

ARTICLE

Legal Protection by the Sexual Violence Prevention and Handling Task Force for Student Victims of Sexual Violence at Andalas University

Perlindungan Hukum oleh Gugus Tugas Pencegahan dan Penanganan Kekerasan Seksual bagi Mahasiswa Korban Kekerasan Seksual di Universitas Andalas

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Abstract

Minister of Education, Culture, Research and Technology Regulation Number 30 of 2021 is a regulation formed by the government and regulates the prevention and handling of sexual violence in higher education. The mandate of this regulation is to prevent sexual violence in the university environment and also strengthen the handling of sexual violence through assistance, victim recovery, administrative sanctions and victim protection. Andalas University in September 2022 established the Sexual Violence Prevention and Handling Task Force (PPKS). From the beginning of the establishment of the PPKS Task Force of Andalas University until now there have been 21 (twenty-one) cases of sexual violence, 20 (twenty) cases only reached the PPKS Task Force level and 1 (one) case has reached the court stage. This study aims to answer questions related to 1) How is the provision of legal protection by the PPKS Task Force for student victims of sexual violence at Andalas University. This research is written with a juridical sociological (empirical) method and sought data directly in the field, which is descriptive in nature using primary and secondary data sources. Data that has been collected, processed and analyzed qualitatively. The results of the study found that the legal protection provided by the PPKS Task Force of Andalas University is preventive and repressive legal protection, preventive legal protection is socialization and education about the prevention and handling of sexual violence in the Andalas University environment, for repressive legal protection including confidentiality of the reporter's identity, protection of physical and non-physical threats, guarantee of continuing education for the reporter, guarantee of continued employment for educators.



Keywords

Keywords: PPKS Task Force; College Protection; Sexual Violence

Abstrak

Permendikbudristek Nomor 30 Tahun 2021 merupakan peraturan yang dibentuk oleh pemerintah dan mengatur tentang pencegahan dan penanganan kekerasan seksual di perguruan tinggi. Amanat dari peraturan ini ialah sebagai upaya pencegahan kekerasan seksual di lingkungan perguruan tinggi dan juga memperkuat penanganan kekerasan seksual melalui pendampingan, pemulihan korban, sanksi administrasi dan juga perlindungan korban. Universitas Andalas pada bulan September 2022 mendirikan Satgas Pencegahan dan Penanganan Kekerasan Seksual (PPKS). Dari awal berdirinya Satgas PPKS Universitas Andalas sampai saat sekarang ini terdapat 21 (dua puluh satu) kasus kekerasan seksual, 20 (duapuluh) kasus hanya sampai di tingkat Satgas PPKS dan 1 (satu) kasus telah sampai ke tahap pengadilan. Penelitian ini bertujuan untuk menjawab persoalan terkait 1) Bagaimanakah pemberian perlindungan hukum oleh Satgas PPKS bagi mahasiswa korban kekerasan seksual di Universitas Andalas. Penelitian ini ditulis dengan metode yuridis sosiologis (empiris) dan mencari data langsung ke lapangan, yang bersifat deskriptif dengan menggunakan sumber data primer dan sekunder. Data yang sudah terkumpul, diolah dan dianalisis secara kualitatif. Hasil penelitian didapatkan bahwa perlindungan hukum yang diberikan Satgas PPKS Universitas Andalas adalah perlindungan hukum preventif dan represif, perlindungan hukum preventif yaitu sosialisasi dan edukasi tentang pencegahan dan penanganan kekerasan seksual di lingkungan Universitas Andalas, untuk perlindungan hukum represif di antaranya adalah kerahasiaan identitas pelapor, perlindungan ancaman fisik dan nonfisik, jaminan keberlanjutan menyelesaikan pendidikan bagi pelapor, jaminan keberlanjutan pekerjaan bagi pendidik.

Kata Kunci

Kata Kunci: Satgas PPKS; Perlindungan Hukum; Kekerasan seksual

Introduction

Sexual violence can happen to anyone at any time. Sexual violence often occurs in everyday life whether it is in the family, school, community, work, or peer environment. Various forms of sexual violence are included in violating human rights, crimes against human dignity, and a form of discrimination that must be eliminated.¹ Sexual violence is often perceived as deviant behavior, because it forces someone to engage in a sexual relationship or sets someone up as an object of unwanted attention. Sexual violence can also be considered as any violence that damages, degrades and/or alters a person's body, sexual desires and/or reproductive capabilities against their will.² Sexual violence itself can

¹ Aulia Virgistasari and Anang Dony Irawan, "Pelecehan Seksual Terhadap Korban Ditinjau Dari Permendikbud Nomor 30 Tahun 2021," *Media of Law and Sharia* 3, no. 2 (2022): 106–1123, <https://doi.org/10.18196/mls.v3i2.14336>.

² Franciscus Xaverius Wartoyo and Yuni Priskila Ginting, "Kekerasan Seksual Pada Lingkungan Perguruan Tinggi Ditinjau Dari Nilai Pancasila," *Jurnal Lembannas RI* 11, no. 1 (2023): 29–46, <https://doi.org/10.55960/jlri.v11i1.423>.

be defined as the occurrence of unwanted sexual advances by one person towards another, sexual violence that is committed does not always have to be physical, but can also be verbal.³ For a long time we have known that sexual violence is a disease that seems difficult to cure.⁴

In 2021 the number of victims of sexual harassment in Indonesia was 27,129, an increase in the number of victims of sexual harassment occurred in 2022 totaling 29,683.⁵ The increasing number of victims shows that victims have little awareness to report criminal acts that occur.

Victims of sexual violence must receive protection from both the state and society so that victims can live freely and avoid the shadow of violence and treatment that leads to degrading human dignity and status. Victims of sexual violence have rights that must be owned, feelings that arise such as heartache, suffering, fear and also various kinds of adverse effects that befall victims after the act must get serious attention, victims should not be ignored alone fighting for the fate that befell them, but must also be bridged by law enforcement in fighting for their fate.⁶ The right of victims of sexual violence to be protected is an integral part of human rights in the field of social security. Victims of sexual violence in their position as legal subjects are entitled to have their rights fulfilled during the judicial process.⁷

The harm experienced by victims is not only physical but includes physical, psychological, and mental *injury*, emotional suffering, economic loss *or* substantial damage to the victims' human rights.⁸ The effects that can occur to victims of sexual harassment include decreased ability in school or work, as well as increased absenteeism, loss of job or career, and then loss of income, while in the case of victims from the university environment, namely students, victims may cancel classes, change academic plans, or stop studying, and also victims are considered to have their reputation lowered and their good name, victims lose their trust in an environment similar to the environment where the harassment occurred.⁹

An educational institution that is actually a place for the growth and development of students in matters of literacy and also the development of *soft skills* should be a safe and comfortable place or space for them. However, it seems that this does not apply to victims of sexual violence. Educational institutions actually ignore the protection of victims, and

³ Rosania Paradias and Eko Soponyono, "Perlindungan Hukum Terhadap Korban Pelecehan Seksual," *Jurnal Pembangunan Hukum Indonesia* 4, no. 1 (2022): 61–72, <https://doi.org/10.14710/jphi.v4i1.61-72>.

⁴ Wijaya Andika, *Darurat Kejahatan Seksual* (Jakarta: Sinar Grafika, 2016).

⁵ "STATISTIK KRIMINAL," n.d., <https://www.bps.go.id/publication.html>.

⁶ Virgistasari and Irawan, "Pelecehan Seksual Terhadap Korban Ditinjau Dari Permendikbud Nomor 30 Tahun 2021."

⁷ Savinda Lutvira, "Comparison of Legal Protection for Victims of Sexual Violence in the Criminal Code, Law on Witness and Victim Protection, and Law on Sexual Violence" (Padang, University of Andalas, 2023).

⁸ Mansur Arief and Elisatris Gultom, *The Urgency of Protecting Victims of Crime between Norms and Realities* (Jakarta: Raja Grafindo Persada, 2007).

⁹ Djoko Alan, "Protection of Sexual Harassment Cases in Higher Education" (Repository of Wijaya Kusuma University Surabaya, 2022).

even seem to want to cover up incoming cases because they are related to the tarnishing of the good name of the school or college.¹⁰ It needs to be emphasized that the behavior of sexual violence is an act that is very inappropriate and violates the rules and norms based on a system of behavior that becomes the socio-cultural values of the community as a guide.¹¹ In many cases, victims are often reluctant to disclose what they know or experience because they are reluctant to deal further with law enforcement officials.¹²

Efforts to prevent and handle sexual violence that often occurs in the higher education environment, namely the Minister of Education, Culture, Research and Technology issued regulation Number 30 of 2021 concerning Prevention and Handling of Sexual Violence in the Higher Education Environment, hereinafter referred to as Permendikbudristek Number 30 of 2021. Permendikbudristek Number 30 of 2021 comes as a good first step to respond to the unrest of students, lecturers, university leaders, and the community about the increasing cases of sexual violence in higher education. Nizam, Acting Director General of Higher Education, Research and Technology, said that the main purpose of this regulation is to ensure that citizens' right to education is maintained through the prevention and handling of sexual violence in higher education.¹³ Minister of Education, Culture, Research, and Technology of the Republic of Indonesia, Nadiem Makarim said that there are various kinds of sanctions ranging from financial to a decrease in accreditation levels for universities if they do not implement the Prevention and Handling of Sexual Violence.¹⁴ With the presence of this regulation, there is no longer an excuse for universities not to prevent and handle sexual violence, because universities are obliged to handle sexual violence through assistance, protection, imposition of administrative sanctions and victim recovery.

Andalas University in September 2022 established a Sexual Violence Prevention and Handling Task Force (PPKS Task Force) with 11 members, consisting of 5 lecturers, 2 tendik, and 4 students.¹⁵ Article 28 paragraph 1 Permendikbudristek Number 30 of 2021 explains that the requirement to become the head of the PPKS Task Force is an element of education and in Article 28 paragraph 1 Permendikbudristek Number 30 of 2021 it is mandated that 50% of the PPKS Task Force members are students. The term of office of the PPKS Task Force is 2 (two) years and can be extended for the next 1 (one) period. From the beginning of the establishment of the PPKS Task Force of Andalas University until now there have been 21 cases of sexual violence with 46 victims that occurred in the

¹⁰ N.K. Endah Triwijati, "Pelecehan Seksual : Tinjauan Psikologis," *Fakultas Psikologi Universitas Surabaya, Dan Sayi Amira Women's Crisis Center* 20, no. 4 (2019): 303–6.

¹¹ Nurbayani Siti and Wahyuni Sri, *Victim Blaming in Rape Culture* (East Java: Unisma Pres, 2023).

¹² Sunarso Siswanto, *Victimology in the Criminal Justice System* (Jakarta: Sinar Grafika, 2012).

¹³ Ministry of Education and Culture, "Permen Pencegahan Dan Penanganan Kekerasan Seksual Di Lingkungan Perguruan Tinggi Tuai Dukungan," 2021.

¹⁴ Restika Icha, "Nadiem: There Are Sanctions If Campuses Don't Implement Prevention and Handling of Sexual Violence," 2021.

¹⁵ Interview with Mrs. Yunarti, Chairperson of the PPKS Task Force at Andalas University, on Monday, May 20, 2024 at 13.30 WIB

University environment Andalas, 20 cases only reached the PPKS Task Force level and 1 case has reached the court stage.¹⁶

Permendikbudristek Number 30 of 2021 is a regulation formed by the government and regulates the prevention and handling of sexual violence in higher education. The mandate of this regulation is to prevent sexual violence in higher education and also strengthen the handling of sexual violence through assistance, victim recovery, administrative sanctions and victim protection. The targets of prevention and handling of sexual violence are regulated in Article 4 of Permendikbudristek Number 30 of 2021, including students, educators, education personnel, campus residents, and the general public who interact with students, educators, and education personnel in the implementation of tridharma.

The victim's right to protection is regulated in Article 53 of Permendikbudristek Number 30 of 2021 where victims have the right to guarantee the confidentiality of their identity, request assistance, protection, and / or recovery from universities through the Task Force and request information on the progress of handling reports of sexual violence from the Task Force. By regulating the rights of victims in Permendikbudristek Number 30 of 2021, it becomes a guide for the PPKS Task Force to provide legal protection that victims of sexual violence should receive.

A year after Permendikbudristek Number 30 of 2021 concerning Prevention and Handling of Sexual Violence, Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence was born, hereinafter referred to as the TPKS Law. The Law on Criminal Acts of Sexual Violence comes with the regulation of sexual violence rights which is expressly and comprehensively stated in Article 68 to Article 70 of the TPKS Law which regulates the treatment, protection and recovery for victims of criminal acts of sexual violence. Legal protection for victims of criminal acts of sexual violence has been regulated in Article 42 to Article 47 of the PRSP Law. Article 7 of the TPKS Law states that every victim of sexual violence has the right to receive treatment, protection and recovery since the crime of sexual violence occurred. This is an obligation of the state because the fulfillment of victims' rights is carried out in accordance with the conditions and needs of victims after the crime.

The victim's right to protection is regulated in Article 69 of the TPKS Law where the victim has the right to receive information related to rights and facilities during protection, the right to obtain access to information related to the implementation of protection, the right to be protected from threats and violence so as to avoid the recurrence of violence, the right to have their identity kept confidential, the right to be protected from being humiliated by the attitude and behavior of law enforcement officials, the right to be protected from losing jobs, job transfers, education or political access, and the right to be

¹⁶ Interview with Mrs. Yunarti, Chairperson of the PPKS Task Force at Andalas University, on Monday, May 20, 2024 at 13.30 WIB

protected from being criminally prosecuted or civilly sued for reported crimes of sexual violence.

Law Number 31 of 2014 concerning Witness and Victim Protection, hereinafter referred to as the Witness and Victim Protection Law, is also the legal basis for providing protection to victims of sexual violence. The rights of victims of criminal acts are generally regulated in Article 5 of the Law on Witness and Victim Protection where victims have the right to obtain protection for their personal, family, and property security, as well as freedom from threats related to the testimony they will, are, or have given, the right to participate in the process of choosing and determining the form of protection and security support, the right to provide testimony without pressure, the right to obtain an interpreter, the right to be free from entrapment questions, the right to obtain information about the progress of the case, the right to be informed about court decisions, the right to be informed in the event that the convicted person is released, the right to have one's identity kept secret, the right to obtain a new identity, the right to obtain temporary residence, the right to obtain a new residence, the right to obtain reimbursement of transportation costs in accordance with needs, the right to obtain legal advice, the right to obtain temporary living expenses until the protection time limit expires, the right to obtain assistance.

Based on 21 cases that have been handled by the PPKS Task Force, all victims are Andalas University students, 1 case reached the court stage, based on the Padang District Court decision Number 449/Pid.Sus/2023/PN.Pdg stating that the perpetrator had committed a criminal act of sexual violence with a prison sentence of 9 months. 20 cases only reached the PPKS Task Force level and did not proceed to legal channels for various reasons, one of which was considering the position of the perpetrator as a respected person, fearing that the identity of the victim would be revealed, and there was a fear of the victim dealing with law enforcement officials. Therefore, the Andalas University PPKS Task Force needs to provide maximum legal protection in accordance with applicable laws and regulations, namely Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence, Law Number 31 of 2014 concerning Witness and Victim Protection, and Permendikbudristek Number 30 of 2021 concerning Prevention and Handling of Sexual Violence in the university environment.

Method

The type of research in this study is juridical sociological (empirical) which in other words is a type of sociological legal research and can also be called field research, which examines the applicable legal provisions and what happens in reality in the field.¹⁷

This research is descriptive, which in this study will contain an argumentative explanation of how legal protection by the Task Force for the Prevention and Handling of Sexual Violence (PPKS) for student victims of sexual violence at Andalas University. In

¹⁷ Suharsimi Arikunto, *Research Procedures A Practical Approach* (Jakarta: Rineka Cipta, 2002).

this study the data was obtained using primary data and field research by conducting interviews with the PPKS Task Force of Andalas University and victims of sexual violence at Andalas University.

Result & Discussion

A. Forms of Legal Protection by the PPKS Task Force for Student Victims of Sexual Violence at Andalas University

The PPKS Task Force at Andalas University was established a year after Permendikbudristek Number 30 of 2021 was born, namely on September 19, 2022. The Andalas University PPKS Task Force office is located in Padang, precisely at the Andalas University Auditorium which oversees all Andalas University campuses both located in Padang, Payakumbuh and Dharmasraya. The Andalas University PPKS Task Force has 11 (eleven) members consisting of 5 (five) educators 2 (two) education personnel and 4 (four) students, the purpose of the establishment of the Andalas University PPKS Task Force is to prevent sexual violence by increasing awareness and education on issues of sexual violence, including learning about consent, personal boundaries, and respect for human rights. Andalas University PPKS Task Force is present as the front guard when sexual violence occurs in the college environment, especially Andalas University. Andalas University PPKS Task Force is also responsible for developing prevention programs of sexual violence in the campus environment.

Regarding the division of work responsibilities in preventing and managing a case, all members of the Andalas University PPKS Task Force have the same job responsibilities because the Andalas University PPKS Task Force in handling a case is carried out jointly with the division of tasks appointed by the chairman. The Chairperson of the Andalas University PPKS Task Force has the authority to coordinate with members regarding what steps will be taken in handling cases, in this case the secretary of the Andalas University PPKS Task Force will carry out administrative functions in handling cases such as examining incoming reports to the Andalas University PPKS Task Force.

From the beginning of the establishment of the Andalas University PPKS Task Force until now, the Andalas University PPKS Task Force has handled 21 cases of sexual violence that occurred in the Andalas University environment, 20 cases only reached the PPKS Task Force level and 1 case has reached the court stage. There are several factors that cause cases not to reach the legal path, such as victims who are afraid to deal with law enforcement officials and victims who do not want to make reports to law enforcement officials because the position of the perpetrator is a respected person, and victims who feel that what is told

cannot be trusted.¹⁸

The case that has been accompanied by the PPKS Task Force of Andalas University to law enforcement officials is 1 (one) case with a total of 12 (twelve) victims, before reaching the law enforcement officials of the PPKS Task Force of Andalas University has conducted an examination of the victim, witnesses and reported, where the reported is proven to have committed a criminal act of sexual violence against the victim, therefore the PPKS Task Force of Andalas University helps and accompanies the victim in terms of reporting to law enforcement officials by bringing evidence during the examination that has been carried out by the PPKS Task Force of Andalas University. In terms of reporting to law enforcement officials, the Andalas University PPKS Task Force helps assist victims to make reports on these cases to law enforcement officials, reports that will be given to law enforcement officials must be with the consent of the victim whether the victim is willing to make a report to law enforcement officials.¹⁹

According to the author's view, the Andalas University PPKS Task Force which has handled 21 (twenty-one) cases, 12 (twelve) cases that have been completed and only 1 (one) case that has reached the court stage should be able to convince the victim that the Andalas University PPKS Task Force will provide assistance when the victim's case reaches the realm of law. The Andalas University PPKS Task Force must accompany victims to deal with law enforcement officials to make reports and provide protection so that there is no attitude and behavior of law enforcement officials who demean and / or strengthen the stigma against victims. Reporting to law enforcement officials is very important for victims to get justice that has befallen them.

In providing legal protection, the PPKS Task Force of Andalas University provides 2 (two) types of legal protection given to student victims of sexual violence that occurs at Andalas University including the following:

1. Preventive legal protection

Preventive protection is protection provided by the government that aims to prevent before an offense occurs, this is contained in laws and regulations with the intention of preventing an offense and providing signs or limits in carrying out an obligation.²⁰

In terms of preventive legal protection provided by the PPKS Task Force of Andalas University through education and socialization to students, namely by training students, educators, education personnel, and campus residents regarding efforts to prevent and handle sexual violence at Andalas University and periodic socialization related to guidelines for preventing and handling sexual violence to students, educators, education personnel,

¹⁸ Interview with Mrs. Yunarti, Chairperson of the PPKS Task Force at Andalas University, on Monday, May 20, 2024 at 13.30 WIB

¹⁹ Interview with a member of the PPKS Task Force at Andalas University, Mrs. Winda, on Friday, August 9, 2024 at 09.00 WIB

²⁰ Muchsin, "Protection and Legal Certainty for Investors in Indonesia" (Surakarta: Sebelas Maret University, 2003).

and campus residents. The education and socialization provided by the PPKS Task Force of Andalas University contains the prevention and handling of sexual violence in the Andalas University campus environment.²¹

In carrying out preventive protection provided by the Andalas University PPKS Task Force in the form of education and socialization guided by Permendikbudristek Number 30 of 2021 concerning Prevention and Handling of Sexual Violence in Higher Education because no regulations have been issued specifically governing the prevention and handling of sexual violence by Andalas University. However, the Andalas University PPKS Task Force is coordinating with the leadership elements of Andalas University to form regulations on the prevention and handling of sexual violence, the Andalas University PPKS Task Force hopes that in the future there will be specific regulations related to the prevention and handling of sexual violence at Andalas University.²²

Andalas University PPKS Task Force in terms of providing preventive legal protection embraces all campuses under the auspices of Andalas University, not only the Andalas University campus located in Padang, but also makes periodic visits to the campus located in Payakumbuh and the campus in Dharmasraya. Preventive legal protection provided by the PPKS Task Force of Andalas University in terms of education and socialization is carried out to all students, educators and educators by visiting faculties at Andalas University, both the Andalas University campus located in Padang, Payakumbuh and Dharmasraya.

Andalas University PPKS Task Force is also present to provide education and socialization directly to new Andalas University students through the *Training Andalusian Character* (TAC) event. The Andalas University PPKS Task Force not only provides education and socialization directly to students, education personnel, educators and campus residents but also provides socialization and education through the official web and social media of the Andalas University PPKS Task Force in collaboration with the official social media of Andalas University. For now the website and some official social media accounts of the Andalas University PPKS Task Force are inactive, but for the future the Andalas University PPKS Task Force will be more active again to provide education and socialization through the web and official social media of the Andalas University PPKS Task Force.²³

All the implementation of prevention provided by the PPKS Task Force of Andalas University to all students, education personnel, educators and campus residents will run smoothly if all of them play an active role in preventing sexual violence, because the prevention of sexual violence is not only carried out by the PPKS Task Force of Andalas University but must be done and strived together with (*Sivitas Academica*) itself, namely students and educators.

²¹ Interview with Ms. Yunarti, Chairperson of the PPKS Task Force at Andalas University, *Op.Cit*

²²*Ibid*

²³ Interview with the Secretary of the PPKS Task Force of Andalas University, Mrs. Sari, on Wednesday, October 9, 2024 at 10.00 WIB

The purpose of the preventive protection provided by the Andalas University PPKS Task Force is to prevent sexual violence before it occurs in the Andalas University environment, this is done to ensure the fulfillment of the basic right to education for all citizens. The Andalas University PPKS Task Force also provides education and socialization to students with the aim of training students, educators, educators, and campus residents regarding efforts to prevent and handle sexual violence at Andalas University. In terms of prevention provided by the Andalas Universtias PPKS Task Force, of course

Legal protection is all efforts towards the fulfillment of rights and assistance to provide security to victims and / or witnesses, legal protection for victims of crime as part of society, can be realized in various forms, such as through the provision of restitution, medical services, legal assistance and compensation.

2. Repressive Legal Protection

Repressive protection provided by the PPKS Task Force of Andalas University to witnesses and victims is as follows:²⁴

- a. Protection of confidentiality of identity to witnesses and victims for reporting

In terms of protecting the confidentiality of identity to witnesses and victims of the reporting done, the PPKS Task Force of Andalas University provides guarantee protection for the confidentiality of the identity of victims and witnesses. This is done to maintain confidentiality so that no one knows who is called by the PPKS Task Force of Andalas University regarding the case with the aim that the confidentiality of witnesses and victims is maintained.

As regulated in Article 53 Paragraph (1) Letter a Permendikbudristek Number 30 of 2021 concerning Prevention and Handling of Sexual Violence in the Higher Education Environment which says that Victims of Sexual Violence in Higher Education are entitled to guarantees of confidentiality of personal identity.

- b. Guarantee of protection from physical and non-physical threats from the perpetrator or other parties

The PPKS Task Force of Andalas University always conveys to victims or witnesses to avoid physical and non-physical threats and interventions from other parties not to tell anyone regarding reports that have reached the Andalas University PPKS Task Force. However, if the other party or perpetrator knows the victim or witness makes a report to the Andalas University PPKS Task Force and the victim or witness gets physical and non-physical threats, the task force will provide the protection needed by the victim or witness.

For example, when the victim gets a threat from his supervisor, the Andalas University PPKS Task Force will follow up and provide solutions, by

²⁴ Interview with PPKS Task Force Member of Andalas University, Mrs. Winda, *Op.Cit*

coordinating with the leadership to be replaced or transferred to another lecturer. The Andalas University PPKS Task Force always conveys to victims or witnesses to avoid physical and non-physical threats and intervention from other parties to not tell anyone about the reporting that has reached the Andalas University PPKS Task Force. This is done to maintain confidentiality so that no one knows who is called by the Andalas University PPKS Task Force regarding the case with the aim that the confidentiality of witnesses and victims is maintained.

c. Guarantee of continuing education for students on reporting

Guarantee the continuation of completing education provided by the PPKS Task Force of Andalas University for students, both victims and witnesses, by ensuring that any reporting students will not get the threat of *dropping out*, having their scholarships revoked, or being disadvantaged in their ability to attend lectures for reporting to the PPKS Task Force of Andalas University.

d. Guaranteed sustainability for educators and teaching staff

Sustainability assurance for educators and educators provided by the Andalas University PPKS Task Force, for educators and educators, the Andalas University PPKS Task Force with elements of the Andalas University leadership must ensure that educators and educators who are victims or witnesses of reports of alleged sexual violence will not be threatened with transfer, temporary or proper dismissal, reduction of work rights, or other things that hinder their work at Andalas University as a result of their report to the Andalas University PPKS Task Force.

e. protection from attitudes and behaviors of law enforcement officials that degrade and/or reinforce stigma against victims

Protection from the attitudes and behavior of law enforcement officials who demean and/or strengthen the stigma against victims of the Andalas University PPKS Task Force in providing protection in the form of assistance to victims and witnesses, and the Andalas University PPKS Task Force also collaborates with law enforcement officials, so that victims do not feel demeaned by law enforcement officials because the Andalas University PPKS Task Force provides assistance until the case experienced by the victim is completed with law enforcement officials, has collaborated with law enforcement officials.

f. Provision of safe houses

In terms of providing a safe house, the Andalas University PPKS Task Force will process reports from victims and witnesses if the reported perpetrator threatens or intimidates victims and witnesses. One of the cases handled by the PPKS Task Force of Andalas University was that the reported perpetrator intimidated the victim's house where the victim was uncomfortable with this because the PPKS Task Force of Andalas University provided a safe house for

victims and witnesses, where the location of the safe house was confidential and incidental.

The PPKS Task Force of Andalas University also coordinates with the Office of Women's Empowerment and Child Protection regarding the provision of safe houses for victims and witnesses who are undergoing the case.

- g. protection of security and freedom from threats relating to testimony given.

In terms of protection of security and freedom from threats related to the testimony given by the PPKS Task Force of Andalas University will guarantee security and freedom from threats and intimidation made by the reported victim and witnesses, in principle the PPKS Task Force of Andalas University in carrying out its duties prioritizes the safety and comfort of victims and witnesses. If the victim or witness gets a threat related to his testimony, the PPKS Task Force of Andalas University will provide the protection needed by the victim and witness.

- h. provision of access to information on protection rights and facilities

In terms of providing information about the rights and protection facilities, after the report comes from witnesses and victims to the PPKS Task Force of Andalas University, the PPKS Task Force of Andalas University will provide the rights of victims and witnesses to the reports that have been entered, and the PPKS Task Force of Andalas University will provide protection facilities to victims and witnesses.

The Andalas University PPKS Task Force in terms of rights and protection facilities is always ready 24 (twenty four) hours to be contacted by victims and witnesses who need assistance with reports that have been received by the Andalas University PPKS Task Force. Provision of information regarding protection rights and facilities will be provided by the PPKS Task Force together with the leadership of Andalas University.

- i. Coordination with related parties if the victim and/or the reporter gets criminal charges and civil lawsuits for the reported sexual violence events

In terms of protecting victims and / or whistleblowers from criminal charges and civil suits for reported incidents of sexual violence, as long as the PPKS Task Force of Andalas University was established until now, victims and witnesses have never been reported criminally or civilly. However, if the victim or witness gets criminal or civil charges then the PPKS Task Force of Andalas University will provide assistance in the form of advocates in collaboration with the Legal Aid Institute (LBH). So the Andalas University PPKS Task Force tries to facilitate whatever the needs of victims and witnesses.

- j. providing access to information on the implementation of protection

In terms of providing access to information on the implementation of protection, the Andalas University PPKS Task Force provides access to this

information. Andalas University PPKS Task Force has also conducted hearings with LPSK, Police and NGOs. The hearings that have been conducted by the PPKS Task Force of Andalas University are aimed at cases that require extra protection so coordination is carried out with the LPSK, Police and NGOs.

The Andalas University PPKS Task Force not only provides legal protection to victims of sexual violence that occurs at Andalas University, but also administrative sanctions given by the Andalas University PPKS Task Force for perpetrators if they are proven to have committed sexual violence, administrative sanctions are classified into 3 (three) forms, namely:

1. Light administrative sanctions in the form of a written warning or a written apology statement published in the internal campus, mass media or other sanctions that are educative in nature.
2. Moderate administrative sanctions are in the form of temporary dismissal from office without obtaining position rights or reducing rights as a student such as delays in attending lectures, revocation of scholarships, reduction of other rights.
3. Severe administrative sanctions in the form of permanent dismissal as a student, permanent dismissal from positions as educators of education personnel, or campus residents in accordance with the provisions of the laws and regulations of the relevant tertiary institution.

Currently, the legal protection provided by the Andalas University PPKS Task Force is still guided by Article 12 Paragraph (2) Permendikbudristek Number 30 of 2021, the Andalas University PPKS Task Force also hopes that there are regulations that regulate more specifically the prevention and handling of sexual violence at Andalas University in the form of rector regulations, where the regulations are more specific about the prevention and handling of sexual violence at Andalas University.²⁵

Based on interviews the author conducted with victims, the Andalas University PPKS Task Force has provided protection to victims starting from the time the report given by the victim to the Andalas University PPKS Task Force, where the Andalas University PPKS Task Force guarantees the confidentiality of the identity of the victim for the report given, and also the Andalas University PPKS Task Force also assists reporting to law enforcement officials, the Andalas University PPKS Task Force also provides assistance to victims so that there is no attitude and behavior of law enforcement officials who demean or strengthen the stigma against victims by accompanying victims while dealing with law enforcement officials. In addition, the Andalas University PPKS Task Force also assists victims in finding and collecting evidence from the perpetrator to be given to the authorities for reporting purposes.²⁶ The case experienced by the victim

²⁵ Interview with a member of the PPKS Task Force at Andalas University, Mrs. Winda, on Friday, August 9, 2024 at 09.00 WIB

²⁶ Interview with Victims of Sexual Violence at Andalas University

reached law enforcement officials and the only case ever handled by the PPKS Task Force of Andalas University reached law enforcement officials, the victim was one of 12 (twelve) victims of sexual violence criminal cases at Andalas University.

The case that reached law enforcement officials already has a permanent decision, namely the Padang District Court decision Number: 449/Pid.Sus/2023/PN.Pdg. The perpetrator was sentenced to 9 (months) imprisonment and a fine of 15 (fifteen) million or one (1) month imprisonment by the panel of judges of the Padang District Court. The perpetrator was found guilty of violating Article 14 paragraph 1 letter a of Law No. 12 of 2022 concerning the Crime of Sexual Violence together. Andalas University also gave *Drop Out* (DO) sanctions to the two perpetrators of sexual violence at Andalas University.

Andalas University PPKS Task Force in providing legal protection is guided by Permendikbudristek Number 30 of 2021 and does not use other legal bases such as the PSK Law and the TPKS Law. With the protection of the Andalas University PPKS Task Force, it is hoped that the rights of victims of sexual violence at Andalas University can be fulfilled and the right to education can run smoothly.

Feelings that arise as a result of sexual violence against victims such as heartache, suffering, fear and also various kinds of adverse effects that befall victims after the action must get serious attention by the PPKS Task Force of Andalas University. Victims should not be ignored alone fighting for the fate that befell them, but must be bridged by the PPKS Task Force of Andalas University in fighting for their fate.

The protection provided by the PPKS Task Force of Andalas University to victims of sexual violence must certainly run optimally because the impact of sexual violence on victims is not only physical but also psychological and social from victims. The protection provided by the Andalas University PPKS Task Force aims to make victims of sexual violence have a sense of security and comfort. The Andalas University PPKS Task Force in this case will provide assistance and protection needed by victims to support a sense of security and comfort, including the provision of safe houses for victims of sexual violence, protection of security and freedom from threats related to the testimony given, and providing access to information about rights and protection facilities.

Conclusion

Legal protection by the Andalas University PPKS Task Force for victims of sexual violence is the first Andalas University PPKS Task Force in providing preventive protection, namely by means of prevention through education and socialization to students, educators and educators by visiting faculties at Andalas University both the Andalas University campus located in Padang, Payakumbuh campus and Dharmasraya campus. Second, the PPKS Task Force of Andalas University in providing repressive protection in the form of protection of identity confidentiality, guaranteed protection from physical and non-physical threats, guaranteed continuity of completing education, guaranteed continuity of work for educators, protection from the attitudes and behavior

of law enforcement officials who demean or strengthen stigma to victims, provision of safe houses, protection of security and freedom from threats related to the testimony given, provision of access to information about rights and protection facilities, protection of victims from criminal charges and civil suits for sexual violence incidents that happen to them and provision of access to information on protection providers.

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