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Cyber Sexual Harassment: Issues and Response to Case

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Abstract

Cyber sexual harassment is a common and dangerous form of aggression perpetrated against women, yet little attention has been paid to attitudes related to sexual violence in cyberspace. The increase in violence against women, including sexual violence in cyberspace, has become a global concern; this increase is in line with the development of social media in Indonesia. There is new hope since the enactment of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS), which is expected to provide guarantees of prevention, protection, access to justice and recovery, as well as comprehensive fulfillment of victims' rights which have never been obtained until now. It is hoped that this will be a breath of fresh air for law enforcement against all forms of sexual violence, including cybersexual violence. However, after almost two years of having passed the TPKS Law, this regulation's implementation still faces challenges. It is not yet optimal in handling cyber sexual violence, which tends to be considered an act of sexual violence with new methods and means in line with current technological developments. This article discusses the current phenomenon of cyber sexual harassment and further explores the response of the Indonesian state/government to this phenomenon, along with its opportunities and challenges.

Keywords: Sexual harassment, cyber sexual harassment, Sexual Violence Crime Law

Introduction

The emergence of the internet marked a paradigm shift in human communication. It marked an era of unprecedented connectivity, and encouraged the democratization of information. In the early days of the internet, there was great optimism that equality could be enhanced by transcending geographic, cultural, and social boundaries. The internet is envisioned as a space where diverse voices can thrive, challenge traditional power structures, and promote inclusivity. In its development, cyber security has emerged as a serious issue faced by countries around the world. The presence of multiple social media platforms, their unregulated design, construction and the abundance of content have increased social medias' vulnerability to crime and cyber threats (Soomro & Hussain 2019)[1]. Accompanying the development of the internet, social media and mobile connectivity, cyber sexual violence is has also become widespread and frequent. Cyberviolence against women has penetrated *online* spaces, targeting women and girls in various forms spanning harassment, sexual violence and cyberbullying. A phenomenon that was unimaginable thirty years ago is now having serious health, social, and economic consequences.

Apart from the problems above, women are also a group that is vulnerable to cyber-based sexual violence. Cyber sexual violence/sexual violence in the cyber realm is a common and dangerous form of aggression perpetrated against women. According to the author, the rise of cyber sexual violence against women can be seen as a manifestation of resistance to changing gender roles dynamics. Platforms that should be emancipatory have actually become instruments of oppression. As illustrated by Marganski and Melander (2021), the *agathokological*[2] nature of technology requires us to pay attention not only to the dangers associated with interconnectivity, but also the potential of technology to resist violations and "do good". There are two sides to the technology-coin; it can empower yet also increase vulnerability. A serious response to the threat of gender-based violence in the digital space is needed to ensure that women are the beneficiaries of technological advances, and that advances in information technology truly have an emancipatory impact on marginalized groups. Further, it is essential that online sexism, misogyny and violence is addressed in both online communal and personal spaces, such as in relationships involving the internet.

The increase in gender-based violence, including sexual violence in cyberspace, has become a global concern. This increase is in line with the development of social media in Indonesia and the millennial generation's low understanding of sexual violence in cyberspace. The Covid-19 pandemic has indirectly increased KTPAP. Meanwhile the sharp increase in violence by intimate partners during the pandemic has made their physical environments less safe. At the same time, the online world has also become more dangerous for women and girls due to increased reliance on technology and virtual communications during the pandemic (UN Women 2024). Technological developments do not necessarily empower women, because there are still many assumptions and social practices that make them objects of violence. Teenage girls who are social media users, for example, experience vulnerability to *online* crime (Jatmiko et al. 2020). Technology offers new spaces and ways for perpetrators to commit crimes. They can exploit other people to gain profit or cause harm to victims through psychological violence, whether in the form of threats of hacking, threats of rape, or even murder (Marganski 2018). Based on research by Barker and Jurasz (2019), it is known that women who participate in cyber forums often experience various forms of text-based violence such as *online* misogyny. Cyber sexual violence often cannot be easily traced because the perpetrators of the harassment are often anonymous. In addition, because it is an arena for everyday communication, internet use in many countries, including victims, can be accessed anytime and anywhere (Vilic 2013).

The 2022 data on incidents of Gender-Based Cyber Violence at the National Commission on Violence against Women shows a decrease of 1.4 case reports. There were a total of 821 cyber cases in the personal realm, which were dominated by sexual violence and most were committed by ex-boyfriends (549 cases) and girlfriends (230 cases). Meanwhile, most cyber cases in the public domain were committed by "social media friends" with 383 cases. This year, *online* loan cases increased by 225 percent, with 13 cases, compared to the previous year, with 4 cases. Meanwhile, the largest number of cyber data reported by service institutions was from NGOs with 103 cases, a 67 case decrease year on year. However, the number of cyber cases reported by service institutions as a whole has increased by 112, with the majority of perpetrators being unknown people, boyfriends and/or ex-boyfriends.

The data described in Catahu Komnas Perempuan and LBH APIK regarding the situation of Online Gender-Based Violence highlights the limitations of the Indonesian legal framework in protecting and providing access to justice for victims (Virginaputri 2021). One reason for the low number of cases reported to the police is the victims' concern that reporting might be used against them. Victims often fear that reporting could lead to their own criminalization under Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008, concerning Information and Electronic Transactions and Law Number 44 of 2008, concerning Pornography. This is a particular risk if the victim was involved in creating digital intimate content. Since the enactment of Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, there is new hope for a more responsive and comprehensive approach to handling sexual violence, including electronic-based sexual violence (EBSV).

However, almost two years after the ratification of the TPKS Law, implementation of these regulations remains complex, facing multiple challenges. Such challenges include the lack of ratification of implementing regulations for the TPKS Law in the form of Government Regulations and Presidential Regulations to ensure mechanisms for protection, treatment and recovery for victims. Apart from that, the implementation of the TPKS Law to date has not been optimal and effective regarding handling EBSV which tends to be considered an act of sexual violence with new methods and methods that adapt to current technological developments. Komnas Perempuan (2018) noted that victims of sexual violence have not fully received guarantees of justice, protection and recovery from the state. Some of the obstacles and challenges include the substance of the existing law being inadequate and covering all forms of sexual violence, the number of Law Enforcement Apparatus (APH) is still limited, the existing law does not provide ample space for handling that is integrated with the recovery system for victims and culture. violence that has become pervasive and embedded in the way we think, speak and act in everyday life. This article then attempts to explore further the state's response, in this case the government in Indonesia, to EBSV cases which continue to increase every year.

Research Methods

This paper uses qualitative methods. Qualitative research originates from interpretivist and constructivist

paradigms, which seek to deeply understand research subjects rather than predict outcomes, as in the positivist paradigm (Denzin & Lincoln 2011). Interpretivism seeks to build knowledge from understanding an individual's unique viewpoint and the meaning attached to that viewpoint (Creswell & Poth 2018). This research also has a feminist perspective as stated by Cook and Fonow, because research conducted by, for and about women is emancipatory and feminist in nature (Cook & Fonow 1985). As opposed to general research practices, research with a feminist perspective explicitly states its bias. Its main objective is not the research method itself, but the potential for the research results to improve the life conditions of women who are disadvantaged due to gender, such as experiencing oppression, violence, or neglect. In other words, its orientation tends to be toward understanding and addressing the problems women face due to gender ideology. Feminists believe that prevailing gender ideologies often harm women both as members of society, and as individuals. This research uses a library research method, which involves collecting information and data from news, articles, and journal publications using documentation techniques (Hasudungan et al. 2020). Researchers use secondary data (Heaton 2012; Tight 2019b in Putera et al. 2022), which involves "analysis of data collected by other people" (Boslaugh 2007 in Martins et al. 2018). Data sources include research journals, books, research reports, and e-books, primarily related to issues of sexual violence, electronic-based sexual violence, gender-based violence, and *online* gender-based violence.

Understanding Electronic Based Sexual Violence (EBSV)

Till (1980) classified sexual harassment into five categories: (1) sexist comments or behavior; (2) invitation to engage in sexual activity with promises or rewards; (3) inappropriate and offensive sexual advances, for which there is no sanction; (4) coercion to engage in sexual activity with the threat of punishment; and (5) crimes and sexual offenses. After extensive testing, suggestions emerged (Fitzgerald et al. 1995) to change the classification of types of sexual harassment into three categories: gender-based violence, unwanted sexual attention, and sexual coercion[3]. These three types of sexual harassment can occur *offline* or *online*. However, due to the virtual nature of cyberspace, most expressions of sexual harassment on the Internet occur in the form of gender-based violence and unwanted sexual attention (Barak 2005).

Traditional definitions of violence may not adequately cover all forms of online violence. The rapid evolution of technology, including advancements in artificial intelligence, leads to new and varied manifestations of online violence against women (Šimonović, 2018). Existing laws may not fully address acts of sexual harassment or violence perpetrated via cell phones, the internet, social media platforms, and email. Therefore, existing laws may not effectively protect women from this new form of harassment. Moreover, terms such as cyber harassment, online violence, digital violence, and cyber violence are often used interchangeably, which can lead to confusion. Online or cyber harassment, categorized under cyber violence, involves actions or behaviors intended to torment, annoy, terrorize, offend, or threaten someone through email, instant messaging, or other digital means (Hazelwood & Koon-Magnin, 2013).

The term EBSV, or Online Gender-Based Violence (KBGO), is commonly used to define acts of violence in the cyber domain4. However, in Indonesia, state institutions have not officially adopted the term KBGO (Rahmawati & Saputri, 2022). Komnas Perempuan, for instance, has been addressing cyber violence since its 2016 Annual Notes (Catahu). Nevertheless, Komnas Perempuan continues to use various terms to describe online gender-based crimes, such as cyber crime in 2016, cyber crime in 2017, and cyber-based violence against women (VAW) in Catahu reports for 2018 and 2019. In 2020, the National Commission on Violence Against Women used the term cyber-based VAW, while in 2021, Komnas Perempuan referred to it as Cyber Gender-Based Violence (KBGS)[5]. This article will adopt the term Electronic Based Sexual Violence (EBSV) as defined in Article 4 of the TPKS Law. EBSV can manifest through various channels such as chat rooms, social networking sites, messages, emails, advertisements, automated links, or spam. EBSV exacerbates the existing gender digital divide by creating barriers to equality and full participation in cyberspace (Jane, 2020).

EBSV has been described by analysts as a series of aggressive or sexually harassing images or texts transmitted through digital media (Chowdhury et al., 2019). Cyber sexual violence is defined as unwanted verbal or nonverbal behaviors of a sexual nature *online*, aiming to violate a person's dignity by creating an intimidating, hostile, demeaning, humiliating, or offensive environment (Šimonović, 2018). Research indicates that sexual violence in cyberspace is prevalent, particularly among younger generations

(Reed et al., 2020). While studies on face-to-face sexual harassment are advancing, research on cyber sexual harassment remains limited. Consequently, much of the understanding about Internet-based sexual harassment is extrapolated from studies on face-to-face harassment and other online behaviors on social media platforms (Schenk, 2008).

It is estimated that one in three women worldwide experiences physical or sexual violence in their lifetime (WHO, 2021). Similarly, cyber violence against women and girls, including cyber harassment and bullying, has reached alarming levels. Studies indicate that in the European Union, 73 percent of women have been targeted by online harassment (European Union Agency for Fundamental Rights, 2014). A German survey of over 9,000 internet users aged 10 to 50 also revealed that women were significantly more likely than men to experience cyber harassment and stalking (Straude-Müller et al., 2012). The use of various social networks and *online* technologies increases and changes the phenomenon of sexual violence in various aspects. SAFEnet (2020) stated that as long as digital platforms have interactive features between users, they have the potential to become spaces for digital violence. The use of various digital communication technologies allows victims and perpetrators to be in different locations, such as different cities, provinces, or even countries. Furthermore, Kuklyte (2018) outlines several models of sexual harassment in cyberspace, contributing to the conceptual understanding of its consequences for vulnerable groups at different levels. This can be seen in the table below:

Table 1. Models of Sexual Harassment in Cyberspace at Various Levels

Interpersonal Level	Enterprise level	State Level
Cybersexual Harassement/virtual rape/online sexual grooming.	Cybersexual harassment/cyber incivility in workplace environment.	Massive hybrid actions via social networks against specific country.
Consequences	**Consequences**	**Consequences**
Psychological damage	Financial loss	Psychological damage
A lack of cyber civility	Non financial damage	Political damage
A lack of computer literacy and etiquette.	Psychological damage	Socio-demographic problems.
	Socio-demographic problems.	

Source: Kuklyte (2018)

At the state level, incidents of EBSV function as a form of hybrid conflict within digital diplomacy—a significant cyberattack targeting minorities such as children, teenagers, and women. This type of attack can lead to socio-demographic issues and influence political dynamics without the use of traditional military force (Maurer & Janz, 2014). At the interpersonal level, EBSV occurs between individuals who may not know each other personally. It involves the inappropriate distribution of content and perpetuates gender discrimination among children, adolescents, students, and others who engage with digital technology. The primary objective often includes initiating video connections or face-to-face meetings with the victim. The high degree of anonymity and power imbalances in these interactions can sustain prolonged, harmful communications that inflict psychological damage.

Research has found that women are more likely than men to experience severe forms of *online* violence, such as cyber harassment and stalking (Brody & Vangelisti 2017). According to Kuklyte (2018), '*cyberstalking*' is a category of sexual harassment at the interpersonal level. *Cyberstalking* has been used to describe a variety of behaviors involving: (a) repeated threats and/or harassment; (b) through the use of electronic mail or other computer-based communications; and (c) that would cause a reasonable person to fear for their safety (Fisher et al. 2000; US Department of Justice 2000 in Finn 2004). The National Institute of Justice (1996) estimates that 8 percent of women and 2 percent of men experience being stalked at some point in their lives. Regarding campuses, there is evidence that stalking may have a different profile there, than nationally. A National Institute of Justice (1998) study of 4,446 female students at 223 colleges and universities in the United States found that 13.1 percent of women had been stalked during a 7-month period in 1997, and 24.7 percent of all victims reported that stalking included email stalking (Fisher et al. 2000).

In this context, companies can analyze behavior between workers on social networks, with a focus on female employees. Cyber sexual violence occurring between colleagues or leaders and subordinates has been analyzed by Giumetti et al. (2016). Cyber sexual violence can harm the well-being of the affected employee, including their healthcause, as well as both financial and non-financial damage. Marganski (2018, p. 21) reinforces the feminist perspective on assessing technology-based crimes, including workplace harassment. This encompasses online abusive language targeting fellow employees (e.g., *online bloggers*, video game critics, sports reporters, and other public-facing writers), as well as intimidation and threats of serious injury, harm, or death. Thus, victims often experience humiliation, degradation, and insult due to the double standards of sexuality embedded in the patriarchal system. It is not uncommon for victims to withdraw from forums or leave their jobs, compounding the effects of psychological and financial pressure.

An example of EBSV at the corporate level is highlighted in a 2016 *Inter-Parliamentary Union* survey, as reported by the 2017 *Association for Progressive Communications* (APC) report. The survey found that social media had become a significant platform for psychological violence directed at female parliamentarians, including sexist and misogynistic comments, degrading images, threats, and intimidation. A member of the European Parliament said that in a period of four days, he received more than 500 rape threats on Twitter. Meanwhile, a member of parliament from Asia said that he received information about his son including his age and school location and then threatened to kidnap him.

Electronic-based Sexual Violence as A Result of Unequal Power Relations

Internet and technological phenomena cannot be fully understood without referring to gender issues. The social construction of technology theory shows that technology is shaped by its certain social contexts (Dixon et al. 2014, p. 2). In a similar vein, Bimber (2000) argued that the internet functions as an arena where class interactions dominate and are dominated. Socio-economic background and gender contribute to the existing digital divide between men and women. Men often possess economic stability, computer skills, and expertise with digital tools, which serve as capital for legitimizing their presence online. Furthermore, text and image processing applications, predominantly developed by men, tend to favor male users. Van Zoonen (as cited in Royal, 2008) explores this relationship further, highlighting how feminist theory intersects with information technology. She noted that several studies have pointed out the exclusion of women in the discovery, creation, and design of new technologies. Ultimately, these dynamics perpetuate sexist behavior and patriarchal dominance online, with detrimental effects on women both in virtual spaces and in real life.

The existence of women will always be considered the *second sex* (de Beauvoir 1989). On the other hand, patriarchal domination will become increasingly stronger with the occupation of this new world. Marganski and Melander (2021, p. 22) argue that technology is often used as a tool for aggression and to assert masculinity against already marginalized groups, reinforcing male-dominated spaces and further oppressing those groups. The 2015 Internet Governance Forum highlighted the diverse impacts of KBGO, including psychological effects such as depression, anxiety, and suicide, as well as self-censorship, mobility restrictions, and damage to career prospects (SAFEnet, 2022). Moreover, the report underscores that the impact of KBGO extends beyond individuals to wider society, creating an environment where women feel unsafe, exacerbating gender inequality, and reinforcing a culture of sexism and misogyny.

Various studies indicate that inequality in power relations is a primary cause of sexual violence. Power relations serve as a tool of oppression, defined by hierarchical relationships where one individual holds a higher or lower position relative to another. In cases of sexual violence, power dynamics are manifested through the perpetrator's control over the victim's vulnerability. The perpetrator typically holds power over the victim in the relationship. Having power means possessing the ability to influence the behavior or attitudes of others according to one's own desires. This influence extends to victims of sexual violence cases, both offline and in cyberspace. According to a study by UN Women, cyber sexual violence must be addressed from a multidimensional perspective, considering various forms of discrimination and inequality such as age, race, poverty, and sexual orientation that make different groups of women particularly vulnerable. These factors similarly shape cyber sexual violence.

Cyber research focusing on gender has seen rapid growth in recent years, evident from the substantial number of relevant studies, including dissertation abstracts. Carstarphen and Lambiase's (1998) study

indicates that gender barriers in cyberspace are influenced by language, codes, and the rhetoric of cyberspace, which mirror power structures and hierarchical domination discourse. Similarly, in an ethnographic study, Cushing (1996) found a lack of female voices and actors on the Internet, suggesting that male rituals and language patterns dominate. Content on the Internet often produces symbolic violence through hateful words, images, and communications with racist or sexist backgrounds—cyber sexism (Heitmeyer & Hagan 2005). Furthermore, Schroeder (2020) explains that algorithms significantly influence how gender is experienced, processed, and recirculated in contemporary consumer culture. As consumers and researchers embrace broader conceptions of gender, online marketplaces are attempting to rewrite stereotypical notions of gender. These studies demonstrate that even as society progresses toward a more modern world, it cannot allow women to become mere subjects of the prevailing norms.

The domination and gender inequality experienced by women in cyberspace is strong evidence of patriarchal control. In this context, sex plays a crucial role in determining societal status. As the dominant social group, men engage in behaviors that establish a hierarchical social structure, reinforcing the patriarchal system. Consequently, social power is reflected in men as a function of their dominant masculine status (Veevers & Henley 1979). As stated by Bourdieu, cyber sexism is a form of 'soft violence' because it occurs within relationships where the targets are often unaware that they are victims. Victims of cyber sexism may not realize they are being victimized. Additionally, this form of violence is practiced repeatedly in everyday online interactions. The strong dominance of patriarchy in society is the root of sexism in both the real world and cyberspace. Patriarchy consistently views women as objects, leading to injustice, stereotypes, marginalization, and even violence and harassment. Society has adopted patriarchal norms in all aspects of life, making them seem natural and ordinary (Lerner in Rakoczy 2004). Therefore, digital technology or the Internet is not the only factor contributing to EBSV. Various contexts and perspectives, especially those rooted in deep-seated structures of power relations and patriarchy, play a significant role in perpetuating gender-based violence.

Response and Prevention Efforts: Recurrence of Electronic-Based Sexual Violence Cases in Indonesia

Like sexual violence that occurs offline which is often not handled seriously or does not receive an effective response and solution, EBSV cases are also often neglected so that victims/survivors have to struggle alone in dealing with the cases they experience without support from various parties. especially the state/government. In the United Nations General Assembly Report, Report of the Special Rapporteur on Violence Against Women, its Causes and Consequences on Online Violence Against Women and Girls from a Human Rights Perspective (Special Rapporteur on Violence against Women, its Causes and Impacts on Violence against Women and Girls Online from a Human Rights Perspective) in 2018 explained that the state is obliged to ensure that state and non-state actors do not discriminate against women. Thus, the state has an obligation to prevent, investigate and punish acts of violence against women, including when the violence is committed by the private sector, such as electronic system operators or internet providers (SAFEnet 2022). Although there is no standard international legal framework that specifically regulates Cyber Sexual Violence, various instruments have recognized the intensity of the problem and addressed the need to develop clear laws and prosecution guidelines. Recommendation 35 of The Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) expands the definition of violence against women beyond physical spaces to include "technologically mediated environments". Thus, addressing online violence and violence facilitated by Technology, Information and Communication (ICT) against women (United Nations 2017).

Research conducted by the National Commission on Violence Against Women (2022) revealed that seven countries have regulations regarding Electronic-Based Sexual Violence (EBSV). These countries are Germany, Great Britain, South Korea, Australia, the Philippines, India, and Pakistan. Among these, only three countries—Australia, the Philippines, and Pakistan—have comprehensive rules. These three countries have specific policies addressing EBSV, while the others incorporate EBSV actions within general criminal acts on internet media. Government regulations and policies are crucial in preventing Electronic-Based Sexual Violence (EBSV). Key elements include legislation and law enforcement, changes in social-organizational culture, and education

and training for both potential victims and perpetrators (Paludi & Paludi 2003; Sbraga & O'Donohue 2000). Legislation is essential to establish clear boundaries for sex-related behavior and to define the sanctions for unlawful actions (Wiener & Gutek 1999; Riger 1991). It also plays a vital social role by communicating societal norms and values. Law enforcement ensures that these laws are not just theoretical but are actively implemented. While legislation and law enforcement are top priorities in the real world and are present in all societies, their effectiveness in cyberspace is limited for several well-known reasons.

What about the Indonesian government itself? In principle, criminal acts committed via electronic media in Indonesia are regulated under Law Number 19 of 2016, which amends Law Number 11 of 2008 concerning Electronic Information and Transactions (UU ITE). This law includes provisions for criminal acts committed via the internet. Specifically, regulations related to criminal acts via electronic media are outlined in Articles 27 and 28 of the ITE Law. However, the provisions of Articles 27 and 28 of the ITE Law often lead to multiple interpretations in law enforcement. This ambiguity arises from the unclear formulation of the offense, particularly the phrase "content violates decency." Barda Nawawi Arief suggests that specific laws and regulations should contain general formulations and explanations, not just those related to criminal acts. This ensures that statutory regulations can serve as a legal umbrella or guideline for law enforcers (Fitania & Wirasila 2019).

Furthermore, Indonesia experienced ups and downs in the process of discussing a law specifically addressing sexual violence. The two-year journey of the TPKS Law was a significant learning period. The TPKS Law represents a new milestone, serving as a legal umbrella that can provide certainty and accelerate the fulfillment of victims' rights, deliver justice for victims, and ensure effective law enforcement. Additionally, the TPKS Law aims to protect vulnerable groups, including women with disabilities and children, from various acts of sexual violence. Intersectional characteristics, such as age, race, and disability, make certain groups more vulnerable and frequent targets of sexual violence. Regarding EBSV, the TPKS Law specifically addresses this issue. Article 4, paragraph 1, letter i, in conjunction with Article 14, letter a, defines EBSV behavior to include: recording and/or taking images or screenshots of a sexual nature without the consent of the person involved; transmitting electronic information and/or documents containing sexual content against the recipient's will; and using electronic systems to stalk or track individuals for sexual purposes.

Another policy that deserves recognition is Ministerial Regulation Number 30 of 2021, concerning the Prevention and Handling of Sexual Violence in Higher Education Environments. This regulation also addresses Cyber Sexual Violence (KSS) in Article 5 (1), which states that sexual violence includes actions carried out verbally, physically, non-physically, or through online means. Although not explicitly categorized as KSS, paragraph 2 of the Ministerial Regulation describes several types of sexual violence included in KSS. These include: 1) sending messages, jokes, images, photos, audio, and/or videos with sexual content to the victim despite their objections; 2) taking, recording, and/or distributing photos and/or audio or visual recordings of the victim with sexual content without the victim's consent; 3) uploading photos of the victim's body and/or personal information with sexual content without the victim's consent; and 4) distributing information about the victim's body and/or personality with sexual content without the victim's consent. Additionally, the Ministry of Communication and Information Technology has taken two steps to support the implementation of the regulations in the TPKS Law: creating an application for reporting TPKS and conducting public communication for prevention.

Even though the state appears to be increasingly aware and concerned about the issue of sexual violence in Indonesia, the implementation of these policies still requires supervision from various parties. Addressing sexual violence requires not only supportive laws and policies but also cultural change. It is essential to promote equality between women and men in fulfilling their rights as humans and citizens, which can be achieved through education for both parties, building sensitivity and awareness within the community. Lack of sensitivity can obscure the essence of the TPKS Law and other regulations that support the elimination of sexual violence, especially EBSV. For example, the increase in EBSV often does not align with the handling and protection of victims. Frequently, victims are criminalized or experience revictimization. EBSV victims often face psychological challenges and obstacles such as shame, fear, and power dynamics that prevent them from reporting. While this is largely due to patriarchal culture, concerns about protecting the family's or community's reputation can also prevent victims from reporting incidents. This was evident in the case of a female artist with the initials RK, whose intimate

content was spread without permission. Ironically, the discussion focused more on her role in the content rather than the fact that she was a victim of *non-consensual intimate images* (NCII)6. Furthermore, RK was criminalized due to public reports to the police about the intimate content. According to the TPKS Law, NCII is part of electronic-based sexual violence, and RK should have been recognized as a victim and protected. The perpetrators who spread the content should have been prosecuted according to applicable laws and regulations (Konde 2023).

Another significant finding regarding the handling of EBSV is that many victims choose not to report their cases to the police, opt to leave the matter unresolved, relocate, or pursue mediation instead. A recurring issue is the difficulty in securing witnesses and substantial evidence, leading to police inaction on reported cases, even when evidence is compelling. In many instances, victims are encouraged to mediate with perpetrators and advised against pursuing legal action (Intania & Satria 2022).

It is crucial to note that in Indonesia, with its tiered governance structure involving central, provincial, and district/city governments, the TPKS Law requires extensive socialization efforts. Often, at the regional level, there is limited understanding of terms such as EBSV, KBGO, and KBGS. Consequently, reporting of KSS cases, similar to other forms of sexual violence, occurs more frequently in the regions. Many parties, especially law enforcement officials (APH) in the regions, still do not fully understand the terms and complexities of KSS. This lack of understanding is compounded by low sensitivity to gender issues and inequality among law enforcement officials. According to SAFEnet (2020), the processes and enforcement of laws are critical areas requiring reform in addressing KBGS. Law enforcement officers sometimes fail to adopt a victim-centered perspective and may engage in victim-blaming. They often struggle with understanding digital technology and the dynamics of cyber violence. Lengthy legal procedures may not effectively address the nature of online violence. Moreover, efforts to secure evidence, including the misinterpretation of evidence, can potentially criminalize victims rather than protect them within the legal framework.

Closing

The government in Indonesia is committed to preventing and addressing cyber sexual violence, although existing policies may not fully encompass the diverse forms of this issue. Additionally, the country faces challenges in effectively implementing these policies, especially in ensuring that they are applied consistently from the central government down to the regional level. Addressing cyber sexual violence requires more than just policies; it is crucial to raise public awareness to support vulnerable groups and understand the risks posed by unchecked technological advancements that perpetuate gender inequality. However, this research faces limitations due to the widespread nature of cyber sexual violence alongside rapid technological developments, and the varied analytical perspectives used. Therefore, further studies are needed to explore how government actors formulate gender-responsive policies, particularly in the context of cyber sexual violence. This includes examining collaborations among government entities to synergize efforts to prevent and respond to cyber sexual violence in Indonesia.

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End Note

1 The history of cybercrime in the information technology industry traces back to the late 1970s. Since then, it has evolved from basic forms like spam to more sophisticated tactics such as viruses and malware. Cybercrime encompasses a range of illegal activities conducted by criminals in cyberspace through internet-connected electronic devices. These criminals often target vulnerable individuals, exploiting their technological knowledge and vulnerabilities. Through various methods, they deceive users to obtain personal data (Soomro & Hussain, 2019).

2 Agathokakological or agathokological is an adjective which means consisting of good and evil. This word is not commonly used in everyday language, but it has a historical and linguistic basis.

3 Gender harassment involves unwanted verbal and visual communications and comments that degrade individuals based on their gender or use stimuli intended to provoke negative emotions. This includes actions like posting pornographic images in public places, telling chauvinistic jokes, and making derogatory gender-related comments. Unwanted sexual attention encompasses behaviors ranging from unwanted touching and causing fear or distress to name-calling, sexual harassment, rape, and sexual assault. It can occur between individuals of the same or different sexes. Sexual coercion spans a continuum, from physical rape to non-physical pressures that compel women to engage in sexual activities against their will, often under threat of severe physical or social consequences (Barak, 2005).

4 KBGO, or Online Gender-Based Violence (OGBV) as defined by The United Nations Declaration on the Elimination of Violence Against Women, encompasses acts that cause sexual, physical, and psychological harm, leading to suffering among women. These acts include coercion, threats, and arbitrary deprivation of liberty in both private and public spheres (Areta et al., 2021). The term applies inclusively to all genders affected by sexual violence, defining KBGO as gender-based violence occurring in digital media spaces. According to the Association for Progressive Communications (APC), KBGO refers to gender-based violence carried out, supported, or exacerbated through information and communications technology (ICT) channels such as mobile phones, the internet, social media platforms, and email (Association for Progressive Communications, 2017).

5 The TPKS Law defines Electronic-Based Sexual Violence (KSBE) as sexual violence facilitated by information technology and electronics. Previously, terms such as Gender-Based Sexual Violence (KSBG) against Women, Cyber Violence against Women (Cyber KTP), Online Gender-Based Violence (KBGO), and Cyber Gender-Based Violence (KBGS) were used interchangeably to describe the same phenomenon. These terms collectively refer to any violation or harassment of a person's sexual rights using Technology, Information, and Communication (ICT). Additionally, Komnas Perempuan has formulated a definition of gender-based violence against women facilitated by ICT as: "Every act of gender-based violence that is committed, supported, or exacerbated in part or in whole by the use of ICT, targeting women or disproportionately affecting women, resulting in or potentially resulting in physical, sexual, or psychological suffering, including threats of coercion or arbitrary deprivation of liberty, whether occurring in public or private life" (National Commission on Women, 2021).

6 *Non-Consensual Intimate Images Violence* (NCII) constitutes a form of *online* gender-based violence where perpetrators use intimate or sexual content (such as photos and videos) depicting the victim to threaten and intimidate them into complying with the perpetrator's demands. Using victim-centered terminology is crucial for understanding the case and fostering empathy towards the victim. Victims of NCII may experience various forms of violence beyond the distribution of content via digital media, such as receiving threats to distribute non-consensual intimate content to coerce or intimidate them into unwanted actions. Another form of NCII involves the non-consensual production of intimate content, achieved through methods like secret recording, coercion, or the use of artificial *intelligence* technologies like *deepfake* (Kompasiana 2023).