

## ABSTRAK

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### **“The Punishment of Chemical Castration Against the Prepetrator of the Crime of Rape of a Minor When Viewed From The Perspective of Human Rights**

(XIII + 126 halaman: 10 gambar; 7 lampiran)

Basically, Indonesia is a State of Law and this is evidenced in the 1945 Constitution of the Republic of Indonesia.

In 2019 Indonesia has been shocked and widely discussed with the Rape Case against a minor whose sexual offender is the first person to get criminal sanctions in the form of chemical castration based on Decision No.69/Pid.Sus/2019/PN.Mjk. The crime of sexual violence in the form of rape against minors was committed by Muhammad Aris (23) years old who was sentenced to criminal punishment by the Mojokerto Court, M Aris had committed sexual violence of rape against nine children who were on average underage, so that for his actions the judge imposed a chemical castration sentence so that the perpetrator would get a deterrent effect on his actions. In this case the judge from the Mojokerto District Court said that M Aris had violated the provisions of Article 76D jo. Article 81 paragraph (2) of Law No. 17 of 2016 on the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 on the second amendment to Law No. 23 of 2002 on Child Protection and Law No. 8 of 1981 on criminal procedure law and other laws. And now the implementing regulations for this chemical castration penalty are regulated more clearly in Government Regulation Number 70 of 2020 concerning Procedures for Implementing Chemical Castration Measures, Installation of Electronic Detection Devices, Rehabilitation, and Announcement of the Identity of Perpetrators of Sexual Violence Against Children. And now the regulations regarding the crime of sexual violence are regulated in Law No. 12 of 2022. The question is whether chemical castration violates human rights?. Chemical castration which basically clearly violates human rights because it has violated the regulations on freedom from torture, but in the case of punishment in the form of chemical castration accompanied by certain conditions in the judge applying Criminal Punishment against the perpetrator of child rapist in the form of chemical castration Punishment.

Kata Kunci: Rape, Criminal, Sexual, Chemical Castration, Punishment, Sexual Violence

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