

ABSTRAK

Penelitian ini bertujuan untuk mengetahui penerapan sanksi pidana bagi pelaku tindak pidana pedofilia terhadap anak dalam sistem peradilan pidana di Indonesia dan untuk mengetahui hambatan-hambatan apa saja yang dialami dalam penerapan sanksi pidana terhadap pelaku tindak pidana pedofilia, termasuk pengaruhnya terhadap perlindungan anak di Indonesia. Penelitian ini menggunakan pendekatan yuridis normatif. Hasil dari penelitian yang dilakukan menunjukkan bahwa meskipun telah terdapat ketentuan hukum yang mengatur dengan tegas mengenai sanksi bagi pelaku tindak pidana pedofilia yakni Kitab Undang-Undang Hukum Pidana (KUHP), Undang-Undang No. 35 Tahun 2014 Tentang Perlindungan Anak, serta pemberlakuan hukuman tambahan seperti kebiri kimia. Namun faktanya penerapan sanksi terhadap pelaku tindak pidana pedofilia belum berjalan optimal, hal ini disebabkan oleh berbagai faktor seperti kendala pada proses pembuktian, keterbatasan pemahaman aparat penegak hukum terhadap dampak psikologis yang dialami anak, serta lemahnya perlindungan terhadap korban selama proses hukum berlangsung. Faktor sosial seperti stigma, mitos, dan kekuatan pelaku juga menghambat jalannya proses hukum. Dengan demikian, diperlukan adanya pembaharuan hukum yang berlaku khusus untuk kejahatan seksual terhadap anak, serta perlu diadakannya peningkatan kapasitas aparat penegak hukum agar nantinya proses penegakan hukum dapat berjalan dengan baik .

Kata Kunci: Pedofilia, Perlindungan Anak, Penegakan Hukum

ABSTRACT

This study aims to determine the application of criminal sanctions for perpetrators of pedophilia crimes against children in the criminal justice system in Indonesia and to determine what obstacles are experienced in the application of criminal sanctions against perpetrators of pedophilia crimes, including their impact on child protection in Indonesia. This study uses a normative legal approach. The results of the study indicate that although there are legal provisions that strictly regulate sanctions for perpetrators of pedophilia crimes, namely the Criminal Code (KUHP), Law No. 35 of 2014 concerning Child Protection, and the implementation of additional penalties such as chemical castration. However, in fact, the application of sanctions against perpetrators of pedophilia crimes has not been optimal, this is due to various factors such as obstacles in the evidence process, limited understanding of law enforcement officers regarding the psychological impacts experienced by children, and weak protection for victims during the legal process. Social factors such as stigma, myths, and the power of the perpetrators also hinder the legal process. Thus, it is necessary to update the laws that apply specifically to sexual crimes against children, and it is necessary to increase the capacity of law enforcement officers so that the law enforcement process can run smoothly.

Keywords: Pedophilia, Child Protection, Law Enforcem