

ABSTRACT

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IMPLEMENTATION OF CRIMINAL SANCTIONS OF RAPE AGAINST WOMEN IN INDONESIA (STUDY ON COMPARISON WITH MALAYSIA AND SINGAPORE)

(xv + 90 pages; 1 graphic; 1 table)

Rape is a form of sexual violence that violates human rights. Indonesia's positive law which regulates the crime of rape is contained in Article 285 of the Criminal Code and Law No. 23 of 2004 concerning the Elimination of Domestic Violence. The law of rape has been regulated for a long time, but there are still weaknesses in the implementation of related laws and elements of rape in positive law. Patriarchal power is the main trigger behind cases of discrimination or violence against women which makes women seen as weak parties and tend to be the victim of rape and other sexual abuse. The author takes 2 (two) as material for comparison of law and the application of state sanctions, namely Malaysia and Singapore which are based on their close geographical location and close culture. The results of the comparison show that there are narrow regulations related to rape in Indonesia and the lightness of the application of sanctions compared to those 2 (two) countries. Data on rape victims, results of interviews with 3 (three) sources, and analysis of decisions on rape cases provide conclusions that require extension and legal information related to rape as well as improvements regarding community stigma and rape culture in society. The legal solution is to ratify the Sexual Violence Draft Law, and the 2019 Criminal Code and Criminal Procedure Code which are more adequate in relation to victims' rights and carry out socialization related to gender and understanding of sexual violence to the public. and children from an early age through sex education to minimize rape cases in Indonesia.

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