

Criminal Liability of Frotteurism Offenders and Protection For Victims

Fuadi Isnawan¹

1. Fakultas Hukum Universitas Islam Indonesia, Indonesia

Correspondence:

Fuadi Isnawan, Fakultas Hukum Universitas Islam Indonesia

fuadi.isnawan@uii.ac.id

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Abstract—Sexual violence is a serious problem in Indonesia with a high rate of cases. Law No. 12 of 2022 on the Crime of Sexual Violence (TPKS) and Law No. 13 of 2006 on Witness and Victim Protection have important urgency in protecting victims of sexual violence, including Frotteurism. Data shows a surge in cases of sexual violence, which includes various forms of harassment in public places, including public transportation. Criminal law protection for victims of Frotteurism is essential to provide fair access to legal services, psychological recovery, and rehabilitation. This research uses normative legal research method with case approach and statutory approach. . The research results of this article Frotteurism is a physical act of sexual harassment that degrades a person's dignity based on their sexuality and/or morality. This act is regulated in Law Number 12 of 2022 on the Crime of Sexual Violence and is subject to a maximum prison sentence of 4 years and/or a fine of IDR 50,000,000. The TPKS Law provides legal protection for victims of sexual violence, including Frotteurism. Victims' rights include the right to handling, protection, and recovery, tailored to the victim's specific situation and needs. Special rights for victims with disabilities are also accommodated. Law No. 13/2006 on Witness and Victim Protection also provides protection for victims of criminal acts, including Frotteurism. The rights of victims are regulated in Article 5 of the Law, including the right to protection of personal security, family, and property, as well as the right to medical assistance, psychosocial rehabilitation, and psychological.

Keywords: Criminal liability; criminal law protection; sexual harassment

Introduction

Sexual violence is one case that has a high probability of occurring in Indonesia. The phenomenon of sexual violence that is rampant around the community is a fear for Indonesians, because the threat affects almost all groups, including men, women, adults, and even young children. Data from the National Commission on Women (Komnas Perempuan) in 2021 showed a spike in cases of gender-based violence, recording 338,496 cases, almost 50% higher than in 2020. The high number of sexual violence cases has prompted the government to take further steps to prevent and prosecute the perpetrators. To address this issue, Indonesia already has Law Number 12 of 2022 on Sexual Violence Crimes (TPKS) which regulates sexual crimes. TPKS aims to provide protection, fair access, and recovery for victims of sexual violence, as there has been little or no adequate prevention and protection in existing laws and regulations. TPKS covers all acts that fulfill the elements of the crime of sexual violence, as well as other acts of sexual violence regulated in this law. Victims of sexual violence experience physical and mental suffering, economic loss, and/or social loss as a result of the criminal act of sexual violence. (Mohd. Yusuf Daeng M et al., 2023, p.

1930)

One of the forms of sexual violence that occurs in public, namely Frotteurism. Frotteurism is an indecent act where a person is sexually stimulated by nudging or rubbing their body against another person without their permission. These acts often occur in public places, such as public transportation, crowds, or crowds. Victims of Frotteurism may not realize the act is happening, and the discomfort and trauma caused can have a negative impact on the victim's life.

According to Florence, frotteurism is a sexual behavior characterized by intense and repetitive sexual fantasies, needs, and behaviors involving touching or rubbing against another person without their consent, especially in people of the female gender. This frotteurism behavior is often observed in young men between the ages of 15 and 25, and tends to decrease with age. Places where this behavior often occurs are in crowded locations such as public transportation or shopping malls during peak hours. (Ramadhayanti & Tsabi, 2019, p. 43) Like this cases:

On Thursday, June 30, 2022, on the KRL route Cikarang-Kampung Bandan, there was an act of sexual harassment involving a man with the initials M and a female passenger with the initials DY. When the incident occurred, the victim screamed for help because she had been harassed by the man who was near her. Some passengers who were furious with the man's actions immediately slapped the perpetrator in response to the harassment. Menteng Police Chief, Kompol Netty Rosdiana Siagian, confirmed the incident. Netty stated that the harassment occurred because the perpetrator rubbed his genitals (Mr. P) against the victim's body parts. After interrogation, the perpetrator admitted his actions, where he rubbed his genitals on the victim's thighs. Although there was no penetration, the action made the perpetrator's penis stand up, causing the victim to be shocked and scream. Although the incident ended peacefully, the victim, through the act of screaming for help, managed to uncover the act of harassment. The perpetrator has also made a statement on stamp duty not to repeat his actions. News about the action of a perverted man who rubbed his genitals to stand up to this woman's body was uploaded on the Instagram account @lensa_berita_jakarta on the same date and also reported on VIVA.co.id on the same date. (Gustiana, 2022)

Another case of sexual harassment occurred on a Transjakarta bus on the Monas-Pulogadung route. The woman with the initials H was riding the bus during office hours, so the bus was crowded with passengers. At that time, H felt a man rubbing his genitals against her back body. Feeling uncomfortable, H asked for help from other female passengers to confirm the incident. They then pulled H to the women-only bus, and from there H realized that she had become a victim of sexual harassment. Not wanting to remain silent, H watched the movements of the alleged perpetrator and decided to follow up on the incident. When the alleged perpetrator got off at the Rawa Selatan bus stop, H immediately acted quickly by pulling the perpetrator to prevent him from running away. He also asked for help from other men and Transjakarta officers who were there to detain the alleged perpetrator. Finally, the man who allegedly harassed the woman fell to the ground while trying to resist and tried to run when he was taken to the officer. In an effort to confront this sexual harassment, victim H showed courage and invited other passengers to play an active role in helping to arrest the perpetrator. (Selviany, 2023)

Frotteurism is a form of sexual violence that can threaten public comfort and safety. Such harassment cases often occur in public places such as public transportation, and can happen to anyone, including women, men, children, and adults. Research on criminal law protection for victims of Frotteurism can help identify shortcomings and needs in the legal system to protect victims.

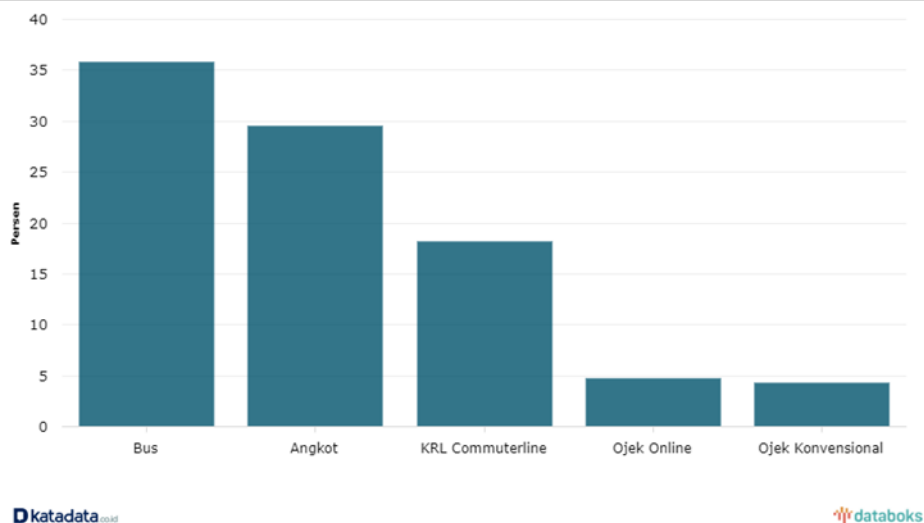


Figure 1. Data on Sexual Harassment in Public Places

From the above data obtained from the Coalition for Safe Public Spaces (KRPA) recently released the results of the National Survey of Sexual Harassment in Public Spaces which highlighted the high rate of sexual harassment in various locations in Indonesia. The survey results revealed that public transportation is the second highest location for sexual harassment, after public roads. From the analysis of survey data, KRPA found that as many as 46.80% of respondents claimed to have experienced sexual harassment on public transportation. The forms of harassment that often occur include a variety of actions such as whistles / whistles, inappropriate sexual comments, discreet photos, vulgar gestures, to aggressive actions such as being followed or stalked. In fact, some respondents experienced more extreme harassment such as being confronted, shown their genitals, or even touched, groped and rubbed with their genitals. The results of this survey provide an alarming picture of the condition of public spaces in Indonesia, where sexual harassment occurs in so many and varied forms. This demands serious attention from relevant parties, including the government, public transportation operators, and society as a whole. (Aman, 2019)

This article will examine the criminal legal protection of victims of Frotteurism in the Witness and Victim Protection Agency Law (LPSK Law) and the Sexual Violence Crime Law (TPKS Law) has an important urgency in society. Why is it important because Frotteurism is a form of sexual violence that can threaten the comfort and security of society. Cases of harassment like this often occur in public places such as public transportation, and can happen to anyone, including women, men, children, and adults. Research on criminal legal protection for victims of Frotteurism can help identify shortcomings and needs in the legal system to protect victims. Through this article, it can be analyzed to what extent the LPSK Law and the TPKS Law provide adequate protection for victims of Frotteurism. It is important for the public to know whether victims get fair access to legal services, psychological recovery, and rehabilitation after experiencing sexual violence.

Sexual abuse often occurs in hidden environments or in situations where the victim feels isolated and helpless. For example, sexual abuse is often committed within the home, at work, or in situations where the victim cannot easily seek help or protection. On the other hand, frotteurism is a bold type of sexual deviant behavior, as it is often done openly in public places. Perpetrators of frotteurism use crowds and confusion in crowded places such as trains, buses, or other public events to carry out their acts.

This fundamental difference highlights the urgency of addressing frotteurism in the context of criminal law. On the one hand, sexual harassment in discreet places is often difficult to detect and report, as victims may feel embarrassed or fear the consequences. However, frotteurism committed in public places can be a direct threat to the comfort and safety of the general public. Not only is the victim directly affected, but also those around her who may feel unsafe or disturbed by the act.

There have been several studies on sexual harassment, such as those written by Maulana Haqin Azali and Nelvitia Purba who wrote an article entitled *Perlindungan Hukum Dalam Aspek Pidana Terhadap Difabel Yang Menjadi Korban Kekerasan Seksual (Studi Kasus Pengadilan Negeri Pakam)* which has been published in *Jurnal Neraca Keadilan* Vol. 2 No. 1 (2023) which focuses on legal protection against disabled people who are victims of sexual violence. Research conducted by Juliandi Juliandi, Putri Yasmin and Reh Bungana with the title “*Perlindungan Hukum terhadap Korban Pelecehan Seksual dilihat dari Segi Hukum Internasional*” which has been published in *Jurnal Edukasi Nonformal* Vol 4 No 1 (2023) which focuses on international legal protection. The article written by Ridha Fahmi Ananda, Ediwarman Ediwarman, Edi Yunara and Edy Ikhsan entitled “*Perlindungan Hukum Terhadap Anak Sebagai Korban Kejahatan Pelecehan Seksual Dalam Perspektif Viktimologi*” which has been published in *Locus Journal Of Academic Literature Review* Vol 2 No 1 2023 focuses on the protection of child victims of sexual harassment in the submission of victimology. In the article that the author of this study will focus on the responsibility of the perpetrator of Frotteurism and the legal protection of his victims in the perspective of the Law of the Republic of Indonesia Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection and in Law (UU) Number 12 of 2022 concerning Crimes of Sexual Violence.

Method

This research method will use normative legal research methods conducted by examining literature materials related to the research topic. (Muhaimin, 2020, p. 46) The case approach will be used to analyze frotteurism and criminal liability for perpetrators. The statutory approach will be used to analyze legal regulations related to sexual crimes, including frotteurism, as well as criminal legal protection for victims in Law of the Republic of Indonesia Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection and in Law (UU) Number 12 of 2022 concerning Criminal Acts of Sexual Violence.

The legal materials used include relevant sources to understand frotteurism, particularly in the context of the criminal liability of perpetrators and the liability of victims. The primary legal materials referenced are Law of the Republic of Indonesia Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection, as well as Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence. Additionally, secondary legal materials, such as books and journals, are also utilized to enrich the analysis and support a more in-depth discussion on this topic. To analyze the issues under study, this research applies a qualitative descriptive analysis method, which allows the researcher to explore and understand the dynamics of the law and the implications of frotteuristic actions on both victims and perpetrators comprehensively

Result and Discussion

Understanding Parafilia in the Criminal Liability of Frotteurism Perpetrators

The principle of no punishment without fault (*geen straf zonder schuld*, no punishment without fault, *actus non facit reum nisi mens sist rea*), relates to responsibility in criminal law. Although a person has committed a criminal act and fulfilled the elements specified in the offense, it still needs to be proven whether he can be held accountable for his actions, namely whether he is responsible or not. In other words, in addition to committing a criminal act and fulfilling the elements of the offense, it must also be proven that there is guilt or consciousness that can be blamed. This is known in criminal law as the "no punishment without fault" principle. (Ferdinandus Kila et al., 2023, p. 31) In the context of frotteurism, fault is defined as an objectively inappropriate action that can be blamed on the perpetrator. Frotteurism, as a form of sexual violence that involves unwanted physical contact with another person without their permission, is clearly an objectively inappropriate act. This fault, which includes the violation of the personal rights, physical integrity, and dignity of the victim, is a valid reason to punish the perpetrator under the law.

The principle of fault is a fundamental principle in criminal law, and it applies in cases of frotteurism as well. Perpetrators of frotteurism are liable for their actions that violate social norms and laws that protect individuals from sexual abuse. Although this culpability is based not only on experience or subjective views, but also on fundamental normative principles, it is important to remember that perpetrators of frotteurism can and should be held accountable for their harmful and degrading behavior. By applying the principle of guilt in criminal law, we can ensure that perpetrators of frotteurism are held accountable for their actions and receive appropriate punishment according to the wrong they have done. (Fiska Maulidian Nugroho & Andika Putra Eskanugraha, 2023, p. 109)

Perpetrators are considered guilty when they are aware that the act of touching or rubbing themselves on another person without permission is a violation of the law or social norms. While not everyone can be held criminally responsible for their actions, perpetrators of frotteurism must meet the element of culpability of the perpetrator themselves, either in the form of willfulness (*dolus*) or negligence (*culpa*). In the case of frotteurism, willfulness may occur when the perpetrator intentionally commits the act knowing that it is a violation of the law or understanding the consequences. In this case, perpetrators of frotteurism are criminally liable because they intentionally and knowingly commit acts that harm the victim and violate the law. Meanwhile, negligence in frotteurism may occur when the perpetrator, although not intending to harm or harm the victim, but due to a lack of caution or attention to social boundaries, they commit the act. The concept of fault in criminal law, whether in the form of intent or negligence, is important in enforcing laws related to frotteurism. It ensures that perpetrators of frotteurism are held accountable for their harmful actions and that the enforcement process is conducted in accordance with established regulations. (Nandita & Batubara, 2023, p. 60)

Liability in criminal law can be defined as criminal responsibility, or in the language referred to as *toerekenbaarheid*, and in English as criminal responsibility or criminal liability. (Pavel Kotlán et al., 2023, p. 5) Criminal responsibility is the imposition of punishment on the perpetrator for actions that violate prohibitions or result in prohibited circumstances. Criminal responsibility, therefore, involves the process of channeling the punishment contained in the criminal act to the perpetrator. Based on Simons' formulation, a criminal act must be a human act, the act is contrary to the law (*wederrechtelijke*), the act is committed by a person who can be held responsible (*toerekeningsvatbaar*), and the person can be held accountable. (Andi Bau Mallarangeng et al., 2023, p. 18) Holding someone accountable in criminal law means subjectively applying the punishment that objectively applies to the criminal act to the perpetrator. Criminal liability is determined based on the culpability of the perpetrator and not simply by fulfilling all the elements of the criminal offense. Therefore, guilt is considered as a determining factor of criminal liability and not only as a mental element in a criminal offense. Declaring a person guilty is related to the issue of criminal liability. (Fadlian, 2020, p. 13)

Liability generally refers to the mental state of the person who commits the act, while the internal relationship between the offender and the act involves intent, negligence, and excuse. (Nurohman et al., 2022, p. 430) Simons defines culpability as "the basis for liability in criminal law that involves the psychic state of the offender and its relationship to his or her conduct." Meanwhile, Van Hamel states that "guilt in an offense is a psychological understanding of the relationship between the mental state of the offender and the realization of the elements of the offense due to his actions. Fault is liability in law." According to Jonkers, in the concept of "*schuldbegrip*" (definition of fault), fault can be divided into three parts, namely: intentionality or negligence (*opzet of schuld*), including unlawfulness (*de wederrechtelijkheid*), and responsibility (*de toerekenbaarheid*). Pompe argues that fault has a meaning as something despicable (*verwijtbaarheid*) which can basically be prevented (*vermijdbaarheid*) in unlawful behavior (*der wederrechtelijke gedraging*). (I Dewa Made Suartha et al., 2022, p. 4) Furthermore, it is explained that in the formulation of positive law, not preventing unlawful behavior (*vermijdbaarheid der wederrechtelijke gedraging*) means involving intentionality and negligence (*opzet en onachtzaamheid*) which leads to violation of the law (*wederrechtelijkheid*) and the ability to be responsible (*toerekenbaarheid*). (Chandra & Putra, 2022, p. 68)

Regarding the crime of Frotteurism, according to Remelink, guilt refers to the negative judgment given by society that follows ethical standards at a certain time to individuals who commit deviant behavior that could have been avoided. Fault is considered to occur if a person intentionally or through negligence commits an act that results in circumstances or consequences prohibited by criminal law and is committed with the ability to take responsibility. In criminal law, according to Moeljatno, a person's guilt and negligence can be measured by looking at whether the perpetrator of the criminal offense has the following four elements: (Wahyuni, 2017, p. 70)

Committing a criminal act (violating the law),

Above a certain age limit that has the ability to be responsible,

Has a form of error that includes intent (*dolus*) and negligence (*culpa*), and

There is no excuse for the act.

Crime and Sexual Deviance are often divided into two types of problems, namely community problems and social problems. (Faisal Batjo et al., 2024, p. 258) Societal problems refer to symptoms that arise in social life, while social problems analyze abnormal symptoms to find solutions or eliminate them. Not all events that are considered social problems receive the full attention of society, and vice versa. The assessment of an event as a social problem depends on the value system of the society concerned. Some of the common problems faced by society include poverty, crime, family disorganization, youth problems in modern society, violation of societal norms, and so on. (Martiasari, 2019, p. 106)

Sexual perversion is also known as paraphilia. The term paraphilia has its origins in Greek, where "para" means "on the other side" and "philos" means "to love". (Tozdan, 2024, p. 4) Paraphilia can be defined as uncommon sexual activity or sexual deviance. The term "sexual deviance" refers to sexual behavior that is considered deviant or violates established rules, including law, religion, custom, as well as nature and common sense. (Fathonah, 2016, p. 285)

Paraphilia is a condition characterized by recurrent and intensive sexual fantasies or behaviors in unusual situations, involving objects that are considered unusual. A person can experience more than one type of paraphilia, and the pattern can also be part of other mental disorders, such as depression, schizophrenia, and so on. (Lorenzo Soldati et al., 2021, p. 2) There are at least two factors that lead to the development of deviant behavior, namely environmental factors or experiences (nurture) and genetic disorders (nature). If nurture is the cause of paraphilia, then it may be curable. However, if paraphilia is caused by nature, it is usually difficult to cure and can only be treated. (Anatolijs Poparskis & Rita Poparska, 2023, p. 223) One of the most important factors in the problem of deviant behavior is not only genetic, but also depends on environmental and family factors. Thus, it is possible that paraphilia can be cured with the spirit of change from within the individual and other driving factors that affect their psyche. (Nicholas Tze Ping Pang et al., 2023, p. 2) Theological, psychological, and medical viewpoints indicate that paraphilia can interfere with health, morals, mental well-being, and in more severe cases, can threaten human survival. Based on the concept of mental disorders in PPDGJ-III which refers to DSM-IV TR (Charles Moser & Peggy J. Kleinplatz, 2020, p. 387), the classification of paraphilia includes exhibitionism, fetishism, frotteurism, pedophilia, masochism, sexual sadism, voyeurism, transvestic fetishism, and other unspecified or unmentioned paraphilia, as a person can experience more than one paraphilia disorder. (Nandita, 2020, p. 50)

Deviance refers to behavior or actions that fall outside of established standards or norms. Deviation or deviance refers to behavior that deviates from the general tendency or average characteristics of most of the population. Sexual deviation is a disorder that redirects or alters a person's sexual goals as they seek sexual gratification outside the norm. It can be caused by psychological or psychiatric factors, such as childhood experiences, social environment, and genetic factors. (Martiasari, 2019, p. 106) There are various forms of sexual deviance that vary. Here are some examples of forms of sexual disorders: (Komal Abdul

Rahim & Sarmad Muhammad Soomar, 2021, p. 2)

Sexual sadism is a form of sexual disorder in which a person obtains sexual appetite satisfaction by harming the opposite sex, even in some cases causing death.

Masochism is a form of sexual disorder in which a person derives sexual gratification by exposing their genitals to others. When the victim is shocked, disgusted, and frightened, the sufferer will be even more aroused.

Voyeurism is a form of disorder in which a person derives sexual gratification by peeping or watching other people who are naked, bathing, or even having sex.

Fetishism is a sexual attraction directed at a particular object. Fetishism sufferers divert their sexual activity through masturbation by using women's underwear (bras), panties, or other objects that increase their sexual desire until they reach satisfaction.

Pedophilia is an adult's sexual attraction to a minor, involving sexual intercourse or stimulating physical contact.

Bestiality is having sexual intercourse with animals such as goats, buffaloes, cows, horses, chickens, ducks, dogs, cats, and others.

Incest is sexual intercourse between family members who are not bound by marriage, such as between father and daughter or mother and son.

Necrophilia is a person's sexual attraction to corpses or deceased people, which involves sexual intercourse with a deceased person.

Zoophilia is the sexual attraction of a person who feels aroused by seeing animals having sex with other animals.

Sodomy is a man who enjoys sexual intercourse through the anus of his sexual partner, whether it is with a same-sex (homosexual) partner or with a different-sex partner.

Frotteurism is a form of sexual disorder in which a man gets sexual gratification by rubbing his genitals on a woman's body in public places such as trains, buses, and so on.

Gerontophilia is a sexually deviant behavior in which the perpetrator falls in love and seeks sexual gratification with an aged person, such as a grandmother or grandfather.

Homosexuality is a sexual disorder in which the individual has a different sexual orientation from the majority, namely attraction to the same sex. If the sufferer is male, it is referred to as gay, while for women it is referred to as lesbian.

According to Komnas Perempuan, there are 15 types of sexual violence. (Emy Rosnawati, 2022, p. 98) All 15 forms of sexual violence are things that need to be considered and eradicated to protect women's rights which include: (Rosnawati, 2022, p. 98)

Rape

Sexual harassment

Sexual exploitation

Sexual abuse

Sexual Slavery

Sexual intimidation/assault including threats or attempted rape

Forced prostitution

Forced pregnancy

Forced abortion

Forced marriage

Trafficking in women for sexual purposes

Sexual control including forced dress and criminalization of women through discriminatory rules based on morality and religion

Inhuman and sexualized punishment

Forced contraception

Sexualized traditional practices that harm or discriminate against women.

Frotteurism is included in sexual harassment that has been regulated and threatened in Law Number 12 of 2022 on the Crime of Sexual Violence. The Law on the Crime of Sexual Violence (TPKS) has 8 chapters and 93 articles that regulate the prevention, handling, and punishment in cases of sexual violence by considering the victim's perspective. There are nine types of sexual violence criminal offenses regulated in the TPKS Law, namely: (Risal, 2022, p. 86)

Non-physical sexual harassment

Physical sexual harassment

Coercion of contraception

Forced sterilization

Forced marriage

Sexual torture

Sexual exploitation

Sexual slavery

Electronic-based sexual violence

In addition, in Article 4 Paragraph 2 of the TPKS Law, there are ten other forms of sexual violence described, namely: (Nurmalasari & Waluyo, 2022, p. 63)

Rape

Obscene acts

Sexual intercourse with a child

Obscene acts against a child

Sexual exploitation of a child

Acts of violation of decency against the will of the victim

Pornography involving children or pornography that explicitly contains violence and sexual

exploitation

Forced prostitution

Trafficking in persons for sexual exploitation

Sexual violence within the scope of the household.

Furthermore, in the third article of the TPKS Law, there is an explanation of the substantial objectives of the birth of this regulation, including:(Voges et al., 2022, p. 5)

Preventing all forms of sexual violence.

Handle, protect, and restore victims.

Carry out law enforcement and rehabilitate perpetrators.

Creating an environment free from sexual violence.

In principle, the Law on the Crime of Sexual Violence (UU TPKS) directly applies to all genders. (Ujang Badru Jaman & Agung Zulfikri, 2022, p. 4) However, Komnas Perempuan's Annual Report reveals that women are often the victims of sexual violence. Women and children are the most vulnerable to sexual violence due to discrimination arising from social constructions that place women in an inferior position in power relations with men. As a result, women and children become objects of sexual violence.(Salma Amelinda Iskandar, 2023, p. 285) The ratification of the TPKS Law has broader objectives and covers various fields. One of the main objectives is to protect victims and prevent acts of sexual violence. The TPKS Law is the result of legal efforts to eliminate various forms of sexual violence, especially against women who still do not have adequate protection.(Nazaruddin Lathif et al., 2022, p. 97) This law aims to protect all citizens who are victims of sexual crimes or violence, by providing protection to their free rights and preventing threats and violence.(Watak et al., 2023, p. 4)

The perpetrator of the crime of Frotteurism fulfills the elements in Article 6 of Law (UU) Number 12 of 2022 concerning Criminal Acts of Sexual Violence which reads:(Rizki Setyobowo Sangalang, 2022, p. 184)

"Every person who commits physical sexual acts directed against the body, sexual desires, and/or reproductive organs with the intention of degrading a person's dignity based on his/ her sexuality and/or morality that is not included in other more severe criminal provisions shall be punished with a maximum imprisonment of 4 (four) years and/or a maximum fine of Rp50,000,000.00 (fifty million rupiah)."

If examined further, the elements contained in the article if it is related to the responsibility of the perpetrator of Frotteurism, among others, are:

Every person

According to article 1 of Law No. 12 of 2022, the meaning of every person is a natural person or corporation.

Corporation. This implies that the person is the perpetrator of the criminal offense. According to the Indonesian Criminal Code (Kitab Undang-Undang Hukum Pidana) system, the subject of criminal law is the "natuurlijke person" or human being. The subjects of criminal law are parties who can act as perpetrators (criminals) or victims in criminal acts. In the Indonesian criminal law system, the subject of criminal law is limited to "natuurlijke person" or human. This means that criminal law in Indonesia only applies to criminal acts committed by humans, not legal entities or other non-human entities.(Chandra & Putera, 2022, p. 41)

In the concept of criminal law, the perpetrator is known by the term "plegen". The word "plegen" can be interpreted as "who does," while "pleger" can be interpreted as "perpetrator." According to

Hazawinkel Suringa, a "perpetrator" is any person who has individually fulfilled all the elements set out in the formulation of the offense. Thus, a "perpetrator" is not someone who only participates (deelnemer) in a criminal act, but can also be convicted together with committing the criminal act. Hazawinkel Suringa also states that "pleger" refers to any person who individually has fulfilled all the elements of the offense as specified in the formulation of the offense in question. Even in the absence of criminal provisions governing deelneming, these people can still be punished. (Wahyuni, 2017, p. 117)

The term "every person" in the context of criminal law refers to all individuals, regardless of their social, economic or gender status. As such, this article confirms that anyone, whether male or female, from all walks of life, can be held criminally liable if they commit sexual acts that reflect the acts of frotteurism prohibited by the law. Article 6 highlights the inclusivity and universality of the law. This concept emphasizes that the criminal law has a broad scope and applies to all individuals within society. In other words, there are no exceptions for anyone who violates the provisions of the law, including in the case of frotteurism. This "everyone" element reflects the state's commitment to protect every individual from acts of sexual violence, including frotteurism. By imposing criminal penalties on perpetrators of frotteurism, this law aims to provide legal protection to victims and prevent acts of sexual violence in the community.

Performing physical sexual acts.

Rubbing one's genitals on public transportation against another person is an unacceptable form of physical sexual harassment and violates one's rights. Physical sexual harassment refers to behavior that involves unwanted or unauthorized physical contact with parts of a person's body that are sexual in nature. In this context, rubbing one's genitals against another person on public transportation is an example of physical sexual harassment, as it involves unwanted physical contact with intimate organs.

The term "physical sexual conduct" refers to concrete acts that involve unwanted or unauthorized physical contact with a person's body, sexual desires, and/or reproductive organs. In the context of frotteurism, these physical acts may include behaviors such as touching or rubbing oneself on another person's body without their permission or consent. The physical acts referred to in Article 6 include a wide range of behaviors that harm victims physically, emotionally, and psychologically. In the case of frotteurism, where the perpetrator performs acts of touching or rubbing themselves on another person's body without consent, such acts not only violate the privacy and interfere with the well-being of the victim, but also directly dehumanize and interfere with individual freedom. The concept of "committing physical sexual acts" in Article 6 is that such acts are a form of expression of the criminal offense of sexual violence that must be seriously addressed by the criminal law. By establishing criminal liability for perpetrators of frotteurism, this law aims to provide legal protection to victims and prevent harmful acts of sexual harassment in society.

Directed against the body, sexual desires, and/or reproductive organs

Frotteurism is a sexual behavior disorder that involves sexual gratification by groping or rubbing oneself against another person's body, sexual desires, and/or reproductive organs without their permission or consent. In cases of frotteurism, individuals suffering from this disorder tend to feel sexual attraction or gratification in these ways, which are generally directed towards people who do not know or consent to the act. Frotteurism often occurs covertly or in situations where the victim is unaware of the actions that are taking place. This kind of activity involves not just verbal interactions, but rather physical actions that are sexually invasive and inappropriate. It is important to remember that frotteurism is not a legitimate or accepted form of behavior in society, as it involves the violation of another person's personal rights and physical integrity.

The element reflects the importance of understanding the dimensions involved in acts of sexual violence, particularly in the context of frotteurism, where such acts are often directed at specific areas of the body. This element refers to the focus or target of the sexual act committed by the perpetrator of frotteurism. The act of touching or rubbing oneself on another person's body without permission or

consent is often aimed at sensitive parts of the body, such as the genital parts or breasts, which are closely associated with one's sexual intimacy and desires. This suggests that perpetrators of frotteurism deliberately invade these areas to fulfill their sexual desires, without regard or respect for the victim's personal boundaries.

There are serious psychological and emotional repercussions for victims of frotteurism. Such acts not only violate the physical integrity of the victim, but also undermine their self-confidence and mental well-being. By emphasizing that the sexual acts are directed at a person's body, sexual desires, and/or reproductive organs, this law recognizes that frotteurism is a form of sexual violence that can cause deep trauma and suffering to victims.

With the intent to degrade the dignity of a person based on his/her sexuality and/or morality that is not included in other more severe criminal provisions.

Perpetrators of frotteurism intend to dehumanize a person based on their sexuality and/or decency by committing sexually invasive and inappropriate acts against the victim. These acts usually involve groping or rubbing oneself against another person's body, sexual desires, and/or reproductive organs without their permission or consent. Perpetrators of frotteurism exploit situations where the victim may be unaware of the act or unable to resist or object effectively. The act aims to satisfy the perpetrator's sexual urges by taking advantage of the victim's injustice or powerlessness. It reflects behavior that does not respect the personal rights and physical integrity of victims, and degrades their dignity as human beings.

The element "With the intention of degrading a person's dignity based on his/her sexuality and/or morality that is not included in other more severe criminal provisions" in Article 6 of Law Number 12 of 2022 on the Crime of Sexual Violence illustrates the psychological and moral dimensions involved in acts of sexual violence, particularly in the context of frotteurism. This concept highlights that the act is not solely limited to the physical aspect, but is also driven by a clear intention to degrade and dehumanize the victim in terms of her sexuality and decency. In the case of frotteurism, this element indicates a deeper motive of the perpetrator in committing the act. The act of touching or rubbing oneself on another person's body without their permission is not only a physical assault, but also a form of psychological bullying aimed at sexually humiliating and assaulting the victim's dignity. The perpetrator consciously chooses actions that damage the victim's self-esteem, intensifying the feelings of shame, psychological devastation, and trauma that the victim experiences.

By emphasizing that such acts are committed with the intent to dehumanize the victim based on her sexuality and decency, this law provides a strong legal foundation to take these sexual crimes seriously. It reflects the law's commitment to protect the dignity and well-being of victims from all forms of exploitation, abuse and oppression, and affirms that there is no excuse or justification for acts of sexual violence in a civilized society.

Criminal Legal Protection for Victims of Frotteurism in the LPSK Law and the TPKS Law

Legal Protection is a form of protection given to individuals or parties under legal jurisdiction in accordance with the provisions of legal regulations, both in prevention and prosecution if violations occur. This protection can be preventive or repressive, and can be regulated in writing or unwritten to maintain and enforce the rule of law. In a State of law, it is important to respect and commit to the principle of equality of all citizens with their position in the law, also known as "equality before the law." (Azali & Purba, 2023, p. 38)

To give victims of Frotteurism a sense of security, legal protection is needed for them. This legal protection refers to efforts to protect human rights that have been violated or deprived by others. Legal protection can be done in several forms, such as regulating legislation, providing assistance to witnesses and/or victims, and providing legal certainty. In addition, legal protection can also be interpreted as a

guarantee given by the state to all individuals so that they can fight for their legal rights and interests fairly and get equal treatment before the law.(Febrianti & Yudianto, 2023, p. 78)

The protection of witnesses and victims is part of a subsystem within the criminal justice system. Within this system, there are regulations and legal standards that govern these elements. All are linked to higher sources of order and legitimacy, forming a pyramid structure with the basic norms above. In this case, a special institution is needed to protect witnesses and victims, and the role of the Witness and Victim Protection Agency (LPSK) is crucial.(Widiya Yusmar, 2021, p. 21) LPSK has provided two criteria of protection for witnesses and victims. First, protection from threats that may occur against the reporter, in this case witnesses and victims. Second, protection from threats that can come from law enforcement officials, including judges, prosecutors, and investigators. In a scientific context, witness and victim protection efforts carried out by LPSK are part of research with a criminological approach. This approach is based on the fact that victims of crime need special attention and protection.(Kurniawati et al., 2023, p. 3470)

In normative juridical terms, the definition of victim can be explained based on the formulation of Article 1 Point 2 of Law Number 13/2006 on Witness and Victim Protection after being amended (revised) by Law Number 31/2014 on Law Number 13/2006 on Witness and Victim Protection (hereinafter referred to as the Witness and Victim Protection Law). The Witness and Victim Protection Law defines a victim as someone who suffers physical, mental, and/or economic loss as a result of a criminal offense. Furthermore, based on Government Regulation No. 3/2002 on Compensation, Restitution and Rehabilitation for Victims of Gross Human Rights Violations, victims are defined as individuals or groups of people who have suffered as a result of gross human rights violations. Victims need physical and mental protection from threats, harassment, terror, and violence from any party.(Siregar & Silaban, 2020, p. 40)

According to Article 1 paragraph 4 of the TPKS Law, a victim is a person who suffers physical, mental, economic and/or social harm as a result of the crime of sexual violence.(Franciscus Xaverius Wartoyo & Yuni Priskila Ginting, 2023, p. 36) Criminal Acts of Sexual Violence include various types of crimes related to sexuality and can involve elements of violence, coercion, or abuse of power to obtain sexual gratification or to intimidate, degrade, or harm the victim. Physical suffering can include physical injuries, wounds, or trauma caused by acts of violence or physical coercion during the commission of a sex crime.(Michael L. Valan, 2020, p. 4) In Frotteurism cases, victims are more likely to suffer mental harm, which includes the psychological effects that victims often experience after sexual violence, such as post-traumatic stress disorder, anxiety disorders, depression, and other mental health problems. In addition to this, victims also experience social harm, including the impact on interpersonal relationships, reputation, or social stigma that victims may face as a result of sexual violence.(Hikmah et al., 2023, p. 210)

Observing some of the definitions of victims above, in relation to Frotteurism, there are some common elements that refer to the characteristics of victims, namely:(Siregar & Silaban, 2020, p. 41)

Person (who suffers): Victims are individuals or groups of people who are the ones who suffer as a result of criminal acts or human rights violations.

In the context of frotteurism, a victim is an individual who is unlawfully touched or exposed to unwanted sexual behavior by the perpetrator, which can be physically, emotionally, and psychologically harmful.

Suffering of a physical, mental, economic nature: Victims experience suffering that can include physical aspects, such as wounds or injuries, mental aspects, such as trauma and emotional disturbance, and economic aspects, such as financial loss.

Victims do not only suffer physically, for example through injury or harm as a result of the perpetrator's actions, but also experience serious psychological impacts, such as trauma and emotional disturbance that can last for a long time. In addition, victims may also experience economic losses such as

medical expenses and loss of income due to difficulty maintaining employment due to the psychological impact.

Suffering due to unlawful acts: Victims experience suffering due to unlawful acts, such as criminal offenses or gross human rights violations.

The important point to understand is the impact of the suffering experienced by the victim as a result of the violation of the law. Victims often experience a wide range of suffering as a result of unlawful acts, including frotteurism, which is clearly a serious violation of human rights. This suffering can be multifaceted, ranging from physical harm such as injuries to deep psychological impacts such as trauma. In some cases, the suffering can also extend to include significant economic losses for the victim.

Committed by another party: A victim's suffering is caused by the actions or deeds of another party, which can be a specific individual, group, or entity.

The suffering experienced by a victim of frotteurism is the result of an act committed by another party. This emphasizes that victims are not responsible for the suffering they experience, but rather it is caused by the actions or behaviors committed by other individuals, groups, or entities. In the case of frotteurism, this other party could be a direct perpetrator of the act or may be involved in supporting the behavior.

According to Law No. 31 of 2014 on the Amendment to Law No. 13 of 2006 on Witness and Victim Protection, a victim is someone who suffers, either physically, mentally, or economically. However, it is possible that at one time, a victim can experience all three at once. (Indah Damayanti & Radea Respati Paramudhita, 2024, p. 8588) These impacts show how serious the impact of sexual harassment is on victims of Frotteurism, both physically, emotionally, and in aspects of their social life. Therefore, it is important for society and legal institutions to provide protection, support, and justice for victims of sexual abuse so that they can recover and get the recovery they deserve. (Mahendra, 2021, p. 131)

It is important to understand that sexual violence is an unlawful act and an attack on human rights. Victims of sexual violence deserve protection, support, and justice from the justice system. Protection of victims of sexual violence involves medical support, counseling, social support, as well as strict law enforcement against perpetrators to prevent recurrence of similar acts and provide justice for victims. According to J.E. Sahetapy, victims can refer to individuals or legal entities who experience physical injury, damage, or other losses both physically and psychologically. This definition includes legal, economic, political, and social and cultural aspects. Victims can arise due to the victim's own fault, the victim's role directly or indirectly, or without involving the role of the victim. Arif Gosita also stated that victims are those who suffer physical and psychological suffering due to the actions of others who are against their human rights. This definition is in line with the view of J.E. Sahetapy, that the meaning of victims includes individuals and other legal entities, such as legal entities, community groups, and corporations, and is related to crime. In addition, in the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power by the United Nations in Milan, Italy, in September 1985, victims are defined as persons or groups who have suffered physical or mental harm, emotional suffering, economic loss, or deprivation of their basic rights due to either acts or omissions. Thus, in general, the notion of victims includes individuals and other entities that suffer as a result of unlawful acts by others, and the harm experienced by victims can be physical, mental, economic, or social. (Kenedi, 2020, p. 28)

Legal protection is a very important aspect to regulate citizens who are victims of criminal offenses. Article 1 Paragraph 3 of the 1945 Constitution states that Indonesia is a state of law, which means that Indonesia is a state based on law. Thus, legal protection becomes a very essential element and a consequence in a state of law, where the state is obliged to guarantee the legal rights of its citizens. The purpose of legal protection is a legal effort that must be provided by law enforcement to provide a sense of security, both in mind and physically, from disturbances and threats from any party. (Diana Yusyanti, 2019, p. 623)

The protection of victims in the criminal justice system has a broader purpose, which is not only to protect individuals from physical and psychological harm but also to reflect the values of justice and contribute to equitable development in society. Basically, the protection of victims is a legal promise made by the criminal justice system to achieve the three main functions of law as described by Susanto: (Nasution, 2023, p. 28; Yulia & Prakarsa, 2020, p. 57)

Protection Function: The function of law is to protect the community from the threat of danger and harmful actions originating from fellow communities or groups, including actions taken by power holders such as the government and the state, as well as threats from outside parties. This protection includes aspects of physical, mental, health, values, and individual human rights.

Justice Function: Law aims to maintain and provide protection from justice for all people. In other words, the law must be fair, and a law is considered unjust when it violates the values and rights that are considered to be safeguarded and protected for all people.

Development Function: Law is used as a tool to determine the direction, goals, and implementation of equitable development. Thus, the law not only functions as a means of development but also as a control tool to ensure that development is implemented fairly.

Legal protection for victims of sexual harassment is part of legal policy. Protection for victims can be abstract (indirect) or concrete (direct). Abstract protection is a form of protection that affects the emotional (psychological) aspects of the victim, such as a sense of satisfaction. While concrete protection is a form of protection that provides tangible benefits to victims, such as material or non-material assistance. However, protection for victims of sexual harassment is considered less than optimal due to several factors. One of them is the lack of public understanding of the causes and impacts of sexual harassment. In addition, victim protection services provided by the state are also not optimal. Community-based service organizations responsible for providing protection to victims also have limitations in providing adequate services. Thus, efforts to increase public understanding of sexual harassment and improve the quality of protection services for victims must continue to be strengthened. This is important to ensure that victims receive adequate protection, appropriate remedies and justice in accordance with their rights. (Anggreany Haryani Putri, 2021, p. 19)

Initially, legal protection for victims of criminal offenses was still handled partially by institutions that dealt with certain criminal offenses based on statutory regulations. This caused the protection provided to victims to be different or not uniform. In addition, when Law No. 8 of 1981 on the Criminal Procedure Code (KUHAP) was enacted, legal protection for victims was not regulated much because the dominant issue at that time was how to protect the rights of suspects and defendants. Although victims are only positioned as witnesses, demands and pressure to recognize, protect and fulfill victims' rights are increasing. Many crimes were not revealed because victims did not dare to report or become witnesses in court. Threats of violence and intimidation against victims or their families make them reluctant to report cases to law enforcement. When reporting, victims' rights are often ignored. The emergence of such conditions triggered the need to create a special law that regulates the rights of victims, procedures for granting and fulfilling their rights, as well as institutions specifically responsible for providing protection to victims. In response, Law No. 31/2014 on the Amendment to Law No. 13/2006 on Witness and Victim Protection was established to provide better and uniform protection to victims of criminal acts. The Witness and Victim Protection Agency (LPSK) is authorized in this regard to oversee and ensure appropriate and fair legal protection for victims. (Ali, 2020, p. 204).

Criminal Legal Protection of Victims of Frotteurism in Law of the Republic of Indonesia Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection

Victims in criminal offenses in the crime of Frotteurism are very vulnerable parties and need to be

protected by law. Protection of victims aims to provide a sense of security to them during the criminal justice process. Therefore, Law No. 13/2006 on Witness and Victim Protection was passed, and later amended by Law of the Republic of Indonesia No. 31/2014 on the Amendment to Law No. 13/2006 on Witness and Victim Protection. In this law, the rights of victims are regulated in Article 5, including: (Panjaitan, 2022, p. 71)

Obtaining protection for personal security, family, and property, as well as freedom from threats related to the testimony that will, is, or has been given.

Participate in choosing and determining the form of protection and security support.

Provide testimony without pressure.

Receive an interpreter.

Freedom from tricky questions.

Receive information on case progress and court decisions.

Receive information if the convicted person is released.

Have their identity kept secret or be given a new identity.

Receive a temporary or new place of residence if necessary.

Receive reimbursement of transportation costs as needed.

Receive legal advice.

Obtaining temporary living expenses during the protection period.

In addition to these rights, Article 6 of UUPSK also regulates the rights of victims of gross human rights violations, criminal acts of terrorism, trafficking in persons, torture, sexual violence, and severe persecution. Additional rights for victims include medical assistance, psychosocial and psychological rehabilitation. With the Law on Witness and Victim Protection, it is hoped that victims will receive adequate protection and support during the legal process and recovery from the traumatic impact of the criminal acts they have experienced. (Panjaitan, 2022, p. 72)

Basically, the Witness and Victim Protection Agency (LPSK) is obliged to provide full protection to Witnesses and/or Victims of the crime of Frotteurism, including their families, since the signing of the statement of willingness. This protection is regulated in Law No. 13/2006 on Witness and/or Victim Protection. Article 34 letter (a) of the law emphasizes that every victim and witness in a serious human rights violation is entitled to physical and mental protection from threats, disturbances, terror, and violence from any party. This includes victims of torture, victims of sexual violence, and victims of serious maltreatment. They are also entitled to medical assistance, psychosocial and psychological rehabilitation assistance. However, in order to obtain these aids, victims are required to make an application for protection to LPSK. So, if victims do not make an application, they will not get medical assistance and psychosocial and psychological rehabilitation assistance, even though the victim has or is experiencing suffering. (Selin et al., 2023, p. 4)

The Witness and Victim Protection Agency (LPSK) has two ways of providing protection, in accordance with the provisions listed in Article 5 of the Law on Witness and Victim Protection: (Fadilah, 2023, p. 90)

Through application:

Protection from the LPSK can be obtained by submitting a written application to the institution. The

service of receiving protection applications is submitted to LPSK and will be processed through the LPSK Service Application Board (BPP). The protection decision will be determined through a plenary meeting by the 7-member LPSK. Parties eligible to apply for protection include the reporter, witnesses, victims, experts, their families or legal representatives, and authorized officials. The decision will be given in writing no later than 7 (seven) days since the protection request is submitted.

Providing protection without a written request:

In certain circumstances, LPSK can provide protection to witnesses and/or victims without having to submit a written request. This can happen if there is a threat that endangers the witness and/or victim. However, in this case, LPSK must obtain prior consent from the victim. For example, when there is an emergency that threatens the safety of the witness or victim, or when there is an event that attracts widespread public attention, or for certain reasons that qualify to provide protection to the victim. In this case, LPSK can offer protection to the witness or victim, but the victim must be willing and agree to accept it. If the victim is a child, then the consent can be represented by his or her guardian. After the application for protection is received by LPSK, LPSK and the victim will make an agreement containing the rights and obligations of witnesses and/or victims in the context of protection.

Criminal Legal Protection of Victims in Law (UU) Number 12 of 2022 concerning Criminal Acts of Sexual Violence

Sexual Violence Law Number 12 of the Republic of Indonesia Year 2022 regulates the protection and efforts to fulfill rights carried out by LPSK to ensure the safety of perpetrators and / or victims. In its implementation, other institutions are also required in accordance with the provisions of the law. Article 66 of the Sexual Violence Law also outlines the rights of victims, with the affirmation that the protection of victims' rights is the responsibility of the state and must be adapted to the special situation and needs of victims. The law grants three rights to victims of sexual violence under articles 66 and 67. (Arsy & Yulianingsih, 2023, p. 6)

Articles 66-70 of Law No. 12 of 2022 discuss the rights of victims of sexual violence. Based on the law, victims have the right to handling, protection, and recovery since the criminal act of sexual violence. Article 67 Paragraph (2) confirms that the fulfillment of victims' rights is the responsibility of the state and must be implemented in accordance with the conditions and needs of victims. Article 68 of the TPKS Law defines the victim's right to treatment in 7 forms, namely: (Simbolon et al., 2022, p. 130)

The right to information regarding the entire process and results of handling, protection, and recovery;

The right to obtain documents on the results of handling;

The right to legal services;

The right to psychological strengthening;

The right to health services, including medical examination, treatment, and care;

The right to services and facilities in accordance with the special needs of victims; and

The right to the removal of sexually charged content for cases of sexual violence with electronic media.

These rights are the rights to treatment, protection, and recovery after experiencing sexual violence. Article 66 paragraph (2) also mentions special rights for persons with disabilities who are victims of sexual violence, including accessibility and reasonable measures to exercise their rights, unless the law determines otherwise. Protection of victims' rights is the responsibility of the state and is regulated in article 67

paragraph 2 of the TKPS Law, including forms of rights and procedures for granting rights. For example, victims of sexual violence are protected from losing their jobs, have the right to receive compensation, and have the right to remove sexual content from social media. The TKPS Law emphasizes that victims are entitled to treatment, protection, and recovery after sexual violence. In addition to physical violence, sexual harassment can also occur through verbal sexual harassment, such as catcalling. This kind of action is also an immoral act that degrades a person's dignity. The TKPS Law regulates the protection of victims of sexual harassment, and LPSK is responsible for protecting victims both from physical and verbal sexual crimes, as well as providing a sense of security for victims from crimes that occur outside. Related to the scope of the victim's right to protection includes:(Simbolon et al., 2022, p. 131)

Provision of information on protection rights and facilities;

Provision of access to information on the implementation of protection;

Protection from threats or violence from perpetrators and other parties, including the recurrence of violence;

Protection of identity confidentiality;

Protection from attitudes and behaviors of law enforcement officials that humiliate victims;

Protection from loss of employment, transfer, education, or political access; and

Protection of victims and/or whistleblowers from criminal charges or civil suits for criminal acts of sexual violence that have been reported.

In the TPKS Law, the right to protection for victims of sexual violence is guaranteed in three main aspects. First, victims will be legally protected from physical threats, keeping their identity confidential, and from criminal and civil charges that may be brought by the perpetrator. Second, victims of sexual violence are legally guaranteed protection from demeaning behavior from law enforcement officials. Third, the rights of victims of sexual violence who are in the educational and work environment are guaranteed so that they do not face unilateral actions such as dismissal or transfer. Article 69 of the Law on Sexual Violence (TPKS) contains protection rights for victims of sexual violence, which include:(Harahap et al., 2023, p. 58)

Provision of information on protection rights and facilities: The right of victims to receive clear information about their rights and the facilities available to protect them.

Provision of access to information on the organization of protection: The right of victims to have access to information on how protection arrangements can assist them.

Protection from threats or violence from perpetrators and other parties and the recurrence of violence: The victim's right to be protected from threats or acts of violence that may be committed by the perpetrator or other parties, as well as from repeated violence.

Protection of identity confidentiality: The victim's right to keep their identity confidential to avoid further harassment or retaliation from the perpetrator.

Protection from attitudes and behaviors of law enforcement officials that demean victims: The right of victims not to face demeaning attitudes or behaviors from law enforcement officials in the process of reporting and handling sexual violence cases.

Protection from loss of employment, job transfer, education, or political access: The victim's right to be protected from unilateral actions such as dismissal, transfer, or restriction of access to educational or political opportunities due to reporting cases of sexual violence.

Protection of victims and/or whistleblowers from criminal charges or civil lawsuits for reported crimes of sexual violence: The right of victims and/or whistleblowers not to face criminal charges or civil

lawsuits that may cause further pressure on them after reporting cases of sexual violence.

Furthermore, the victim's right to remedy is explained in Article 70, including the victim's right to remedy before and during the judicial process, as well as remedy after the judicial process. The TPKS Law aims to carry out prevention and recovery for victims of violence, thus creating an environment free from sexual violence and preventing the recurrence of acts of sexual violence. (Simbolon et al., 2022, p. 131)

Conclusion

Frotteurism, as a form of sexual violence, is not only physically harmful but also psychologically damaging to the welfare and dignity of victims. Criminal laws, such as Law No. 12 of 2022 on the Crime of Sexual Violence, have an important role in establishing criminal liability for perpetrators of frotteurism. The elements of the law illustrate the complexity of the offense, including the motivation of the perpetrator, the psychological impact on the victim, and the social responsibility to protect individuals from exploitation and oppression. Law No. 12 of 2022 on the Crime of Sexual Violence provides legal protection for victims of sexual violence. Articles 66-70 of the law outline the rights of victims, including the right to handling, protection, and recovery since the occurrence of criminal acts of sexual violence. Protection of victims' rights is the responsibility of the state and must be tailored to the specific situation and needs of victims. The TPKS Law guarantees victims' rights to protection through various aspects, such as handling, legal services, psychological support, health services, and identity protection. Special rights for victims with disabilities are also accommodated. The TPKS Law also guarantees victims' rights to recovery before, during, and after the judicial process. The aim of this law is to prevent and restore victims of sexual violence and create an environment free from sexual violence. Law No. 13/2006 on Witness and Victim Protection provides protection for victims of criminal acts, including victims of the crime of Frotteurism. The rights of victims are regulated in Article 5 of the Law, such as the right to protection of personal security, family, and property, to participate in choosing the form of protection, to provide testimony without pressure, to obtain an interpreter, to be free from incriminating questions, and to obtain information about the progress of the case and court decisions. LPSK provides protection according to a written request, but in certain circumstances can provide protection without a request if there is a threat that endangers the witness or victim. This protection includes medical assistance, psychosocial and psychological rehabilitation. Victims need to apply for protection to obtain such assistance. Article 34 of the Witness and Victim Protection Law confirms that every victim and witness in gross human rights violations is entitled to physical and mental protection from threats, interference, terror, and violence from any party.

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