

The Pattern of Legal Aid Institutions Towards Protection for Victims of Sexual Violence in Medan City

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Abstract: North Sumatra Women's and Children's Empowerment Service data from 2019 recorded 216 cases. In 2020, sexual violations or criminal demonstrations of sexual viciousness increased to 1,013 cases, and by December 2021, the number dropped to 953 cases in the city of Medan. The government has continued its efforts to protect its citizens who are vulnerable to sexual violations or criminal demonstrations of sexual viciousness since the birth of Act No. 12 of 2022, involving legal aid institutions in providing protection to victims. The purpose of this research is to learn the legal instruments and patterns of protection of the Legal Aid Institute for victims of sexual violations or criminal demonstrations of sexual viciousness. The research method used is juridical through case study approaches and conceptual approaches. Data collection techniques by means of observations, interviews, and field documentation are qualitatively processed and analyzed descriptively. Research results show that legal instruments for the protection of victims of sexual violations or criminal demonstrations of sexual viciousness are not only in the Criminal Code but also in the Penal Code of Sexual Violence and the Child Protection Act. The protection pattern carried out by the Legal Assistance Agency is through the standard operational processes of internal procedures with the approach of structural legal assistance systems and structural gender legal assistance.

Keywords: Legal Aid, Protection, Victims, Sexual Violence

Abstrak: Data Dinas Pemberdayaan Perempuan dan Anak Sumatera Utara dari tahun 2019 tercatat 216 kasus Sexual violations or criminal demonstrations of sexual viciousness, 2020 bertambah sampai 1.013 kasus, dan hingga 2021 sampai dengan Desember jumlahnya menurun menjadi 953 kasus di kota Medan. Pemerintah terus berupaya melindungi warga negaranya yang rentan menjadi korban Sexual violations or criminal demonstrations of sexual viciousness semenjak lahirnya Undang-Undang Nomor 12 Tahun 2022, melibatkan lembaga bantuan hukum dalam memberikan perlindungan bagi korban Sexual violations or criminal demonstrations of sexual viciousness oleh Legal Aid Institutions Medan dan Legal Aid Institutions for Women's Association for Justice (APIK) Medan. Tujuan penelitian ini adalah untuk mengetahui instrumen hukum dan pola perlindungan Lembaga Bantuan Hukum bagi korban Sexual violations or criminal demonstrations of sexual viciousness. Metode penelitian yang digunakan adalah yuridis melalui pendekatan studi kasus dan pendekatan konseptual. Teknik pengumpulan data dengan cara observasi, wawancara dan dokumentasi lapangan, diolah secara kualitatif dan dianalisis secara deskriptif. Hasil penelitian menunjukkan bahwa instrumen hukum dalam perlindungan bagi korban Sexual violations or criminal demonstrations of sexual viciousness tidak hanya pada Kitab Undang-Undang Hukum Pidana, namun juga Undang-Undang Tindak Pidana Kekerasan Seksual dan Undang-Undang Perlindungan Anak. Pola perlindungan yang dilakukan Lembaga Bantuan Hukum melalui proses standar operasional prosedur internal dengan pendekatan sistem bantuan hukum struktural dan bantuan hukum gender struktural.

Kata Kunci: Lembaga Bantuan Hukum, Perlindungan, Korban, Kekerasan Seksual

A. Introduction

Sexual wrongdoing is evidently a developing peculiarity in Indonesian culture. Sexual violations or criminal demonstrations of sexual viciousness (TPKS) are acts managed in view of the components of criminal demonstrations planned in Article 4 of Regulation No. 12 of 2022 concerning TPKS. The components of TPKS are any activities done with sexual targets, expectations and goals through dangers and savagery.¹

The issue of sexual wrongdoings can't be anticipated at any level, on the grounds that dealing can happen in the homegrown, neighborhood, public and world areas. Sexual viciousness conduct isn't just a social issue or a conduct emergency, yet is a criminal issue whose implementation should focus on security for casualties and requirement that gives lawful conviction in making a move against culprits. Sexual brutality can happen in regular conditions, for example, family, workplace and others that can be completed by the nearest person. Some of the² TPKS whose redundancy rates keep on expanding incorporate assault committed by men against ladies, homosexuality, verbal sexual maltreatment in the age scope of youngsters, youths, grown-ups, and seniors. TPKS is a difficult issue in a general public.³

As indicated by the Specialist co-ops Discussion, explicitly TPKS there were 1,290 cases for the rest of 2020. Moreover, there were 168 instances of interbreeding committed by the casualty's dad, uncle and even sibling. In the mean time, TPKS whose culprits are the nearest individuals upwards of 195 cases. Then, at that point, 408 cases were done by individuals who fell into the classification of individuals near the person in question and who the casualty knew. In the mean time, 36 instances of dealing culprits were not distinguished. Besides, of the 480 cases that have been grouped into 9 classifications of savagery against ladies, 329 cases are lewd behavior. Other TPKS are instances of early termination, prostitution, sexual abuse and constrained condoms or contraceptives.⁴

In the mean time, in North Sumatra itself, sexual brutality cases are likewise high and turned into the number 3 (three) city with the most instances of sexual savagery. The North Sumatra Ladies and Kids Strengthening Office made sense of that from 2019 there

¹ Luh Made Khristianti Weda Tantri and Luh Made, "Human Rights Protection for Victims of Sexual Violence in Indonesia," *Media Iuris* 4, no. 2 (2021): 145–72.

² Fattah Hanurawan, "Social Psychological Prevention of Sexual Violence Behavior in Communities," in *National Seminar on Integrative Approaches to Sexual Education in Preparing Indonesia's Golden Generation*, 2014.

³ Supanto Supanto, "Pelecehan Seksual Sebagai Kekerasan Gender: Antisipasi Hukum Pidana," *Mimbar: Jurnal Sosial Dan Pembangunan* 20, no. 3 (2004): 288–310.

⁴ Yosephus Mainake, "Darurat Kekerasan Seksual Di Indonesia," *Pusat Penelitian Badan Keahlian Sekretariat Jenderal DPR RI*, 2021; Dedy Sumardi, Mansari Mansari, and Maulana Fickry Albaba, "Restoratif Justice, Diversi Dan Peradilan Anak Pasca Putusan Mahkamah Konstitusi Nomor 110/Puu-X/2012," *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 11, no. 2 (2022): 248–65, <https://doi.org/http://dx.doi.org/10.22373/legitimasi.v11i2.16010>.

were 216 instances of TPKS, 2020 expanded to 1,013 cases, and until 2021 until December the number diminished somewhat, in particular 953 cases.⁵

In view of these information, one might say that Indonesia is encountering a sexual savagery crisis and requirements guidelines that guarantee security for casualties. In Indonesia, sexual viciousness conduct has been named a crook act that is viewed as significant or as such alluded to as unprecedented wrongdoing, which is an exceptional wrongdoing, this should be visible with the introduction of Regulation No. 12 of 2022 concerning TPKS.⁶ Already, sexual brutality was managed in the Crook Code, Regulation No. 23 of 2004 concerning the Disposal of Aggressive behavior at home, Regulation No. 35 of 2014 concerning Youngster Assurance, Regulation No. 21 of 2007 concerning the Annihilation of Dealing with People and different guidelines.

Then, at that point, as a type of Indonesia maintaining common liberties and the disposal of savagery against ladies, CEDAW (The Show on the End of All Types of Victimization Ladies) was confirmed through Law of the Republic of Indonesia No. 7 of 1984 fully intent on giving security to ladies including from sexual savagery, in any case, the dispersion of these guidelines is viewed as unfit to understand the genuine assurance for survivors of sexual viciousness in substance and specialized needs.⁷

Assurance for casualties of dealing is contained in the state premise of the Republic of Indonesia in view of the 1945 NRI Constitution Article 1 section (3). The focal thought of the rechtsstaat is to maintain the common liberties of each and every resident in light of the standards of opportunity and balance and underwriters of the satisfaction of freedoms from abuse and torment, which for this situation are the commitments of the state. The security given by the state in light of common freedoms is essential for that everybody should be given security for their poise as people.⁸

Different types of security got by dealing casualties are assurance through lawful instruments and their execution in endeavors to give direct legitimate help. Lawful guide is an ideal for survivors of any wrongdoing. Legitimate guide can be gotten to through lawful guide foundations (LBH). In the city of Medan itself, there are a few LBH that give lawful guide administrations to survivors of sexual savagery, including the LBH Asosiasai Perempuan Untuk Keadilan Medan (LBH APIK Medan) which centers around taking care of instances of brutality against ladies with taking care of in light of orientation fairness. Another foundation is LBH Medan, a legitimate guide establishment that handles cases based on opening admittance to lawful guide for all degrees of society and is directed by the idea of battle for poor people and persecuted, in battling for a fair general set of laws

⁵ Andika Syahputra., "North Sumatra Third Most Cases of Sexual Violence in Indonesia.," 2021, <https://sumut.antaranews.com/Berita/453621/Sumut-Terbanyak-Ketiga-Kasus-Kekerasan-Seksual-Di-Indonesia>.

⁶ Prianter Jaya Hairi, "Sexual Violence Problems: Analyzing The Direction Of Government Policy In Handling The Problems," *The State of Law: Building Laws for Justice and Welfare* 6, no. 1 (2016): 1–15.

⁷ Rosania Paradias and Eko Sopyono, "Legal Protection for Victims of Sexual Harassment," *Indonesian Journal of Legal Development* 4, no. 1 (2022): 61–72.

⁸ Tantri and Made, "Perlindungan Hak Asasi Manusia Bagi Korban Kekerasan Seksual Di Indonesia."

in view of Common freedoms or known as primary legitimate help (BHS). Various ideas of legitimate guide gave should be explored on the job of legitimate guide foundations in giving security to casualties of dealing, how lawful instruments work and policing.

Hence, in view of the clarification above, scientists think of it as important to do explore on the most proficient method to safeguard casualties of sexual viciousness did by legitimate guide organizations, with the title "Legal Aid Institute for Protection for Victims of Sexual Violence in Medan City)".

This exploration requires the plan of the right hypothesis as an instrument to dissect and find replies to the issues formed. The hypothesis utilized on the off chance that it can support information as realities, and can be helpful in growing the approach to characterizing information that is then evolved, fabricating organized idea designs and giving an exhaustive clarification, connected with the endeavors of things got, fully intent on giving knowledge connected with realities and getting hints to points of truth that are considered to in any case have weaknesses. This exploration utilizes legitimate assurance hypothesis and policing.⁹

1. Theory of Legal Protection

Indonesia as a condition of regulation as expressed in the 1945 Constitution ensures security for each country no matter what. As per Satjipto Raharjo, legitimate insurance is an ideal for the local area as a type of security and acknowledgment of hurting common liberties by others with maskud so the local area can have the chance to partake in all privileges worked with by regulation.¹⁰

Legitimate security is a progression of state endeavors in giving lawful conviction certifications to their residents to satisfy their privileges and not be disregarded, then the people who abuse will be dependent upon material authorizations. Each legitimate subject has the privilege to lawful security in both preventive and abusive structures which for this situation are joined to composed and unwritten regulations.¹¹

So legitimate security is a sign of accomplishing the targets of regulation, in particular with the idea of equity, making request, having sureness, should be helpful and bring forth harmony that is an impression of the law. Legitimate security should give space to the local area that in local area exercises there is compelling reason need to stress over things that harm their freedoms. All in all, legitimate assurance should be felt substantially.¹²

⁹ Salman Otje and Anthon F Susanto, "Legal Theory, Remembering, Collecting and Reopening," *PT Refika Aditama, Bandung. Dismissal, and extension of the Notary's term of office as amended by the Regulation of the Minister of Law and Human Rights Number 62 (2007)*.

¹⁰ Raharjo Satjipto, "Legal Science, Bandung: PT," *Citra Aditya Bakti*, 2000.

¹¹ S H Isharyanto, "LEGAL THEORY An Introduction with a Thematic Approach" (WR Publisher, 2016).

¹² Mainake, "Indonesia's Sexual Violence Emergency."

The genuine type of legitimate security can be felt straight by the local area, in particular through policing or foundations like the Police, Examiner's Office, Courts, Witness and Casualty Assurance Establishments (LPSK) and different establishments that have capabilities in completing policing.¹³ Lawful security notwithstanding preventive and oppressive structures likewise has a preventive nature (disallowed) and corrective (endorse). The idea of disallowed for this situation is avoidance, which as in each drafting of regulations should reduce to anticipation with the goal that lawful security isn't oppressive all the time.¹⁴

Alluding to Soerjono Soekanto's viewpoint, legitimate insurance is additionally affected by different variables, including elements of regulations and guidelines, policing, variables of compartments or offices as allies of policing, factors and creating social elements.¹⁵

2. Law Enforcement Theory

The execution of activity against a demonstration that abuses pertinent legitimate arrangements is important for policing as per the power of policing. As per Soerjono Soekanto, the course of policing a progression of endeavors to change the worth relations contained in lawful guidelines and conduct as a course of explaining the last phase of values to introduce a protected, systematic and tranquil life in the relationship of local area life. The most common way of completing an action to uphold or work the principles of life in genuine terms as a manual for local area conduct in friendly, life and state is essential for a progression of policing. Policing be seen from different sides, specifically:¹⁶

- a. The subject of regulation, policing be done by an extensive subject and can be said to incorporate all legitimate subjects in light of lawful relations as a work to uphold the law. In doing standardizing rules, putting themselves in view of decides that apply both legitimately and standards that foster in the public eye, this can be finished up as policing a wide sense.
- b. The object of its regulations, the expansive and limited significance. The expansive importance, the accentuation of legitimate standards that contain the essential upsides of equity containing formal lawful arrangements and the way of thinking of equity that creates in the public arena. However, from a thin perspective, just stick to classified rules in sorting out policing.

¹³ Muhammad Hanafi, "Legal Protection of Victims of Sexual Harassment in Law Enforcement in Indonesia," 2019.

¹⁴ Edi Setiadi, *Criminal Law Reform, to anticipate the development of economic crimes* (Bandung Islamic University, 2000).

¹⁵ Soerjono Soekanto, "Factors Influencing Law Enforcement," 2004.

¹⁶ M Syukri Akub and Amir Ilyas, *Due Process of Law Insights in the Criminal Justice System* (Rangkang Education, 2013).

Research on sexual savagery has been done a ton, however nobody plays analyzed the part of LBH in giving security to survivors of dealing in view of the introduction of the TPKS Regulation, particularly on its instruments and execution in lawful assurance. Then the main examination that is important is first, in the review makes sense of the idea of assurance for survivors of sexual viciousness in the perspective on certain regulation and Islamic regulation with regards to discipline and the kinds of violations forced on culprits of sexual brutality, to be specific emasculation, declaration of the personality of the culprit, detainment, fines and different wrongdoings as per positive legitimate arrangements or criminal regulation ideas. Then, at that point, in regards to the Islamic regulation examined is about the demonstration of infidelity and how the Qur'an answers and gives regulations to miscreants as per QS: Al-Israa' stanza 32. The review showed that philanderers, all kinds of people, got discipline and for assault culprits who were rebuffed were the culprits as it were.¹⁷

Second, research directed that makes sense of the absence of legitimate security for casualties of inappropriate behavior because of random requirement and unbiasedness of policing's mentalities to casualties and one-sided inclinations. One more variable that causes the absence of legitimate security for survivors of provocation is the ill-advised use of regulations and methods did that are not expertly dependable.¹⁸ *Third*, the review makes sense of the lawful place of a legitimate guide establishment in giving help to kid casualties of criminal demonstrations in the adolescent law enforcement framework in Bima locale, about strategy definitions in handling youngsters becoming survivors of criminal demonstrations with a *restorative justice*¹⁹ move toward To be specific settlement outside the criminal framework by standing up to the person in question, culprit, the two families, society and gatherings who are considered to have interests fully intent on agreeing, all in all there is consideration for agreement, or concurred harmony.

In past examinations connected with sexual savagery, specialists just tracked down a hypothetical report. Past examinations have just made sense of the absence of legitimate insurance for casualties of inappropriate behavior brought about by inadequacy and the inclination of policing to predisposition casualties. Accordingly, scientists are keen on looking at as far as executing legitimate instruments involved by lawful guide establishments in safeguarding survivors of sexual savagery, so it is trusted that this study can give an outline of the examples involved by lawful guide foundations in carrying out lawful instruments utilized in safeguarding casualties of sexual viciousness. The object of examination in this exploration is foundations that contribute

¹⁷ Didi Sukardi, "Legal Protection of Child Victims of Sexual Crimes in a Positive and Islamic Legal Perspective," *Court: Journal of Islamic Law Studies* 2, no. 1 (2017).

¹⁸ Paradias and Soponyono, "Legal Protection of Victims of Sexual Harassment."

¹⁹ Suherman Suherman, "The Legality of Legal Aid Institutions for Child Victims of Criminal Acts According to the Juvenile Criminal Justice System in Bima Jurisdiction," *JOURNAL OF SOCIAL STUDIES EDUCATION* 10, no. 2 (2020): 134–43.

an adequate number of in safeguarding casualties of sexual brutality in the Medan City region, including the Medan Lawful Guide Organization and LBH APIK. Then, at that point, the motivation behind this study is first, to figure out the lawful instruments of security for casualties of sexual viciousness in Indonesia and its execution as legitimate help for casualties and second, toknow the job of legitimate guide organizations in insurance for survivors of sexual savagery in light of information got straightforwardly from lawful guide suppliers, specifically LBH APIK Medan and LBH Medan.

A review can't be supposed to be logical in the event that it doesn't utilize research philosophy, including legitimate exploration, both regulating research and exact examination. The motivation behind utilizing approach is to make it simpler for analysts to dissect the information got. Research should be methodical, have strategies and headings of felt that are pointed toward noting the issues to be contemplated.²⁰

The kind of examination utilized is experimental juridical exploration. Research sees regulations in view of realities that exist in the public arena and thinks about how regulations capability. This exploration centers around parts of human existence in the public eye, collaborations among people and responses to social side effects that exist in the public arena, so it is additionally called humanistic legitimate examination. Lawful examinations start from the truth of life of networks, establishments, companies, or government organizations. The methodology utilized in experimental juridical examination is a subjective methodology with a spellbinding nature and dissecting the information got as per the focal point of the review, in particular crafted by regulation in the public eye²¹ through a case approach and calculated approach. Besides, as a progression of critical thinking, a standardizing approach is utilized, which is a methodology that alludes to standards or rules and material regulations and guidelines.²²

1. Object of Research

- a. Legal instruments in the protection of victims of sexual violence and their relation in law enforcement that develop in the community of Medan
- b. The role of legal aid institutions in providing protection for victims of sexual violence at LBH APIK Medan and LBH Medan

2. Data Types and Sources

This examination gathers subjective information as articulations, sentences, pictures as representations or portrayals or photographs. The sort of information utilized is obtained from essential information and optional information. Essential information is information gotten straightforwardly from essential sources, in particular a source who

²⁰ N D Mukti Fajar and Yulianto Achmad, *Dualism of Legal Research: Normative & Empirical* (Student library, 2010); Abdurrahman Soejono and H Abdurrahman, "Research Method of a Thought and Application," *Jakarta: Rineka Cipta*, 1999.

²¹ Mukti Fajar and Achmad, *Dualism of Legal Research: Normative & Empirical*.

²² Lexy J Moleong, "Metodologi Penelitian Kualitatif . Remaja Rosdakarya," 2018.

has data or information connected with a progression of exploration. The assertions and mentalities of the noticed or talked with individual are the primary wellspring of information and are recorded with notes, recordings, and visual film. Accordingly, the underlying information source is interviews with respondents who are viewed as important for information assortment. Those talked with this time are those engaged with the working arrangement of lawful guide organizations, in particular LBH APIK Medan and LBH Medan. Secondary data consists of legal materials, including:

- a. Primary legal materials, in the form of legal norms and all laws and regulations related to research.
- b. Secondary legal materials are supporting materials from primary legal materials such as books, journals, expert opinions, supporting documents that are considered appropriate.
- c. Tertiary legal materials are materials that complement as a guide to find explanations for problems in this study that are considered relevant such as KBBI, digital data, and so on.

3. Research Stages

Research is carried out in several stages, namely from the stage of preparing proposals, then collecting data, verifying data and preparing reports. Data collection was carried out by visiting directly LBH APIK Medan and LBH Medan. The study will be conducted from December 2022 to September 2023. To obtain the data needed in this study, data collection techniques are needed to be used, including:

a. Observation

The utilization of perception techniques for scientists is a strategy that spotlights on perspectives to know observationally about the peculiarity of the item under study. Perception centers around perception utilizing the human detects, particularly vision and hearing, with the goal that the realities contained are found, then, at that point, the side effects that are seen and that are required to have been noticed. Then, an examination of the records is done. Research issues will be replied by mentioning objective facts. For this situation, scientists go straightforwardly to LBH APIK Medan and LBH Medan, which is completed efficiently which is done and checked by the object of examination.

b. Interview or Interview

Research that will be led through interviews is completed orally among questioners and asset people who are viewed as ready to contribute and address inquiries as indicated by the necessities of the issue plan. Interview is a strategy that expects scientists to meet up close and personal, examine and listen straightforwardly to the data conveyed from those contemplated.

c. Documentation

Information assortment strategies through documentation are helped out through writing studies and report concentrates on that are thought of as pertinent to explore, then documentation as photographs in offices that are the object of exploration.

d. Data Analysis

This examination utilizes subjective investigation by handling information through coordinating and sequencing the information got, then, at that point, shaping an orderly plan of examples, classes and essential depictions, then the issue will be associated with the hypothesis that will be utilized as an examination blade to get the right and straightforward investigation. Information exposure is completed insightfully, in particular in light of consistent thinking, from general to explicit, primarily as a depiction to make sense of the connection between existing information, determined to have the option to answer problemsn.

B. Legal Instruments for Protection for Victims of Sexual Violence

Security of assault casualties intends to safeguard ladies' basic liberties, particularly not to be mistreated or not treated savagely and uncaringly, particularly to look for equity for themselves. Types of security like types of advising, lawful help, clinical benefits. Insurance of survivors of sexual brutality isn't ideal since there is as yet an absence of public grasping about the circumstances and end results of sexual viciousness. This is combined with the absence of ideal casualty security administrations worked with by the state, despite the fact that the capacity of local area based specialist organizations to give casualty assurance administrations is likewise restricted.

Casualty security in the law enforcement process is absolutely indistinguishable from casualty assurance as per material positive legitimate arrangements. The ongoing positive regulation controls the issue of sexual brutality, yet these guidelines don't completely see thoroughly the profound issues connected with sexual savagery.

The common guidelines of criminal regulation directed in book I of the Crook Code are as essential principles of criminal regulation that are of an overall sort and relevant as far as and connecting with the disallowance of specific demonstrations, both lawbreaker acts in book II (violations) and Book III of the Lawbreaker Code (offenses), as well as wrongdoings that are outside the Lawbreaker Code.

The guideline of sexual wrongdoings in the Crook Code, in the section Violations Against Respectability, its position brings its own disarray and will in general cloud the basic issue of sexual wrongdoings, to be specific infringement of human life since fairness is frequently hinted with activities that are in opposition to virtues or material standards. Sexual wrongdoings are viewed as an infringement of virtues as opposed to violations against humankind. The qualities utilized fundamentally mirror the qualities or standards of the prevailing gathering (male interests) which frequently portray ladies as a subjected bunch.

The restricted extent of sexual brutality itself is controlled in Regulation Number 23 of 2004 concerning the End of Abusive behavior at home, Regulation Number 39 of 1999, Regulation Number 23 of 2002 as changed by Regulation Number 35 of 2014 concerning Youngster Security, and Regulation Number 39 of 1999 concerning Common freedoms. The restricted extent of sexual brutality violations restricts the issues of sexual

viciousness experienced by casualties. For instance, connected with inappropriate behavior, sexual abuse, assault, constrained early termination, marriage, constrained prostitution, sexual torment, and sexual subjugation.

There are as yet restricted courses of action for casualty security parents in law and guidelines where casualties possibly get security in the event that they take legal procedures While Regulation Number 23 of 2002 as revised by Regulation Number 35 of 2014 concerning Kid Assurance, is restricted to the assurance of youngsters.

One type of responsibility and reality of states connected with responsibility for lawful security of common liberties is to approve global instruments connected with basic freedoms. Indonesia's liability in safeguarding basic freedoms for casualties of sexual viciousness is fundamentally through the sanction of various global legitimate instruments on common liberties, to be specific the Worldwide Contract on Common and Political Privileges (hereinafter alluded to as ICCPR) and CEDAW. Indonesia as a party state is obliged to satisfy all obligations and guarantee that Indonesian public regulation is as one with these peaceful accords and the instruments that are the commitments of these peaceful accords.

Notwithstanding worldwide legitimate instruments, Indonesia's public regulation likewise contains various arrangements on sexual brutality. These arrangements are by and large contained in the NRI Constitution of 1945, Regulation Number 39 of 1999 concerning Basic liberties (hereinafter alluded to as the Common freedoms Regulation), and the Lawbreaker Code. All the more explicitly, in various legitimate items including the Aggressive behavior at home Regulation, the Kid Assurance Regulation, to the PTPPO Regulation. Be that as it may, different arrangements administering the insurance of casualties of sexual brutality are as yet sufficiently not. Lawful instruments connected with the insurance of casualties of sexual viciousness have not had the option to give a far reaching legitimate umbrella. Up to this point, there has been no regulation that explicitly manages sexual viciousness.

The respect and pride of a person in global lawful instruments is safeguarded by different game plans like the right to individual wellbeing, the right to individual flexibility and security, and assurance from all types of segregation. Individual flexibility and security and related freedoms are controlled in global common liberties instruments going from the Widespread Statement of Basic liberties (hereinafter alluded to as UDHR), ICCPR, and CEDAW, and the General Remark and General Proposal that go with it. Cited and deciphered from the Unified Countries, General Remark is an understanding of an arrangement with respect to the arrangements, topical issues, or functions of global settlements on common freedoms. While the Overall Proposal is a definitive assertion used to explain reports that are commitments of states gatherings or states gatherings to the settlement. These different worldwide legitimate instruments are the reason for immediate and backhanded assurance of casualties of sexual savagery including, Widespread Announcement of Common liberties (UDHR) 1948, Global Contract on

Common and Political Privileges (ICCPR) 1966, General Remark No. 35 - Article 9: Freedom and Security of people 1982, show on the End of All Types of Victimization Ladies (CEDAW) 1979, General Proposal No. 19: Savagery Against ladies 1992.

With regards to public regulation, the NRI Constitution of 1945 and the regulations and guidelines under it have likewise ensured the assurance of human poise and nobility. In the NRI Constitution of 1945, it has commonly contained assurances of individual self-security to certifications of independence from treatment that debases human pride. The regulations and guidelines under it that additionally give related guidelines are the Basic freedoms Regulation. Then, at that point, criminal regulation guidelines connected with sexual brutality are spread in the Crook Code, the Abusive behavior at home Regulation, the Kid Security Regulation, and the PTPPO Regulation. The assurance of security for casualties of sexual savagery has been contained in the NRI Constitution of 1945 and the regulations and guidelines under it.

a. Constitution of the Unitary State of the Republic of Indonesia Year 1945 (UUD NRI Year 1945)

Explicitly connected with individual assurance of honor and poise and furthermore against torment or debasing treatment, human pride is managed in Article 28G of the NRI Constitution of 1945 which peruses as follows: Everybody has the option to the assurance of himself, family, honor, nobility, and property under his influence, and the right to security and security from the danger of dread to do or not accomplish something that is Privileges. Everybody has the privilege to be liberated from torment or debasing treatment and to political refuge from different nations.

Under these articles, ensures have been made for the assurance of the individual with poise and pride and furthermore against torment or corrupting treatment, human respect. So legitimate security for casualties of sexual brutality is important for sacred privileges.

b. Laws and Regulations Under the NRI Constitution of 1945

As a general rule, Article 29 passage (1) of the Common liberties Regulation ensures individual insurance of one's honor and poise. This regulation likewise requires more security for weak gatherings as specified in Article 5 passage (3). The position of youngsters' common freedoms and ladies' privileges is completed independently as a type of security as a feature of the particularity of the two gatherings. This is in accordance with global advancements as confirmed by the presence of discrete worldwide lawful instruments for youngsters and ladies.

State certifications of basic liberties are not brought into the world by confirmation of global guidelines or the issuance of any guidelines, however states are answerable for ensuring the common freedoms of their residents that have been moved essentially by people since their introduction to the world and showing state regard for these privileges. Ladies as a local gathering in a nation, are a gathering that should be ensured their

privileges. The State is obliged to guarantee the security of basic liberties of ladies' gatherings like different gatherings.

The basic liberties of all kinds of people are perceived and safeguarded by regulation. Regulations will continuously be expected to oblige the responsibility of states to safeguard the common freedoms of their residents, including ladies. Indonesia through its positive regulation ought to ensure the security of ladies survivors of brutality. The Crook Code controls savage violations through the definition of articles, incorporating those contained in the sections on wrongdoings against goodness, wrongdoings against life, on abuse and on death or injury because of carelessness. In any case, the Crook Code doesn't explicitly manage rough wrongdoings that don't bring about actual injury, like provocation, censure, or verbal savagery that outcomes in more mental injury isn't controlled in the Lawbreaker Code. Articles directing sexual brutality additionally can't be tracked down in the Crook Code.

State certifications of basic liberties are not brought into the world by confirmation of global guidelines or the issuance of any guidelines, however states are answerable for ensuring the common freedoms of their residents that have been moved essentially by people since their introduction to the world and showing state regard for these privileges. Ladies collectively of individuals in a nation, are a gathering that should be ensured their privileges. The State is obliged to guarantee the security of basic liberties of ladies' gatherings like different gatherings.²³

Vicious wrongdoings that don't bring about actual injury, like badgering, censure, or verbal brutality that outcomes in more mental injury are just controlled in the Aggressive behavior at home Regulation. The Law on Aggressive behavior at home was passed on September 22, 2004 to forbid demonstrations of aggressive behavior at home against people inside the extent of the family. Preclusion of physical, mystic, sexual and homegrown disregard. The term sexual savagery itself has just showed up in this regulation. Article 8 of the Law on Abusive behavior at home expresses the extent of sexual viciousness, to be specific "... a. constrained sexual relations committed against people dwelling inside the extent of the family; b. compulsion of sexual relations between one individual in his family and someone else for business or potentially unambiguous purposes." In any case, there is not an obvious reason or meaning of sexual viciousness.

Explicitly about the assurance of kids from sexual viciousness, it has been controlled in the Kid Security Regulation. Article 15 letter f of the Youngster Security Regulation expresses that "Each kid has the option to insurance from: ... f. sexual wrongdoings.". The Kid Insurance Regulation gives security to youngsters as survivors of sexual savagery. In any case, the Youngster Security Regulation likewise doesn't give a definition or clarification connected with wrongdoing or sexual viciousness.

²³ Niken Savitri and Aep Gunarsa, *HAM Perempuan: Kritik Teori Hukum Feminis Terhadap KUHP* (Refika Aditama, 2008).

Another type of sexual brutality, specifically sexual abuse, has likewise been managed in the PTPPO Regulation. Article 1 point 8 of the PTPPO Regulation gives a definition connected with sexual double-dealing as "all types of use of sexual organs or different organs of the casualty for benefit, including however not restricted to all prostitution and sex exercises.". Dealing with people, particularly sexual double-dealing, is a demonstration that is in opposition to human poise and disregards basic freedoms and should be destroyed. The far reaching organization of coordinated dealing violations among nations and inside the nation represents a danger to regard for common freedoms.

Dealing casualties are not just with the end goal of prostitution or different types of sexual double-dealing, yet additionally incorporate different types of abuse. Most of dealing with cases Indonesia included work abuse, sexual double-dealing, business that was not as per arrangements, the offer of organs, and instances of babies being exchanged. Dealing has turned into an uncommon wrongdoing that requires unique treatment.²⁴

The counteraction part of hostile to dealing endeavors under the PTPPO Regulation is a critical part. Likewise, the corrective viewpoint, as well as filling in as an arraignment of culprits, likewise adds to endeavors to forestall dealing with people. Serious lawbreaker assents ought to preferably forestall dealing with people. Be that as it may, the peculiarity connected with the act of dealing with people is progressively pervasive.²⁵

Criminal regulations administering sexual brutality are as yet dispersed in a few regulations. Sexual savagery which incorporates assault, lewd behavior, undesirable contacting, constrained sexual relations, sexual dealing, female circumcision, sex, kid marriage, constrained contraception, sexual subjugation, constrained prostitution, to constrained pregnancy independently is directed in different regulations. At the point when the Lawbreaker Code doesn't accommodate sexual brutality, the standard of *lex specialis derogat legi generali* applies. This rule is the guideline of legitimate understanding which expresses that particular regulations abrogate general regulations. In any case, the issue is, there is no regulation that explicitly manages sexual brutality. So that in cases that can't be settled by the Aggressive behavior at home Regulation, Kid Assurance Regulation and PTPPO Regulation, for instance, policing will get back to the overall criminal regulation, in particular the Lawbreaker Code.

In the field of criminal regulation, the Crook Code is restricted by the standard of legitimacy specified in Article 1 passage (1) which expresses "No demonstration is disallowed (required) and compromised with wrongdoing, on the off chance that it was not recently expressed in that frame of mind of regulation that goes before the actual demonstration". With this arrangement, the Crook Code can't be utilized as a reason for violations that are not managed in composed regulation. It is plainly expressed that there

²⁴ Tantri and Made, "Perlindungan Hak Asasi Manusia Bagi Korban Kekerasan Seksual Di Indonesia."

²⁵ Tantri and Made.

are prerequisites that don't take into consideration wrongdoings and different offenses past the standards that have been composed to be precluded.

It very well may be seen that both from the authentic foundation of the Crook Code as far as its motivation is to forestall the mediation of the ruler in utilizing criminal regulation. No guideline can go amiss from what has been illustrated in the rule of legitimacy of the Lawbreaker Code. The impact of positivism in the utilization of Article 1 section (1) limits each endeavor at understanding as a feature of legitimate conviction. Legitimate sureness for equity expressed in Article 1 passage (1) has been deciphered as the difficulty of understanding space as a post to limit the burden of discipline on somebody who perpetrates a demonstration that isn't explicitly denied and written in a criminal regulation.

Security for survivors of sexual viciousness parents in law and guidelines in Indonesia is as yet spread in a few regulations and guidelines, like in the Crook Code, the Aggressive behavior at home Regulation, the Youngster Assurance Regulation, and the PTPPO Regulation. There is no particular regulation administering the insurance of casualties of sexual brutality. Lawful instruments connected with the insurance of casualties of sexual brutality that exist today have not had the option to give a thorough legitimate umbrella.

The Crook Code is as yet the primary reference in Indonesian criminal regulation, incorporating when confronted with instances of sexual viciousness. The term sexual viciousness can't be found in the Crook Code, not to mention a definition connected with survivors of sexual savagery. Nonetheless, we can get the meaning of casualty through the examination of articles in the Lawbreaker Code that direct sexual viciousness, particularly Article 285 and Article 286 of the Crook Code. The two articles manage the wrongdoing of assault, however what recognizes the two is the state of the one who is the person in question. Article 285 of the Corrective Code directs the compulsion of sex, forcibly or danger of brutality, against ladies outside marriage, while Article 286 of the Reformatory Code controls sex, on a lady outside marriage, who is known to be in a condition of faintness or vulnerability. The two articles expect acts to be committed against ladies and the culprits should be men. It isn't feasible for Articles 285 and 286 of the Lawbreaker Code to be committed against men with female culprits.

The component of lovemaking itself as per R. Soesilo is deciphered as a challenge between the male privates into the female privates to deliver semen. This is positively exceptionally restricted thinking about that instances of sexual brutality that happen are not generally the situation. All components in the two articles should likewise be met aggregately to fulfill the offense of the articles. At the point when one of the components in the definition of the offense can't be satisfied, then, at that point, the demonstration

can't be named a crook act on the grounds that the lawbreaker act has not happened or has not happened.²⁶

Regulations connected with sexual brutality including the Aggressive behavior at home Regulation, Kid Insurance Regulation, PTPPO Regulation each contain the meaning of 'casualty'. Casualties safeguarded by the Aggressive behavior at home Regulation are managed in Article 1 point 3 of the Aggressive behavior at home Regulation which characterizes casualties as "individuals who experience brutality or potentially dangers of viciousness inside the extent of the family." The Kid Security Regulation which explicitly directs kid security, through Article 1 number 1 gives impediments through the meaning of a youngster as "somebody who isn't yet 18 (eighteen) years of age, including kids who are still in the belly." Then in the wrongdoing of dealing with people, the extent of casualties is restricted through Article 1 point 3 of the PTPPO Regulation, to be specific "an individual who encounters mental, mental, physical, sexual, financial, as well as friendly misery, coming about because of the wrongdoing of dealing with people". Casualties of sexual brutality are not just restricted to casualties in the Crook Code, casualties in the homegrown domain, youngster casualties, and dealing casualties. Casualties of sexual brutality beyond every one of them absolutely need a similar insurance. Without even a trace of exhaustive guidelines, endeavors to safeguard survivors of sexual viciousness are not ideal.

Endeavors to further develop security of regulations and guidelines connected with brutality have been effectively completed by common society alliances by submitting strategy papers and the Draft Regulation on the End of Sexual Savagery (hereinafter alluded to as RUU PKS). RUU PKS is pointed toward forestalling and dealing with instances of sexual brutality and giving casualty recovery and discipline of culprits of sexual savagery. RUU PKS likewise lays out extraordinary legitimate strategies for dealing with sexual savagery cases to eliminate obstructions for casualties of sexual brutality and increment admittance to lawful help for ladies who have been encountering troubles in settling their cases through the courts.²⁷

C. Pattern and Role of LBH APIK on Protection for Victims of Sexual Violence

Legal protection is something that protects legal subjects through applicable laws and regulations and is forced to implement them with a sanction. Legal protection can be divided into two, namely:

1) Preventive legal protection

Insurance gave by the public authority the point of forestalling before infringement happen. This is contained parents in law and guidelines determined to

²⁶ Arif Maulana, "Mengenal Unsur Tindak Pidana Dan Syarat Pemenuhannya," *Hukumonline. Com. Last Modified*, 2020.

²⁷ Rayyan Fakhri and Azhari Yahya, "The Protection Of Women As The Victim Of Economic Abuse Under International Human Rights Law In Indonesia," *Jurnal Ilmiah Mahasiswa Bidang Hukum Keperdataan* 3, no. 4 (2019): 727–38.

forestall infringement committed by culprits and giving signs or cutoff points to culprits in doing their commitments.

2) Repressive legal protection

Harsh lawful security is the last insurance as culprit obligation, fines, detainment, and extra punishments given on the off chance that there has been a debate or the culprit has committed an infringement.

In preventive assurance, casualties of sexual savagery get security done by their families, advocates, social foundations, police, examiners, courts, or different gatherings either briefly or in light of court judgments.

For instance, the Legitimate Guide Organization of the Indonesian Ladies' Relationship for Equity (LBH-APIK), one of the social establishments that has a focal point of consideration in the field of regulation. LBH-APIK has exercises, for example, legitimate guide, instruction and lawful mindfulness which all attention on ladies. For NGOs, for instance the NGO Pesada (Perkumpulan Sada Ahmo) settled in Sidikalang, North Sumatra. This NGO zeros in its exercises on individuals' financial turn of events (center is ladies and kids) through cooperatives (credit associations) or different fields. Yet, en route, this NGO was moved to give legitimate assurance to ladies and youngsters casualties of sexual brutality.

Instances of sexual savagery that happen in the public arena frequently don't become public consideration on the grounds that the perspectives/ideal models of society that are affected by culture, religion, and different reasons are the consideration of social organizations. Sexual Viciousness is named one type of orientation delicate savagery in light of the fact that most casualties of Sexual Brutality are ladies and the culprits are men.²⁸

Barda Nawawi Arief said casualty security should be visible from two implications, in particular: first, it very well may be deciphered as lawful assurance not to become survivors of criminal demonstrations. Second, it tends to be deciphered as security to acquire legitimate pay/ensures for the misery/loss of individuals who have been survivors of criminal demonstrations. This type of remuneration can be through reestablishing great name (recovery), reestablishing inward equilibrium, giving pay, etc.

In view of the comprehension of legitimate security given by Barda Nawawi Arief above, for the principal comprehension of legitimate insurance not to turn into a survivor of criminal demonstrations in the Sexual Viciousness Wrongdoing Regulation Number 12 of 2022 alluded to as counteraction endeavors, LBH-APIK here takes jobs like directing schooling and lawful familiarity with ladies by the Legitimate Training and Mindfulness Division. This lawful instruction and mindfulness is completed via preparing, classes,

²⁸ Andi Maysarah, "Perlindungan Hukum Bagi Istri Sebagai Korban Kekerasan Dalam Rumah Tangga (Studi Di LBH-APIK Medan)," *Warta Dharmawangsa* 13, no. 3 (2019).

conversations, arrangement of legitimate booklets and pamphlets, lawful socialization and legitimate directing.²⁹

In the Sexual Viciousness Wrongdoing Regulation Number 12 of 2022, there is one exertion, in particular endeavors to secure/help casualties of Sexual Brutality Violations. The fact is that the public authority has attempted to cause guidelines that to manage the event of Sexual Viciousness Wrongdoings that cause casualties, yet in all actuality TPKS actually happens. In conditions like this, social institutions also have a role, namely legal *assistance* by the legal aid division, the goals of this legal aid are: Resolution of cases of Sexual Violence Criminal Acts in accordance with applicable legal regulations, taking action against perpetrators of Sexual Violence Crimes, protecting the rights of victims of Sexual Violence Crimes, psolve the case of Sexual Violence Crime with the right solution / *win-win solution*.

The advantages of lawful help are: individuals who are legitimately ignorant find support and security legitimately in beating the issue of Sexual Savagery Wrongdoings, individuals get help and don't feel alone in dealing with the issues of Sexual Brutality Violations they experience, individuals realize what is and have happened to them and understand what they ought to do straightaway, masyarakat/casualty get a guard of their inclinations, masyarakat take care of the issue of Sexual Viciousness Wrongdoing with the right arrangement as per the relevant legitimate principles as opposed to carrying out unlawful demonstrations, hak local area/casualty safeguarded.

In helping casualties of Sexual Savagery, establishments impart responsive and delicate mentalities. Responsive and delicate implies that social organizations are touchy and receptive to the issue of Sexual Viciousness Wrongdoing. For instance, LBH-APIK gets data from the local area (informants) that some place there has been a Sexual Savagery Wrongdoing, LBH-APIK promptly goes to the spot and makes an honest effort to forestall exploitation of Sexual Viciousness Violations. Or then again likewise founded looking into it within reach, for instance a detailed assault case, the establishment will go straightforwardly to the person in question and report to the police and/or request clinical records to wellbeing laborers before the proof is lost. In completing collaboration, social organizations don't necessarily help out undeniably related offices/establishments. Participation is completed in view of the requirements and choices of casualties and/or social establishments can't do this so they should help out different foundations.³⁰

The arrangement of social establishments for this situation is LBH-Apik Medan in the center/focus of the graph above on the grounds that the focal point of the conversation of this composing is social foundations (LBH-APIK Medan) and their jobs. Casualties who are in the social establishment segment (LBHAPIK Medan) show that the social foundation (LBH-APIK Medan) does different things to serve survivors of Sexual Brutality Wrongdoings. Social establishments (LBH-APIK Medan) coordinate with different

²⁹ Maysarah.

³⁰ Maysarah.

foundations like the police, examiners, courts, government, wellbeing laborers, profound aides, mental organizations, and additionally other social establishments to help and recuperate casualties of Sexual Savagery. In this coordination, social organizations (LBH-APIK Medan) assume a part to associate one foundation/establishment and one more to serve casualties of Sexual Savagery. For this situation, the coordination place is situated in a social establishment (LBH-APIK Medan). Social organizations help out different organizations in view of restrictions in doing a demonstration, this collaboration is done with the assent of safeguarded survivors of abusive behavior at home.³¹

Some of the principles of LBH-APIK Medan's work method / system in providing protection for victims of Domestic Violence are:

- a. The principle " *The decision is in the hands of the victim*". This means that social institutions only play a role in providing choices and consequences for each choice that can be taken by victims of Sexual Violence Crimes, victims who have the right to make choices (which are considered good victims) to solve the problems faced. Even in doing what the institution deems good to do in the interest of the victim if the victim does not agree to do so, then the institution will not do it.
- b. The principle of " *everything for the victim*". LBH-APIK Medan tries its best to assist victims of Sexual Violence in order to protect the human rights of victims as human beings. LBH-APIK Medan will do everything that is considered good to protect the human rights of victims of Sexual Violence.
- c. The principle of " *Seriousness and firmness of victims*", LBH-APIK Medan, which has tried its best to protect the human rights of victims, must be accompanied by the seriousness and firmness of victims to make their choices. LBH-APIK Medan really hopes for good cooperation from victims in solving the problem of Sexual Violence Criminal Acts they experience.
- d. The principle of " *Victim empowerment*", LBH-APIK Medan seeks to empower all abilities and courage of victims / women and / or independent victims to do something without the help of institutions. The agency will assist the victim if needed by the victim or if the victim faces obstacles doing so alone. The agency also empowers victims to be helpers for other victims.

D. Pattern and Role of LBH Medan on Protection for Victims of Sexual Violence

The Medan Lawful Guide Establishment (LBH) is essential for the Indonesian Legitimate Establishment. YLBHI was laid out on October 28, 1970 at the drive of Dr. Adnan Buyung Nasution, S.H who was completely upheld by Ali Sadikin as the Legislative head of Jakarta around then the foundation of lawful guide organizations in Jakarta followed by the foundation of LBH branch workplaces in regions like Banda Aceh, Medan, Palembang, Padang, Bandar Lampung, Bandung, Semarang, Surabaya, Yogyakarta, Bali, Makassar, Manado, Papua, Pekanbaru, Palangkaraya, Samarinda, and West Kalimantan

³¹ Maysarah.

right now YLBHI has 18 LBH branch workplaces in 18 areas and a few posts of LBH Medan itself was initiated on January 28, 1970 under the administration of Mahjoeldanil, S.H and is the most seasoned legitimate guide establishment outside Java today.

As far as safeguarding casualties of Sexual Savagery, LBH Medan has a program connected with the execution of Legitimate Guide administrations for sexual viciousness programs that worry the issue of extraordinary standards, LBHI which alludes to LBH Medan has moved to BHGS. It's simply that in light of the fact that LBH Medan has many issues, it isn't explicit and doesn't prompt BHGS, what is finished by LBH Medan despite the fact that it isn't all around systemized. In the first place, LBH Medan makes or censures the issue of whether there are in excess of 15 extraordinary cases dealt with by LBH Medan from 2021 to 2023, it just so happens, all youngsters, most of young ladies and furthermore young men, have been finished by LBH Medan to make a Zoom with the Head of Police to fill these exercises with the point that in all police headquarters or police headquarters, there should be a unique detainment community for kids, in light of the fact that not all police headquarters have kids' confinement habitats. In the mean time, assuming the casualties for this situation are kids who join with grown-up detainees, obviously they should be powerless against becoming survivors of sexual savagery.

Then, at that point, to support the program from LBH Medan, which obviously simultaneously conquers the impediments they face, is to make arrangements to empower vital situations in the North Sumatra Provincial Police beginning from the police boss, the police boss to Kanit and examiners, LBH Medan recommends that the program should arrive at 30% ladies in policing, this is the arrangement that LBH Medan has made in the 2023 time of the police in the issue of backing approaches that as Police Guideline (PERPOL).

The type of administration given by LBH Medan to casualties of Sexual Viciousness Wrongdoing is as far as grumblings that must be On the web, yet for meeting, it is normal that casualties are available to give precise protests to stay away from miscommunication while giving answers for casualties, and obviously LBH Medan does its obligations in view of SOP principles that have been managed in LBH Medan. LBH Medan does a strategy by submitting questions online to make it simpler for casualties to submit questions about their Crook Acts without going out, since, supposing that we allude to the substance of this conversation, in particular Sexual Viciousness will unquestionably make horrible imprints on casualties, hence casualties appear to be reluctant to take off from the house due to the injury they encountered, Thusly, LBH Medan submits arrangements connected with questions open on the web.

Reporting from *kompas.com* media, data from the Ministry of Women and Children Empowerment recorded that the number of cases of violence against women and children which counted the number of reports increased from 11,057 in 2019, 11,278 in 2020 and to 14,517 in 2021. The number of victims of violence against children also increased from

12,285 in 2019, 12,425 in 2020, to 15,972. Meanwhile, the number of reported cases of female violence increased from 8,864 in 2019, 8,686 in 2020, to 10,247 cases in 2021.

In 2021, in view of year-end records, LBH Medan went with 3 instances of sexual savagery against youngsters. In the mean time, in 2022, LBH Medan right now goes with 7 instances of sexual savagery against youngsters. That is, instances of sexual brutality that are joined by LBH Medan have expanded, so by taking a gander at the information introduced from organizations that emphasis on the issue of ladies and kids, demonstrating that this wrongdoing should be an exceptional consideration for all gatherings. On this premise, there is turmoil from different gatherings, particularly LBH Medan, as far as seeing the quantity of savagery against ladies and youngsters consistently has expanded. Hence, YLBHI-LBH Medan energizes consistency in the issuance of a guideline, to be specific RI Regulation Number 12 of 2022 concerning Sexual Brutality, this is finished to give equity, legitimate conviction, and lawful advantages for parties engaged with ladies and youngsters issues.

As far as taking care of cases connected with Survivors of Sexual Brutality, LBH Medan has taken care of a few kinds of cases, remembering for 2022 there are instances of obscene sorts whose culprits are grown-ups where the culprits stay Bipolar Illness, Understudy Cases who assault their sweethearts and Abusive behavior at home Endlessly instances of sexual viciousness against youngsters. Thusly, from the legitimate instruments utilized in taking care of instances of sexual savagery by LBH Medan, to be specific Regulation No.16 of 2011 concerning Legitimate Guide Foundations, Regulation No.18 of 2003 concerning Promoters, Expert Regulation 352 of 2014 concerning the Foundation of Indonesian Public Work Capability Principles in the classification of Data and Correspondence Primary Gatherings of Creation of Moving Pictures, Recordings and TV Projects, Sound Recording and Music Distributing in the field of work of TV Makers, as well as Regulation No.35 of 2014 Jo Regulation No.23 of 2002 concerning Youngster Security.

Then for the example gave by LBH Medan to security for survivors of sexual viciousness (TPSK), we see from the example of the police, in LBH Medan it will be more SOP in dealing with, where the inside SOP should give units in female faculty to deal with dealing with cases for ladies and kids general. Then, at that point, at the hour of receipt of the case, the case will initially be analyzed both connected with kids and ladies in survivors of sexual viciousness violations which are straightforwardly brought to the staff of defenseless and minority gatherings, after that the treatment of cases is looked for with ladies too, staying away from extortion is finished. LBH Medan completes its SOP by taking the casualty's privileges back from the wrongdoing of sexual savagery, then, at that point, on account of records not simply anybody can have them, due to fears of spillage of the casualty's personality and furthermore deterrents for the situation will be attempted as greatly as conceivable by LBH Medan, for instance the casualty isn't permitted to confront straightforwardly with the culprit where the casualty will influence his brain research.

E. Conclusion

Protection of rape victims aims to protect women's human rights, especially not to be persecuted or not treated cruelly and inhumanely, especially if women victims of rape want to seek justice for themselves. Forms of protection such as forms of counseling, legal assistance, medical services. The general rules of criminal law regulated in book I of the Criminal Code are in the form of basic rules of criminal law that are general in nature and generally applicable in terms of and relating to the prohibition of certain acts, both criminal acts in book II (crimes) and Book III of the Criminal Code (offenses), as well as crimes that are outside the Criminal Code. In the Criminal Code, violent crimes are regulated by protecting victims of violence, both male and female, namely the type of violence that results in physical injury. For violence whose victims are only female can be found in the form of sexual violence regulated in Articles 285, 286, 287, 288, and 297. These articles are under Chapter XIV of the Criminal Code on crimes against decency. The limited scope of sexual violence itself is regulated in Law Number 23 of 2004 concerning the Elimination of Domestic Violence, Law Number 39 of 1999, Law Number 23 of 2002 as amended by Law Number 35 of 2014 concerning Child Protection, and Law Number 39 of 1999 concerning Human Rights. The limited scope of sexual violence crimes limits the problems of sexual violence experienced by victims. For example, related to sexual harassment, sexual exploitation, rape, forced abortion, marriage, forced prostitution, sexual torture, and sexual slavery. Legal protection is something that protects legal subjects through applicable laws and regulations and is forced to implement them with a sanction. Legal protection can be divided into two, Preventive legal protection, namely protection provided by the government with the aim of preventing before violations occur. Repressive legal protection, namely Repressive legal protection, is the final protection in the form of perpetrator responsibility, fines, imprisonment, and additional punishment given if there has been a dispute or the perpetrator has committed a violation.

The pattern of institutions in providing protection for victims of trafficking in Medan City can be seen from two institutions that have a concentration in providing legal assistance, namely LBH Medan and LBH APIK Medan. The Legal Aid Institute of the Indonesian Women's Association for Justice (LBH-APIK), one of the social institutions that has a focus of attention in the field of law. LBH-APIK has activities such as legal aid, education and legal awareness which all focus on women. For NGOs, for example the NGO Pesada (Perkumpulan Sada Ahmo) headquartered in Sidikalang, North Sumatra. This NGO focuses its activities on people's economic development (focus is women and children) through cooperatives (credit unions) or other fields. But along the way, this NGO was moved to provide legal protection to women and children victims of sexual violence. Then there is the Medan Legal Aid Institute, In terms of protecting victims of Sexual Violence Crimes, LBH Medan has a program related to the implementation of Legal Aid services for sexual violence programs that concern special principle issues, LBHI which refers to LBH

Medan, has moved to BHGS. It's just that because LBH Medan has many issues that are not specific and do not lead to BHGS, what LBH Medan does even though it is not well systemized. First, LBH Medan makes or criticizes the issue of whether there are more than 15 special detention centers for children handled by LBH Medan from 2021 to 2023, incidentally, all children, the majority of girls and also boys, have been done by LBH Medan to make a Zoom with the Chief of Police in order to fill these activities with the aim that in all police stations or police stations, there must be special detention centers for children, because not all police stations have children's detention centers. Meanwhile, if the victims in this case are children who unite with adult prisoners, of course they must be vulnerable to becoming victims of sexual violence.

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