

Legal Analysis of The Crime of Sexual Exploitation of Children Case Study of Decision Number 109Pid.Sus2024PN.Jkt.Sel

Biochandra Hutapea¹, Hotman Sinambela^{2*}, Mardiman Sane³, Appe Hutaeruk⁴,
Fendi Maruba Parlindungan Hutahae⁵

^{1,2,3,4,5} Faculty of Law, Universitas Mpu Tantular, Jakarta 13410, Indonesia.

* Corresponding Author:

Email: hotmanbertaok@gmail.com

Abstract.

The crime of sexual exploitation of children is a serious crime that violates the dignity, honor, and human rights of children as part of the nation's future generation. Children are a vulnerable group that requires special legal protection, as emphasized in Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. This study aims to analyze the legal regulations regarding the crime of sexual exploitation of children, the application of the law in Decision Number 109/Pid.Sus/2024/PN.Jkt.Sel, as well as obstacles and solutions in law enforcement in Indonesia. The research method used is normative juridical with a statutory and case approach. Data were obtained through a literature study of laws and regulations, legal literature, and analysis of court decisions that are the object of the study. The results of the study indicate that the crime of sexual exploitation of children has been expressly regulated in Article 76D and Article 76E in conjunction with Article 76E. Article 81 and Article 82 of the Child Protection Law, with a maximum prison sentence of 15 years and a maximum fine of IDR 5,000,000,000. In Decision Number 109/Pid.Sus/2024/PN.Jkt.Sel, the Panel of Judges declared the defendant legally and convincingly proven to have committed sexual exploitation of children, thus imposing a prison sentence in accordance with applicable provisions. The judge's considerations were based on evidence in the form of witness statements, victim statements, evidence, and the defendant's statement that were mutually consistent, in accordance with the evidentiary system in the Criminal Procedure Code (KUHP). The conclusion of this study is that the application of the Child Protection Law in cases of sexual exploitation of children has been carried out in accordance with the provisions, although in practice there are still obstacles, such as limited psychological assistance for victims, lack of public understanding, and cultural factors that often make victims reluctant to report

Keywords: Crime; Exploitation and Sexual Abuse of Children.

I. INTRODUCTION

Society is inextricably linked to economic factors in fulfilling its daily needs. This serves as a benchmark for some people to engage in actions that can fulfill their needs [1]. Inadequate employment opportunities and the inability of human resources to compete effectively lead some people to engage in unlawful acts. Children are an integral part of human survival and the survival of a nation and state. To be able to assume responsibility for the future of the nation and state, every child deserves the broadest possible opportunity to grow and develop optimally, both physically, mentally, and socially. Therefore, protection efforts are necessary to ensure the welfare of children by guaranteeing the fulfillment of their rights without discriminatory treatment [2]. The state upholds human rights, including the rights of children, as evidenced by the guarantee of protection and fulfillment of children's rights in the 1945 Constitution of the Republic of Indonesia and several national and international laws and regulations. This guarantee is strengthened through the ratification of the international convention on the Rights of the Child, namely the ratification of the Convention on the Rights of the Child through Presidential Decree Number 36 of 1990 concerning the Ratification of the Convention on the Rights of the Child [3]. Sexual crimes are increasing, not only against adults but also against children, whether they are trafficked or sold through social media. Child prostitution, a form of child sexual exploitation, has a psychological impact on the government, and its handling efforts

are challenging. Child trafficking for domestic work, prostitution, begging, drug trafficking, and workplace exploitation, both in mining and plantations, are impacts of poverty in Indonesia [4]. Developments in regulations regarding human trafficking have been regulated internationally by the United Nations Convention Against Transnational Organized Crime and the Protocol Thereto.

Protocol I is a protocol on the Prevention, Eradication, and Punishment of Trafficking in Persons, Especially Women and Children [5]. For countries that have ratified this convention, it is mandatory to take action against human trafficking. In the provisions of Article 3 letter (a) human trafficking must be interpreted as the recruitment, transportation, transfer, shelter and receipt of people with the threat or use of power, violence, threats and coercion with kidnapping, fraud, cheating, abuse of power, giving payments, benefits, with the aim of exploitation [6]. Human trafficking is generally influenced by various factors such as uneven development, the neglect of people's rights to employment, unequal gender politics, workers lacking food sovereignty, weak law enforcement, and corrupt public services [7]. Children are treated as sexual objects and commercial objects. Commercial sexual exploitation of children is a form of coercion and violence against children, leading to forms of forced labor and modern slavery [8]. Sexual child prostitution is the act of offering services or directly providing a child with sexual acts for money or compensation [9]. Child prostitution occurs when someone benefits from a commercial transaction in which a child is made available for sexual purposes. The children may be controlled by an intermediary who arranges or supervises the transaction or by an exploiter who negotiates directly with the child. Today, children's desire for instant consumer goods, regardless of other factors, creates an opportunity for criminals to lure children into prostitution and child sexual exploitation, both through social media and chat rooms [10]. They exploit their vulnerability, exploiting and committing sexual violence against them. The problem is that the terms "child prostitute" or "child sex worker" imply that a child has chosen this as a job or profession [11].

The consequences of commercial sexual exploitation of children, whether commercial or in any form, seriously jeopardize a child's right to enjoy their adolescence and their ability to live a productive, meaningful, and dignified life [12]. These acts have serious, lifelong, and even life-threatening consequences for children's physical, psychological, spiritual, emotional, and social development and well-being. The impacts vary depending on the child's situation and depend on factors such as developmental stage, duration, and form of abuse. However, all children who experience commercial sexual exploitation suffer negative consequences. Children who experience commercial sexual exploitation are at high risk of contracting HIV/AIDS and are less likely to receive adequate medical care. They are also highly vulnerable to physical abuse [13]. Children who attempt to escape or resist their abusers can suffer serious injuries or even be killed. The treatment and rehabilitation of child victims of commercial sexual exploitation is a highly complex and difficult process. Children who have experienced exploitation often express feelings of shame, guilt, and low self-esteem. Some of these children attempt suicide or abuse drugs. Many find it difficult to successfully integrate into society as adults. Legal theory relates to law in general and is known as the meta-theory of legal science. Legal theory is used to resolve specific, fundamental legal issues related to positive law issues [14]. According to Sudikno Mertokusomo, legal theory is the theory of legal science, and legal science is the theory of legislation and legal practice [15]. Children who are victims of child exploitation are provided with legal protection in the form of compensation for their suffering, commensurate with the victim's level of involvement in the crime, restitution/compensation for their heirs in the event of the child victim's death, spiritual guidance and counseling from the government and designated institutions, protection from threats from the perpetrator, and legal assistance [16].

II. METHODS

This study uses normative juridical legal research to examine and resolve the legal issues faced. The approaches applied in this study include a statutory approach and a case approach. The case approach specifically focuses on the analysis of the South Jakarta District Court Decision Number 109/Pid.Sus/2024/PN.Jkt.Sel dated March 20, 2024. The data sources used in this study were obtained through library research techniques, which include a review of various laws and regulations, legal literature, and court decision texts that are the main objects of the study. Specifically, the legal framework that forms

the basis of the analysis includes Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, particularly regarding Article 76D, Article 76E, Article 81, and Article 82. Data analysis was conducted qualitatively to review legal regulations, the application of the law by the Panel of Judges in deciding cases, proof based on evidence from witnesses and defendants in accordance with the Criminal Procedure Code, and to identify obstacles in law enforcement in cases of child sexual exploitation.

III. RESULT AND DISCUSSION

Legal protection for children is defined as all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with human dignity and free from violence and discrimination, as regulated in Article 1 number 2 of the Child Protection Law [17]. These protection efforts are based on Pancasila and the 1945 Constitution and the basic principles of the Convention on the Rights of the Child which include non-discrimination, the best interests of the child, the right to survival and development, and respect for the child's opinion [18]. In the context of law enforcement against exploitation, this is applied in the case of the South Jakarta District Court Decision Number 109 / Pid.Sus / 2024 / PN.Jkt.Sel dated March 20, 2024, where the Public Prosecutor filed an alternative charge against the Defendant Julian Lestari (Kak July) using Article 76 I Jo Article 88 of the Republic of Indonesia Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.

The Public Prosecutor's First Charge

That the Defendant Julian Lestari Called Kak July in August 2021 and December 2021 or at least at other times in 2021 at the Pop Kemang Hotel, Jl. Kemang Raya No. 3 Rt.01/01, Bangka, Mampang Prapatan District, South Jakarta and Somerset Permata Berlian Apartment, Jl. Permata Berlian No. 5, Rt.14/2, North Grogol, Kebayoran Lama District, South Jakarta or at least at a place that is still included in the jurisdiction of the South Jakarta District Court which has the authority to examine and try placing, allowing, carrying out, ordering to carry out, or participating in economic and/or sexual exploitation of children. That initially in August 2021 the victim's child Alya Cahya Astia got acquainted with the defendant through witness Fitri Ajibah because she was in need of money then after communicating between the victim's child Alya Cahya Astia and the defendant so that the defendant knew that the victim's child Alya Cahya Astia needed money then the defendant gave her a job as a commercial sex worker then on a day and date that can no longer be remembered around August 2021 the defendant gave the victim's child Alya Cahya Astia a job to serve men at the Pop Kemang Hotel then the victim's child Alya Cahya Astia met the defendant on Jl. Menteng Tenggulun No. 11 Rt.003/010, Kel. Menteng, Menteng district, Central Jakarta then the defendant together with the victim's child Alya Cahya Astia together went to the Pop Kemang Hotel Jl. Kemang Raya No. 3, Rt.01/01, Bangka Kec. Mampang Prapatan, South Jakarta. Upon arriving at the hotel lobby, the defendant then took the victim's child, Alya Cahya Astia, to meet the man who had booked the victim's child through the defendant. After that, the victim's child, Alya Cahya Astia, together with the man, went to the Pop Kemang Hotel room and after being in the hotel room, the victim's child, Alya Cahya Astia, served the man to have sex like husband and wife until the man was satisfied.

That after finishing serving the man for sex, the victim's child, Alya Cahya Astia, returned to meet the defendant who was waiting for the victim's child, Alya Cahya Astia, in front of the Pop Kemang Hotel, then went home together and from the results of providing the sexual services, the victim's child, Alya Cahya Astia, received Rp. 700,000 (seven hundred thousand rupiah), while the defendant received a commission from the man who had booked the victim's child, Alya Cahya Astia. That then in December 2021 the victim's child Alya Cahya Astia who was in need of money contacted the defendant again asking for a job and after the defendant found a man who wanted to book the victim's child Alya Cahya Astia then the defendant informed the victim's child Alya Cahya Astia to serve a foreign male citizen wearing a school uniform then on a day and date that the defendant can no longer remember, together with witness Bayu Adi Winarko, picked up the victim's child Alya Cahya Astia in Kp. Melayu Kecil Kel. Bukit Duri, Kec. Tebet, South Jakarta then together went to the Somerset Permata Berlian Apartment Jl. Permata Berlian No. 5, Rt.014/02, Grogol Utara, Kec. Kebayoran Lama, South Jakarta the victim's child met a foreign male named Nico then

entered the room and while the witness Bayu Adi Winarko and the defendant waited outside the apartment, then in the apartment room Nico told the victim's child to take a shower to clean his body while recording the activities of the victim's child Alya Cahya Astia after that the victim Alya Cahya Astia wore the vocational school uniform that he brought at the request of Mr. Nico and told the victim Alya Cahya Astia to get on the bed then Mr. Nico directed the victim to take off her school uniform and pose in various ways according to Mr. Nico's orders in a naked state after that the victim Alya Cahya Astia was ordered to suck Mr. Nico's genitals until they hardened then Mr. Nico had intercourse with the victim Alya Cahya Astia until he was satisfied and ejaculated on the victim's face Where all the sexual activities were recorded by Mr. Nico. That after finishing serving Mr. Nico and cleaning up, the victim's child met the defendant who was waiting outside the Somerset Permata Berlian Apartment Building and then gave the defendant the money from his work Rp. 3,000,000 (three million rupiah) and the defendant gave Rp. 1,000,000 (one million rupiah) to the victim's child Alya Cahya Astia while the rest was kept as the defendant's commission.

Based on the Visum et Repertum Number 28/IV/PKT/I/2023 signed by Dr. Fitri Ambar Sari, Sp.FM, MPH, doctor of Cipto Mangunkusumo National Hospital on behalf of Alya Cahya Astia dated March 29, 2023, the conclusion was obtained from the examination of the seventeen-year-old six-month-old female victim, an old tear was found in the hymen due to blunt force that passed through the sexual canal (according to the description of old intercourse). That the defendant's actions of exploiting the victim child Alya Cahya Astia economically and/or sexually should not have been carried out because at the time of the incident, the victim child Alya Cahya Astia, who was born on July 12, 2005, was only 16 (sixteen) years old based on the Birth Certificate Extract Number 11.620/U/JT/2005. The defendant's actions are as regulated and subject to criminal penalties in Article 76 I Jo Article 88 of the Republic of Indonesia Law No. 35 of 2014 concerning Amendments to the Republic of Indonesia Law No. 23 of 2002 concerning Child Protection as amended by the Republic of Indonesia Law No. 17 of 2016 concerning the Determination of the Regulation in Lieu of the Republic of Indonesia Law No. 1 of 2016 concerning the Second Amendment to the Republic of Indonesia Law No. 23 of 2002 concerning Child Protection into Law.

Decision Number 109/Pid.Sus/2024/Pn.Jkt.Sel

The consideration of the Panel of Judges at the South Jakarta District Court who examined and decided on case Number 109/Pid.Su/2024/PN. Jkt. Sel is that the Defendant has been charged by the Public Prosecutor with an alternative charge, so that the Panel of Judges by paying attention to the legal facts directly chose the first alternative charge as regulated in Article 76 I Jo Article 88 of Law of the Republic of Indonesia No. 35 of 2014 concerning Amendments to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection as amended by Law of the Republic of Indonesia No. 17 of 2016 concerning the Determination of the PERPU in Lieu of Law of the Republic of Indonesia No. 1 of 2016 concerning the Second Amendment to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection into a Law, the elements of which are:

First is the element of Every person, considering that every person is anyone who is accused by the Public Prosecutor as the perpetrator of the crime charged in this case. Considering that based on the facts revealed in the trial there is no objection regarding the identity of the Defendant in this case, so the Panel of Judges is of the opinion that in trying this case formally there is no error regarding the person who is positioned as the Defendant. Considering that however, the element of every person cannot be directed to the Defendant alone, because to determine this element it is not enough to connect the defendant as an individual like a private human being or legal subject who is presented as a defendant in this case, but what is meant by every person in the theoretical concept in criminal law is a person whose actions are legally and convincingly proven to fulfill all the elements of the crime charged and can be accounted for for his actions. Considering that for that reason regarding the fulfillment or not of the criminal act charged to the Defendant will be considered in considering the following elements of the article charged, so that according to the Panel of Judges this 1st element is fulfilled.

The second is the element of placing, allowing, carrying out, ordering to carry out, or participating in carrying out economic and/or sexual exploitation of children. Considering that the elements consist of alternative acts, namely if one or more of these acts is proven, then this element must be declared to have

been fulfilled. Considering that the acts in question are "Placing, allowing, carrying out, ordering to carry out, or participating in carrying out economic and/or sexual exploitation of children". Considering that in Article 1 number 1 of the Republic of Indonesia Law No. 35 of 2014 concerning Amendments to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection as amended by Law of the Republic of Indonesia No. 17 of 2016 concerning the Stipulation of the Government Regulation in Lieu of Law of the Republic of Indonesia No. 1 of 2016 concerning the Second Amendment to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection into Law, states that what is meant by a child is a person who is not yet 18 (eighteen) years old, including a child who is still in the womb.

Considering that based on the facts at the time of the incident, the Child Victim Alya Cahya Astia was only 16 (sixteen) years old so that the child victim in the a quo case is categorized as a Child as regulated in the provisions. Considering that what is meant by economic exploitation is an act with or without the consent of the child who is the victim which includes but is not limited to prostitution, forced labor or service, slavery or practices similar to slavery, oppression, extortion, physical sexual exploitation, reproductive organs or unlawfully removing or transplanting organs and/or body tissue or utilizing the child's energy or ability by other parties to obtain material benefits. What is meant by being sexually exploited is all forms of exploitation of sexual organs or other body organs of a Child to obtain benefits, including but not limited to all activities of prostitution and molestation; (Vide Explanation of Article 66 of Law of the Republic of Indonesia Number 35 of 2014 concerning Amendments to Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection). Considering based on the facts revealed that Defendant Antonius Called Nico since around August 2021 via WA with the number 087778505600 which was used for communication with Ms. Alya Cahya Astia Where the Defendant mediated for open BO with two men namely Mr. Antonius and 1 man whom the defendant did not remember and was known to the Defendant Ms. Alya Cahya Astia who carried out open BO or had sexual intercourse with the man who then received payment for the open BO had sexual intercourse which then the defendant received the payment and shared it with Ms. Alya Cahya Astia.

The defendant has mediated and provided facilities and infrastructure (pickup and drop-off during open BO) and payment for sexual exploitation of children and open BO to Ms. Alya Cahya Astia in 2 (two) locations, namely the Green Apartment and the Pop Kemang Hotel, South Jakarta. Around August 2021, the defendant picked up Ms. Alya Cahya Astia near Kampung Melayu and brought a white and gray uniform on the defendant's orders to be taken to the Permata Hijau Apartment Area, Kebayoran Lama, South Jakarta. The defendant explained that the open BO would be recorded and videoed later and the defendant took her to the apartment with her friend, Mr. Bayu Adi Winarko and Ms. Alya Cahya Astia was picked up by Mr. Nico (a foreigner). The defendant did not know what Ms. Alya and Mr. Nico did after Ms. Alya met the defendant and gave a payment of Rp. 1,500,000, - with that payment the defendant received Rp. 500,000 for pick-up and drop-off costs and open BO payment fees. Around December 2021 Ms. Alya Cahya Astia asked the defendant and Ms. Alya for the Open BO job again. Alya came to the defendant's house on Jl. Menteng Tengkulun No. 11 RT.003/010 Kel. Menteng Central Jakarta and together accompanied the defendant to take Ms. Alya to the POP Kemang Hotel, South Jakarta, Ms. Alya received a payment of Rp. 3,000,000, - and the defendant divided it Rp. 1,000,000, - for Ms. Alya while Rp. 2,000,000, - was kept by the defendant.

Considering based on the facts related to the understanding and explanation of the elements, the Panel of Judges considers that the Defendant has been proven to have placed in a situation and carried out economic and sexual exploitation of the Child Victim Alya Cahya Astia so that this element is fulfilled. Considering that because all elements of Article 77 I Jo. Article 88 No. 35 of 2014 concerning Amendments to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection as amended by Law of the Republic of Indonesia No. 17 of 2016 concerning the Determination of the PERPU in Lieu of Law of the Republic of Indonesia No. 1 of 2016 concerning the Second Amendment to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection into Law have been fulfilled, the Defendant must be declared to have been legally and convincingly proven to have committed the crime as charged in the First Indictment. Considering that the Panel of Judges did not see any things that could eliminate criminal responsibility either as a justification or excuse and the Defendant was able to take responsibility, the

Defendant was declared guilty and sentenced. Considering that the criminal threat of the proven Article is imprisonment and/or a fine, the Defendant was sentenced in addition to imprisonment and also sentenced to a fine with the provision that if the fine is not paid, it will be replaced by imprisonment. Considering that in this case the Defendant was detained and the detention of the Defendant was based on sufficient reasons, it is necessary to determine that the Defendant remains in detention. Considering that evidence has been confiscated in the form of a white and gray school uniform that has been used to commit the crime and is feared to be used to repeat the crime, it is confiscated for the state and destroyed. Considering that in imposing the sentence, the Panel of Judges first considered the aggravating circumstances of the Defendant's actions, which resulted in the victim's child, Alya Cahya Astia, being traumatized and embarrassed.

Taking into account, Article 77 I Jo. Article 88 No. 35 of 2014 concerning Amendments to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection as amended by Law of the Republic of Indonesia No. 17 of 2016 concerning the Determination of the Government Regulation in Lieu of Law of the Republic of Indonesia No. 1 of 2016 concerning the Second Amendment to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection into Law and Law Number 8 of 1981 concerning Criminal Procedure Law and other relevant laws and regulations. Based on legal considerations in case Number 109/Pid.Sus/2024/PN.Jkt.Sel, the Panel of Judges decided that the Defendant Julian Lestari was legally and convincingly proven guilty of committing the crime of sexual exploitation of children as per the first charge. For this mistake, the defendant was sentenced to 5 (five) years in prison and a fine of Rp100,000,000.00 with a subsidiary provision of 6 (six) months in prison if the fine is not paid. In addition to determining that the detention period be deducted entirely from the sentence and ordering the defendant to remain in detention, the judge also decided that the status of the evidence in the form of a school uniform to be destroyed and a 16 GB Sandisk flash disk remain attached to the file, and charged the defendant with court costs of Rp2,000.00. The decision of the Panel of Judges in the above case considers that the Defendant Julian Lestari was convicted of committing a crime as regulated in Article 77 I "Every person is prohibited from placing, allowing, carrying out, ordering to be carried out, or participating in carrying out economic and/or sexual exploitation of children" in conjunction with Article 88 "Every person who violates the provisions as referred to in Article 76 I, shall be punished with imprisonment for a maximum of 10 (ten) years and/or a maximum fine of Rp. 200,000,000,- (two hundred million rupiah)" Child Protection Law Number 35 of 2014.

The criminal penalties stipulated in Article 88 of Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection, as amended by Law No. 17 of 2016 concerning the Stipulation of a Government Regulation in Lieu of Law No. 1 of 2016 concerning the Second Amendment to Law No. 23 of 2002 concerning Child Protection, do not provide a deterrent effect because the Panel of Judges' Decision to impose a five-year prison sentence is evidence of injustice in this case of criminal exploitation. However, the crime would not have occurred if the Defendant had understood the age and circumstances of the child victim, Alya Cahya Astia. The imposition of sanctions occurs because of a societal need for a crime or violation. These sanctions are necessary to maintain order and security in society. To date, the court has never imposed the most advanced sanctions to instill fear, either life imprisonment or castration. Procedural law, as appropriate, provides protection for child victims, preventing them from meeting the perpetrators during trials. This is implemented through online witness examinations of child victims of child exploitation, with appropriate support from psychiatrists and family members. The public prosecutor cannot force the presence of child victims in court. Legal protection for child victims of child sexual exploitation is regulated in Articles 59 and 59A of Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection, as amended by Law No. 17 of 2016 concerning the Stipulation of a Government Regulation in Lieu of Law No. 1 of 2016 concerning the Second Amendment to Law No. 23 of 2002 concerning Child Protection into Law.

Based on the provisions of Article 59, the Government, Regional Governments, and other state institutions bear the full obligation and responsibility to provide special protection to children. This special protection is intended for children in vulnerable conditions and situations, including children in emergency situations, children in conflict with the law, children from minority and isolated groups, and children who are

exploited economically or sexually. Furthermore, this protection also includes children who are victims of drug abuse, alcohol, psychotropic drugs, and other addictive substances; victims of pornography; children living with HIV/AIDS; victims of kidnapping, sale, or trafficking; victims of physical and/or psychological violence; and victims of sexual crimes. Furthermore, special protection must also be provided to children who are victims of terrorist networks, children with disabilities, victims of abuse and neglect, children with deviant social behavior, and children who are victims of stigmatization due to labeling related to their parents' condition. Article 66 of Law of the Republic of Indonesia Number 34 of 2014 concerning Amendments to Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection, as amended by Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection, as amended by Law of the Republic of Indonesia Number 23 of 2002 concerning Child Protection. 17 of 2016 concerning the Determination of the Government Regulation in Lieu of Law of the Republic of Indonesia No. 1 of 2016 concerning the Second Amendment to Law of the Republic of Indonesia No. 23 of 2002 concerning Child Protection into a Law providing Special Protection for Children who are exploited economically and/or sexually by means of socializing the provisions of laws and regulations relating to the protection of Children who are exploited economically and/or sexually and involving various companies, labor unions, non-governmental organizations, and the community in general.

IV. CONCLUSION

Child sexual exploitation arises from deliberate economic hardship and poverty, causing children to be influenced and persuaded by perpetrators to engage in sexual exploitation without considering the consequences. The desire of immature children to make money quickly, and certain parties exploit this opportunity, is a key factor. Families are the primary drivers of preventing child sexual exploitation, and more independent supervision and a religious approach are essential in every parent-child relationship within the family. This effort must also be supported by the government, which cannot simply act based on existing laws and regulations to address the problem of child sexual exploitation. Decision Number 109/Pid.Sus/2024/PN.Jkt.Sel has issued a verdict imposing a sentence on the perpetrator of child exploitation, but its legal considerations are lacking. It fails to consider the future impact on the lives of child victims of child sexual exploitation. The panel of judges should consider these factors to render a more just verdict. The provisions of the Child Protection Law have not been fully understood by the Panel of Judges in each trial regarding the psychological impact on Child Victims of Child Sexual Exploitation Crimes.

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