

ABSTRAK

Penelitian ini bertujuan untuk memahami dan menganalisis pengaturan tentang sanksi tambahan kebiri kimia pelaku tindak pidana kekerasan seksual anak berdasarkan perundang-undangan di Indonesia serta Untuk mengetahui dan menganalisis pertimbangan hakim dalam memutuskan sanksi tambahan kebiri kimia terhadap pelaku kekerasan seksual anak. masalah yang dibahas 1) pengaturan tentang sanksi tambahan kebiri kimia pelaku tindak pidana kekerasan seksual anak berdasarkan perundang-undangan di Indonesia? 2) Bagaimana pertimbangan hakim dalam memutuskan penerapan sanksi tambahan kebiri kimia terhadap kasus kekerasan seksual terhadap anak (studi kasus putusan pengadilan negeri banjarmasin Nomor 858/pid.sus/2022/pn bjm dan putusan pengadilan negeri mojokerto Nomor 98/pid.sus/2023/pn mjk) metode penelitian ini merupakan penelitian hukum Normatif. Hasil penelitian 1) berdasarkan Peraturan Pemerintah Nomor 70 Tahun 2020 Tentang Tata Cara Pelaksana Kebiri Kimia dan Undang-Undang Nomor 17 Tahun 2016 Tentang perubahan Undang-Undang Perlindungan Anak, merupakan peraturan yang sudah memiliki keabsahan yang konkrit sehingga adanya pertimbangan untuk memberikan sanksi tambahan. 2) Dan pada putusan Nomor 98/Pid.Sus/2023/PN Mjk dan putusan Nomor 858/Pid.Sus/2022/PN Bjm merupakan putusan yang serupa kasus akan tetapi adanya ketimpangan dalam menerapkan sanksi tambahan kebiri kimia, diperlukan pertimbangan lebih dan penerapan sanksi tambahan kebiri kimia dari salah satu putusan yang tidak menerapkan sanksi kebiri kimia melalui peraturan perundang-undangan yang mengatur kebiri kimia.

Kata Kunci: *Kebiri kimia, Kekerasan seksual, Anak*

ABSTRACT

This research aims to understand and analyze the regulations regarding additional sanctions for chemical castration for perpetrators of criminal acts of child sexual violence based on laws and regulations in Indonesia and to find out and analyze the judge's considerations in deciding on additional sanctions for chemical castration against perpetrators of child sexual violence. issues discussed 1) regulations regarding additional sanctions for chemical castration of perpetrators of criminal acts of child sexual violence based on laws and regulations in Indonesia? 2) What are the judge's considerations in deciding on additional sanctions provisions for chemical castration in cases of sexual violence against children (case study of the Banjarmasin district court Nomor. 858/pid.sus/2022/pn bjm and the decision of the Mojokerto district court Nomor. 98/pid.sus/2023/pn mjk) this research method is Normative legal research. Research results 1) based on Government Regulation Nomor. 70 of 2020 concerning Procedures for Implementing Chemical Castration and Law Nomor. 17 of 2016 concerning amendments to the Child Protection Law, these are regulations that already have concrete validity so there is consideration for imposing additional sanctions. 2) And in decision Nomor. 98/Pid.Sus/2023/PN Mjk and decision Nomor. 858/Pid.Sus/2022/PN Bjm, it is a resolution of similar cases, but there is inequality in applying the additional sanction of chemical castration, more consideration and implementation is needed. additional sanction of chemical castration from one of the decisions that does not apply chemical castration sanctions through laws and regulations governing chemical castration.

Keywords: *Chemical castration, sexual violence, child*