Atikah Rahmi

Legal Studies Concerning Children As Victims Of Prostitution

Quick Submit
Quick Submit
Universitas Muhammadiyah Sumatera Utara

Document Details

Submission ID
trn:oid:::1:3044824219

Submission Date
Oct 17, 2024, 2:52 PM GMT+7

Download Date
Oct 18, 2024, 11:09 AM GMT+7

File Name
Legal_Studies_Concerning_Children_As_Victims_Of_Prostitution.pdf

File Size
312.0 KB

7 Pages

4,796 Words

26,392 Characters

20% Overall Similarity

The combined total of all matches, including overlapping sources, for each database.

Match Groups

75 Not Cited or Quoted 19%
Matches with neither in-text citation nor quotation marks

0 Missing Quotations 0%
Matches that are still very similar to source material

5 Missing Citation 1%
Matches that have quotation marks, but no in-text citation

0 Cited and Quoted 0%
Matches with in-text citation present, but no quotation marks

Top Sources

0% Internet sources
20% Publications
0% Submitted works (Student Papers)

Integrity Flags

0 Integrity Flags for Review

No suspicious text manipulations found.

Our system's algorithms look deeply at a document for any inconsistencies that would set it apart from a normal submission. If we notice something strange, we flag it for you to review.

A Flag is not necessarily an indicator of a problem. However, we'd recommend you focus your attention there for further review.

Match Groups

- **75** Not Cited or Quoted 19%
  Matches with neither in-text citation nor quotation marks
- **0** Missing Quotations 0%
  Matches that are still very similar to source material
- **5** Missing Citation 1%
  Matches that have quotation marks, but no in-text citation
- **0** Cited and Quoted 0%
  Matches with in-text citation present, but no quotation marks

Top Sources

0% Internet sources
20% Publications
0% Submitted works (Student Papers)

Top Sources

The sources with the highest number of matches within the submission. Overlapping sources will not be displayed.

1	Publication	Nurhalisa Hehalatu, Deassy Jacomina Anthoneta Hehanussa, Reimon Supusepa. "... 2%
2	Publication	Ni Putu Rai Yuliartini, Dewa Gede Sudika Mangku. "Legal Protection for Women V... 1%
3	Publication	Marisa Kurnianingsih, Khudzaifah Dimyati, Kelik Wardiono, Absori Absori. "Sexual... 1%
4	Publication	Laurensius Arliman S, . "THE ROLE OF LOCAL GOVERNMENTS IN PROTECTION OF ... 1%
5	Publication	Rianda Dirkareshza, Eka NAM Sihombing, Rosalia Dika Agustanti. "The Problem o... 1%
6	Publication	S. Suyoto. "The Implementation of Education and Instruction Rights for Children ... 1%
7	Publication	Fadila Fadila, Beni Azwar, Hartini Hartini. "Counseling service in overcoming faith... 1%
8	Publication	Fuzi Narin Drani. "Legal Protection for Minors as Victims of Sexual Harassment in ... 1%
9	Publication	Dian Suluh Kusuma Dewi, Yusuf Adam Hilman. "Relokasi Pekerja Seks Komersial ... 1%
10	Publication	I Wayan Putu Sucana Aryana. "Human Trafficking in Woman and Children Perspe... 1%

11 Publication
Febrianika Maharani. "Criminal Responsibility for Children Who Perpetrate Seriou... 1%

12 Publication
Iswati Iswati. "Development of Children's Religiousity in Dual Career Family", Ele... 1%

13 Publication
Kemal Idris Balaka, Aulia Rahman Hakim, Frygyta Dwi Sulistyany. "Pencurian Info... 1%

14 Publication
Muhammad Fadhly Ase. "Ex-Officio Rights of the Judges in Signating the Holder o... 1%

15 Publication
Nana Triapnita Nainggolan, Darwin Lie, Lora Ekana Nainggolan, Hery Pandapota... 1%

16 Publication
Naimah, Soesilo. "URGENCY OF LEGAL PROTECTION TO SNACKS FOR SCHOOL CHI... 1%

17 Publication
Riduansyah, Risdalina, Sriono, Indra Kumalasari M, Muhammad Yusuf Siregar. "... 1%

18 Publication
Allam Izza Naufal, Pujiyono Pujiyono. "Implikasi Hukum Larangan Prostitusi di Sit... 0%

19 Publication
Fatin Hamamah. "The Government's Responsibility in Providing Compensation an... 0%

20 Publication
Mexsasai Indra, Muhammad Rafi, Tito Handoko. "The importance of strengthenin... 0%

21 Publication
Vallencia Paramitha, Sukardi Sukardi. "Legal protection of street children as a res... 0%

22 Publication
Cholidah ., Duflitama Astesa, Intan Khoirun Nisa. "Social Reintegration of Victims ... 0%

23 Publication
Erny Herlin Setyorini, Evi Kongres, Asri Gresmelian Eurike Hailitik, Pandu Satriaw... 0%

24 Publication
Firda Salam, Lisnawati W. Badu, Jufryanto Puluhulawa. "Legal Protection for Child... 0%

25 Publication

Basar Dikuraisyin, Sumarkan, Ah Fajaruddin Fatwa, Muhammad Lathoif Ghozali. ... 0%

26 Publication

Nanci Yosepin Simbolon, Madyasah Ablisar. "The prevention of child trafficking cr... 0%

27 Publication

Bambang Sukoco, Moh. Indra Bangsawan Indra, Dewi Eko Wati, Dewi Kusuma Di... 0%

28 Publication

Nurul Fatia Kurniasi, Juajir Sumardi, Iin Karita Sakharina. "Elimination of Violence... 0%

29 Publication

Gischa Mutia Pratiwi. "Restorative Justice for Children in Conflict with the Law in ... 0%

30 Publication

I Made Wirya Darma, Dewi Bunga. "The Regulation of Straf Minima For Minors As ... 0%

31 Publication

Jamiatul Ilmi, M. Rahmat Hidayat, Ika Maslyna. "The Diversion Completion Based ... 0%

32 Publication

Jeff Menne, Christian B. Long. "Film and the American Presidency", Routledge, 2015 0%

33 Publication

Sapto Budoyo. "THE URGENCY OF LEGAL PROTECTION TO THE WOMAN AND CHIL... 0%

34 Publication

Widya Romasindah Aidy, Mochammad Syafruddin Rezky Sanaky. "Victims of Child... 0%

35 Publication

Lisma Lisma, Roykhatun Nikmah. "Child Care and Protection in Perspective of Le... 0%

36 Publication

M. Junaeddy, Budi Parmono, Hanafi Arief. "Criminal Actions Against People Exploi... 0%

37 Publication

Nuvazria Achir. "Fulfillment of The Constitutional Rights of Abandoned Children V... 0%

38 Publication

Vience Ratna Multi Wijaya. "Children Under the Age as the Victim of Sexual Crime... 0%

39 Publication

Carol Wilder. "Communication and Social Order - Hugh Dalziel Duncan", Routledg... 0%

40 Publication

Corona Hedo Puspitasari, Jonaedi Efendi. "IMPLEMENTATION OF LEGAL PROTECT... 0%

41 Publication

Nur Rahman, Sarip Sarip. "Child Protection Policy for Victims of Sexual Crimes", V... 0%

42 Publication

Henny Saida Flora. "MODUS OPERANDI TINDAK PIDANA PROSTITUSI MELALUI ME... 0%

43 Publication

Reimon Supusepa, Margie Gladies Sopacua. "The Success of Diversion For Childre... 0%

turnitin Page 7 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

IJRS International Journal Reglement & Society
Volume: 3 Issue: 3, September-December 2022: Page 278-284
http://jurnal.bundamediagrup.co.id/index.php/ijrs
ISSN ONLINE: 2745-8350

Legal Studies Concerning Children As Victims Of Prostitution

Atikah Rahmi
Faculty of Law Universitas Muhammadiyah Sumatera Utara
Email: atikahrahmi@umsu.ac.id

Abstract

Prostitution is a sexual crime based on unnatural and uncontrolled sex drive in the form of uncontrolled lust for many people accompanied by exploitation and commercialization. Not a few children who later became victims. This paper discusses the legal study of children as victims of prostitution including the causes and legal protection factors. The research method used in this study is normative legal research using secondary data which is analyzed through content analysis with a statutory approach (statua approach). Based on the research results, it is known that there are many factors behind children becoming victims of prostitution including family, religious and economic factors. Children who are victims of prostitution are given legal protection based on Law Number 23 of 2022 concerning Child Protection.

Keywords: Law, Children, Prostitution.

***How to cite**:*
Atikah, R. (2022). "Legal Studies Concerning Children As Victims Of Prostitution", IJRS: Internasional Journal Reglement Society 3, No.3, Pages: 278-284.

A. Introduction

The term prostitution comes from the word prostitutio which means placing, facing selling, offering, peddling, but in general it is interpreted as surrendering oneself to many people with the aim of obtaining remuneration in the form of payment for that person's sexual gratification.[1] Prostitution is included in the category of human trafficking crimes that are relevant to human dignity, which is considered a disease that is very contrary to religious norms, moral norms, customary norms, decency norms and legal norms. The most dominant or the most victims of trafficking in persons are women and children, placing them in a very risky position, especially with regard to their health, both physical and mental-spiritual and very vulnerable to acts of violence, unwanted pregnancies and sexually transmitted infections including HIV/AID, which of course will threaten the quality of the nation and the nation's next generation.[2]

Even though it has existed since ancient times, prostitution does not seem to be a shadow of human life because it is difficult to eradicate.[3] Naively, not a few of these prostitution activities position children as victims. Even the perpetrators of prostitution are people who are closest to or already know the victim, family or neighbors, and have a family relationship between the perpetrator and the victim who have known each other before. Prostitution is synonymous with sexual violence or known as abuse, both emotional abuse (emotional violence, for example violence perpetrated by parents against their children continuously), verbal abuse (behavior carried out by perpetrators that contain insults or words that abuse children) , physical abuse (physical violence perpetrated by adults against children such as hitting, kicking etc.), and sexual abuse (sexual violence in the form of torturing children perpetrated by adults or older adolescents to obtain sexual gratification).[4]

ILO Convention No. 182 which was ratified by the Indonesian government on March 8, 2000, that the prostitution of minors is work that absolutely cannot be tolerated and therefore must be abolished from Indonesia, because there were 3 things that happened; firstly, children as commercial sex workers

[1] Mia Amalia, "Analis Terhadap Tindak Pidana Prostitusi Dihubungkan Dengan Etika Moral Serta Upaya Penanggulangan Di Kawasan Cisarua Kampung Arab", Jurnal Mimbar Justitia 2, Nomor 02, (2016): p.863
[2] Nashriana, *Perlindungan Hukum Pidana Bagi Anak Di Indonesia*, Jakarta: PT. Rajagrafindo Persada, (2012): p.36.
[3] Cici Defianasari, "Pertanggung Jawaban Pidana Pekerja Seks Komersial (PSK) Dalam Prostitusi Online'', Simposium Hukum Indonesia 1 ,Nomor 1, (2019): p.17
[4] Satriatama Adhyaksa, "Tinjauan Hukum Terhadap Anak Sebagai Objek Kajian Viktimologi Dalam Kejahatan Prostitusi", Syiar Hukum 15, Nomor 2, (2017): p.114.

turnitin Page 8 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

(PSK) from a psychological point of view, actually their sexual maturity is immature, so early pregnancy and transmission of sexually transmitted diseases (STDs) and are prone to early abortion which can threaten their own lives. Second, children who are prostituted or involved in prostitution often have to bear a heavy psychological burden, such as the bad opinion of society for their profession because it is considered cursed, shameful, immoral and so on. Third, child prostitutes often experience various acts of sexual violence, for example a new child who is reluctant to serve customers or tries to run away will usually be tortured by a pimp and sometimes raped beforehand as a form of teaching lessons and threats.[5]

It is important to understand that the age limit for children in the discussion of this paper refers to several regulations that apply in Indonesia, including; Article 45 of the Criminal Code (KUHP) means someone who has not reached the age of 16 (sixteen) years or is not yet married. This definition is based on Article 1 paragraph (1) of Law No. 23 of 2002 concerning child protection is someone who is not yet 18 (eighteen) years old including a child who is in the womb, Article 1 paragraph (2) of Law No. 4 of 1979 concerning child welfare is someone who has not reached the age of 21 (twenty one) and have never been married.

This paper discusses the legal study of children as victims of prostitution including the causes and legal protection factors which will be analyzed using research methods in the form of legal research, namely by formulating legal principles to formulate legal provisions, both from social data and positive written facts.[6] The data collection tool was carried out using library research, namely research on written documents[7] This legal material will also serve as a literature review that draws and evaluates a variety of different sources including academic articles, and professional journals, books, and web-based resources.[8]

The procedure used to collect data in this study is in the form of documentation, namely: guidelines used in the form of notes or quotations, search for legal literature, books and other related matters for identification of problems in this study offline and online.[9] Analysis of legal material is carried out using the content analysis method which is carried out by presenting material on legal events or legal products in detail in order to facilitate interpretation in the discussion,[10] through a statutory approach (statute approach), namely formulating a legal definition based on legal principles from the results of a review of statutory regulations by looking at the various opinions of experts and writers relating to the issues discussed.[11]

B. Discussion

1. Factors Causing Children to Become Victims of Prostitution

There are several factors that cause children to become victims of prostitution, which include:

First, the Family Factor. It is common for children who become victims of prostitution to come from families that don't get along, parents who don't pay enough attention or children who don't pay enough attention and love from their parents. Harmony in the family is the main key for a child not to be involved and in conflict with the law. Another cause for children to do things that can damage their children's future is because children often become victims of violence from their parents, so the child becomes depressed and automatically the child seeks escape/relief so that he tries to enter the world of prostitution and becomes a victim of prostitution.[12]

---

[5] Bagong Suyatno, *Masalah Sosial Anak*, Jakarta: Kencana, (2016): p.179.
[6] Amarudin & Zainal Asikin in Surya Perdana, et.al., "Advantages and Disadvantages of Electronic Mortgage Registration Based on the Perspective of Business Administration Law", IJRS: International Journal Reglement & Society 3, No. 3, (2022): p. 179.
[7] Rahmat Ramadhani, "Kedudukan Hukum Perjanjian Perikatan Jual Beli (PPJB) dalam Kegiatan Pendaftaran Peralihan Hak Atas Tanah", IURIS STUDIA: Jurnal Kajian Hukum 3, No. 1, (2022): p. 47.
[8] Rahmat Ramadhani, "Legalisasi Aset Tanah Dan Asupan Modal Usaha Menengah Kecil Masyarakat", Seminar Nasional Kewirausahaan, 2, No. 1, (2021): p. 280.
[9] Rahmat Ramadhani, "Peran Serta Masyarakat dalam Pemberantasan Mafia Tanah Pasca Pandemic Covid-19", Seminar Nasional Hukum, Sosial dan Ekonomi (SANKSI), 1, No. 1, (2022): p. 3.
[10] Rahmat Ramadhani & Ummi Salamah Lubis, "The Function of the Delimitation Contradictory Principle in the Settlement of Land Plot Boundary Disputes", IJRS: International Journal Reglement & Society 2, No. 3, (2021): p. 138.
[11] Farid Wajdi & Rahmat Ramadhani, "Legal Problems of Land Services Online", IJRS: International Journal Reglement & Society 3, No. 1, (2022): p. 20.
[12] Rizky Karo Karo, et,al, "Upaya preventif dan represif terhadap prostitusi online berdasarkan peraturan perundang-undangan yang berlaku di Indonesia'', Lex Jurnal 2, Nomor 2, (2018): p.6.

turnitin Page 8 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

turnitin Page 9 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

Second, Environmental Factors or Association. The wrong social and social environment that leads to free sex is the next factor that causes children to fall into the world of prostitution and eventually the child becomes a victim of prostitution. There are not a few love affairs between pairs of teenage children who are involved in sexual relations freely but the love affair later runs aground. As a result, the young woman was disappointed and took it out of herself by exploiting her body as a sexual gratification tool for other men.

Third, Economic Factors and Poverty. An underprivileged family economy that is in the scope of poverty is a trigger for a child to fall into the world of prostitution and make himself a victim. the desire to have luxury goods such as expensive branded clothes, shoes and bags, and the desire to eat in elite places and the desire to go on vacation to expensive places with the desire to splurge, and the desire to have a sophisticated mobile phone and newest. On the other hand, the child does not have money or income, in which case the parents with an insufficient economy cannot fulfill the child's wishes. So they decided to become commercial sex workers (PSK), which they thought could generate a lot of money because the fees were high. With a bad or inadequate economic situation, a child thinks of helping his parents, because his way of thinking is still unstable and according to him he does not have the ability/skill and indeed at a young age, the right job for him is to become a commercial sex worker. (PSK) because prostitution does not require many things.[13]

Fourth, Religious Factors. The factor of religion and the weak faith of a child is also a trigger for a child to fall into and become a victim of prostitution. Not one religion justifies the act of prostitution or prostitution. Low faith, despicable morals and an attitude that puts aside the fear of sin plus a lack of gratitude for the blessings that God has given make children think of working in an easy way but earning a lot of money, so they dare to engage in prostitution.[14]

Fifth, Cultural Factors. Living with a culture of hedonism is one of the reasons children become victims of prostitution. Such a culture gives rise to a materialistic attitude so that it justifies any means to fulfill the child's life desires which are not necessarily the main needs of his life. This cultural factor is relevant to the social environment in the social life of the child, so that the child is unable to distinguish between good and bad steps in living his social life. Moreover, the children of the child's friends who have previously adopted a hedonistic lifestyle whose source of income is obtained by selling themselves as commercial sex workers (PSK).

Sixth, Law Enforcement Factors. Weak law enforcement against the distribution of pornography crimes (cyberporn) can trigger and give rise to prostitution/prostitution. The notion that prostitution and pornography is a "latent danger" that always exists and develops even though it has been eradicated, but this returns to the firmness of law enforcement officials in providing "shock therapy" to porn site creators.[15] The regulations in force in Indonesia have stipulated that underage girls are prohibited from being involved in prostitution and working as prostitutes (commercial sex workers). But the fact is that girls often fall into the nightlife and are forced to serve the sexual needs of masher men by concretely offering services or direct services to a girl by pimps or pimps to perform sexual acts for money or other rewards with someone or anyone.[16]

In addition to the factors mentioned above, children who become victims of prostitution are also caused by other factors as pushers and pullers, namely: [17]

First, the Push Factors include; Economic conditions, especially poverty in rural areas, which has been exacerbated by economic development policies and erosion in the agricultural sector; Migration of population from villages to cities with the growth of industrial centers in urban areas; Gender inequality and discriminatory practices; Responsibility for funds to support the family; Increased consumerism; Family Breakdown; There are no educational opportunities and job opportunities; Lack of rule of law and law enforcement; The death of the breadwinner for the family causes the child to be forced into the sex trade or prostitution.

---

[13] *Ibid*., p.7
[14] Hervina Puspitosari, "Upaya Penangulangan Prostitusi Online Internet Berdasarkan Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi dan Elektronik (ITE)'', Jurnal Komunikasi 3, Nomor 1, (2010): p.12.
[15] *Ibid.*
[16] Bagong Suyanto, *Sosiologi Anak* , Surabaya: Prenada Media Grup, (2019): p.271.
[17] Supriyadi Widodo Eddyono, et,al., *Melawan Praktik Prostitusi Anak Di Indonesia dan Tantangannya*, Jakarta: Institute for Criminal Justice Reform, (2017): p.17-18.

turnitin Page 9 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

turnitin Page 10 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

Second, pull factors include: Criminal networks that organize child prostitution and recruit children; Requests from sex service customers who like children as friends to vent their sexual appetite; International promotion of child prostitution through technology and information; A fear of AIDS that made customers want younger prostitutes; The development of several regions in Indonesia as sex tourism destinations, especially Bali, Lombok, DKI Jakarta and Medan, Batam.

Sociologically, child prostitutes are actually more accurately called prostituted children, because most of them are mired in working as commercial sex workers (PSK) not voluntarily, but because of cases of fraud, coercion or because they don't understand. In Batam, for example, many children were reported to be forced prostitutes through the mode of persuasion, deception and even confinement. Children who are mired in the business of providing sexual services are generally more caused by deception, coercion, and even abuse. In addition to the poverty factor, there are factors that objectively cause children to commit acts of prostitution, namely the factor of lack of attention, some traditional beliefs, and consumptive urban life. Some girls are forced to work as commercial sex workers (PSK) because they have run away from home as a result of being victims of family violence, while some are due to poverty, the need to keep up with the times and some to meet their need for drugs, alias because they need money due to narcotic addiction.[18]

One of the factors that causes children to become commercial sex workers (PSK) is due to the demands of sex service users who want young girls' virginity so they don't mind paying anything for it, and this happens because according to them there is a belief that virginity can make people stay young and more manly. In addition, many men who seek satisfaction also feel safer playing with small children because these children are considered clean and have no possibility of transmitting the HIV virus to customers, so there are at least six external factors that cause girls to fall into the prostitution business, namely:

1. Due to the shift in the concept of reproduction to the concept of reaction in men in sexual relations which causes children to become an outlet for lust.
2. Users of prostituted child sex services have a kind of belief that having sex with children is thought to keep them young and bring them good fortune (hokki).
3. For parents in certain areas, girls are considered like rice fields or big money which means that girls bring good luck.
4. The culture of male egoism who likes deviant sexual gratification such as prostitution.
5. Structural poverty, this can be found in a homeless person who gives birth to a child who in the end the child becomes a prostitute because of the poverty she is experiencing.
6. Child prostitution can arise from what they see from those closest to them, for example, a child who has a mother who works as a commercial sex worker (PSK), then the child will imitate and follow what her mother is doing.[19]

Juvenile prostitutes or minors who are still 18 years old are a valuable asset for pimps who can bring in huge profits. In general, pimps really like young prostitutes because they have a high potential that can attract a lot of sex customers, especially if they are new children. The pimp or pimp will always try to please the teenage prostitutes, so that the prostitutes don't run away or move to another place. There are several advantages that young prostitutes have, including that young prostitutes are relatively favored by sexual guests or customers. In the context of finding these new prima donnas, pimps or pimps usually develop networks with brokers to find new "seeds" from the village, namely innocent girls and then they are deceived and enter into the sexual services business which is illegal. they had never imagined before. It is common knowledge that pimps will always benefit more from prostituted children, due to their higher booking rates than adult prostitutes.[20]

2. Legal Protection for Child Victims of Prostitution

Legal protection is a form of protection provided by the government through legal instruments such as laws and regulations, one of which is the law on the protection of witnesses and victims, the law on the eradication of trafficking in persons and others.[21] Article 1 paragraph (2) Law No. 23 of 2002

[18] Bagong Suyanto, *Op.Cit*., p.285.
[19] *Ibid*., p.286.
[20] *Ibid*., p.288.
[21] Suharsil, *Perlindungan Hukum Terhadap Anak dan Perempuan*, Depok: PT Rajagrafindo Persada, (2016): p.27.

turnitin Page 10 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

turnitin Page 11 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

concerning amendments to Law No. 35 of 2014 concerning child protection Child protection defines legal protection as all activities to guarantee and protect children and their rights in order to live, grow, develop and participate optimally in accordance with the dignity of humanity and receive protection from violence and discrimination.

Victim protection can include forms of protection that are abstract (indirect) or concrete (direct). Abstract protection is basically a form of protection that can only be enjoyed or felt emotionally (psychically), such as satisfaction (satisfaction). While concrete protection is basically a form of protection that can be enjoyed in real terms, such as material and non-material gifts. Material gifts can be in the form of compensation or compensation given to parties who have suffered a balanced loss taking into account the damage suffered by the aggrieved party, waiver of living expenses or education. Providing non-material protection can be in the form of liberation from threats of suffering that demean human dignity.[22]

In general, what is meant by victims are those who suffer physically and spiritually as a result of the actions of other people who seek to fulfill their own interests.[23] The types of victims can be classified as follows: Primary Victimization is individual victims where the victims are individuals not groups; Secondary Victimization where the victims are groups such as legal entities; Tertiary victimization, which is the wider community; Mutual Victimization, the victim is the perpetrator himself, for example: prostitution, adultery, narcotics; No Victimization, does not mean that there are no victims but victims cannot be immediately known, for example consumers who are deceived into using a product.[24] It is important to note that there are elements of victims of crime, namely: People (who suffer); Suffering of a physical, mental, economic nature; Suffering due to unlawful acts; Done by other parties.[25]

There are two definitions of legal protection for children namely; First, in broad terms are all the rules of life that provide protection to those who are not yet mature and provide the possibility for them to develop. Second, in a narrow sense legal protection for children includes legal protection as contained in civil law provisions (regel van civiel recht), criminal law provisions (regels van strafrecht) and procedural law provisions (procesrechtelijke regels), which explicitly child protection is an effort - efforts that support the implementation of children's rights and obligations.[26]

There are several aspects that are very important in efforts to protect the law against children, namely as follows: Guaranteed and fulfilled children's rights; Fulfillment of human dignity; Protection of children from violence and discrimination; Realization of quality children, noble and prosperous.[27]

Article 20 of the Child Protection Act, states that the state government, regional government, community, family, and parents or guardians are obligated and responsible for implementing child protection. Furthermore, Article 21 of the Child Protection Act states that the state, government and local governments have the obligation and responsibility to respect the fulfillment of children's rights without distinction of ethnicity, religion, race, class, gender, ethnicity, culture and language, legal status, birth order. as well as the physical and mental condition of the child, and the state is obliged to fulfill, protect and respect children's rights. To ensure the implementation of the protection of children, the state through the legislature makes legal rules that contain protection for children, including in the case of children as victims of commercial sexual exploitation carried out through social media.

Based on Article 66 of the Child Protection Act, what is meant by legal protection for child victims of prostitution includes; First, Dissemination and dissemination of laws and regulations relating to the protection of children who are exploited or prostitution of minors; Second, monitoring, reporting and imposing sanctions; Third, the involvement of various companies, trade unions, non-governmental organizations and the community in eliminating exploitation or prostitution of minors.

In addition to the law above, there are also several regulations that provide protection to minors who have engaged in prostitution which are regulated in Article 90 paragraph (1) of Law No. 11 of 2012 concerning the juvenile justice system, explaining that children as victims have the right to on: First, Efforts for medical rehabilitation and also social rehabilitation, both within the institution and outside

[22] *Ibid*., p.28.
[23] *Ibid*., p.30.
[24] *Ibid*., p.31
[25] *Ibid*.
[26] Mutiara Nastya Rizky, "Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Komersial Melalui Media Sosial", Jurnal Media Iuris 2, Nomor 02, (2019): p.205.
[27] *Ibid*., p.206.

turnitin Page 11 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

turnitin Page 12 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

the institution; Second, guarantees for physical, mental and social safety; Third, Ease of obtaining information relating to the development of cases.[28]

The existence of the Indonesian Child Protection Commission (KPAI) also has a significant role in protecting children, including:

1. Provide assistance by participating in supervising the implementation of children's rights.
2. Monitor the implementation of child protection.
3. Conduct strategic studies on issues and policies related to children.
4. Provide advocacy and legal assistance for proceedings in court representing the interests of the child.
5. Recovering certain conditions of the child.
6. Organizing education and training as well as introduction regarding children's rights and efforts to protect children.[29]

Based on the regulations stipulated in Law No. 35 of 2014 concerning protection, Law No. 13 of 2006 concerning the protection of witnesses and victims, in principle legal protection for children who are victims of prostitution, can be in the form of: Rehabilitation efforts; Efforts to protect against notification of identity through the mass media and to avoid labeling; Providing safety guarantees; Receive assistance or advocacy during the case process and after; Providing children with accessibility to be able to obtain information on the development of cases.[30]

Forms of legal protection for children as victims of prostitution based on Article 51 paragraph (1) to paragraph (3) of Law No. 21 of 2007 concerning the Crime of Trafficking in Persons, in the form of: Victims have the right to receive health rehabilitation, social rehabilitation and social reintegration from the government for those who experience both physical and psychological suffering due to the criminal act of trafficking in persons and submitted by the victim or family, friends of the victim, police, companion volunteers or social workers. After the victim reports the case he is experiencing or other parties report it to the Indonesian National Police and the application is submitted to the government through the minister or agency that handles regional health and social issues.

C. Conclusion

There are several factors that cause children to become victims of prostitution, including; family factors, environmental or social factors, economic factors and poverty, religious factors, cultural factors, law enforcement factors. In addition to the factors mentioned above, children who become victims of prostitution are also caused by other factors as pushers and pullers. Legal protection for children who are victims of prostitution based on applicable regulations, can be in the form of: Rehabilitation efforts; Efforts to protect against notification of identity through the mass media and to avoid labeling; Providing safety guarantees; Receive assistance or advocacy during the case process and after; Providing children with accessibility to be able to obtain information on the development of cases. Forms of legal protection for children as victims of prostitution, in the form of: the victim has the right to receive health rehabilitation, social rehabilitation and social reintegration from the government for those who experience both physical and psychological suffering due to the crime of trafficking in persons and submitted by the victim and his family, friends of the victim, the police, companion volunteer or social worker. After the victim reports the case he is experiencing or other parties report it to the Indonesian National Police and the application is submitted to the government through the minister or agency that handles regional health and social issues.

[28] *Ibid.*, p.207.
[29] *Ibid.*, p.208.
[30] *Ibid.*, p.209.

turnitin Page 12 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

turnitin Page 13 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219

References

Adhyaksa, Satriatama. (2017). "Tinjauan Hukum Terhadap Anak Sebagai Objek Kajian Viktimologi Dalam Kejahatan Prostitusi", Syiar Hukum 15, Nomor 2, (2017): p.114.

Amalia, Mia (2016). "Analis Terhadap Tindak Pidana Prostitusi Dihubungkan Dengan Etika Moral Serta Upaya Penanggulangan Di Kawasan Cisarua Kampung Arab", Jurnal Mimbar Justitia 2, Nomor 02.

Defianasari, Cici. (2019). "Pertanggung Jawaban Pidana Pekerja Seks Komersial (PSK) Dalam Prostitusi Online'', Simposium Hukum Indonesia 1 ,Nomor 1.

Eddyono, Supriyadi Widodo et,al. (2017). *Melawan Praktik Prostitusi Anak Di Indonesia dan Tantangannya*, Jakarta: Institute for Criminal Justice Reform.

Karo Karo, Rizky, et,al. (2018). "Upaya preventif dan represif terhadap prostitusi online berdasarkan peraturan perundang-undangan yang berlaku di Indonesia'', Lex Jurnal 2, Nomor 2.

Nashriana, (2012). *Perlindungan Hukum Pidana Bagi Anak Di Indonesia*, Jakarta: PT. Rajagrafindo Persada.

Puspitosari, Hervina. (2010). "Upaya Penangulangan Prostitusi Online Internet Berdasarkan Undang-Undang Nomor 11 Tahun 2008 Tentang Informasi dan Elektronik (ITE)'', Jurnal Komunikasi 3, Nomor 1.

Ramadhani, Rahmat & Ummi Salamah Lubis. (2021). "The Function of the Delimitation Contradictory Principle in the Settlement of Land Plot Boundary Disputes", IJRS: International Journal Reglement & Society 2, No. 3.

Ramadhani, Rahmat. (2021). "Legalisasi Aset Tanah Dan Asupan Modal Usaha Menengah Kecil Masyarakat", Seminar Nasional Kewirausahaan, 2, No. 1.

Ramadhani, Rahmat. (2022). "Kedudukan Hukum Perjanjian Perikatan Jual Beli (PPJB) dalam Kegiatan Pendaftaran Peralihan Hak Atas Tanah", IURIS STUDIA: Jurnal Kajian Hukum 3, No. 1.

Ramadhani, Rahmat. (2022). "Peran Serta Masyarakat dalam Pemberantasan Mafia Tanah Pasca Pandemic Covid-19", Seminar Nasional Hukum, Sosial dan Ekonomi (SANKSI), 1, No. 1.

Rizky, Mutiara Nastya. (2019). "Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual Komersial Melalui Media Sosial", Jurnal Media Iuris 2, Nomor 02.

Suharsil (2016). *Perlindungan Hukum Terhadap Anak dan Perempuan*, Depok: PT Rajagrafindo Persada.

Surya Perdana, et.al. (2022). "Advantages and Disadvantages of Electronic Mortgage Registration Based on the Perspective of Business Administration Law", IJRS: International Journal Reglement & Society 3, No. 3.

Suyanto, Bagong. (2019). *Sosiologi Anak*, Surabaya: Prenada Media Grup.

Suyatno, Bagong. (2016). *Masalah Sosial Anak*, Jakarta: Kencana.

Wajdi, Farid & Rahmat Ramadhani. (2022). "Legal Problems of Land Services Online", IJRS: International Journal Reglement & Society 3, No. 1.

turnitin Page 13 of 13 - Integrity Submission Submission ID trn:oid:::1:3044824219