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## Online Prostitution in Media Social: How is the Victim Protection?

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**ABSTRACT:** The focus of this study is to analyze the online prostitution that is rife in the development of crime motives today, and how it is held accountable to those involved in prostitution, including recipients of commercial sex workers. Online prostitution has mushroomed among the public and can even be accessed by ordinary people, many use this illegitimate business as a livelihood plus is an element of criminal acts, namely fraud where there are victims of commercial sex worker service users this very often happens because it is so vulnerable to committing fraud on social media plus the object of fraud related to sexual activity. The approach in this study is a comparison of law and legal interpretation within the framework of normative legal research. This study uses secondary data derived from various legal rules and related legislation. This research finds and emphasizes that the development of information and technology flows through social media presents challenges in victim protection efforts, especially in the case of online prostitution. Various studies have found that the motive for online prostitution that is rampant in Indonesia begins with fraud and fake accounts. The study also confirms that users of commercial sex worker services can be criminalized using local regulations governing prostitution, the enactment of the Lex Specialist Lex Generalis principle. Victims of fraud or commercial sex workers who are deceived by pimps or sex workers can be convicted of supporting prostitution activities in cyberspace. Victims of

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prostitution are not only adults but there is an element of coercion to young children to carry out prostitution, this is supported by several factors, namely environmental factors or economic factors.

**KEYWORDS:** Online Prostitution, Media Social, Sex Workers, Victim Protection, Legal Protection



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## I. INTRODUCTION

The development of science and technology, especially in the field of technology and information currently, has a great impact on life.<sup>1</sup>

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<sup>1</sup> Burhan Bungin. *Sosiologi Komunikasi: Teori, Paradigma, dan Diskursus Teknologi Komunikasi di Masyarakat*. (Jakarta: Kencana, 2009), pp. 163-164. Technology which is actually a form of the extension/extension of human abilities, today has become an autonomous force that actually shackles our own behavior and lifestyle. With its enormous influence, because it is also supported by strong social systems, and in higher speeds, technology has become a human life director. Low society the technology ability tends to depend on and is only able to react to the impact caused by the sophistication of technology. On the other hand, the development of information technology also raises a dark vulnerable side to the stages of worrying with concerns about the development of criminal acts in the field of information technology related to cybercrime. The problem of cybercrime between today should be the attention of all parties carefully to the development of future information technology, because this crime is one of the extra ordinary crimes and even felt as a serious crime and transnational crime which always threatens the lives of citizens, nation and negatives. See Raodia, Raodia. "Pengaruh Perkembangan Teknologi Terhadap Terjadinya Kejahatan Mayantara (Cybercrime)."

Prostitution today is a very sensitive problem today and a concern for all aspects of people's lives. Prostitution activities are synonymous with sexual activity activities. Prostitution is currently not only carried out in a club but with the development of the era of prostitution can be accessed through the media network.<sup>2</sup>

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*Jurisprudentie: Jurusan Ilmu Hukum Fakultas Syariah dan Hukum* 6, No. 2 (2019): 230-239; Marufah, Nurbaiti, Hayatul Khairul Rahmat, and I. Dewa Ketut Kerta Widana. "Degradasi Moral sebagai Dampak Kejahatan Siber pada Generasi Millennial di Indonesia." *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 7, No. 1 (2020): 191-201; Chintia, Ervina, et al. "Kasus Kejahatan Siber Yang Paling Banyak Terjadi di Indonesia dan Penanganannya." *JIEET (Journal of Information Engineering and Educational Technology)* 2, No. 2 (2018): 65-69.

- <sup>2</sup> Soedjono D. *Pelacuran Ditinjau dari Segi Hukum dan Kenyataan dalam Masyarakat*. (Bandung, Karya Nusantara, 1997), pp. 109-111. It further highlighted that prostitution in Indonesia is considered as a crime "against decency or moral" and against the law. In practice, prostitution is widespread, tolerated, and regulated. Prostitution is the most visible prostitution practice, often realized in the Indonesian prostitution complex which is also known as "localization" and can be found throughout the country. This broth is managed under local government regulations. UNICEF estimates that 30 percent of female prostitutes in Indonesia are women under 18 years old. One of the main reasons for a prostitute to enter a business is the attraction to get money quickly. The Jakarta Post reports that high -class prostitutes in Jakarta can get Rp. 15 million - Rp. 30 million (USD 1,755-3,510) per month. On average, these prostitutes are able to make more than Rp. 3 million for each of their service sessions. But the biggest part of the number of those who enter the world of prostitution on the grounds that money comes from middle class and poor families. See Jaelani, Gani Ahmad. "Perempuan Sunda dan Pelacuran di Zaman Kolonial." *Purbawidya* 9, No. 2 (2020): 199-216; Hidayah, Siti Nurul. "Perilaku Sosial Pekerja Seks Komersial (PSK) di Dunia Pelacuran." *IJTIMAIYA: Journal of Social Science Teaching* 2, No. 1 (2018); Syaparuddin, Syaparuddin. "Studi Tentang Tindak Pidana Pelacuran Di Kota Makassar." *Pleno Jure* 7, No. 1 (2018): 9-23; Tanjung, Novri Ihda Mursyidah, Elly Sudarti, and Nys Arfa. "Kebijakan Hukum Pidana Terhadap Tindak Pidana Pelacuran." *Jurnal Sains Sosio Humaniora* 6, No. 1 (2022): 677-698; Pratama, Yoga Nanda. "Women Exploitation in Prostitution Business." *Lex*

At this time, it greatly affects people's lives many positive benefits, but we cannot also deny many negative sides because the development of the era by the internet is misused by some people who want to get money illegally or illegally by doing human trafficking or sexual services through online. This application is just a social network to make friends or communicate like a messenger application in general, but many take advantage of this opportunity to carry out Online Prostitution and fraud in ways of promoting women who will be 'sold' ranging from affordable to expensive prices depending on how the woman looks but after making consent and transferring some promised funds, the woman who had previously offered herself disappeared.<sup>3</sup>

This happens a lot and actually how is the protection of victims of this Online Prostitution scam? can it be protected by a law or even entangled in the law because it supports activities that violate decency by becoming a customer of Online Prostitution.

## II. METHODS

The writing method used in this analysis is normative juridical. The definition of normative juridical is legal research that is carried out by examining library materials or secondary data such as laws, the results of previous research, the results of work from legal journals related to the problem of online prostitution. Because this analysis uses normative, it can use more than one shortatan. In this study, a

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*Scientia Law Review* 3, No. 1 (2019): 103-110; Rahma, Rezka Arina. "Local Community Economic Independence in The Ex-Prostitution Area: The Effect of Dolly Closure." *Journal of Nonformal Education* 8, No. 2 (2022).

<sup>3</sup> Pilliang, Yasraf Amir. "Masyarakat Informasi dan Digital: Teknologi Informasi dan Perubahan Sosial." *Jurnal Sositologi* 11, No. 27 (2012): 143-155.

statutory approach and a comparison approach were used. A comparative approach is carried out to see how between one law that regulates similar provisions but not in the same direction as other laws, so that later a common point will be found both similarities and differences that will be very helpful in the analysis process. The data that have been obtained, then analyzed in a qualitatinal manner whose subject matter leadsto conclusions (deductive: a way of thinking in drawing conclusions drawn from something of a general nature that has already been proved that he is correct, and that conclusion is aimed at something of a special nature). In relation to normative research here will be used several approaches such as the statutory approach related to online prostitution and fraud. Prescriptive analysis is an analysis that looks from the point of view of legal objectives, values of justice, validity of the rule of law, legal concepts and legal normsintended to be able to solve problems that have occurred.

### **III. ONLINE PROSTITUSI, COMMERCIAL SEXS WORKERS & THE VICTIMS PROTECTION**

Prostitution is a very common issue discussed in this millennial era, not only discussing the perpetrators of prostitution, or being called prostitutes, but in fact there is an important role that can support the occurrence of prostitution activities, namely Pimps (PSK service providers), and users of prostitution services, most of whom are perpetrators.<sup>4</sup>

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<sup>4</sup> Febriana, Cindy Eka, and A. M. Pujiyono. "Analisis Yuridis Kebijakan Hukum Pidana dalam Menanggulangi Tindak Pidana Prostitusi Melalui Media Online

Positive law in Indonesia only regulates and prohibits those who become Pimps while psk service providers and service users do not have a legal standing that regulates it strictly itself there is absolutely no article governing it.

In the implementation of countering prostitution, it is carried out only to the extent that the regulation of prostitution areas occurs a lot like in Surabaya, while nothing can be done to customers or users of sex services. This paper also shows that girls who enter the commercial sex industry business are usually forced by a combination of various factors and environmental conditions.<sup>5</sup>

### 1. Legal Protection of Victims of Fraud on Social Media

The protection provided by law is also related to the existence of rights and obligations, in this case those possessed by humans as legal subjects in their interactions with fellow humans and their environment. As a subject of law man has the right and obligation to perform a legal act.<sup>6</sup>

The ITE Law does not specifically regulate the criminal act of fraud, but if there is a loss felt by consumers in electronic transactions, there is Article 28 paragraph (1) of the ITE Law which states: "*Everyone*

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Sebagai Kejahatan Mayantara (Studi Putusan No. 228/PID. B/2015/PN. PGP)." *Diponegoro Law Journal* 5, No. 3 (2016): 1-19.

<sup>5</sup> Rizdyanti, Putu Cyntia, Agung Anak Sagung Laksmi Dewi, and I. Made Minggu Widyantera. "Perlindungan Hukum terhadap Anak Sebagai Korban Eksploitasi Seksual Komersial di Media Sosial." *Jurnal Konstruksi Hukum* 2, No. 2 (2021): 332-337.

<sup>6</sup> CST Kansil. *Pengantar Ilmu Hukum dan Tata Hukum Indonesia*. (Jakarta: Balai Pustaka, 1989), pp. 102-105.

*willfully, and without the right to spread false and misleading news that results in consumer losses in Electronic Transactions.*"<sup>7</sup>

Law No.11 of 2008 concerning ITE does not regulate the criminal act of fraud. So far, the crime of fraud is regulated in the Criminal Code article 378: "*Whoever with the intent to benefit himself or others unlawfully by using a false name or false dignity (hoedanigheid); by deceit, or a series of lies, to induce another person to hand over goods to him, or to give a debt or write off a receivable, threatened, for fraud, with imprisonment for not more than four years.*"<sup>8</sup>

For violations of Article 28 paragraph (1) of the ITE Law, a maximum imprisonment of 6 years and a maximum fine of IDR 1 billion are threatened, in accordance with the regulation of Article 45 paragraph (2) of the ITE Law.

So, from the formulations of Article 28 paragraph (1) of the ITE Law and Article 378 of the Criminal Code, we can know that the two regulate different things. P378 of the Criminal Code regulates fraud while Article 28 paragraph (1) of the ITE Law regulates fake news that causes constituent losses in electronic transactions or today it can be called a "*hoax*" even so both articles contain the same elements due to the consequences that harm others.

In practice, the police should be more careful in using which laws are appropriate in cases of fraud on social media, I personally think the police should impose a layered article on this issue to further bind the victim to fair legal protection. Ordinary deception and deception

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<sup>7</sup> Article 28 paragraph (1) of Law Number 11 of 2008 concerning Electronic Information and Transactions (ITE Law)

<sup>8</sup> Article 378 of the Criminal Code (Criminal Code, KUHP)

distinguish only the means by which it is used but the intention, the elements are the same.<sup>9</sup>

## **2. Legal Protection of Victims of Fraud by a Recipient of Commercial Sex Worker Services**

Prostitution has been organized based on the same principles at various times and cultures. At the lower level, we can encounter street prostitution, followed by brothels/localizations, bars and clubs. At the middle level, there are call girls commonly referred to as call girls. Whereas at a high level there are mistresses where the sex worker looks better, is younger and healthier, sets higher prices and spends more time with clients.<sup>10</sup>

Prostitution users play a very important role also in prostitution activities, both online and not, because if there are no psk service users, it cannot be said to be prostitution.<sup>11</sup> The results of data from

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<sup>9</sup> Pomounda, Ika. "Perlindungan Hukum Bagi Korban Penipuan Melalui Media Elektronik (Suatu Pendekatan Viktimologi)". *Thesis*. (Manado, Tadulako University, 2015).

<sup>10</sup> Edlund, Lena, and Evelyn Korn. "A Theory of Prostitution." *Journal of Political Economy* 110, No. 1 (2002): 181-214.

<sup>11</sup> Adam, Arlin, and Syamsu A. Kamaruddin. "Potret Lokasi Pelacuran dan Karakteristik Pekerja Seks di Kota Makassar: Upaya untuk Penyadaran dan Pencegahan Penyakit HIV/AIDS." *SOSIOHUMANIKA* 6, No. 1 (2013); Prasetyo, Sigit, and Renita Heni Supyana. "Latar Belakang dan Karakteristik Pekerja Seks Komersial (PSK) di Kabupaten Batang." *RISTEK: Jurnal Riset, Inovasi dan Teknologi Kabupaten Batang* 1.1 (2016): 85-98; Rahayu, Liska, and Agus Joko Pitoyo. "Modal Sosial Sebagai Strategi Kelangsungan Hidup Perempuan Pekerja Seks (Studi Wilayah Transaksi Seksual Teluk Bintuni, Papua Barat dan Pasar Kembang, Kota Yogyakarta)." *Jurnal Bumi Indonesia* 3, No. 3 (2014).



the Ministry of Health of Indonesian citizens every year can be as many as 6.7 million people.

in cases of fraud on social media, it is clear that it can be punished for harming others as explained in the Criminal Code article 378 and article 28 paragraph (1) of the ITE Law. But what if the person who is deceived is the booker of the PSK service or can it be called 'the striped nose?' can it be entangled by law or get protection because he was deceived by the psk service provider?

So far, the regulations made will only be imposed on prostitutes or pimps, in some cases that are rife in Indonesia, the pimp who is arrested. In the Criminal Code, users of PSK and PSK services cannot be subject to any article so as to cause a non-deterrent effect. The provisions of the Criminal Code can only be used to ensnare prostitute/pimp providers under article 296 *jo*. Article 506 of the Criminal Code.

*Article 296: "Whoever intentionally causes or facilitates obscene acts by others with others, and makes them a search or habit, shall be punished with imprisonment for not more than one year and four months or a fine of not more than fifteen thousand rupiah. "*

*Article 506: " Whoever draws profit from a woman's lewd acts and makes it a search, is threatened with imprisonment for not more than one year."*

So, can PSK service users not be ensnared in a piece of legislation? Indonesia's positive criminal law has not regulated the users of prostitution services, both the Criminal Code and outside the Criminal Code, currently the regulation on prostitution is regulated in local regulations that regulate also regarding users of commercial sex workers services but not all regions regulate. Until now,

commercial sex workers and users including victims but also as perpetrators in their actions so that Indonesia's current Positive Criminal Law still does not provide fair legal certainty.

There is a regional regulation that also regulates psk users of psk services, for example article 42 paragraph (2) of the DKI Jakarta Regional Regulation of 2007 concerning Public Order:

“Everyone is forbidden:

- a. ordering, facilitating, persuading, forcing others to become commercial sex peddlers;
- b. being a commercial sex peddler;
- c. using the services of commercial sex peddlers.”<sup>12</sup>

In this regulation, it is very clear that not only pimps can be punished, but PSK service recipients and PSK service providers are also subject to the threat of imprisonment for a minimum of 20 days and a maximum of 90 days or a minimum fine of Rp. 500,000 and a maximum of Rp. 30 million (Article 61 paragraph [2] of Perda DKI 8 of 2007).

Another example of a regulation that regulates commercial sex workers is Tangerang City Bylaw No. 8 of 2005 concerning the Prohibition of Prostitution. The bylaw prohibits anyone within the Tangerang City area from committing acts of prostitution. Where the definition of prostitution is sex outside of marriage, in hotels, restaurants, and entertainment venues or locations of prostitution in exchange for services. People who commit prostitution in Tangerang City are threatened with confinement for a maximum of 3 months or a fine as high as Rp 15 million. There is also in Kendari City, Southeast

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<sup>12</sup> Article 42 paragraph (2) of the DKI Jakarta Regional Regulation of 2007

Sulawesi, regional regulation number 9 of 2017 prohibits prostitutes, pimps, and service users.

Meanwhile, in Indramayu, Regional Regulation No.19 of 1999 does not only prohibit prostitutes and muncikari. Article 6 prohibits any person from behaving in a manner that "may give rise to allegations that he is a prostitute". It prevails in streets, stalls, and entertainment venues.

So, the provisions of the Criminal Code can only be used to ensnare pimps. Articles that can be used to ensnare commercial sex workers and their users/users are regulated in their respective Regional Regulations.

#### **IV. WHAT IF A PROSTITUTE SERVICE USER IS DECEIVED BY A PIMP OR PSK SERVICE PROVIDER?**

There is an example of a case that has occurred in Indonesia, a woman with a fund, Silvana Cicilia, claiming to be a pharmacy student at a university in the city of Makassar and Hamka Anwar aka koko, koko playing a pimp of a commercial sex service on a Twitter account, the account features a photo of a scantily clad woman with a slightly blurry face and a number of captions, namely the physical profile of the lady escort. To make it easier for customers to include Whatsapp contact for tariff information.

The police, who knew this, also disguised themselves as potential customers, the police found informasi sexual katabab services at a rate of 1 million for short time and 3 million for long time, but previously the prospective customer had to first pay a down payment via transfer to proceed to the next stage. The undercover officer then transferred a sum of 1 million to the perpetrator's account as a down

payment, but after that, the communication broke and could not be reached.

Silvana and Hamka were ensnared porigin 28 paragraph 1 *jo* article 45A paragraph (1) of Law No. 11 of 2008 concerning ITE and article 4 paragraph (2) *jo* article 30 of Law No. 44 of 2008 on Pornography.

However, in this case, PSK service users are known to be undercover police officers, what if the PSK service users are just ordinary people but are deceived because of the same problem.

If we adhere to regional regulations such as the DKI Jakarta Regional Regulation, PSK service users will still be punished even though the service users are deceived, this is supported because they support the course of online prostitution activities which are clearly prohibited in Indonesia, but if we look at it from the point of view of the Criminal Code where there is no specific article that regulates the service user, it is possible that reporting fraud can be done even though it is impossible and the punishment is imposed. It's also just the pimps but if it's linked to the sociological aspect of reporting fraud related to online prostitution bookings through social media, it won't happen because it's personal.

There is another case in point that occurs regarding online prostitution, the Beetalk Application is an application created to make friends, communicate with someone who is much like a messenger application in general. However, for some people this application is misused as a 'container' for the search for sex seekers or psk by creating an account as if it were a woman with a photo of minimalist clothes to attract the interest of service users, someone is caught up in the mode carried out by an individual who claims to be a Pimp, but

as we already know after the occurrence of a remittance transaction to the Pimp's account suddenly The victim's Beetalk contact is blocked so that the victim cannot contact him returned and after realizing the victim had been deceived.

If the victim wants to prosecute, it would be more reasonable if the victim sued the company with a claim for negligence in harming consumers using Article 28 paragraph (1) of the ITE Law.

however, it can be admitted that this prosecution will be very difficult to do because the case of the position prosecuted here because of feeling aggrieved due to online prostitution transactions, most likely if the victim reports to law enforcement the victim will be followed up as a perpetrator of prostitution.

Indonesia adheres to the principle of *Lex Specialist Derogat Lex Generalis* which means that if there are special provisions or special criminal laws that regulate then the Criminal Code is not used, so you can see the position if the PSK user carries out online prostitution transactions in a certain area, then what is used is the local regional regulation not the Criminal Code, then the psk user even though he is exposed to fraud remains subject to prostitution, if in the DKI Jakarta Government area it is subject to article 42 paragraph (2) of the 20007 DKI Jakarta Regional Regulation concerning Public Order:

"Everyone is forbidden:

- a. ordering, facilitating, persuading, forcing others to become commercial sex peddlers;
- b. being a commercial sex peddler;
- c. using the services of a commercial sex peddler

In fact, the prevention of prostitution should start from the roots because if only looking for what appears online prostitution activities will continue, changing the morale of the users of prostitution services that they also include supporting slavery in the sexual world and facilitating this problem to continue, and the prostitutes not only do we act on the place where they work but the government must also provide rehabilitation and provide a field work to those who are worthy and fair as well.

The influence of commercial sex exploitation crimes can last for months or even years. Therefore, it is hoped that the <sup>13</sup> government will not update the positive law on prostitution, somewhat the legality of following up on all circles of Pimping Prostitutes, and PSK service users because Indonesia adheres to the principle of legality *nullum delictum nulla poena sine praevia lege poenali* which means there is no criminal act if there is no criminal law that regulates it first.

Normatively, it has become a habit or a must for every perpetrator who commits a criminal act and his actions should be followed up and can be proven, so it should be that the perpetrator is punished or criminally charged.<sup>14</sup>

## **V. OBSTACLES IN CRIMINAL LAW ENFORCEMENT AGAINST THE CRIME OF ONLINE PROSTITUTION**

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<sup>13</sup> Jaqualin, Noprian. "Penerapan ketentuan Pidana Pada Tingkat Penyidikan Terhadap Anak Sebagai Pelaku Eksploitasi Seksual yang Korbannya Anak". *Thesis*. (Yogyakarta, Universitas Atma Jaya Yogyakarta, 2014).

<sup>14</sup> Juita, Subaidah Ratna, Ani Triwati, and Agus Saiful Abib. "Reformulasi Pertanggungjawaban Pidana Pada Pelaku Prostitusi Online: Suatu Kajian Normatif." *Jurnal Dinamika Sosial Budaya* 18, No. 1 (2017): 146-158.

The enforcement process against cyber prostitution in the realm of international crimes is carried out because these crimes have characteristics that cross national borders and are recognized by international law as transnational organized crimes.

Prostitution is a form of sexuality crime that is mostly committed without violence. This cybercrime is carried out violently if prostitution is carried out with an element of coercion or slavery. In the absence of an effective law, law enforcement against cyber prostitution or online prostitution is classified as showing a decline.

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Regarding the problems that become challenges in the enforcement of online prostitution laws are legal factors, law enforcement factors, facilities and facilities factors in law enforcement, community factors and cultural factors. However, it is seen that these five factors that are<sup>16</sup> very large influencing are the law enforcement factors, this is because not all law enforcement aparat in Indonesia have an adequate legal education background, lack of control mechanisms in the criminal justice realm in every case investigation process, law enforcement<sup>17</sup> that is less exemplary, the absence of a special cyber agency in positive law enforcement institutions, lack of technological mastery, ineffective cooperation between countries on cyber

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<sup>15</sup> Wahid, Abdul. *Perlindungan Terhadap Korban Kekerasan Seksual Advokasi Atas Hak Asasi Perempuan*. (Bandung: Refika Aditama, 2001), pp. 10-12.

<sup>16</sup> Waworundeng, Mario Karlo. "Penegakan Hukum Pidana Terhadap Kejahatan Prostitusi Cyber Menurut Undang-Undang No 11 Tahun 2008 Tentang Informasi Dan Transaksi Elektronik." *Jurnal Ilmu Hukum* 3, No. 10 (2016): 12-21.

<sup>17</sup> Muladi. *Hak Asasi Manusia, Politik dan Sistem Peradilan Pidana*. (Semarang: Undip Press, 1997), pp. 88-89.

prostitution, and low competence of law enforcement in each country to work hand in hand in countering cyber prostitution.

Thus, it is necessary to carry out public education by raising awareness, providing information and education so that children are protected from gross violations of the rights of a companion or counseling to help victims in order to restore their psychological condition as before.<sup>18</sup>

## VI. CONCLUSION

We cannot deny the development of technology, we must accept all the positive and negative impacts, there are many positive impacts, but for some people this is used to commit fraudulent acts and violate immorality such as prostitution. Some individuals use social media as a forum for fraud to striped noses who are promised to provide sexuality eradication services by someone who claims to be a prostitute service provider, many victims are inundated with this mode so that millions or even tens of millions of offenders are due to irresponsible individuals. From the results of the above writing that has been analyzed by the juridical analysis of legal protection against victims of online prostitution fraud on social media, conclusions can be drawn, namely: *first*, he development of science and technology also has an impact on the motives of crimes that continue to grow,

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<sup>18</sup> Harianja, Hukeria. "Analisa Kebijakan Sistem Informasi UU Pornografi Indonesia Terhadap Perlindungan Anak." *Jurnal Abdi Ilmu* 13, No. 2 (2021): 96-102; Angkupi, Prima. "Kejahatan Melalui Media Sosial Elektronik Di Indonesia Berdasarkan Peraturan Perundang-Undangan Saat Ini." *MIKROTIK: Jurnal Manajemen Informatika* 2, No. 1 (2017); Sudjito, Bambang, et al. "Tindak Pidana Pornografi dalam Era Siber di Indonesia." *Wacana Journal of Social and Humanity Studies* 19, No. 2 (2016).



including the motives for online prostitution scams that can be carried out on social media, *second*, the ITE Law and the Criminal Code do not regulate the regulation of how to protect the law/legality for users of commercial sex workers, *third*, the Criminal Code currently only regulates the provider of prostitution services or pimps who can be entangled by law, *forth*, users of prostitution services can be criminalized by using local regulations governing prostitution, the enactment of the Lex Specialist Lex Generalis principle, *fifth*, victims of fraud or commercial sex workers who are deceived by pimps or prostitutes can be punished for supporting prostitution activities in cyberspace, *sixth*, victims of prostitution are not only adults but there is an element of coercion to young children to carry out prostitution, this is supported by several factors, namely environmental factors or economic factors, *seventh*, more detailed child protection regulations on child exploitation of prostitution are urgently needed, and *eighth*, an immediate update of Indonesia's Positive Law in terms of prostitution is needed because until now only local regulations can ensnare all actors in prostitution but also not all regions have regulations regarding prostitution.

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## **COMPETING INTERESTS**

The Authors declared that they have no competing interests.

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