

The Cybersex Trafficking: Legal Protection Against Child Sexual Exploitation Through Digital Platforms

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ABSTRACT

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The development of digital technology has both positive and negative impacts on society. One negative impact that has emerged is cybersex trafficking, which is a form of child sexual exploitation that uses the internet and digital platforms for human trafficking. This study aims to analyze positive legal regulations in Indonesia regarding cybersex trafficking crimes and the forms of legal protection for children as victims. The method used is normative juridical with a legislative, conceptual, case, and comparative law approach. The results of this study show that Indonesia does not yet have specific regulations governing cybersex trafficking, so it enforces several laws, such as the TPPO Law, the ITE Law, and the TPKS Law. Meanwhile, the Philippines has comprehensively regulated this issue through the OSAEC Act and the Expanded Anti-Trafficking in Persons Act. This situation calls for the establishment of specific regulations in Indonesia to provide effective, comprehensive, and equitable legal protection for children who are victims of sexual exploitation in the digital space.

1. Introduction

Digital technology in the world of information and communication is developing rapidly, enabling people of all ages to access it. In this context, many digital platforms provide convenience for people to search for and share various types of information. The rise of the internet has significantly changed human lifestyles, as technology now supports nearly all societal activities (Kifli, 2025). The internet allows for global communication and interaction without the need to meet in person. Technology and information development have made it easier for everyone to access various things quickly and easily. However, behind this progress are negative impacts, including increased cybercrime.

The 11th UN Congress stated in the background paper for the workshop “Measures to Combat Computer-related Crime” that new global technologies,

communications, and information pose a significant threat, as they create new opportunities for criminal activity. Cybercrime, as the dark side of technological advancement, has negative impacts that raise various concerns and require serious attention (Haryadi, 2012). One form of cybercrime that is a serious concern is related to decency, known as cybersex.

Cybersex is the act of accessing online pornography, such as videos, images, films, or games with sexual content. Cooper defines cybersex as activities like viewing images, engaging in sexual chats, and exchanging sexual emails or pictures (Cooper & Archard, 2002). Cybersex may contribute to addiction, poor social abilities, unhealthy emotional development, and harmful practices such as child abuse and prostitution (Juditha, 2020). Cybersex is considered a grave violation of human values when it involves exploitation. The exploitation turns cybersex into a form of crime called cybersex trafficking.

The term “cybersex trafficking” refers to online sex trafficking, where sexual exploitation, often of children, is carried out via the internet by perpetrators who pay to record, command, or direct the exploitation (Raines, 2022). These criminals, called traffickers, often target children and teenagers, and not infrequently even adults, through social media or other online platforms. They use tactics such as deception, false promises, blackmail, or even direct threats. After successfully ensnaring their victims, they force them to perform inappropriate acts in front of the camera (Prasojo, 2025). The forms include digital pornography, live streaming of forced sexual activities, and child sexual abuse material (CSAM).

In Indonesia, cybersex trafficking is a new type of crime that is becoming more recognized. Cybersex trafficking isn’t a commonly recognized term in Indonesia’s legal system, but different types of sexual exploitation online show that it exists. In Indonesia, several cases have revealed how children become victims of sexual exploitation in the digital realm. An illustrative case can be found in the Cirebon District Court Decision Number 94/Pid.Sus/2024/PN Cbn, in which two defendants were found guilty of sexually exploiting minors by forcing them to become “hosts” to broadcast sexual activities via live streaming through an application. These crimes were committed to make money from the presents that viewers gave. The judge applied several statutes, such as the Human Trafficking Law, the Child Protection Law, the Pornography Law, and the Electronic Information and Transactions Law.

Indonesia has some regulations, but there is no specific law addressing cybersex trafficking. The handling of this matter is based on Law No. 1 of 2024, which amends Law No. 11 of 2008 on Electronic Information and Transactions, Law No. 44 of 2008 on Pornography, and Law No. 35 of 2014, which amends

Law No. 23 of 2002 on Child Protection, as the main legal basis (Elean, 2021). This scenario is in contrast to other countries, such as the Philippines, which already has specific regulations on cybersex trafficking. This situation shows weaknesses in Indonesia's legal system and its effect on protecting children from digital sexual exploitation.

This study expands on earlier work on cybersex trafficking, particularly relating to the online trafficking of minors. Research from Noval in 2022 found that people who exploit kids online are really proficient at using new technology and live streaming to make money. However, these studies have not comprehensively discussed the criminal law aspects of cybersex trafficking. Therefore, this study aims to fill the gap in legal studies by providing an in-depth analysis comparing the laws in Indonesia with those in the Philippines, which already has specific regulations related to cybersex trafficking. Furthermore, this research will investigate preventive, repressive, and rehabilitative measures to protect children from sexual exploitation in the digital sphere. Additionally, it will establish connections between the national legal framework and international instruments such as the Convention on the Rights of the Child, the Palermo Protocol, the Optional Protocol to the CRC on the Sale of Children, Child Prostitution and Child Pornography.

2. Method

This research's normative legal methodology, which also includes a survey of legal literature, employs several approaches, including the legal approach, conceptual approach, case approach, and comparative approach. Among the main legal resources used are the Criminal Code (KUHP), the Law on Electronic Information and Transactions (UU ITE), the Law on the Eradication of the Crime of Trafficking in Persons (UU TPPO), the Child Protection Law (UU PA), the Pornography Law, and the Law on the Crime of Sexual Violence (UU TPKS). The law is supplemented by several pertinent international agreements, including the Palermo Protocol, the Convention on the Rights of the Child, and the Optional Protocol to the Convention on the Rights of the Child on the sale of minors, child prostitution, and pornography. Examples of secondary legal materials include books, research findings, and other relevant publications. Additional qualitative and descriptive research was conducted to gain a deeper understanding of the elements of the criminal legislation relating to cybersex trafficking, as well as the methods used by law enforcement.

3. Main Heading of the Analysis or Results

3.1. Cybersex Trafficking as a Contemporary Form of Human Trafficking

Human trafficking is committed using a variety of tactics, including threats, coercion, kidnapping, fraud, deceit, falsehoods, and abuse of authority, it is classified as a crime that violates human rights. Prostitution, pornography, violence, forced labor, slavery, and related acts are all motivated by the desire to exploit others. When one of these circumstances is satisfied, human trafficking—a crime that violates human rights—occurs. Three components of the UNODC Checklist on the Criminalization of Trafficking under the Protocol are employed in the scope of international law to assess whether a crime is classified as human trafficking or comes outside the purview of regular criminal law. The recruiting, transportation, transfer, sheltering, and receiving of individuals are all included in the first part, actions (what is done). To obtain the victim's agreement, the second component is the methods (how it is carried out), which include the use of force, the threat of using force, other types of coercion, arrest, fraud, deceit, abuse of authority, and providing or receiving money or rewards. Prostitution, various types of sexual exploitation, forced labor or services, slavery, slavery-like behaviors, servitude, and organ removal are all included in the third component, which is the goal (the reason it is done).

Sexual exploitation, in the context of TPPO, is understood as forcing someone to engage in commercial or inappropriate sexual activities through threats, violence, deception, or abuse of power (Flanagan, 2022). According to the 2024 Global Report on Trafficking in Persons by the United Nations Office on Drugs and Crime (UNODC), sexual exploitation is the most prevalent form of human trafficking. The report noted a 25% increase in human trafficking victims between 2019 and 2022, with children accounting for around 38% of all identified victims, and the majority of cases are for sexual exploitation. This shows that the body and sexuality have become major commodities in human trafficking practices (Shelley & Metz, 2024).

Cybersex trafficking is one of the new ways that human trafficking has used digital platforms to operate more effectively and secretly as a result of the development of information and communication technology. Incidents where victims of sexual exploitation are trafficked or taken to locations known as "*cybersex dens*," where webcams and other electronic equipment are used to film and broadcast their activities, are referred to as "*cybersex trafficking*" (Prakash & Singh Malik, 2022). Patel uses the term "*cybersex trafficking*" or "*virtual trafficking*" as a form of violence against children by instructing them to perform sexual acts in front of a webcam,

the results of which are used for exploitation through social media (Commonwealth Parliamentary Association UK, n.d.).

A fundamental issue is contained in Article 3(c) of the Palermo Protocol, which explains that human trafficking involves three important elements: the act committed, the means or *modus operandi* used, and the purpose for which it is engaged. Typically, human trafficking focuses on the physical aspects related to the people being trafficked, the location where it occurs, and the methods used to carry it out. However, current digital technology developments have influenced how people trade, enabling TPPO to borderless cyberspace. First, the elements of conventional human trafficking are recruitment, harboring, transportation, transfer, delivery, and receipt (Muhammad Jarnawansyah, 2024). Whereas previously victims were recruited more often in person or through intermediaries, digital developments such as social media, instant messaging applications, and digital platforms are now being used as new tools to recruit victims. This allows individuals to become victims of human trafficking in cyberspace, through websites and other internet services.

Interestingly, the Organization for Security and Co-operation in Europe (OSCE) suggests that trafficking in people online or through advertising services is one of the forms of recruiting victims via the internet (Organization for Security and Co-operation in Europe & Tech Against Trafficking, 2020). In doing advertising, victim recruitment in cyberspace is done through two ways, namely hunting or fishing strategy (P, 2022). Targeting trafficking victims is done by establishing certain characteristics, such as having economic, emotional, and other vulnerabilities. In addition, the perpetrator can trigger the victim by using attractive advertisements to then approach the victim. The ads often attract victims by portraying a luxurious life as well as promising a high income by working in the entertainment or modeling industry (Andrade-Rubio et al., 2024). Advertising or advertisement like this is a development of new acts carried out in human trafficking in cyberspace.

Second, human trafficking can occur directly or indirectly. A person can become a victim of human trafficking through indirect means or through physical force.

Table 1. Direct and indirect coercion of human trafficking

Direct Coercion	Indirect Coercion
Threats	Deception
Use of Violence or other forms of intimidation	Fraud

Abduction

Persuasion

Source: Institute for Criminal Justice Reform

In conventional human trafficking, the method used is direct coercion, whereby perpetrators generally recruit, transport, transfer, or receive a person directly by using force, threats, abduction, or confinement. Meanwhile, in cybersex trafficking, the modus operandi used is indirect coercion, whereby perpetrators utilize the internet, social media, instant messaging platforms, and streaming sites to recruit, control, and exploit victims through deception, blackmail, and manipulation (Adhigama Andre, 2023).

Third, sexual exploitation as a purpose of human trafficking can also occur in cyberspace. The internet is used to spread sexual exploitation to reach consumers on a global scale. The phenomenon of child sexual exploitation through live streaming places victims in a position where they are forced to perform sexual acts in front of a live camera, while consumers can access it with just one click, and once the broadcast ends, the recording is gone (Woods, 2020).

Table 2. Conventional trafficking in Person and Cybersex Trafficking

Aspect	Conventional TPPO	Cybersex Trafficking
Space	Physical, limited to territorial areas	Digital, not limited to territorial boundaries
The role of technology	Facilitated in part by digital technology	Facilitated entirely by digital technology
Sexual exploitation	Sexual activity is closely related to physical contact. For example, bringing victims and perpetrators together in forced prostitution	Sexual activity can involve physical contact or none at all, but sexual activity is consumed by many people through digital space (without direct contact). Examples include live streaming sexual performances and webcam abuse.
Control over victims	Directly, such as confinement, physical violence, etc.	Victims are controlled through technology, such as psychological exploitation, manipulation, emotional

abuse, or economic
dependence.

Source: Institute for Criminal Justice Reform

Based on the above description, it shows that cybersex trafficking is a contemporary form of human trafficking that has emerged alongside the development of information and communication technology. Although it does not involve the physical transfer of victims, this crime substantially fulfills the three main elements stipulated in the Palermo Protocol and Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Trafficking in Persons (UU TPPO). The problem that then arises is how Indonesia's positive law accommodates this new form of crime, given that there are no specific provisions regulating cybersex trafficking.

3.1.1. Positive Legal Regulations in Indonesia Against Cybersex Trafficking

Positive law is the law that currently applies in a particular place or region, referred to as *ius constitutum*, which is the law established to be enforced in a country at present. According to J.H.P. Bellefroid, positive law is a set of rules governing social life that are established by a specific authority and apply to a particular community that is limited in location and territory (Veriero Siregar, 2025). Efforts to eradicate and prohibit human trafficking, particularly that involving the sexual exploitation of children through digital platforms, require legal regulations that are capable of adapting to technological developments and contemporary forms of crime.

In this case, the law serves as a means to affirm human values and ensure that national legislation is capable of addressing crimes committed in cyberspace. As explained by Philip Selznick, law has a social function as a facilitator of moral order, namely a means of maintaining and strengthening human values in society. Law not only acts as a tool of social control, but also as a mechanism of social adjustment that is capable of responding to changing times (Tremblay et al., 2016). In Indonesian national law, cybersex trafficking is not specifically regulated in a separate law. However, several existing laws and regulations can be used as a legal basis to prosecute perpetrators and protect victims.

1. Criminal Code (KUHP)

The Criminal Code is a source of general criminal law (*lex generalis*) that contains basic provisions regarding criminal acts,

criminal liability, and the principles of punishment. Although the Cybersex trafficking is not specifically regulated by the Criminal Code, several laws relating to children who are trafficked are written down in both the most recent Criminal Code (Law No. 1 of 2023), which will go into effect next year, and the former Criminal Code that is currently in force. Previous Criminal Code: Article 297 of the previous Criminal Code (Wetboek van Strafrecht) stipulates that trafficking in women and trafficking in teenage boys have a maximum penalty of six years in prison. Human trafficking is governed by Article 455 Paragraph (1) of the New Criminal Code (Law No. 1 of 2023). It says that anyone who uses threats, violence, kidnapping, confinement, forgery, fraud, abuse of power or vulnerability, debt bondage, or offering payments or benefits – even with the consent of the person in control to recruit, transport, harbor, send, transfer, or receive a person for exploitation in Indonesia faces a maximum sentence of three to fifteen years in prison and a fine in categories IV to VII.

2. Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Trafficking in Persons (UU TPPO)

The TPPO Law expressly prohibits sexual exploitation and other unlawful human trafficking offenses (*lex specialis*). The provisions of the following article highlight the role traffickers play in recruiting, mistreating, or exploiting trafficked people. Anyone who recruits, transports, harbors, transfers, or receives someone with the intention of exploiting them on Indonesian soil faces a sentence of three to fifteen years in prison and a fine of between IDR 120,000,000 and IDR 600,000,000, even if the person in control of the person has given their consent. This includes threats or actual use of violence, abduction, confinement, fraud, deception, abuse of power or a position of vulnerability, debt bondage, payment, or benefits.

3. Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Child Protection (UU PA)

Two clauses forbid both the economic and sexual exploitation of minors. According to Article 76I, it is illegal for anyone to place, let, carry out, direct, or take part in the economic and/or sexual exploitation of children. According to Article 88, anyone who does not obey the rules mentioned in Article 76I faces a maximum 10-year prison sentence and/or a fine of up to IDR 200,000,000.

4. Law No. 44 of 2008 on Pornography
Public displays of sexual exploitation are prohibited by two provisions of the Pornography Law. Article 10: Showing oneself or others in public or in performances that feature sexual exploitation, nudity, sexual intercourse, or other pornographic material is prohibited. According to Article 36, anyone who, in a performance or in public, shows himself or others engaging in sexual exploitation, nudity, sexual intercourse, or other pornographic material as defined by Article 10 faces a maximum sentence of 10 years in prison and/or a fine of IDR 5,000,000,000.00.
5. Law No. 1 of 2024 concerning the Second Amendment to Law No. 11 of 2008 concerning Electronic Information and Transactions (UU ITE)
Article 27 Paragraph (1) states that anyone who willfully and without authorization broadcasts, displays, distributes, transmits, and/or makes accessible electronic information and/or electronic documents that contain content that violates decency is subject to these penalties. Article 45 Paragraph (1) states that anyone who satisfies the requirements listed in Article 27 Paragraph (1) faces a maximum fine of IDR 1,000,000,000.00 and/or up to six years in prison.
6. Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence (UU TPKS)
According to Article 4 Paragraph (2), letters c and e of Law No. 12 of 2022 concerning Criminal Acts of Sexual Violence, sexual violence crimes also include pornography featuring children or pornography that excessively depicts sexual violence and exploitation, as well as sexual intercourse with children, indecent acts against children, and/or sexual exploitation of children. According to Article 12, sexual exploitation carries a 15-year prison sentence and/or a fine of IDR 1,000,000,000.00 for anyone who uses violence, threatens violence, abuses their position, authority, or trust, or takes advantage of deceit, relationships, vulnerability, inequality, powerlessness, dependence, debt bondage, or providing payment or benefits for profit to engage in sexual activity with another person or with themselves.

3.1.2. Application of Law in Cirebon District Court Decision No. 94/Pid.Sus/2024/PN Cbn

1) Charges and Legal Basis

In addition to Article 55 Paragraph (1) of the Criminal Code (KUHP), the public prosecutor accused the defendants of violating Article 2 Paragraph (2) and Article 17 of Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Trafficking in Persons (UU TPPO). Alternatively, the main charges were brought under Article 2 paragraph (2) of the TPPO Law, Article 83 in conjunction with Article 76F and Article 88 in conjunction with Article 76I of Law No. 35 of 2014 on Child Protection (UU PA), and Article 35 in conjunction with Articles 9 and 37 in conjunction with Article 11 of Law No. 44 of 2008 on Pornography.

2) Legal Facts in Court

The two defendants were found guilty of recruiting and exploiting 16-17-year-old girls by posting fake job advertisements on Facebook offering positions as “employees or shop assistants” in Cirebon with a salary of around IDR 2,000,000.00. Interested applicants were asked to contact the defendants via Facebook direct message (DM) or WhatsApp. After the victim contacted the defendants and met them, the defendants explained that the job was not as an employee or clothing store clerk but as a “host” on an adult live streaming app, where the victim had to perform sexual acts in front of the camera to receive gifts from viewers. The defendant offered a salary of around IDR 5,000,000.00 and a bonus of IDR 2,500,000.00 if the victim collected 50 million coins from the audience, as well as accommodation in a boarding house. The victim accepted the job because she needed the money.

The act was committed in one of the boarding houses located in Cirebon City that had been prepared by the defendant. The defendant prepared equipment for live streaming, including a cell phone, tripod, light rig, and charger. The act was carried out regularly from around 8:00 p.m. to 4:00 a.m., with the victim being paid around IDR 3,000,000.00 to IDR 5,000,000.00 per month, and the defendant profiting around IDR 7,000,000.00 per month from the broadcast.

3) Judicial Deliberation

The panel of judges considered that the elements in Article 2 Paragraph (2) of the TPPO Law had been fulfilled, because the defendants recruited and sheltered minors, and there were elements of fraud and abuse of a position of vulnerability for sexual exploitation to obtain economic gain. In addition, the element of

“jointly” as referred to in Article 55 Paragraph (1) of the Criminal Code was proven because defendant one played an active role in recruiting and organizing activities, while defendant two played an active role in preparing equipment and facilitating broadcasts. In its verdict, the panel of judges stated that the defendants were legally and convincingly proven to have committed the crime of human trafficking together, and sentenced them to 6 (years) imprisonment and a fine of IDR 120,000,000.00-, or 6-months imprisonment.

3.1.3. Legal Regulations in The Philippines Related to Cybersex Trafficking

In the 2021 Report in Person, the Philippines was one of the countries in East Asia and the Pacific that ranked first in terms of sexual exploitation from 2016 to 2021 (The U.S. Department of State, 2019). However, the rate of online sexual exploitation has increased during the COVID-19 pandemic, with a rise of 264%. This increase has occurred because many people have switched to conducting activities online, including the sexual exploitation of children. Children are spending more time learning virtually due to school closures and a lack of parental supervision, making them particularly vulnerable to this crime. Reports from several countries indicate a significant increase in online child sexual exploitation, including the demand for and distribution of child sexual exploitation material.

The Philippine Department of Justice noted an increase in online child sexual exploitation from March to May 2020, during which time a lockdown or quarantine was in effect. Cases of online sexual exploitation of children in the Philippines increased by approximately 265.6% or 202,605 reports during the quarantine period. To address this issue, the Philippines has implemented several comprehensive and integrated measures to regulate and combat cybersex trafficking crimes. The country has enacted several regulations, including:

1. Republic Act No. 9208 (Anti-Trafficking in Persons Act of 2003), as amended by Republic Act No. 10364 (Expanded Anti-Trafficking in Persons Act of 2012), is reinforced by Republic Act No. 11862 (Expanded Anti-Trafficking in Persons Act of 2022-IRR) Article 160 (a) forbids forced labor, slavery, involuntary servitude, debt bondage, prostitution, pornography, sexual abuse, or sexual exploitation, as well as the production, manufacture, or distribution of CSAEM or CSAM (Child Sexual Abuse and

Exploitation Material) (1). Any method of recruiting, acquiring, employing, providing, supplying, transporting, transferring, housing, or receiving a person, especially via the guidance of training, apprenticeship, or employment, whether domestic or international. Article 164 (o): A crime is considered qualified trafficking in persons if it is committed using ICT (information and communications technology) or any computer system. This activity is referred to as cybersex trafficking. Article 10 (c): Anyone convicted of qualified trafficking (as defined in Article 164) faces life in prison or a fine of at least ₱2,000,000.00 but not more than ₱5,000,000.00.

2. Republic Act No. 11930 (Anti-Online Sexual Abuse or Exploitation Children/OSAEC Act, 2022)

The use of digital or analog communications and ICT to exploit or sexually abuse children is covered by Article 3 (t): Online Sexual Abuse or Exploitation of Children (OSAEC). This includes the creation, dissemination, and possession of child sexual abuse material (CSAEM), as well as grooming, live streaming, and other types of online exploitation. Article 4 (d): Willfully disseminating, distributing, and transmitting any kind of CSAEM over any channel. Any individual who violates Article 4(d) of this Act faces life in prison and a fine of at least ₱2,000,000.00, according to Article 10 (a).

With legislation like Republic Act No. 11930 (OSAEC Act) and Republic Act No. 11862 (Expanded Anti-Trafficking in Persons Act 2022), it is evident from this description that the Philippines has more thorough and responsive legislative prohibitions on cybersex trafficking. Both laws forbid the creation and dissemination of online child sexual exploitation material (CSAEM) and recognize the exploitation of minors on the internet as a type of qualified trafficking that carries a life sentence. In the meantime, cybersex trafficking is not yet specifically regulated in Indonesia. The TPPO Law, the Pornography Law, the Child Protection Law, and the ITE Law continue to regulate cybercrimes independently. The disparities in laws between the two nations demonstrate how crucial it is for Indonesia to improve the legal protections for children who are abused or exploited online.

3.2. Legal Protection for Children who are Victims of Sexual Exploitation in the Digital Realm

Legal protection, according to C.S.T. Kansil, is an effort that law enforcement must make in order to give those who are entitled to it a sense of security, both physically and psychologically (Solehoddin, 2020). This viewpoint is consistent with that of Philipus M. Hadjon, who claims that legal protection is the acknowledgment of human rights accorded to a legal subject in accordance with existing legal laws, so demonstrating respect for human dignity (Habibi et al., 2025). Law enforcement cannot address the issue of child sexual exploitation, even in the digital sphere, by taking action against offenders. Children who are victims are particularly vulnerable and need full legal protection.

The global commitment to child protection has been affirmed through the United Nations Convention on the Rights of the Child, published on November 20, 1989, which Indonesia ratified through Presidential Decree No. 36/1990. The convention affirms that every child has the right to protection from violence, exploitation, and inhumane treatment (Angga et al., 2025). The State of Indonesia upholds the human rights of children as stipulated in Article 28B Paragraph (2) of the 1945 Constitution, which states that: "Every child has the right to survival, growth, and development, as well as the right to protection from authority and discrimination" (Hana Krisnamurti, 2024). This commitment is also reinforced through the 2000 Optional Protocol, ratified by Law No. 10 of 2012, which emphasizes the prohibition and prosecution of child sexual exploitation, including through technology. Therefore, in carrying out its function to guarantee and promote the rights of children as victims of sexual exploitation in the digital realm, there are legal protection measures that are divided into three forms, namely preventive, repressive, and rehabilitative legal protection.

a) Preventive legal protection

Preventive legal protection is defined as measures taken by the state to prevent violations or crimes from occurring. In realizing preventive protection in Indonesia, this is manifested through the harmonization of national regulations in Article 66 of Law No. 35 of 2014 concerning Child Protection (UU PA), which is carried out through: Socialization to the community regarding laws and regulations related to the protection of children who experience exploitation, whether economic or sexual. Review, reporting, and punishment. The elimination of exploitation of children, whether economic or sexual, needs to involve various parties that are likely to be involved, such as labor unions, non-governmental organizations, and the community itself (Rizki et al., 2025). In the context of prevention, the Palermo Protocol emphasizes the need

for proactive measures as outlined in Article 9, which requires countries to conduct awareness campaigns, provide education, and reduce factors such as poverty, gender inequality, and lack of education that contribute to sexual exploitation in the digital realm.

This is being done by the Ministry of Women's Empowerment and Child Protection (KemenPPPA), which plans to form a special team to deal with sexual exploitation occurring in the digital space. This team aims to increase monitoring of children's online activities and provide education on how to use the internet safely and responsibly, as well as plans to increase digital literacy in schools and collaborate with providers digital platform to develop security features. In addition, the SAFE4C (Strengthening Safe and Friendly Environments for Children Online) initiative, supported by UNICEF and End Violence's Safe Online Initiative, aims to reduce children's exposure to online risks and support parents in responding to harmful online contact, behavior, and content.

b) Repressive legal protection

When people break the law, repressive legal protection is a last resort that might result in penalties or jail time for offenders. There are several regulations that prohibit the sexual exploitation of minors. It is illegal for anyone to place, permit, perpetrate, order, or take part in the economic and/or sexual exploitation of minors, according to Article 76I of Law No. 35 of 2014 respecting Child Protection (UU PA). Criminal penalties for violators include a maximum fine of IDR 200,000,000.00 and a possible sentence of 10 years in prison. Anyone found in public displaying nudity, sexual exploitation, sexual intercourse, or other pornographic content faces up to 10 years in prison and/or a fine of IDR 500,000,000.00, according to Article 36 of Law No. 44 of 2008 on Pornography.

Article 37 of Law No. 35 of 2008 on pornography stipulates aggravated punishment, namely the same punishment as in Article 36, plus one-third of the maximum punishment. Another provision that regulates sanctions for perpetrators of sexual exploitation is Article 5 of Law No. 21 of 2007 on the Eradication of Criminal Acts of Trafficking in Persons (UU TPPO), which that exploitation shall be punished with a minimum imprisonment of 3 years and a maximum of 15 years, as well as a fine of IDR 120,000,000.00 to IDR 600,000,000.00.

c) Rehabilitative legal protection

The state has an obligation to guarantee psychological rehabilitation services, legal assistance, and ongoing protection for victims so that they can recover from trauma and return to normal life. This is in accordance with the rules outlined in Article 90, Paragraph (1) of Law No. 11 of 2012 concerning the Juvenile Justice System, which stipulates that children who are witnesses or victims have the right to easy access to information about the status of their cases, guarantees of physical, mental, and social safety, and medical and social rehabilitation both inside and outside of institutions. Law No. 13 of 2014 concerning Amendments to Law No. 13 of 2006 concerning the Protection of Witnesses and Victims contains regulations governing the provision of medical aid or physical, social, and psychological rehabilitation in Article 6, paragraph (1). This clause is implemented as a way to protect the rights of children who have been victims of sexual exploitation and human trafficking.

Regretfully, Indonesia currently does not have any laws specifically protecting minors from being sexually exploited online. In order to handle the realities of constantly changing digital crimes, it is required to update or develop new legislation that offers strict and comprehensive protection for victims who are children. A key source for international child protection is the 1989 Convention on the Rights of the Child (CRC). This convention highlights a number of crucial points, such as: Every citizen must respect children's rights without discriminating against them based on their background (Article 2); children's interests must be the government's and related institutions' top priority in all actions taken (Article 3); children have the right to live and develop as physically, mentally, and socially as possible (Article 6); children have the right to voice their opinions on issues that affect them, and those opinions must be taken into consideration (Article 12); and children must be protected from sexual exploitation, including prostitution, pornography, and trafficking for sexual purposes, through robust preventive and enforcement measures. (Article 34 and 35).

This convention shows that protecting children from sexual exploitation is not only the responsibility of a country but also an international commitment. Therefore, Indonesia must adjust its

national laws to provide comprehensive and effective protection against child sexual exploitation in the digital (Lasapu et al., 2021).

4. Conclusion

cybersex trafficking is a contemporary form of human trafficking that involves the sexual exploitation of children through digital platforms. This crime has emerged alongside advance in information and communication technology, which enable perpetrators to recruit, control, and exploit victims in the digital space without geographical restrictions. In positive law in Indonesia, although there are no special regulations that explicitly regulate cybersex trafficking, several laws and regulations such as the TPPO Law, Pornography Law, Child Protection Law, and ITE Law can be used as a legal basis in handling it. However, the regulation has not fully accommodated sexual exploitation crimes in the digital realm, so the legal protection of victims has not been optimal.

In comparison, the Philippines has had more comprehensive regulation through Republic Act No. 11862 ana Republic Act No. 11930 which explicitly regulates cybersex trafficking. These differences indicate that Indonesia needs to reform and strengthen the national legal framework to be relevant to the development of crime in the digital space. Legal protection of children as victims of sexual exploitation in the digital realm should include, preventive protection with education and socialization, respectful protection in the form of strict law enforcement against perpetrators, as well as rehabilitative protection for the recovery of victims.

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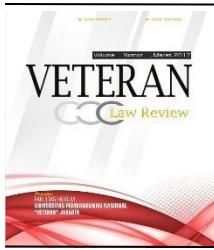
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