

Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) in Palembang City

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Submitted:	Revised:	Accepted:	Published:
Aug 3, 2026	Aug 31, 2026	Sep 12, 2026	Sep 17, 2026

Abstract

Electronic-Based Sexual Violence (EBSV) has emerged alongside the expanding use of social media and digital technologies, with the non-consensual dissemination of sexual content potentially causing physical, psychological, social, and legal consequences for victims. Despite existing legal provisions, the effective protection of EBSV victims continues to face regulatory and implementation challenges. This study aims to examine the legal framework governing EBSV in Indonesia, identify forms of legal protection available to EBSV victims in Palembang City, and analyze the legal liability of social media platforms and mechanisms for resolving cases involving the dissemination of EBSV content. The study employed a normative legal method supported by empirical data obtained through direct interviews with relevant stakeholders, using both primary and secondary legal sources. The findings indicate that EBSV is explicitly regulated under Law Number 12 of 2022 on Sexual Violence Crimes; however, further harmonization and synchronization with the Criminal Code, the Pornography Law, and the Electronic Information and Transactions Law remain necessary. In Palembang City, victim protection is implemented through preventive and repressive measures, including public education, cyber patrols, protection of victims' identities, legal assistance, psychological and medical support, safe houses, and content takedown mechanisms. The findings further indicate that social media platforms may incur criminal and administrative liability under certain circumstances. The study concludes that the effectiveness of EBSV victim protection depends not only on the adequacy of the legal framework but also on coordinated implementation, institutional capacity, and timely responses to harmful digital content. This study contributes to the legal

discourse on EBSV by highlighting the need for stronger inter-institutional coordination, enhanced law enforcement capacity and public digital literacy, improved regulatory harmonization, and more responsive content removal mechanisms to strengthen legal protection for victims.

Keywords: Electronic-Based Sexual Violence; Legal Liability; Legal Protection; Social Media; Victim Protection

INTRODUCTION

Electronic-Based Sexual Violence (hereinafter referred to as EBSV) is a derivative form of Gender-Based Violence (GBV), which, according to the Committee on the Elimination of Discrimination against Women (CEDAW), is defined as sexual violence occurring in cyberspace through the use of information and communication technologies, particularly the internet and social media. EBSV constitutes a real threat to security and safety within the digital space (Qori'ah, 2023). Electronic-Based Sexual Violence (EBSV) can, in principle, affect anyone, both women and men, across all age groups—from the young to the elderly—regardless of gender or social background. However, women are generally more vulnerable to becoming victims of EBSV. Various sensitive issues continue to affect women's lives, and violence against women often stems from inequalities in gender roles and functions (Rumetor, 2023).

The criminal act of Electronic-Based Sexual Violence (EBSV) causes serious impacts on victims, including physical, psychological, social, and legal consequences. As a result of the suffering and losses experienced, victims are entitled to adequate legal protection to ensure the fulfillment of their rights. Victims are in a vulnerable position, having their rights violated and their interests adversely affected.

Electronic-Based Sexual Violence (EBSV) has emerged as a relatively new form of violence that has received significant attention from advocacy institutions and the National Commission on Violence Against Women (Komnas Perempuan) in recent years. Official data from the Annual Report (CATAHU) on Cases of Violence Against Women published by Komnas Perempuan indicate that cases of EBSV—referred to in the report as Online Gender-Based Violence (OGBV)—have consistently increased over the period from 2017 to 2023. The detailed number of EBSV or OGBV cases in Indonesia is presented as follows:

Table 1. Data on Electronic-Based Sexual Violence (EBSV) Cases in Indonesia

No.	Years	Number of EBSV Cases in Indonesia
1.	2017	16
2.	2018	97
3.	2019	281
4.	2020	942
5.	2021	1.721
6.	2022	1.697
7.	2023	1.630
Jumlah		6.384

Sources: Annual Report (CATAHU) of the National Commission on Violence Against Women (Komnas Perempuan), 2020–2023.

The significant increase in cases of Electronic-Based Sexual Violence (EBSV) based on table 1 cannot be separated from the high level of social media platform usage in Indonesia. According to the latest report by We Are Social (2024), the number of active social media users in Indonesia has reached approximately 139 million, representing nearly 50% of the total population. The following presents data on active users across several of the most widely used social media platforms in Indonesia in 2024 (Digital, 2024).

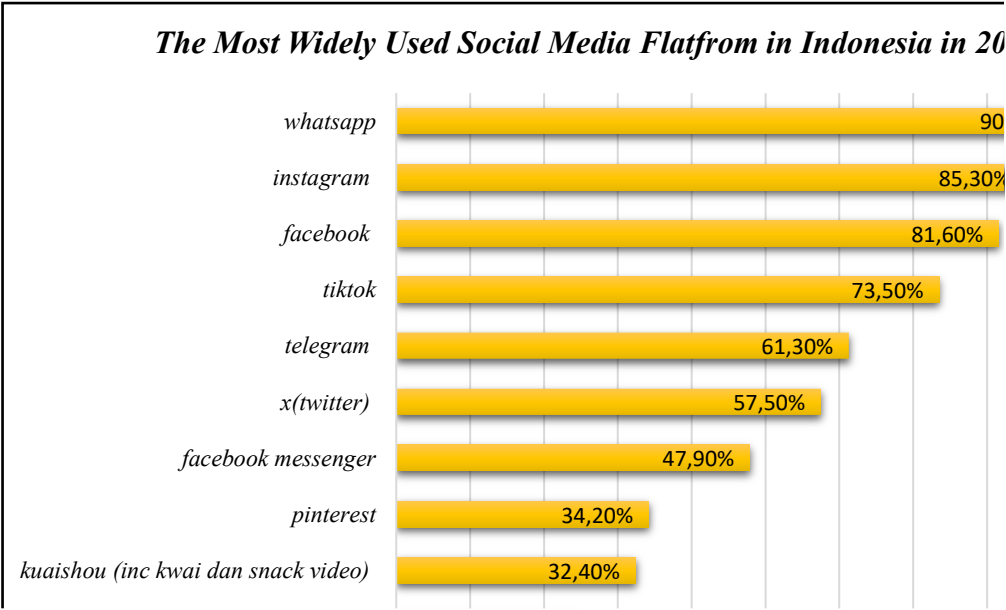


Diagram 1. Data on Active Users of Social Media Platforms in Indonesia
Source: We Are Social, 2025

Based on diagram 1, it can be concluded that the most widely used social media platforms in Indonesia are WhatsApp (90.90%), Instagram (85.30%), Facebook (81.60%), TikTok (73.50%), Telegram (61.30%), X (formerly Twitter) (57.50%), Facebook Messenger

(47.90%), Pinterest (34.20%), Kuaishou (including Kwai and Snack Video) (32.40%), and LinkedIn (25.0%). The high level of social media usage provides opportunities for perpetrators of Electronic-Based Sexual Violence (EBSV) to carry out their actions. In Indonesia, EBSV cases are most frequently found on Facebook (39%), followed by Instagram (23%), WhatsApp (approximately 14%), Snapchat (around 10%), X (formerly Twitter) (approximately 9%), and TikTok (6%) (Jalil, 2024).

The most common forms of Electronic-Based Sexual Violence (EBSV) occurring in Indonesia through social media platforms include non-consensual intimate image (NCII) distribution, or the dissemination of intimate content without consent, with one of the most prevalent manifestations being revenge porn. This is followed by malicious distribution (the dissemination of sexual content intended to damage an individual's reputation), cyber sexual harassment, sextortion, and sexting (Mulyadi et al., 2024). This phenomenon indicates that social media has evolved into a highly active yet vulnerable space for sexual crimes, particularly EBSV. Therefore, the challenge of providing legal protection for victims of EBSV in the digital environment has become increasingly critical and urgent.

Within the Indonesian legal framework, Electronic-Based Sexual Violence (EBSV) is not explicitly recognized under the former Criminal Code (KUHP), which primarily regulates offenses against decency. Due to this legal gap, EBSV began to be addressed under Law Number 44 of 2008 on Pornography, particularly Article 4(1) and Article 29. Furthermore, provisions concerning EBSV are also regulated under Article 27(1) and Article 45(1) of Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions (ITE Law). However, in practice, the enforcement of these legal provisions has not comprehensively accommodated the rights of victims. In some cases, victims who report incidents are often subjected to retaliatory actions by perpetrators, including counter-accusations such as defamation. Therefore, the Government enacted Law Number 12 of 2022 on Sexual Violence Crimes. The enactment of this law is expected to provide renewed legal certainty in addressing sexual violence offenses, which in practice have often focused primarily on the perpetrator in the imposition of sanctions, while insufficiently considering the position and rights of victims (Faizah & Hariri, 2022).

However, the legal protection and mitigation of Electronic-Based Sexual Violence (EBSV) cases in Indonesia are not without challenges. In addressing cases involving social media platforms, messaging applications, and the internet more broadly, various issues

frequently arise, including those related to legal regulation and law enforcement, particularly concerning the accountability of perpetrators who disseminate EBSV content. In addition, victims often face significant difficulties in proving their cases, as well as social stigma that discourages them from reporting incidents due to fear of being blamed. Furthermore, many law enforcement officials still lack a victim-oriented perspective, which further hinders the effective handling of EBSV cases (Firdaus & Virdaus, 2025).

On the other hand, third parties namely social media platforms as electronic system providers—bear legal responsibility for monitoring and controlling the dissemination of Electronic-Based Sexual Violence (EBSV) content (Febrian, 2020). However, in practice, their responses to victim reports tend to be slow. Therefore, effective strategies and enhanced institutional capacity are required to address the complex dynamics of EBSV.

The increasing occurrence of Electronic-Based Sexual Violence (EBSV) demonstrates that the development of digital technology is not only accompanied by opportunities for communication and information exchange but also creates new forms of vulnerability for individuals. In this context, legal protection cannot be limited to the prosecution of perpetrators after an offense has occurred. It must also encompass preventive measures, victim protection, recovery, content removal, and mechanisms that prevent victims from experiencing further harm. The researcher argues that the effectiveness of legal protection for EBSV victims depends not only on the availability of legal provisions but also on the ability of law enforcement institutions, government agencies, social organizations, and digital platforms to implement these provisions in an integrated manner. This is particularly important because EBSV involves digital evidence, rapid dissemination of content, cross-platform communication, and the potential involvement of electronic system providers.

In the context of Palembang City, the issue becomes increasingly important because victim protection involves several institutions with different functions and authorities. Therefore, examining the implementation of legal protection at the local level is necessary to determine whether the existing legal framework has been translated into concrete protection for victims. The researcher views the victim as the central subject of legal protection rather than merely as a source of evidence in criminal proceedings. Accordingly, the handling of EBSV should prioritize confidentiality, security, legal assistance, psychological recovery, and the prevention of repeated dissemination of harmful content.

Several previous studies have examined Electronic-Based Sexual Violence (EBSV) from different legal perspectives. Qori'ah (2023) examined electronic-based sexual violence in relation to the Electronic Information and Transactions Law, while Rumetor et al. (2023) discussed the legal protection of victims of electronic-based sexual violence under Law Number 12 of 2022 on Sexual Violence Crimes. Other studies have focused on specific aspects of digital sexual violence, including online sexual harassment (Jalil, 2024), the juridical perspective of revenge porn (Mulyadi et al., 2024), and the legal provisions applicable to perpetrators of pornographic content dissemination on the internet (Firdaus & Virdaus, 2025). Research has also discussed the legal supervision of social media platforms and their responsibility in relation to digital content (Febrian, 2020).

Although these studies provide an important foundation for understanding EBSV from regulatory and victim-protection perspectives, there remains a research gap concerning the implementation of legal protection for EBSV victims at the local level, particularly in Palembang City. Existing studies tend to focus on the normative aspects of legislation, the legal position of perpetrators, or specific forms of electronic-based sexual violence. Less attention has been given to examining how legal protection is implemented by multiple institutions simultaneously, including law enforcement agencies, local government institutions, victim assistance organizations, and courts. In addition, the relationship between victim protection, the legal responsibility of social media platforms, and the mechanisms for resolving the dissemination of EBSV content has not been comprehensively examined within the specific context of Palembang City.

The research gap is therefore located not merely in the existence of regulations, but in the implementation and integration of legal protection mechanisms. The existence of Law Number 12 of 2022 provides a more explicit legal basis for addressing EBSV, yet its effectiveness depends on institutional coordination, the availability of victim-oriented services, the capacity to handle digital evidence, and the responsiveness of electronic system providers. This condition indicates the need for research that connects the normative legal framework with its practical implementation in protecting victims.

The novelty of this study lies in its comprehensive examination of EBSV victim protection by integrating three dimensions: the Indonesian legal framework, the implementation of victim protection in Palembang City, and the legal liability of social media platforms together with mechanisms for resolving the dissemination of EBSV content.

Unlike studies that primarily examine EBSV from a statutory or specific offense perspective, this research connects the normative dimension of law with the empirical practices of institutions involved in victim protection. This approach enables the study to identify not only the applicable legal provisions but also the forms of protection, implementation obstacles, institutional responses, and mechanisms for addressing harmful digital content.

The analysis of legal protection in this study is also based on the concept of legal protection developed by Philipus M. Hadjon, which distinguishes legal protection into preventive and repressive protection. Preventive protection emphasizes efforts to prevent violations before they occur, whereas repressive protection is directed toward handling violations after they occur. This theoretical framework is relevant to EBSV because victim protection requires both preventive measures, such as public education, digital literacy, and cyber monitoring, and repressive measures, such as legal assistance, confidentiality of victims' identities, psychological and medical assistance, and the removal of unlawful content.

In addition, the study considers the concepts of strict liability and vicarious liability in analyzing the legal responsibility of social media platforms. These concepts are relevant because social media platforms act as electronic system providers that possess control over digital systems and content moderation mechanisms, although the unlawful content may originate from users. The application of these concepts provides an analytical basis for examining the extent to which platforms may bear legal responsibility when they fail to adequately monitor, respond to reports, or remove unlawful EBSV content.

Based on the above background, research gap, and theoretical considerations, this study seeks to provide a more comprehensive analysis of the legal protection of victims of Electronic-Based Sexual Violence (EBSV) in Palembang City. The study aims to examine: (1) the legal framework governing EBSV in Indonesia; (2) the forms and implementation of legal protection provided to EBSV victims in Palembang City, including preventive and repressive measures and the obstacles encountered by relevant institutions; and (3) the legal liability of social media platforms and the mechanisms for resolving the dissemination of EBSV content, both through the criminal justice system and outside the criminal justice system. Through this approach, the study is expected to contribute to the development of victim-oriented legal protection and provide practical considerations for strengthening institutional coordination and digital content governance in addressing EBSV.

METHODS

This study employs a normative legal research approach, complemented by empirical data obtained through interviews. The interviews were conducted with representatives from the South Sumatra Regional Police, the Office of Women's Empowerment, Child Protection, and Community Empowerment of Palembang City, the Women's Crisis Center (WCC) of Palembang, the Palembang District Attorney's Office, and the Palembang District Court. The data used in this study consist of both primary and secondary sources. Furthermore, the conclusions of this research are drawn using a deductive reasoning approach.

RESULTS

1. Main Findings of the Study

The findings of the study indicate that legal protection for victims of *Electronic-Based Sexual Violence* (EBSV) in Palembang City is supported by a relatively strong legal framework, particularly through Law Number 12 of 2022 on Sexual Violence Crimes (UU TPKS). In addition, the handling of EBSV cases is also associated with the Criminal Code (KUHP), Law Number 44 of 2008 on Pornography, and Law Number 1 of 2024 on the Second Amendment to the Law on Electronic Information and Transactions (UU ITE). Nevertheless, the findings demonstrate that further harmonization and synchronization among the relevant legal provisions are still required to ensure that EBSV cases can be addressed more effectively and that victims receive optimal legal protection.

In the context of Palembang City, protection for EBSV victims is provided through several institutions, namely the South Sumatra Regional Police, the Palembang City Office of Women's Empowerment, Child Protection, and Community Empowerment, the UPTD PPA, the Women's Crisis Center (WCC), the Public Prosecutor's Office, and the Palembang District Court. Such protection encompasses both preventive and repressive measures. 1) Preventive perspective, the South Sumatra Regional Police conduct public education and awareness-raising activities concerning the risks of EBSV, reporting mechanisms, and the importance of protecting personal data. In addition, *cyber patrols* are conducted to monitor digital activities and detect potential EBSV-related criminal offenses, particularly throughout South Sumatra, including Palembang City. 2) Repressive perspective, protection is provided through measures to maintain the confidentiality of victims' identities, the provision of safe

and comfortable specialized examination rooms, police assistance services, as well as coordination efforts to remove or block (*takedown*) EBSV-related content.

Meanwhile, the Palembang City Office of Women's Empowerment, Child Protection, and Community Empowerment provides protection through public education, women's empowerment programs, complaint and reporting channels, legal assistance, psychological and medical support, as well as temporary protection facilities or *safe houses*. The Palembang City WCC also provides protection through public education and awareness-raising as preventive measures. In addressing cases from a repressive perspective, the WCC provides legal assistance, medical assistance, psychological support, and *safe houses* for victims. Accordingly, the main findings of the study demonstrate that legal protection for EBSV victims in Palembang City has been implemented through cross-institutional collaboration using both preventive and repressive approaches. However, its effectiveness remains affected by various challenges at the victim, law enforcement, resource, and digital system levels.

2. Visualization of EBSV Cases in Indonesia

Data from the National Commission on Violence Against Women (Komnas Perempuan) indicate an increase in EBSV/Online Gender-Based Violence (OGBV) cases in Indonesia during the period from 2017 to 2023. The number of reported cases increased from 16 cases in 2017 to 1,630 cases in 2023, with a cumulative total of 6,384 cases over the period. The most substantial increase occurred between 2019 and 2021, when the number of cases rose from 281 to 1,721.

Table 2. Development of EBSV Cases in Indonesia, 2017–2023

Year	Number of Cases
2017	16
2018	97
2019	281
2020	942
2021	1,721
2022	1,697
2023	1,630
Total	6,384

In addition to the increase in reported cases in table 2, the widespread use of social media represents an important contextual factor in the development of EBSV. In 2024, Indonesia had approximately 139 million active social media users. The most widely used platforms included WhatsApp, Instagram, Facebook, TikTok, Telegram, and X. EBSV cases

were most frequently identified on Facebook (39%), Instagram (23%), WhatsApp (approximately 14%), Snapchat (approximately 10%), X (approximately 9%), and TikTok (6%).

Table 3. Distribution of EBSV Cases by Social Media Platform

Platform	Percentage
Facebook	39%
Instagram	23%
WhatsApp	±14%
Snapchat	±10%
X/Twitter	±9%
TikTok	6%

Source: Jalil (2024), as cited in the study.

These data demonstrate that social media platforms function not only as means of communication but also as spaces that are vulnerable to being exploited for the dissemination of EBSV. The forms of EBSV identified include the dissemination of intimate images without consent (*non-consensual intimate images/NCII*), *revenge pornography*, malicious distribution, cyber sexual harassment, *sextortion*, and *sexting*.

3. Forms of Legal Protection for EBSV Victims in Palembang City

Based on the findings of the study, the forms of legal protection provided to victims can be summarized as follows.

Table 4. Forms of Legal Protection for EBSV Victims in Palembang City

Institution	Preventive Protection	Repressive Protection
South Sumatra Regional Police	Public outreach, education, campaigns, seminars, and cyber patrols.	Confidentiality of victims' identities, specialized examination rooms, police assistance, and takedown of EBSV-related content.
Office of Women's Empowerment, Child Protection, and Community Empowerment	Public education and women's empowerment.	Complaint and reporting services, legal assistance, psychological and medical support, and safe houses.
Palembang Women's Crisis Center (WCC)	Public education, collaboration with women's groups, and talk shows.	Legal, medical, and psychological assistance, as well as safe houses.
Palembang District Court	Victim- and child-friendly approaches.	Assistance from parents/guardians, psychologists, and legal counsel.

These findings demonstrate that legal protection is not solely oriented toward the prosecution and punishment of perpetrators but also encompasses victim recovery, safety,

confidentiality, assistance, and the fulfillment of victims' rights. This approach is particularly evident in the provision of psychological and medical assistance, as well as the implementation of victim-friendly approaches throughout judicial proceedings.

4. Negative/Anomalous Data and Barriers to EBSV Case Handling

Although legal protection mechanisms are available, the study identified several barriers indicating a gap between normative provisions and their implementation in practice. At the South Sumatra Regional Police, the identified barriers include low levels of digital literacy and public legal awareness, limited human and technological resources, as well as victims' psychological conditions, including trauma, fear, and shame, which may hinder the disclosure of information during the investigation process.

At the Office of Women's Empowerment, Child Protection, and Community Empowerment, the identified barriers include a limited number of victim assistants and psychologists, budgetary constraints, geographical challenges, and inadequate transportation facilities for reaching victims. The WCC faces additional challenges, particularly victims' reluctance to disclose their experiences due to feelings of shame and trauma, as well as perceptions that law enforcement authorities may be insufficiently responsive or may even induce fear among victims.

Furthermore, judicial proceedings encounter specific challenges when victims are children. Child victims may experience difficulties in disclosing incidents openly and clearly, which may complicate the efforts of judges to establish the relevant facts and obtain the information required for evidentiary purposes.

Table 5. Key Barriers to the Protection of EBSV Victims

	Identified Barriers
Victims	Trauma, fear, shame, and reluctance to report
Community	Low levels of digital literacy and legal awareness
Law Enforcement	Limited numbers of investigators and technical expertise
Infrastructure	Limited technological and transportation resources
Budget	Limited funding for victim protection programs and services
Geographical Factors	Difficulties in accessing victims' places of residence
Judicial Proceedings	Difficulties experienced by child victims in providing testimony
Digital Platforms	Slow responses to reports and difficulties in content moderation

5. Responsibilities of Social Media Platforms and Resolution Mechanisms

The findings of the study also indicate that social media platforms, as Electronic System Providers (Penyelenggara Sistem Elektronik/PSE), have an obligation to conduct monitoring, content moderation, and the removal of unlawful content. From a criminal law perspective, platform liability may arise where there is an element of intent, negligence, or failure to adequately moderate and remove illegal content.

From an administrative perspective, platforms are required to comply with the regulatory requirements applicable to Electronic System Providers and to implement appropriate content governance, as well as reporting and complaint-handling mechanisms. Non-compliance may result in administrative sanctions, including warnings, fines, temporary suspension of services, blocking of access, and other administrative sanctions in accordance with the applicable legal provisions.

The resolution mechanism through the criminal justice system begins with the submission of a report to the Integrated Police Service Center (Sentra Pelayanan Kepolisian Terpadu/SPKT), which is subsequently referred to the cybercrime unit for investigation, examination of digital evidence, case proceedings, formal investigation, transfer of the case to the public prosecutor, prosecution, trial, and ultimately the issuance of a court judgment.

Outside the criminal justice system, the Ministry of Communication and Digital Affairs conducts content identification and verification through *cyber patrols* and reports submitted by members of the public. Where content is determined to violate applicable laws and regulations, a *takedown* order is issued to the relevant platform, followed by monitoring of the platform's compliance with the order.

DISCUSSION

1. Legal Framework Governing Electronic-Based Sexual Violence (EBSV) in Indonesia

a. The Criminal Code

The legal framework governing Electronic-Based Sexual Violence (EBSV) in Indonesia may refer to the Indonesian Criminal Code (KUHP). Under the former KUHP, EBSV was not explicitly regulated but was indirectly addressed through offenses against public morality (Hairi & Latifah, 2023; Pasal 4 Ayat (1) Undang-Undang Nomor 12 Tahun 2022). Article 282 prohibits the public dissemination, display, or possession of materials violating decency, with sanctions varying according to the nature of the conduct and

increasing when committed habitually or as a source of livelihood (Putri & Tantimin, 2022; Pasal 407 Undang-Undang Nomor 1 Tahun 2023).

b. Law Number 1 of 2023 concerning the Criminal Code

Law Number 1 of 2023 on the Indonesian Criminal Code (KUHP) reforms the previous Code, which was considered outdated because it primarily regulated morality-related offenses and did not specifically address Electronic-Based Sexual Violence (EBSV). Article 407 regulates pornography by prohibiting the production and distribution of pornographic content, subject to imprisonment and fines, while providing exceptions for purposes of art, culture, sports, health, and scientific advancement (Pasal 407 Undang-Undang Nomor 1 Tahun 2023).

c. Law Number 44 of 2008 on Pornography

Law Number 44 of 2008 concerning Pornography serves as a specific regulation (*lex specialis*) that provides a more detailed framework on pornography than the Indonesian Criminal Code (KUHP). Although it does not explicitly regulate Electronic-Based Sexual Violence (EBSV), it provides a legal basis for prosecuting the dissemination of sexually explicit content through electronic media. Article 4 paragraph (1) prohibits the production and distribution of pornographic materials involving sexual violence, nudity, and child pornography, while Article 29 imposes imprisonment of six months to twelve years and/or fines ranging from IDR 250 million to IDR 6 billion (Daeng et al., 2022; Pasal 27 Ayat (1) Undang-Undang Nomor 1 Tahun 2024).

d. Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 on Electronic Information and Transactions

Law Number 1 of 2024, amending the Electronic Information and Transactions Law (ITE Law), prohibits the dissemination of indecent or immoral content through electronic media. Article 27 paragraph (1) prohibits the intentional and unauthorized distribution, transmission, or accessibility of such electronic information, with Article 45 paragraph (1) imposing a maximum penalty of six years' imprisonment and/or a fine of up to IDR 1 billion. This provision provides an important legal basis for prosecuting perpetrators of Electronic-Based Sexual Violence (EBSV) (Pasal 4 Ayat (1) Undang-Undang Nomor 44 Tahun 2008; Pasal 14 Ayat (1) dan (2) Undang-Undang Nomor 12 Tahun 2022).

e. Law Number 12 of 2022 on Sexual Violence Crimes

Law Number 12 of 2022 concerning Sexual Violence Crimes explicitly recognizes Electronic-Based Sexual Violence (EBSV) as a form of sexual violence under Article 4 paragraph (1), in response to the increasing incidence of sexual violence in Indonesia. Article 14 regulates acts including the recording or dissemination of sexually explicit content without consent and electronically facilitated stalking for sexual purposes. The sanctions include up to four years' imprisonment and/or a fine of IDR 200 million, increasing to six years and/or IDR 300 million when involving coercion, threats, or fraud (Pasal 29 Undang-Undang Nomor 44 Tahun 2008; Pasal 45 Ayat (1) Undang-Undang Nomor 1 Tahun 2024).

2. Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) in Palembang City

Legal protection aims to safeguard violated human rights and ensure the fair enjoyment of individual rights. According to Philipus M. Hadjon, it protects human dignity and fundamental rights from arbitrary actions through two forms: preventive protection, provided before a criminal act occurs, and repressive protection, provided after its occurrence.

In Palembang, the government provides protection for victims of Electronic-Based Sexual Violence (EBSV) through institutions including the South Sumatra Regional Police, the Office of Women's Empowerment and Child Protection, UPTD PPA, Women's Crisis Center (WCC), the District Attorney's Office, and the District Court.

a. Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the South Sumatra Regional Police

Preventive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the South Sumatra Regional Police includes public education and awareness through outreach, campaigns, seminars, and social media to increase understanding of EBSV risks, reporting mechanisms, and personal data protection. It also involves cyber patrols to monitor online activities and detect potential EBSV-related offenses, particularly in South Sumatra, including Palembang.

b. Repressive Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the South Sumatra Regional Police

Repressive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the South Sumatra Regional Police includes maintaining victims' identity confidentiality to prevent revictimization, providing secure and private examination or service rooms, offering Police Assistance Services (*Bantuan Polisi/Banpol*) for reporting and information, and coordinating with relevant authorities to remove or block EBSV-related content (*take down*) to prevent further harm.

c. Obstacles in the Implementation of Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the South Sumatra Regional Police

The implementation of legal protection for Electronic-Based Sexual Violence (EBSV) victims by the South Sumatra Regional Police faces several challenges, including low public digital literacy and legal awareness, particularly regarding personal data protection and the risks of sexually explicit content. It is also constrained by limited human resources, technological infrastructure, and technical expertise in handling cyber-related cases. Additionally, victims' trauma, fear, and shame may hinder them from fully disclosing information during the investigative process.

d. Efforts Undertaken by the South Sumatra Regional Police in Addressing Obstacles to Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV)

The South Sumatra Regional Police has implemented several measures to address obstacles in protecting victims of Electronic-Based Sexual Violence (EBSV), including enhancing public digital literacy and legal awareness through education and outreach on EBSV risks. It also strengthens human resources and technological capacity through specialized investigator training and cooperation with Bareskrim Polri, regional police units, and the Ministry of Communication and Digital Affairs in tracking and managing digital content. In addition, a victim-centered psychological approach and support institutions are involved to assist victims experiencing trauma throughout the case-handling process.

1) Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Office of Women's Empowerment, Child Protection, and Community Empowerment of Palembang City

Preventive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Office of Women's Empowerment, Child Protection, and Community Empowerment focuses on public education and community empowerment. Through UPTD PPA, educational outreach is conducted in schools, universities, government institutions, and community groups to raise awareness of EBSV risks and impacts. In addition, women's empowerment programs aim to strengthen independence and community capacity to prevent and respond to potential EBSV incidents.

2) Repressive Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Office of Women's Empowerment, Child Protection, and Community Empowerment of Palembang City

Repressive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Office of Women's Empowerment, Child Protection, and Community Empowerment includes accessible complaint channels such as the SAPA 129 Service, legal assistance through UPTD PPA from reporting to court proceedings, psychological and medical support for trauma recovery, and temporary protection facilities such as safe houses in collaboration with the Social Affairs Office to ensure victims' safety and well-being.

3) Obstacles in the Implementation of Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Office of Women's Empowerment, Child Protection, and Community Empowerment of Palembang City

The implementation of legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Office of Women's Empowerment, Child Protection, and Community Empowerment faces several challenges, including limited human resources, particularly case companions and psychologists; budget constraints affecting socialization, training, and victim recovery programs; geographical barriers that delay assistance; and inadequate transportation facilities that limit officers' mobility and ability to provide optimal support.

4) Efforts Undertaken by the Office of Women's Empowerment, Child Protection, and Community Empowerment of Palembang City in Addressing Obstacles to Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV)

The Office of Women's Empowerment, Child Protection, and Community Empowerment has implemented several measures to address obstacles in protecting victims of Electronic-Based Sexual Violence (EBSV), including collaborating with HIMPSI and Women's Crisis Center (WCC) to strengthen human resources through volunteers and trained assistants. It also optimizes existing budgets while proposing additional APBD funding to support victim services. Geographical barriers are addressed through coordination with local authorities and the police to facilitate victim outreach, while transportation limitations are managed through collaboration with the Social Affairs Office, use of personal vehicles, and efficient field-visit scheduling.

e. Forms of Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Women's Crisis Center (WCC) of Palembang City

1) Preventive Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Women's Crisis Center (WCC) of Palembang City

Preventive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Women's Crisis Center (WCC) includes educational and awareness programs for communities, institutions, and schools to increase understanding of EBSV risks and forms. WCC also partners with assisted groups, including young and adult women's forums across regions, to strengthen prevention efforts and conducts talk shows through mass media such as TVRI and RRI to promote public awareness of EBSV prevention.

2) Repressive Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Women's Crisis Center (WCC) of Palembang City

Repressive legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Women's Crisis Center (WCC) includes legal assistance to support access to justice and victims' rights, medical referrals to healthcare facilities for physical treatment, psychological and psychosocial support for trauma recovery, and safe houses as temporary shelters to ensure victims' safety and protection.

3) Obstacles in the Implementation of Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the Women's Crisis Center (WCC) of Palembang City

The implementation of legal protection for Electronic-Based Sexual Violence (EBSV) victims by the Women's Crisis Center (WCC) faces two main challenges: victims' reluctance to disclose their experiences due to shame and trauma, which limits the clarity and completeness of information, and law enforcement responses that may be perceived as unresponsive or intimidating, thereby hindering effective case handling and victim protection.

4) Obstacles in the Implementation of Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV) by the District Court of Palembang City

The implementation of legal protection for Electronic-Based Sexual Violence (EBSV) victims by the District Court faces challenges during court examinations, particularly when victims are minors. Their difficulty in openly and clearly recounting their experiences can hinder judges in exploring facts and obtaining the testimonies necessary for the evidentiary process and case adjudication.

5) Efforts Undertaken by the District Court of Palembang City in Addressing Obstacles to Legal Protection for Victims of Electronic-Based Sexual Violence (EBSV)

The District Court has addressed obstacles in protecting EBSV victims, particularly children, by adopting a child-friendly approach during court proceedings. Judges create a supportive environment through persuasive communication and attentive listening, while victims are accompanied by parents or guardians, psychologists, and legal counsel to enhance their sense of security and facilitate calm and open testimony.

3. Legal Liability of Social Media Platforms and Legal Mechanisms for Addressing the Dissemination of Content on Social Media Platforms

a. Legal Liability of Social Media Platforms for the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

The dissemination of harmful content in cyberspace, including pornography, hate speech, hoaxes, terrorism-related material, defamation, online gambling, and child exploitation, threatens social norms, public safety, and societal well-being. Therefore, social media platforms have both legal and moral responsibilities to prevent and control its spread, although the large volume of daily uploads makes this increasingly challenging.

Electronic-Based Sexual Violence (EBSV) is one form of harmful content frequently disseminated through social media. Platforms act as Electronic System Providers (Penyelenggara Sistem Elektronik/PSE), while users serve as content creators and distributors. Legal responsibility therefore involves both users and platforms, but its enforcement often faces evidentiary difficulties, limited institutional capacity, and differing legal interpretations (Andari, 2022; Bambang, 2023). Consequently, effective supervision and content moderation remain major challenges in preventing the spread of EBSV on social media.

1) Administrative Liability of Social Media Platforms for the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

Social media platforms have a moral and legal responsibility to maintain a safe digital environment and prevent the dissemination of harmful content, including Electronic-Based Sexual Violence (EBSV). Under Government Regulation No. 71 of 2019 and Minister of Communication and Informatics Regulation No. 5 of 2020, platforms must register as Electronic System Providers (Penyelenggara Sistem Elektronik/PSE), enabling government oversight and imposing administrative sanctions for non-compliance, including warnings, fines, service suspension, and access blocking (Pasal 45 Undang-Undang Nomor 1 Tahun 2024; Pasal 52 Ayat (1) dan (4)).

Registered platforms must ensure that their systems do not contain or facilitate prohibited content, establish content governance and reporting mechanisms, and promptly remove unlawful content. However, they may be exempt from liability if they comply with these obligations and cooperate with law enforcement, including providing user data and conducting timely takedowns. From a legal theory perspective, platform liability reflects *strict liability*, where sanctions may apply without proof of fault, and *vicarious liability*, where platforms bear limited responsibility for users' activities due to their control over the system. Thus, platform liability is primarily obligation- and supervision-based, depending on regulatory compliance.

2) Administrative Liability of Social Media Platforms for the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

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Electronic System Providers (Penyelenggara Sistem Elektronik/PSE), enabling government oversight and imposing administrative sanctions for non-compliance, including warnings, fines, service suspension, and access blocking (Pasal 45 Undang-Undang Nomor 1 Tahun 2024; Pasal 52 Ayat (1) dan (4)).

Registered platforms must ensure that their systems do not contain or facilitate prohibited content, establish content governance and complaint mechanisms, and promptly remove unlawful content. However, platforms may be exempt from liability when they fulfill these obligations, cooperate with law enforcement by providing user data, and conduct timely takedowns. From a legal theory perspective, platform liability reflects strict liability, where sanctions may apply without proof of fault, and vicarious liability, where platforms bear limited responsibility for users' activities due to their control over the system. Thus, platform liability is primarily obligation- and supervision-based and depends on regulatory compliance.

b. Legal Mechanisms for Resolving the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

The legal resolution process for Electronic-Based Sexual Violence (EBSV) cases begins with receiving public reports or findings, which are registered through the Integrated Police Service Center (Sentra Pelayanan Kepolisian Terpadu/SPKT) as official police reports (Pasal 14 Ayat (1) dan (2)). The case is then investigated by the cybercrime unit using digital technology and forensic analysis, followed by a case review (gelar perkara) to determine the suspect and applicable legal provisions.

Once the investigation is complete, the case file is submitted to the Public Prosecutor (Jaksa Penuntut Umum/JPU) for review. If declared complete (P-21), the suspect and evidence are transferred, and the indictment is prepared. The case proceeds to court through indictment reading, examination of witnesses, experts, and the defendant, followed by the prosecutor's charges (Pasal 18 Undang-Undang Nomor 12 Tahun 2022). The trial concludes with a judicial decision, after which the parties may pursue legal remedies, including an appeal, in accordance with applicable law.

c. Legal Resolution Mechanisms for the Dissemination of Electronic-Based Sexual Violence (EBSV) Content Outside the Criminal Justice System

The Ministry of Communication and Digital Affairs (Komdigi) handles Electronic-Based Sexual Violence (EBSV) content through identification, verification, takedown, and monitoring. Content is identified through cyber patrols or public reports and verified for

legal violations (Citra, 2024). If unlawful, Komdigi orders the platform or Electronic System Provider (*Penyelenggara Sistem Elektronik/PSE*) to remove or restrict access to the content. Compliance is then monitored, with administrative sanctions imposed when takedown orders are not implemented within the specified timeframe.

d. Challenges in the Legal Resolution of the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

The handling of Electronic-Based Sexual Violence (EBSV) content faces challenges due to the high volume and rapid dissemination of digital content, the use of end-to-end encryption, and foreign-based servers that hinder monitoring and enforcement. Perpetrators also employ evolving methods, such as hidden links, cloud storage, and coded communication, to evade detection. Furthermore, difficulties in digital evidence and differing interpretations of unlawful content complicate the enforcement process.

e. Efforts to Address Challenges in the Legal Resolution of the Dissemination of Electronic-Based Sexual Violence (EBSV) Content

Efforts to improve the handling of Electronic-Based Sexual Violence (EBSV) focus on strengthening collaboration among the government, digital platforms, law enforcement agencies, non-governmental organizations, and academic institutions. In addition, takedown mechanisms should be improved through faster response times, stronger global standards, and greater platform transparency in content moderation and the handling of harmful content.

CONCLUSION

This study concludes that the legal framework governing Electronic-Based Sexual Violence (EBSV) in Indonesia is regulated through several legal instruments, particularly Law Number 12 of 2022 on Sexual Violence Crimes and Law Number 1 of 2024 concerning the Second Amendment to the Electronic Information and Transactions Law. However, harmonization and synchronization among the relevant regulations are still required to ensure legal certainty and effective enforcement. In Palembang City, legal protection for EBSV victims is implemented through preventive and repressive measures, including public education, complaint services, legal assistance, psychological and medical support, and safe houses. Nevertheless, its implementation remains constrained by limited human resources

and funding, accessibility barriers, victims' reluctance to report, victim-blaming, stigma, and social exclusion.

Social media platforms may bear criminal or administrative liability when they intentionally facilitate or fail to remove unlawful EBSV content, or fail to fulfill their obligations as Electronic System Providers. EBSV cases may be resolved through the criminal justice system or through non-judicial mechanisms, particularly content verification and takedown by the Ministry of Communication and Digital Affairs. This study contributes to legal scholarship by integrating the analysis of regulatory frameworks, victim protection, platform responsibility, and case-resolution mechanisms within the local context of Palembang City.

Future research should examine the effectiveness of EBSV protection across different regions, particularly regarding institutional coordination, digital evidence, platform accountability, and the effectiveness of content takedown mechanisms, to support the development of more integrated and victim-centered legal protection.

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