

# **PENERAPAN SANKSI PIDANA TAMBAHAN PENCANTUMAN IDENTITAS PELAKU KEKERASAN SEKSUAL TERHADAP ANAK**

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## **ABSTRAK**

Penelitian ini dilakukan untuk memahami pelaksanaan pencantuman identitas pribadi pada pelaku kekerasan seksual terhadap anak sebagai gagasan baru mengingat pengumuman identitas sebagaimana diatur dalam Pasal 76D ayat (6) Peraturan Pemerintah Pengganti Undang – Undang Nomor 1 Tahun 2016 tentang Perubahan Kedua atas Undang – Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak (“**Perpu 1/2016**”) dirasakan belum optimal. Perpu 1/2016 sebagai dasar pidana tambahan mengatur pidana tambahan pengumuman identitas sebagai pemberatan terhadap kekerasan seksual pada anak yang merupakan *serious crime*, sebagai realisasi dari pemberatan tersebut disahkan pedoman mengenai prosedur pelaksanaan pemberatan yang diatur dalam Peraturan Pemerintah Nomor 70 Tahun 2020 tentang Tata Cara Pelaksanaan Tindakan Kebiri Kimia, Pemasangan Alat Pendeteksi Elektronik, Rehabilitasi, dan Pengumuman Identitas Pelaku Kekerasan Seksual Terhadap Anak (“**PP 70/2020**”) yang mensyaratkan bahwa prosedur pengumuman identitas ialah melalui media. Pengumuman identitas melalui media perlu dioptimalkan dengan pencantuman identitas pelaku sebagai identitas unik sebagaimana *best practice* yang telah dilakukan negara lain, antara lain menggunakan konsep teori keadilan dan teori labelling dalam HAM dengan memberikan perlindungan bagi korban serta manfaat bagi pelaku sendiri dengan limitasi mobilitasnya tanpa melanggar hak-hak pelaku sendiri, serta dalam konsep luas akan meningkatkan *awareness* bagi masyarakat dan aparat penegak hukum.

**Kata Kunci:** Kekerasan Seksual Terhadap Anak, Pidana Tambahan, Pencantuman Identitas

**ADDITIONAL CRIMINAL PENALTIES IN APPLICATION FOR  
ASSERTION OF THE IDENTITY TO PERPETRATOR OF SEXUAL  
VIOLENCE AGAINST CHILDREN**

**FEBBY IRWANI**

**ABSTRACT**

*This research was conducted to comprehend the implementation of personal identity assertion to perpetrators of child sexual abuse as a new notion considering identity announcement as required on Article 81 Verse (6) of Government Regulation in Lieu of Law Number 1 of 2016 concerning Second Amendment to Law Number 23 of 2002 concerning Child Protection (Law Number 1/2016) perceived hasn't been yet optimal. Law Number 1/2016 is reasonable additional penalties as incriminated for perpetrators of sexual abuse against children which is chategorized as serious crime, the manifestation of the incriminated itself passed guidelines regarding the procedure regulated in Government Regulation Number 70 of 2020 concerning Prochedure of chemical castration, Installation of Electronic Detection Devices, Rehabilitation, and Identity Announcements to perpetrators of child sexual abuse (Law Number 70/2020) which requires that the procedure for announcing identity is by the media. The announcement of sexual perpetrator's identity by the media needs to be optimized by asserting the identity of the perpetrator as a unique identity as best practice has been carried out by other countries, including using the concept of justice theory and labelling theory in human rights by providing protection for victims and benefits for the perpetrators themselves with the limitation of their mobility without violating the rights of the perpetrators themselves, and in a global concept will increase awareness for the community and law enforcement officials .*

**Keyword:** *Sexual Violence Against Children, Additional Penalties, Identity Assertion.*