

Creating Internet Safe for Women in Indonesia: A Challenge to Gender Equality (A Study of Online Gender-Based Violence concerning Women's Rights from Indonesian Law Perspective)

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Abstract

The advancement of digital technology has transformed the way individuals interact, particularly through the Internet and social media. While these platforms offer women greater opportunities for expression and participation in public life, they have also led to a rise in online gender-based violence (OGBV). In Indonesia, the COVID-19 pandemic exacerbated this issue, with a significant increase in cases such as revenge porn and sextortion. Legal instruments such as the Pornography Law and the Information and Electronic Transactions Law (IET Law) often fail to protect victims and, in some cases, contribute to their criminalization. This research investigates the right to be free from violence from the perspective of international human rights law and examines the extent to which Indonesia's legal framework aligns with these international standards. The study applies a normative legal research, combining statute approach and conceptual approach, to analyze the challenges faced by women in accessing justice when subjected to cyber violence. The research ultimately aims to propose legal and policy recommendations that strengthen the protection of women's rights in the digital space and advance gender equality in Indonesia. Fulfillment of women's rights to be free from discrimination in the form of OGBV can be achieved by the government's efforts to focus more on addressing the root of this problem, namely by making laws that protect women from violence, especially sexual violence that occurs in the cyberspace and its implementation must be supported by law enforcement officers without any exception.

Keywords: online gender-based violence, women's rights, digital safety, Indonesia, gender equality

INTRODUCTION

Digital technology and social media had broaden access for women towards public space. Platforms such as example Facebook, Instagram, Twitter and TikTok utilized not only for entertainment, but to mobilizing solidarity, expanding professional network to the point voicing gender equality issues (Nugroho, Y., 2019). Numerous women activists have utilised social media to advocate women's rights, to combat gender-based violence and to promote regulatory enforcement. For example, The #MulaiBicara and #NamaBaikKampus movements has apperead as a significant platforms for victims of sexual violence to disclose their experiences, which had previously been impeded by social stigma in offline spaces (Siregar, A., 2021). Consequently, social media functions as a medium for democratization, offering opportunities for women to become more active in public debates, politics, and social movements. Moreover, the evolution of the digital economy has concomitantly engendered novel opportunities for women in the realm of entrepreneurship.

The expansion of e-commerce platforms has enabled many women to establish home-based enterprises, thereby strengthening their economic autonomy (Tambunan T, 2020) and illustrating the transformative role of digital technology in advancing women's empowerment in Indonesia. However, the openness of digital spaces has also heightened risks, particularly the rise of online gender-based violence (OGBV)—including online harassment, cyberstalking, revenge porn, sextortion, and deepfake pornography. SAFEnet reports a sharp increase in OGBV cases over the

past five years, with women disproportionately affected (SAFE-net, 2021). The anonymity and speed of digital interactions amplify vulnerability, while pervasive victim-blaming by the public and even law enforcement discourages reporting and perpetuates impunity (Clarissa, A., 2021).

The COVID-19 pandemic further intensified these challenges. Social-distancing measures significantly increased internet and social-media usage as work, education, and recreation shifted online. As a result, incidents of OGBV, particularly online harassment and the non-consensual distribution of intimate content, surged (UN Women, 2020). Komnas Perempuan documented nearly a 100% rise in OGBV reports during the pandemic (Komnas Perempuan, 2021a). Women's increased reliance on digitally connected private spaces—without adequate legal protection—exposed systemic deficiencies in safeguarding women in virtual environments

This research aims to analyze the forms of OGBV within Indonesian law and international human rights frameworks. OGBV encompasses various forms of digitally mediated gender-based violence, including online harassment, sextortion, revenge porn, and deepfake pornography (Henry & Powell, 2018). From a national legal perspective, its regulation is linked to the Information and Electronic Transactions Law (IET Law) and the Law on Sexual Violence Crimes (TPKS Law), both of which establish normative standards but face significant enforcement challenges (Rahayu, S., 2022).

From an international human rights perspective, OGBV constitutes a violation of principles of non-discrimination, security, and privacy, as protected under instruments such as CEDAW and the ICCPR (UN & Committee on the Elimination of Discrimination against Women, 2017). This comparative study is significant in explaining the discrepancies found between international standards and legal practices in Indonesia.

LITERATURE REVIEW

A. The Concept of Online Gender-Based Violence (OGBV) and Women's Rights in the Perspective of International Human Rights

Definition of OGBV According to Global Literature

Online Gender-Based Violence (OGBV) refers to all forms of gender-based violence mediated or facilitated by digital technology. UN Women describes OGBV as violent acts carried out via online platforms, such as social media, instant messaging apps, and content-sharing sites, that target people based on their gender and lead to violations of human rights, including the rights to safety, privacy, and freedom of expression (UN Women, 2015).

CEDAW highlights that gender-based violence, including online abuse, constitutes discrimination against women, hindering their ability to enjoy equal rights in various public and private settings (UN Committee on the Elimination of Discrimination Against Women (CEDAW), 1992). The European Institute for Gender Equality (EIGE) also emphasizes that OGBV not only causes individual harm, but also reinforces patriarchal structures in digital society (European Institute for Gender Equality (EIGE), 2017). Thus, OGBV is a global phenomenon that links technology with gender discrimination, requiring a responsive legal and policy approach.

Forms of OGBV

International literature identifies several main forms of OGBV that are prevalent:

1. Cyber Harassment – online harassment in the form of misogynistic comments, gender-based hate speech, or continuous verbal attacks against women on social media (Jane, 2016).
2. Cyberstalking – online stalking through tracking online activities, sending repeated messages, or digital surveillance without the victim's consent (Sheridan & Grant, 2007).
3. Revenge Porn – the dissemination of non-consensual intimate content, usually with motives of revenge or blackmail (Citron & Franks, 2014).

4. Sextortion – sexual blackmail in the virtual world, where perpetrators use the victim's personal data or intimate images to obtain material or sexual gain (Chawki, M., 2018).

These four forms show that digital technology can become a new tool of repression against women if it is not regulated fairly and in favor of victim protection.

The Impact of OGBV on Women

The consequences of OGBV are not confined to the personal realm, but also encompasses social, economic, and legal aspects.

1. Psychological: Those affected by OGBV frequently endure trauma, depression, anxiety, and post-traumatic stress disorder (PTSD). Simultaneously, other systems within the body will experience effects, making it progressively harder to maintain positive thoughts (Suwijik & A'yun, 2022). Research shows that victims of online abuse are more prone to social isolation and a decline in quality of life (Henry et al., 2018).
2. Social: OGBV reinforces stigma and narrows women's participation in the public sphere. Many women limit their online activities to avoid harassment, which results in reduced access to education, employment, and political opportunities (Dragiewicz et al., 2018).
3. Economic: Economic losses occur when victims lose their jobs, professional reputation, or have to incur additional costs for legal protection and digital security (Maeve Duggan, 2017).
4. Legal: In many cases, the legal system is not yet responsive in dealing with OGBV. The process of proving a case is difficult due to the anonymous nature of digital technology, while law enforcement officials often lack adequate understanding of technology and gender perspectives (Rahayu, S., 2022).

Thus, OGBV is not simply an issue affecting individuals, but rather a fundamental problem that derives from gender inequality and the legal system's failure to keep pace with technological developments.

B. Women's Rights in the Perspective of International Human Rights

Universal Declaration of Human Rights (UDHR)

The 1948 Universal Declaration of Human Rights (UDHR) serves as the standart foundation for safeguarding women's rights, even in the digital realm. Articles 1 and 2 of the UDHR assert that all individuals are equal without distinction, whereas Article 3 enures the rights to life, freedom, and personal security (United Nations, 1948). OGBV, which causes fear and hinders women's freedom of expression, can be seen as a direct violation of the principles of the UDHR.

The 1979 Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) clearly mandates that state parties must eradicate discrimination against women in every aspect of life, including that which stems from advances in digital technology (United Nations General Assembly resolution 34/180, 1979). Article 1 of CEDAW provides a wide definition of discrimination towards women, encompassing gender-based violence in both public and private contexts. Consequently, governments are required to develop policies that safeguard women from OGBV, utilizing both legal frameworks and efficient enforcement strategies.

In 2017, the CEDAW Committee issued General Recommendation No. 35, which updates General Recommendation No. 19 on gender-based violence. This document affirms that gender-based violence is a serious form of discrimination and encompasses new dimensions, including violence mediated by digital technology (UN & Committee on the Elimination of Discrimination against Women, 2017). General Recommendation No. 35 emphasizes the responsibility of states to prevent, investigate, punish, and provide reparations to victims of gender-based violence, including OGBV. This means that neglecting OGBV can be seen as a failure of the state to fulfill its international obligations.

In addition to the above instruments, the UN has also issued a number of resolutions related to women's digital safety. The UN General Assembly, through its resolutions on "The Right to Privacy in the Digital Age" (2013, 2014, 2016), emphasizes that the right to privacy must be guaranteed in the context of digital technology (UN General Assembly (68th sess : 2013-2014), 2013). Additionally, in 2018, the UN HRC approved a resolution aimed at intensifying initiatives to eradicate violence against women and girls, emphasizing the necessity of online violence targeting women. The resolution highlights the necessity for nations to create policies specifically aimed at safeguarding women in the digital realm, integrating the tenets of gender equality and human rights (UN Human Rights Council (38th sess), 2018).

C. Indonesia's National Legal Framework on Online Gender-Based Violence (OGBV)

The occurrence of OGBV is increasing in Indonesia alongside advancements in digital technology and the spread of social media. This technology-facilitated gender-based violence inflicts various forms of damage on victims, encompassing psychological, social, and legal effects. In addressing this phenomenon, Indonesia has a several legal tools, such as the Information and Electronic Transaction (IET Law), the Pornography Law, and the Sexual Violence Criminal Law (TPKS Law). However, normative and implementational weaknesses still limit the effectiveness of victim protection.

Law No. 11 of 2008 in conjunction with Law No. 19 of 2016 concerning Information and Electronic Transaction (IET Law)

The IET Law was originally designed to regulate electronic transactions and maintain digital security. However, in its development, this law is often used to handle OGBV cases, particularly in relation to the distribution of intimate content without consent (non-consensual intimate images). Article 27 paragraph (1) of the IET Law regulates the prohibition of distribution or access to electronic information that violates decency (UU No. 11 Tahun 2008 Jo. UU No. 19 Tahun 2016 *Tentang Informasi Dan Transaksi Elektronik*, n.d.). Nevertheless, this article has been criticized for potentially ensnaring victims rather than perpetrators. However, this provision has faced criticism for its potential to criminalize victims rather than perpetrators. In a number of instances, individuals whose images or videos were disseminated without consent were instead reported for "distributing" obscene material, resulting in a form of victim blaming through legal mechanisms (Fitriani, E., 2022). Besides, the provisions of the IET Law do not explicitly recognize OGBV as a gender-based crime, but rather as a violation of morality or decency. This creates a gap in the protection of victims who need a human rights and gender equality-based perspective.

Law No. 44 of 2008 on Pornography

The Pornography Law regulates the production, distribution, and consumption of pornographic material. Article 4 of this law prohibits the creation and distribution of pornographic content, while Article 29 provides criminal penalties for perpetrators who distribute pornographic content, while Article 29 provides criminal penalties for perpetrators who distribute content without permission (UU No. 44 Tahun 2008 *Tentang Pornografi*, n.d.). In the context of OGBV, the Pornography Law is often used as a legal basis to prosecute perpetrators who distribute intimate content, including cases of revenge porn. However, the main problem with the Pornography Law is its dominant moralistic perspective, which creates the potential for criminalization of victims. For example, victims who are photographed or recorded without their consent can still be considered to have violated moral norms. This ambiguity often gives rise to broad and discriminatory interpretations, particularly harming women (Paramita, D., 2021). The Pornography Law does not clearly regulate aspects of digital sexual extortion (sextortion) or the use of new technologies such as deepfake pornography. As a result, many cases of OGBV are not accommodated in this legal regime.

Law No. 12 of 2022 concerning Sexual Violence Crimes (TPKS Law)

The birth of the TPKS Law is an important milestone in efforts to protect victims of gender-based violence in Indonesia. This law broadens the definition of sexual violence, including that which occurs in the digital space. Article 5 paragraph (1) letter d of the TPKS Law explicitly includes electronic-based sexual violence as a criminal act, which covers the distribution of intimate content without consent, digital-based sexual coercion, and threats through technology (*UU No. 12 Tahun 2022 Tentang Tindak Pidana Kekerasan Seksual*, n.d.). Furthermore, the TPKS Law prioritizes the victim's perspective by emphasizing recovery, rehabilitation, and restitution. Victims are entitled to legal, health, and psychological services, as well as guarantees of safety from further threats. As such, it is regarded as more progressive than both the IET Law and the Pornography Law in addressing OGBV. Nonetheless, several challenges persist. First, implementation remains constrained by structural barriers, including limited awareness among law enforcement officials regarding OGBV. Second, evidentiary burdens in digital cases are significant due to perpetrator anonymity and the inadequate digital forensic capacity in Indonesia. Third, despite its victim-oriented approach, entrenched social stigma and patriarchal norms continue to deter many victims from reporting (Komnas Perempuan, 2023).

Weaknesses in Victim Protection

Although Indonesia has a relatively comprehensive legal framework, a number of weaknesses still hinder effective protection for victims of OGBV:

1. Regulatory Fragmentation – There is overlap between the IET Law, the Pornography Law, and the TPKS Law. Rather than strengthening protection, this ambiguity causes confusion in law enforcement.
2. Potential Criminalization of Victims – Provisions in the IET Law and Pornography Law are often used to prosecute victims rather than perpetrators, especially when victims are considered to have violated public decency.
3. Lack of Gender Perspective – Most regulations still emphasize morality or decency rather than the protection of human rights.
4. Implementation Barriers – Law enforcement officials still lack training on OGBV and often exhibit gender bias when handling reports.
5. Social Stigma – Patriarchal cultural factors cause victims to be reluctant to report because they fear being blamed, humiliated, or even criminalized.

These weaknesses indicate the need for regulatory reforms that are more victim-oriented and for strengthening the capacity of law enforcement agencies to respond effectively to OGBV cases.

RESEARCH METHODS

This research will use literature, interviews as well as observation. Literature research will be used to collect primary and secondary legal materials from various sources. Especially for international law, those materials are from international human rights instruments, court decisions from states, international court of justice, and others. Furthermore, various legal sources from international entities like the Human Rights Council, Human Rights Committee, United Nations, and several others will also be utilized.

The literature method is also primarily used to collect data on International and Indonesian human rights law perspectives. Certain assertions from scholars on woman's rights and instances of gender-based cyber violence in specific regions of Indonesia are utilized to enhance the research outcomes. It will also be important to use some Indonesian laws such as Law No. 11 of 2008 in conjunction with Law No. 19 of 2016 concerning Information and Electronic Transaction (IET Law), Law No. 44 of 2008 on Pornography, Law No. 12 of 2022 on Sexual Violence Crimes (TPKS

Law), the Indonesian Constitution, the Indonesian Human Rights Act No. 39 of 1999, and many others.

Certain resources from different governmental or non-governmental organizations are additionally utilized to aid this research. The Indonesian Human Rights Commission, National Commission on Violence against Women, Women's Institute, Indonesian Women's Coalition for Justice and Democracy, along with various organizations focused on the right to be free from violence, including Amnesty International, SAFEnet, LBH APIK, Infid, Yayasan Pulih, and numerous others.

DISCUSSION

The Phenomenon of Online Gender-Based Violence (OGBV) in Indonesia

The rapid expansion of digital technology in Indonesia has opened broader avenues for women's engagement in sectors such as education, employment, and political participation. At the same time, the digital environment has generated emerging forms of gender-based harm, particularly Online Gender-Based Violence (OGBV). The prevalence of this phenomenon has intensified—most notably during the COVID-19 pandemic—when significant aspects of social and economic life transitioned into online platforms.

Data and Trends in OGBV Cases Before and After the Pandemic

Before the pandemic, the number of reported OGBV cases remained relatively small, both quantitatively and in terms of public visibility. Although the annual reports of the National Commission on Violence Against Women (Komnas Perempuan) indicate a steady rise in cyber gender-based violence, such incidents were still widely perceived as private matters and, consequently, were not formally reported (Komnas Perempuan, 2019). The onset of the COVID-19 pandemic intensified this trend. SAFEnet data demonstrates a sharp escalation in OGBV complaints beginning in 2020, particularly concerning digital sexual harassment in the form of revenge porn, sextortion, and the circulation of intimate content without consent (SAFEnet, 2021). This escalation is closely linked to increased internet usage during lockdowns, heightened dependence on social media, and persistently low levels of digital literacy. Women remain disproportionately vulnerable, as they are more frequently targeted for harassment, exploitation, and even dual criminalization, a vulnerability rooted in entrenched patriarchal structures.

Case Study: Revenge Porn, Sextortion, and Deepfake Pornography

One of the most widespread manifestations of OGBV is revenge porn, involving the non-consensual dissemination of intimate images or videos, commonly perpetrated by former partners. These materials often spread rapidly across social media platforms, generating significant psychological, social, and economic harm (Clarissa, A., 2021). Sextortion—where perpetrators coerce victims into providing money or additional sexual content under the threat of releasing intimate material—has also increased. SAFEnet reports indicate that adolescent and young adult women, including secondary and university students, constitute the primary targets of such extortion (SAFEnet, 2020b). A more recent and troubling form of OGBV is deepfake pornography, which employs artificial intelligence to superimpose women's faces onto explicit content without their consent. This development is particularly dangerous because victims need not have produced

any intimate content themselves. Deepfake pornography also presents complex legal challenges, especially related to evidentiary burdens and difficulties in identifying perpetrators (Chesney & Citron, 2018).

An Examination of Obstacles Preventing Women from Reporting Cases

Despite rising case numbers, many victims remain unwilling to submit formal complaints. Prevailing obstacles include social stigma that shifts blame onto victims, feelings of shame, and concerns about reputational harm or long-term consequences (R. Utami, 2021). Furthermore, inadequacies within Indonesia's legal framework pose significant barriers to justice. Provisions under the Information and Electronic Transactions Law (IET Law) and the Criminal Code (KUHP) often impose an excessive burden on victims, with some individuals even facing prosecution for allegedly distributing immoral content rather than receiving legal protection from digital exploitation. Limited understanding among law enforcement officers regarding the complexities of OGBV, insufficient psychological support services, and low levels of public awareness further exacerbate these challenges.

These conditions underscore the urgent need for more progressive legal protections, improvements in digital literacy, and the strengthening of victim support mechanisms. The rise of OGBV in Indonesia reflects the intricate interaction between technological innovation, gendered power relations, and legal structures, illustrating the multidimensional nature of contemporary legal and social problems. The rapid spread of COVID-19, declared by the World Health Organization as the disease caused by the SARS-CoV-2 virus, has further highlighted the necessity of adapting regulatory frameworks and protective systems to address new forms of digital content, such as deepfake pornography. Addressing the barriers faced by women in reporting cases requires the development of inclusive and safe legal and social approaches that adequately respond to the risks of the digital environment.

National Legal Evaluation in Handling OGBV in Indonesia

Pornography Law and IET Law: Potential Victim Blaming and Criminalization of Victims

Law No. 44 of 2008 on Pornography and Law No. 11 of 2008 on Information and Electronic Transactions are among the primary statutory instruments relied upon by authorities in handling OGBV cases. Unfortunately, both regulations have contributed to patterns of victim blaming and, in some cases, the potential criminalization of victims. The Pornography Law adopts an excessively broad definition of pornographic material, failing to distinguish between consensually created intimate content intended for private use and materials produced or disseminated without consent (Mubarok, F. A., 2021). As a result, women who are victims of revenge porn or sextortion are at risk of being charged as perpetrators of pornography distribution, instead of being protected as injured parties. Similarly, the IET Law, originally enacted to address cybercrime, is frequently misapplied to prosecute victims on allegations of distributing "immoral content" (Haryanto, I., 2020). This reflects a legal paradigm that remains moralistic and patriarchal, prioritizing the regulation of "content" over recognition of the violence experienced by victims.

TPKS Law: Opportunities and Limitations in Addressing OGBV

The enactment of Law No. 12 of 2022 on Sexual Violence Crimes (TPKS Law) represents a significant advancement in safeguarding victims of OGBV. Unlike previous regulations, the TPKS Law expressly identifies technology-facilitated sexual violence as a criminal act, including the non-consensual dissemination of intimate materials, online sexual coercion, and digitally altered content such as deepfake pornography (Komnas Perempuan, 2022b). The statute further guarantees victims' rights to recovery, assistance, and the protection of their identities. This framework marks a substantial improvement compared to the Pornography Law and the IET Law, both of which tend to adopt punitive approaches toward content rather than prioritizing victim protection. The TPKS Law embeds a victim-centred approach grounded in non-discrimination and the prevention of revictimization. Nevertheless, the legislation is not without shortcomings. Certain forms of online sexual violence still require clearer definitions to respond to rapidly evolving technologies. In addition, its implementation is contingent upon the competence of law enforcement personnel, many of whom lack adequate understanding of OGBV (R. Utami, 2022). In the absence of specialized training, authorities risk perpetuating moralistic interpretations that have historically disadvantaged victims.

Inconsistent Law Enforcement by Authorities

A persistent obstacle in addressing OGBV lies in the inconsistent application of legal provisions by law enforcement agencies. Several revenge porn cases, for instance, have been dismissed on the basis of insufficient evidence, despite the availability of relevant digital proof (SAFE-net, 2021). Conversely, authorities often respond more readily to reports concerning the dissemination of "indecent content" while neglecting the violent context experienced by victims. The inconsistency in legal interpretation among the police, prosecutors, and judiciary further aggravates this issue. Rather than applying the TPKS Law—which offers a more protective framework—officials often rely on provisions under the Pornography Law or the IET Law, which tend to criminalize victims. As a result, achieving substantive justice for victims remains a considerable challenge.

The Compatibility of Indonesian Law with International Human Rights Standards in Handling OGBV

Indonesia's obligations under CEDAW

CEDAW obliges state parties to eliminate all forms of discrimination against women in both public and private domains and to ensure equal access to justice (United Nations General Assembly resolution 34/180, 1979). The CEDAW Committee in General Recommendation No. 35 emphasizes that technology-mediated gender-based violence, including online harassment and the dissemination of non-consensual intimate content, is a form of discrimination that must be addressed by the state (UN & Committee on the Elimination of Discrimination against Women, 2017). Indonesian national law, through the TPKS Law, has included electronic-based sexual violence as a criminal offense. However, there are still other regulations such as the Pornography Law and the IET Law that often lead to victim blaming and criminalization of victims. This shows inconsistencies that have the potential to violate CEDAW obligations, particularly in guaranteeing the protection of victims and avoiding double discrimination.

The Gap between International Standards and National Practices

Despite progress embodied in the TPKS Law, a substantial gap remains between international human rights standards and domestic practice. First, overlapping statutory frameworks—the Pornography Law, the IET Law, and the TPKS Law—create legal ambiguity that often disadvantages victims. Second, law enforcement personnel generally lack adequate capacity to conceptualize OGBV as a manifestation of gender discrimination, resulting in the continued application of moralistic and punitive approaches. Third, victims' access to essential protections such as recovery services, confidentiality, and mechanisms for content removal remains limited and falls short of the standards articulated in CEDAW and comparative international best practices.

Access to Justice for Women in OGBV Cases in Indonesia

The phenomenon of Online Gender-Based Violence (OGBV) has surfaced as one of the most challenging forms of gender-based violence to address within the Indonesian legal system. Even though there are new legal instruments such as the TPKS Law, women victims of OGBV still face various obstacles in gaining access to justice. These obstacles are not only structural but also cultural, exacerbated by patriarchal social norms and the stigma attached to victims.

A primary structural challenge lies in the limited capacity of law enforcement officials to conceptualize OGBV as a form of gender-based violence rather than merely an offense against morality. Numerous cases of revenge porn and sextortion fail to progress through legal channels because they are deemed to lack “sufficient evidence” or are reclassified as morality offenses, which places victims at risk of being criminalized (Haryanto, I., 2021). The Indonesian legal system remains heavily formalistic, prioritizing rigid evidentiary standards without adequately accounting for victims' psychological conditions or vulnerabilities. The absence of specialized units trained to handle OGBV cases with victim-sensitive approaches further burdens survivors during legal proceedings. Cultural barriers also manifest when law enforcement actors import moralistic biases into legal practice, including questioning victims' clothing, behavior, or personal background (Komnas Perempuan, 2022a).

In patriarchal social contexts, women are often assigned the responsibility of upholding societal morality. Consequently, when OGBV occurs, blame is frequently shifted onto the victim. Social stigma—such as assumptions that victims “failed to protect themselves” or were “partly responsible”—discourages many women from reporting their experiences (Clarissa, A., 2021). Victim blaming persists not only within society but is also reproduced within legal institutions. Rather than directing scrutiny toward the perpetrator, authorities frequently subject victims to intensive questioning about the origins of the content, their relationship history, or their social media use, leading to secondary victimization and exacerbating trauma (Komnas Perempuan, 2021b). This dynamic contributes to persistently low reporting rates. Data from the National Commission on Violence Against Women shows that most OGBV victims choose silence or seek informal assistance instead of pursuing formal legal remedies, which are perceived as socially and psychologically burdensome (Komnas Perempuan, 2021b).

Amid these challenges, NGOs and digital feminist movements play an essential role in expanding access to justice for women. Organizations such as SAFEnet provide legal assistance, policy advocacy, and psychosocial support for OGBV survivors (SAFEnet, 2020a). Komnas Perempuan also continues to urge the state to enhance regulatory frameworks and to adopt victim-centered approaches within legal processes. Digital feminist activism serves as a crucial platform for

articulating victims' experiences and urging stronger state responsiveness. Through online campaigns, feminist groups have successfully brought issues such as revenge porn, sextortion, and deepfake pornography into public discourse and highlighted the need for legal intervention. In doing so, they not only foster solidarity among victims but also contribute to structural reforms in national policy.

CONCLUSION

This research demonstrates that the digital law revolution in Indonesia presents a dual reality for women. On the one hand, it is an unprecedented opportunity for empowerment and public participation, but on the other hand, it is also a growing arena for Online Gender-Based Violence (OGBV). The COVID-19 pandemic has acted as a catalyst, significantly exacerbating the prevalence of OGBV, including revenge pornography, sexual extortion, and the new threat of deepfake pornography. The main finding of this study is that Indonesia's legal framework, despite ongoing developments, remains fundamentally inadequate and often counterproductive in protecting women and ensuring their rights in the digital space.

Analysis shows that the main legal instruments, namely the Information and Electronic Transaction (IET Law) and the Pornography Law, are often misapplied, resulting in the victimization and criminalization of victims rather than perpetrators. These laws operate through a moralistic and patriarchal lens, prioritizing concepts of public decency over human rights and victim safety. The passage of the Sexual Violence Criminal Law (TPKS) in 2022 marks a significant progressive leap, as it explicitly recognizes electronic-based sexual violence and adopts a victim-centered approach focused on recovery and protection. However, its effectiveness is severely hampered by major implementation barriers, including a lack of gender-sensitive training for law enforcement, a high digital burden of proof, and deep-rooted patriarchal social stigma that discourages reporting.

From an international human rights perspective, a gap remains between Indonesia's obligations under CEDAW—which requires the elimination of all forms of discrimination, including technology-facilitated violence—and its national practices. The coexistence of the progressive TPKS Law with the problematic IET and Pornography Laws creates regulatory fragmentation and legal uncertainty, hindering consistent and fair law enforcement.

To create a safer digital environment for women, a multifaceted approach is essential. Legal Harmonization and Reform The government must initiate a process to resolve conflicts between laws. Strengthening Support Systems requires the state to allocate resources to establish integrated service centers that provide OGBV victims with easy access to legal aid, psychological counseling, digital security assistance, and hotline services. Public awareness and digital literacy campaigns are needed to combat victim-blaming stigma and educate the public, especially women and youth, about digital rights, privacy settings, and safe online practices. By implementing these recommendations, Indonesia can move closer to fulfilling its international human rights obligations, ensuring that the digital space becomes a truly empowering domain for all women, free from violence and discrimination.

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