as a part of life needed by humans (Lindawati et al. 2020). Sex education has become a basic need for Indonesian children from an early age. It should have been implemented in curricula from elementary schools to colleges.

Many studies show that sex education overcomes sexual deviations in children and prevents them from becoming victims of sexual violence (Dewi and Bakhtiar 2020; Abidin and Luthfi 2017; Houtepen, Sijtsema, and Bogaerts 2014). Sex education with better methods reduces the impact and behavior of sexual violence on children. This is because children notice

the behavior of adults towards them prohibited acts. However, its implementation in Indonesia's education curriculum from elementary to tertiary levels is minimal.

2. The need for supervision and interpersonal communication by parents and the community to children.

Early childhood is the stage from birth to before the child enters or begins schooling. Currently, the growth and development are rapid in human life. Therefore, the protection of children from exploitation and violence, such as sexual violence, must be avoided for good self-development. Children begin to grow and develop according to their level of development and start having optimal readiness to enter basic education until adulthood. Although many children are victims of sexual violence, they are reluctant and find it difficult to report to others because it is private and confidential. (Budiarty 2019).

The Secretary of the Indonesian Child Protection Commission (KPAI), Rita Pranawati, stated that the tendency of parents to educate their children is only academically oriented (Handayani 2017). It does not cover mental education and social problems faced by their children. In line with this, 60% of parents in Indonesia only ask questions about academic education (Aulia 2021), such as grades in class. Another 30% asked about their social problems, hobbies, problems with friends, social media status, or reproduction. Therefore, openness regarding matters relating to sexuality is small. The main obstacle is that children victims of sexual violence do not understand they are victims (Wahyuni et al., 2021). They find it difficult to trust others, keeping their sexual assault incident a secret. Additionally, they are afraid to report because they fear the potentially worse consequences. The victims feel ashamed of sharing incidents of sexual violence with their environment, families, or community. They feel that the sexual violence incident occurred because of their fault, making them feel as an embarrassment to their families. According to The Indonesian Child Protection Commission (KPAI), there were 1,671 cases of sexual violence against children between 2011 and 2015. This incident made Indonesia an emergency and had to deal with the crimes against children. As a result, many cases of sexual violence against children are reported by the print media and electronic media. The case of child abuse widely highlighted by the media is the case of Andri sobari, alias Emon. Andri sodomizes underage children by promising them money to buy snacks. The children victims of Emon were estimated at 110 during the Indonesian period in 2014. The most recent case is the death of Yuyun, a little girl from Bengkulu. Yuyun became the victim of sexual violence and murder committed by 14 youths while going home. These two alarming cases have made parents of young children more alert and afraid for their children's safety. The incidents were also carried out by people close to the victims. In line with this, Girgira at BMC Public Health stated that:

“Most cases involved victims of sexual abuse (97.3%), while 75.7% involved females. The mean age of the victims was 9.5 years, with a standard deviation (SD) of 4.2 years. Moreover, most abusers were known to the victim (73.0%) and male (98.8%). Neighbors (38.95%), teachers (7.9%), and relatives (13.4%) were the most commonly reported perpetrators.”(Girgira et al., 2014)

The quote shows that a perpetrator is a person close to the victim, such as a neighbor, teacher, or relative. The role of the family is important in preventing children from sexual violence cases. Parents are expected to build good communication with children because they are the main place to complain. Also, they must make children open to all their activities and become a place for children to share their hearts.

3. The Confidentiality of the Identity of Children Victims of Sexual Violence in media coverage in Indonesia.

Article 17 paragraph (2) means that the confidentiality of children's identities is addressed to perpetrators and victims of sexual violence and every child in conflict with the law. Protection of children as victims and perpetrators or those in Article 3 of the Indonesian Child Protection Act guarantees that children in conflict with the law are treated equally against sexual violence. Special protection for children's victims of sexual violence is closely related to protecting their identity from mass media coverage. This is regulated in Article 64 paragraph (3) point b, which reads, "efforts to protect from identity reporting through mass media and avoid labeling." In this case, labeling gives a separate image or impression from the community. It makes the community assess the children's victims of sexual violence. For instance, when victims of sexual violence are shown in mass media, their public image changes drastically and are sometimes considered dirty. This community assessment follows the children even into adulthood.

The public's control over the press guarantees everyone to exercise the right of reply and correction. According to Article 1 paragraph (11) of Law Number 40 of 1999 concerning the Press in Indonesia, the right to reply allows people to respond to or rebut the news considered detrimental to their good reputation. Furthermore, Article 1 paragraph (10) states that journalists have the Right to Reject because of their profession to refuse to reveal the names and or other identities of news sources that must be kept secret. It is important not to let children victims suffer multiple effects from the news. This is because they also become victims of news that result in negative stigma. In some cases, bad news about sexual violence teaches people to commit crimes.

Much reporting on child victims of violence in Indonesia contradicts the legislation. Reports that vulgarly display the child victim and how the crimes were committed by the perpetrator negatively impact the behavior of sexual violence in the future. First, the future of children victims of sexual violence crimes would be destroyed. This is an insult to children that violates their rights as human beings. Second, news that shows how the perpetrators committed their actions affect other people. In this regard, the Indonesian government failed to apply the law to protect its citizens, especially a child as the nation's next generation. *Perlu Pengawasan terhadap tayangan di Media Elektronik Maupun Media Sosial termasuk game online oleh pemerintah dan Pihak Terkait.*

The definition of broadcasting or news is based on the broadcasting law in Indonesia via the internet or over the top. The laws and regulations do not explicitly regulate broadcasting through social media platforms. Consequently, it becomes unclear whether to comply with the broadcasting or other laws. A television company requested a judicial review to the constitutional court in Indonesia, asking for expanding the meaning of Article 1 Paragraph (2) of the Broadcasting Law. The meaning was to be expanded to cover broadcasting on internet-based digital platforms such as Youtube, Instagram, and Facebook (Febrian 2020). The reason for filing a judicial review of the Broadcasting Law was based on the nation's equality and moral responsibility. It was motivated by the desire for equal treatment and protection for all Indonesian citizens regarding good broadcasting that does not damage the nation's morale (Daipon et al, 2021). When the Indonesian Constitutional Court grants the judicial review, it would change the previous supervision of broadcasting guidelines on internet social media. This is because the internet social media was initially not under the authority of the Indonesian Broadcasting Commission (KPI) regulated in the second part of the Broadcasting Law. KPI has the obligation and duty to guarantee the public to obtain proper and correct information in

line with human rights, as stated in Article 8 Paragraph (3) (a) on Broadcasting Act. Therefore, it is hoped that this provision would also apply to broadcasting on internet social media, including online games that trigger violence against children, including sexual violence.

The Minister of Education issued special regulations related to sexual violence on campus. This is the Regulation of the Minister of Education, Culture, Research, and Technology (Permendikbudristek) Number 30 of 2021 concerning Prevention and Handling of Sexual Violence (PPKS) in Higher Education. The regulation formed an anti-sexual violence task force at universities in Indonesia. This proves that many cases are related to sexual violence on campuses, where the victims are teenagers, while perpetrators are people supposed to be educators, including university leaders. It shows another picture of sexual violence in educational institutions due to electronic and social media technology, including online games.

Conclusion

The outermost region of northern Indonesia is the province of North Kalimantan, a benchmark for law enforcement. The Indonesian Ministry of Women and Children data showed a high crime rate in this region in 2021. This is represented by the 80-150% annual increase in sexual violence. Therefore, the Indonesian government should maximize legal restoration by reconditioning and reorienting victims of sexual violence. The country has not implemented laws, especially against child victims of sexual violence. This was seen from the data on sexual violence against children between 2017 and 2018, contradicting the rule of law. Furthermore, law enforcement for violent crimes is only 0.5-0.85%, including legal rules related to violence.

There are various solutions to handling and preventing crimes of sexual violence against children in Indonesia. First, sex education is needed from an early age to prevent children from becoming victims of sexual violence. Second, there is a need for supervision and interpersonal communication by parents and environmental care for children. Third, there is a need for confidentiality of the identity of children victims of sexual violence in media coverage. Fourth, it is necessary to monitor electronic and social media impressions, including the bad influence of online games that promote violent behavior. Parents, family, community, and the state should play the most important role through legal policies that support children as the nation's next generation that needs protection from crime. It is necessary to establish an anti-sexual violence law to accommodate the tasks of the Indonesian government in dealing with sexual violence, especially in border areas, such as North Kalimantan.

Acknowledgement

The authors would like to thank the interviewees, law enforcers, victims of sexual violence in North Kalimantan, as well as the Institute for Research and Community Service (LPPM) of the University of Borneo Tarakan, which has provided research facilities related to the legal issues that the authors examine.

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