



Strategy for Handling the Crime of Child Sexual Exploitation on the Era of Globalization by The State Police of The Republic of Indonesia (POLRI)

Dwinanda Linchia Levi Heningdyah Nikolas Kusumawardhani^{1*}, Sri Wulandari²
^{1,2}Faculty of Law, Universitas 17 Agustus Semarang, Indonesia

dwinanda-linchialevi@untagsmg.ac.id

Abstract. *The main duties of the Indonesian National Police, as mandated by law, are to maintain public security and order, uphold the law, and provide protection, guidance, and services to the community. To perform these duties in law enforcement, the police are authorized to conduct investigations and inquiries into all criminal acts, including cases of child sexual exploitation. This article will discuss the role of the police in combating child sexual exploitation crimes in Indonesia. The discussion shows that child sexual exploitation crimes have become a serious challenge in the era of globalization, especially with the advancement of technology. Therefore, to tackle child sexual exploitation crimes in Indonesia, extraordinary law enforcement needs to be carried out optimally, professionally, and in a modern manner.*

Keywords: *Indonesian National Police, countermeasures, Crime of Child Sexual Exploitation*

1. Introduction

In the current era of globalization, one of the crime phenomena emerging in society is the sexual exploitation of children. In Indonesian law, the definition of the Crime of Child Sexual Exploitation is only stated in Law Number 35 of 2014, Article 761, which prohibits any person from placing, allowing, committing, ordering to commit, or participating in economic and/or sexual exploitation of children. In human rights instruments, there are five forms of the Crime of Child Sexual Exploitation, namely: child prostitution; child pornography; child trafficking for sexual purposes; child sex tourism; and child marriage.[1] With the advancement of technology today, the practice of sexual exploitation crimes among children has become one of the increasingly rampant negative impacts, especially in Indonesia.[2]

Data from KPAI in 2022 shows that the province with the highest number of complaints of child victims of sexual violence is DKI Jakarta, with 108 cases, including 56 complaints in DKI Jakarta and 39 cases in East Java Province. The 2023 report highlights various issues, particularly child protection in the digital era, as all aspects are closely related to problems such as online child exploitation, online prostitution, pornography content trafficking, and others.

The Indonesian National Police, as one of the law enforcement agencies in the integrated criminal justice system, plays a very important role in enforcing criminal law, including combating the crime of child sexual exploitation. According to Article 2 of Law Number 2 of 2002 concerning the Indonesian National Police, the police function is to carry out one of the functions of state governance in law enforcement, in addition to providing protection, safeguarding, and public service.

The public places great hope in the Indonesian National Police (Polri) as one of the law enforcement agencies authorized by law to act as Investigators in combating the crime of child sexual exploitation. Considering this reality, the author is very interested in discussing the Strategies for Combating the Crime of Child Sexual Exploitation in the Era of Globalization by the Indonesian National Police (Polri). Although there have been numerous studies on this topic, this paper offers originality in its scope by focusing on Polri as a law

enforcement institution in its efforts to combat child sexual exploitation crimes in the era of globalization. Therefore, the author raises two questions to be discussed in this paper: first, what is the role of Polri in combating child sexual exploitation crimes in the era of globalization? And second, what are the strategies implemented by Polri to combat child sexual exploitation crimes in the era of globalization?

2. Methodology

The type of research to be conducted in this study is normative empirical. The combination of these two research types is based on normative legal science, which includes legislation, legal comparisons, applicable principles and norms, as well as existing theories. Additionally, this study will also examine facts directly in the field.[3]

The data obtained and collected through this research will be analyzed using a normative empirical approach, in which the collected data will be analyzed using theoretical frameworks, principles of criminal law, and relevant legislation. Through a juridical approach and descriptive analysis techniques, the issue can be concluded as desired.

3. Discussions And Findings

3.1 The role of the Indonesian National Police (Polri) in combating child sexual exploitation in the era of globalization is crucial.

a. The definition of the crime of child sexual exploitation

Sexual exploitation of children has increased. The Deputy for Special Protection of Children at the Ministry of Women's Empowerment and Child Protection (Kemen PPPA) stated that the trend of sexual violence cases against children has risen. In 2019, Kemen PPPA recorded 6,454 children as victims of sexual violence. This number increased by 8.14 percent in 2020. Then, in 2021, the increase was 25.07 percent.[4] The rapid development of technology in the current era of globalization has had a significant negative impact, one of which is the increase in child pornography crimes through various media, both print and the internet.[5]

The rapid advancement of technology has also led to an increase in cases of sexual exploitation of children. According to data released from January to June 2016, Indonesia ranked first in Asia for child sexual exploitation, recording 161,000 cases. This fact indicates that child sexual exploitation is a deep-seated issue that requires strong legal enforcement to address.[6]

b. The definition of investigator and prosecutor, along with their respective authorities

In carrying out the functions set forth in Article 14 of Law Number 2 of 2002 concerning the Indonesian National Police, the police do not merely serve as law enforcers within the framework of the criminal justice system. They are also responsible for maintaining public security and order and serve as Protectors, Guardians, and Public Servants.[7] The role of the police in social control is not only repressive but also preemptive and preventive. There are three main categories of police functions: (1) Law Enforcement (Crime eradication); (2) Order Maintenance (Guardians of peace); (3) Public Service (Community assistance).[8]

According to Muladi,[9] the role of the police encompasses two main concepts: authoritative intervention, which refers to the continuous efforts made by the police to maintain order and security within society, and symbolic justice, which emphasizes the importance of the police in upholding the rule of law that must be respected. This role is demonstratively evident when applied to criminal offenders. The data on the disclosure of criminal cases of child sexual exploitation handled by the East Jakarta Metropolitan Police and its precincts from 2019 to 2023 is presented below.

Table 1. Recapitulation of Police Report Data on Criminal Cases of Child Sexual Exploitation by the East Jakarta Metropolitan Police and Its Precincts from 2019 to 2023

Year	
2019	4
2020	6
2021	8
2022	10
2023	9

From the data presented above, it is evident that from 2019 to 2023, various cases have been successfully resolved by investigators. The Indonesian National Police (Polri) plays a crucial role in criminal law enforcement as part of the Integrated Criminal Justice System. Article 2 of Law Number 2 of 2002 concerning the Police of the Republic of Indonesia states that the police function is to carry out one of the functions of state governance in the tasks of protection, guidance, public service, and law enforcement.

3.2 Polri's Strategies to Combat Crimes of Child Sexual Exploitation in the Era of Globalization

The role of the police is crucial in protecting the nation's future generations, in accordance with Article 13 of Law Number 2 of 2002 concerning the Indonesian National Police. The police have a strategic role as protectors of the community, law enforcers, preventers of legal violations, and maintainers of public security and order. Societal developments impact the behavior of community members, especially children.[10]

Efforts to combat crime are fundamentally an integral part of community protection (social defense) and the achievement of social welfare. Crime prevention policies, also known as criminal policy, primarily aim to 'protect the community in order to achieve societal welfare.[11] In its implementation, there are three main forms of crime prevention efforts: preemptive, preventive, and repressive measures.

Efforts to combat child sexual exploitation at the East Jakarta Metropolitan Police, as obtained from an interview with the Head of Criminal Investigation Unit, AKBP Dr. Armunanto Hutahaean S.E., S.H., M.H., are as:

a. Pre-emptive Efforts

The East Jakarta Metropolitan Police have taken preventive steps to reduce the incidence of sexual abuse experienced by children. The police have conducted cyber patrols and removed pornographic material. In addition to law enforcement efforts, other preventive measures have also been implemented, including the creation of laws to prevent cases of child sexual exploitation. These preventive steps include:

- 1) Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection.
- 2) Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 on Electronic Information and Transactions (ITE).
- 3) Law Number 44 of 2008 on Pornography.

Additionally, efforts to educate the public about crime prevention through social media have been undertaken. The police emphasize the importance of parental supervision over their children's use of social media to protect them from becoming victims of child sexual exploitation

b. Preventive Efforts

Law enforcement efforts against perpetrators of child sexual exploitation crimes conducted by the East Jakarta Metropolitan Police are carried out through the criminal justice process, which ends with sentencing decisions. This effort is part of the repressive measures applied after the crime has occurred, with the primary focus being law enforcement through the imposition of appropriate penalties. The East Jakarta Metropolitan Police, along with its

precincts, has undertaken various repressive measures against cases of child sexual exploitation during the period from 2019 to 2023, including investigation, arrest, and prosecution of perpetrators in accordance with applicable laws.

c. Repressive Efforts

Repressive legal protection for children is provided when a child becomes a victim of violations of their rights, as outlined in Article 21 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection. Article 59 of Law Number 35 of 2014 states that the government and state institutions are obligated to protect children who are victims of sexual exploitation, pornography, and sexual abuse.

4. Conclusions

The role of the Indonesian National Police (Polri) in addressing child sexual exploitation crimes at the East Jakarta Metropolitan Police involves the authority to conduct investigations and inquiries into all criminal offenses, including cases of child sexual exploitation. Therefore, to combat child sexual exploitation in Indonesia, exceptional law enforcement is required, implemented in an optimal, professional, and modern manner.

REFERENCES

- [1] A. G. Gani, "Introduction to internet technology and its impact," *JSI (Jurnal Sist. Information) Suryadarma University*, vol. 2, no. 2, 2018.
- [2] A. M. Salamor, A. N. F. Mahmud, P. Corputty, and Y. B. Salamor, "Child Grooming as a Form of Child Sexual Abuse through Online Game Applications," *Sasi*, vol. 26, no. 4, pp. 490–499, 2020.
- [3] S. Soekanto, "Introduction to legal research," (*No Title*), 2006.
- [4] I. S. Soemitro, *Legal aspects of child protection*. Bumi Aksara, 1990.
- [5] D. L. L. H. N. Kusumawardhani, "BUILDING A JUVENILE CRIMINAL JUSTICE SYSTEM IN INDONESIA BASED ON THE IDEALS OF PANCASILA LAW," *J. ILM. Huk. AND Din. Masy.*, vol. 20, no. 2, pp. 81–93, 2022.
- [6] G. Utamadi and P. Utamadi, "Sexual Harassment," *Hiiii... Seraam*, 2001.
- [7] E. Indarti, "Discretion and Paradigm: A Study of Legal Philosophy," 2010.
- [8] A. Hutahaean and E. Indarti, "Investigating Institutions in the Integrated Criminal Justice System in Indonesia," *J. Legis. Indones.*, vol. 16, no. 1, pp. 27–41, 2019.
- [9] B. N. Arief and T.-T. Muladi, "Criminal Policy," *Bandung Alumni, Bandung*, 2015.
- [10] A. S. Alam and A. Ilyas, "Criminology of an Introduction," *Jakarta: Kencana*, 2018.
- [11] B. N. Arief, *Judicial system reform: the law enforcement system in Indonesia*. Publishing Body, Diponegoro University, 2011.

Open Access This chapter is licensed under the terms of the Creative Commons Attribution-NonCommercial 4.0 International License (<http://creativecommons.org/licenses/by-nc/4.0/>), which permits any noncommercial use, sharing, adaptation, distribution and reproduction in any medium or format, as long as you give appropriate credit to the original author(s) and the source, provide a link to the Creative Commons license and indicate if changes were made.

The images or other third party material in this chapter are included in the chapter's Creative Commons license, unless indicated otherwise in a credit line to the material. If material is not included in the chapter's Creative Commons license and your intended use is not permitted by statutory regulation or exceeds the permitted use, you will need to obtain permission directly from the copyright holder.

