



## Criminal Accountability for Actors and Legal Protection for Online Cat Calling Criminal Victims

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### Abstract

The crime of sexual harassment is divided into 2 (two), namely verbal harassment and non-verbal harassment. One form of verbal sexual harassment is known as Cat Calling, which means harassment in a public space by giving obscene words related to sexuality where many of the victims are women. The increase in online internet-based technology and information has made cat calling sexual harassment common in the form of comments, photos and videos circulating on online social media. Criminal law in Indonesia which contains acts that can be categorized as sexual harassment is generally regulated in the Criminal Code (KUHP) with the addition of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Transactions Electronically (UU ITE) when done online. Most recently, sexual harassment or sexual violence or sexual violence is regulated in Law Number 12 of 2022 concerning Crimes of Sexual Violence. Cat Calling perpetrators can be held criminally responsible in accordance with applicable laws and regulations accompanied by strict sanctions in an effort to prevent and eradicate criminal acts of online Cat Calling sexual harassment and legal protection for victims of Cat Calling online is absolutely necessary to repair the trauma experienced by victims. This particular form of legal research belongs to the category of normative legal research, which focuses on analyzing the existing legal provisions, specifically within the realm of criminal law. So in this study it is necessary to reform criminal law as a whole which includes material (substantive) criminal law reform, formal criminal law and the law regarding the implementation of the crime itself related to the crime of sexual harassment Cat Calling online

**Keywords:** Cat Calling, Criminal Liability, Legal Protection, Sexual Harassment

### Introduction

Humans as social beings live and develop cannot be separated from interactions with other humans. On a larger scale, the relationship of social interaction is manifested through society. This social interaction in the development of the times with the existence of the internet is not only carried out conventionally but through the virtual world system (online) so as to form social networks (social networking) between individuals and other individuals. Various kinds of existing online social media applications such as whatsapp, line, twitter, facebook, gmail, tinder, instagram, zoom, etc., which are used as communication media make communication in today's digital era faster and easier.

The development of technology and information (online) also affects patterns of human interaction to make it easier and faster, on the one hand it provides benefits but on the other hand it can cause new problems including evil deeds through the technology and information media (online). Cybercrime between "virtual crime" or cybercrime has occurred in Indonesia since 1983 until now by misusing computers. Barda Nawawi Arief stated that the definition of crime related to computers is cybercrime. In terminology, crimes based on information technology using computer media, as is currently happening, can be referred to by several terms, namely: computer misuse, computer abuse, computer fraud, or computer crime (Edrisy, 2010). One of

the problems that arise with the development of technology and information is sexual harassment which is carried out online.

The history of the study of sexual harassment itself began in the 1970s which was sparked by the feminist movement in the United States, namely Lin Farley and Catherine A. MacKinnon, Reva B Siegel in her writing "A short history of Sexual Harassment". This article contains the history of the formulation and implementation of the concept of sexual harassment in US policy at that time, which began with reports of female workers (laborers) who recorded their experiences of harassment. The first note was written by Helen Campbell in 1887 entitled "Woman Wage Workers", in this note Campbell has identified forms of sexual extortion (sexual extortion) experienced by women factory workers and the garment industry in the United States (Geniusa, 2022). The latest modern study was conducted by Vicki Schultz and Margaret A. Crouch, both of whom corrected Catherine A. MacKinnon's previous views which were considered heterocentric. Current disagreements over the concept of sexual harassment mean that there is no single definition of sexual harassment. In Indonesia, the concept of sexual harassment began to be discussed in the 1990s. Starting from the late and early 2000s. Based on the academic report of the National Commission on Violence against Women (Komnas Perempuan) precisely in November 1999, sexual harassment was used in Komnas Perempuan's key document which examined women victims of the 1965 incident who were wives of political prisoners at the time, then studied the events of the May 1998 riots.

The right of every citizen to get protection from violence and to be free from torture or treatment that degrades human dignity is a constitutional right guaranteed in the 1945 Constitution of the Republic of Indonesia. Indonesia has committed to eliminating all forms of torture and degrading treatment of human dignity and discrimination against women, children and persons with disabilities through ratification of several international conventions, one of which is Law Number 11 of 2005 concerning Ratification of the International Covenant on Economic, Social, and Cultural Rights. and Law Number 12 of 2005 Concerning Ratification of the International Covenant on Civil and Political Rights (International Covenant on Civil and Political

Rights).

The phenomenon of sexual harassment is a disgraceful act because it is against the values of decency and human rights in society. These moral values originate from Pancasila which are then manifested into life that are linked to religious norms, decency norms, and legal norms. In general, sexual harassment is categorized into 3 (three) types, namely: (1). Sexual intimidation, (2). Gender harassment, (3). Unwanted sexual attention (Anggredi, 2021). One form of verbal sexual harassment that occurs in cyberspace (online) is the act of "Cat Calling". Sexual harassment is carried out to attack the sexual part or sexuality of the victim. Cat Calling by the Oxford Dictionary is defined as "*as whistle, calls and comments of a sexual nature*" (Halim, 2021). Verbal actions in the form of whistles, comments, calls that lead to sexuality are generally carried out by men against women which cause feelings of anxiety and discomfort. For example: "Hey sexy, how are you?", "Yours is so big, isn't it? like mangoes", "where are you going, deck? I'm here, my brother is delivering it", "beautiful, why don't you just stay at home on Sunday night? Will you pick me up?", etc. The problem that arises is that the act of Cat Calling is often seen as a spontaneous act that is a joke so that the victim does not feel that he has been sexually harassed. In addition to this, victims of Cat Calling often prefer to remain silent about the act leading to them because they do not know how to report or the act of non-verbal sexual harassment is embarrassing if it is known by others.

Actually, there are various ways to find out whether someone has experienced sexual harassment or not. Through the question-and-answer interview method and asking someone to tell about their life experiences, in which the victim is given a list of behaviors that can be categorized as sexual harassment behavior. Fitzgerald put forward the Sexual Experience Questionnaire (SEQ) method to calculate a person's experience of receiving sexual harassment behavior. Fitzgerald put forward 5 (five) important points in the form of gender harassment, seductive behavior, sexual bribery, sexual coercion, and sexual assault (touching). (Ishak, 2020) Acts of sexual harassment can lead to many negative outcomes such as depression, PTSD symptoms, decreased mental health, feelings of isolation and powerlessness, guilt and shame for oneself, resulting in insomnia (Ishak, 2020). Research shows that almost all correspondents see cases of online sexual harass-

ment against women with a percentage of 94.6%, then the social media that is most vulnerable to sexual harassment of women is Instagram with a percentage of 67.3%. This is because Instagram has the most complete features and is most liked by people today. Furthermore, the most frequently encountered form of sexual harassment was in the form of comments with a percentage of 60%, harassment in the form of videos with a percentage of 9.1%, harassment in the form of photos with a percentage of 6% and 1.3% in the form of private messages (Faradilla, 2021).

Criminal sanctions and strict criminal law enforcement are needed in terms of the criminal act of sexual harassment by Cat Calling which is carried out through the internet media. According to Soedarto, criminal law functions in regulating social life and guaranteeing the implementation of order in social life. Criminal sanctions become a tool to regulate and provide consequences in every action that violates the interests of society. Soedarto further stated that criminal law is a means of protecting individual interests because criminal law protects against 3 (three) basic interests of each individual, namely (Hiariej, 2016):

1. Protection of life. Therefore the Criminal Code contains articles relating to crimes against life;
2. Protection of property as outlined in articles relating to crimes against property;
3. Protection of honor, both decency and reputation. Thus, the Criminal Code also contains articles that regulate crimes against decency and crimes related to defamation.

Besides that, criminal law is a tool of the state to mobilize criminal law enforcement instruments owned by the state through law enforcement officials in relation to formal criminal law. It has been explained about the background of the crime of sexual harassment above, so in this legal research 2 (two) legal issues are raised which will be discussed as follows:

1. Can Cat Calling conducted online be categorized as a crime of sexual harassment based on the criminal law system in Indonesia?
2. What is criminal responsibility for perpetrators and legal protection for victims of online Cat Calling sexual harassment crimes in Indonesia?

## Materials and Method

This particular form of legal research belongs to the category of normative legal research, which focuses on analyzing the existing legal provisions, specifically within the realm of criminal law. Moris L Cohen presented Peter Mahmud Marzuki's viewpoint that defines legal research as the systematic exploration of laws that regulate human activities within a society (Marzuki, 2017). Legal research essentially starts from human curiosity expressed in the form of problems or questions, where each of these legal problems and questions requires an answer and will gain new knowledge that is considered true. Besides that, this legal research is a doctrinal research that provides or produces a systematic explanation of the legal norms or rules governing a particular category. (Rijadi, 2017) The problem approach in this legal research uses a statute approach which is carried out by examining the laws and regulations that are related to the legal issues being discussed. This legal research also uses a conceptual approach (conceptual approach) which according to Peter Mahmud Marzuki is to move on to the views of experts so that researchers need to look for the legal ratio and the ontological basis for the creation of laws and researchers can understand the philosophical content behind the law. and concluding whether or not there is a philosophical clash between the law and the issues at hand, and is accompanied by a case approach).

## Results and Discussion

### Mala in se in Catcalling as a criminal act of sexual harassment

As previously explained that sexual harassment (*zeden, eerbaarheid*) can be done verbally and non-verbally. On this matter there is a difference of opinion between Simons and W.F.L. Buschkens. Simons stated that modesty/decency is an act related to sexual lust, for example touching a woman's breasts, touching a woman's genitals, showing a woman's genitals, kissing, etc. While W.F.L. Buschkens argues that what is meant by damaging honor (humiliation) is a general understanding which also includes damaging decency. Includes statements both in words and in deeds concerning sexual desire. More W.F.L. Buschkens argues that the destructive nature of the decency sometimes depends on public opinion at the time and place at which the act was committed (Soesilo, 1991). The crime of sexual

harassment is divided into 5 (five) forms namely (Fatura, 2019):

1. Physical or direct contact with the body (non-verbal), this form of harassment occurs by direct touch through the five senses. Such as: pinching, kissing, staring with lust, stroking, and so on;
2. Oral, or verbal abuse, this form of sexual harassment occurs when the offender utters unwanted words or comments, whether in the form of personal life or other matters of a sexual nature. Actions like this are a form of sexual harassment that is often not considered by women as sexual harassment. Not infrequently the community also considers that verbal or verbal sexual harassment is a common thing;
3. Gestures, this sexual harassment is carried out through body language to express a sexual intention;
4. Written, graphic or video media, this form of harassment often occurs in the modernization era, whether it is in the form of immoral or pornographic text, pictures or videos that are given someone while the person who was given the video did not want it.

According to Chun's perspective, Catcalling can be described as the utilization of offensive language, spoken or non-verbal expressions that occur in public spaces like streets, sidewalks, or bus stops. Verbal instances of catcalling typically consist of wolf whistles or comments that objectify and judge a woman's physical appearance. Non-verbal expressions often involve suggestive looks and physical gestures aimed at evaluating a woman's attractiveness (O'Leary, 2016). *Cat Calling which is done online through internet media can be classified as cybercrime, this is because the character of cybercrime itself according to Deris Setiawan is divided into 4 (four) as follows:*

1. Unlawful, unauthorized, or unethical activities taking place in the digital realm pose challenges in determining the applicable legal jurisdiction, as they transcend national boundaries.
2. These activities are performed using any internet-connected devices.
3. Such actions lead to substantial tangible and intangible losses, including time, value, services, finances, goods, self-worth, dignity, and the compro-

mise of confidential information. These losses often surpass those incurred in traditional crimes.

4. Perpetrators of these acts possess advanced knowledge of internet usage and its applications. They frequently operate across national borders, making them transnational in nature (Setiawan, 2005).

Cat Calling online sexual harassment can occur anywhere, anytime and by anyone considering that currently internet-based social media has become a necessity of life for people in communicating. For example, a female worker for the Kawan Lama Group company who claimed to be verbally abused by her co-workers via the Whatsapp group, where the victim was voluntarily asked to be a model for one of her office products, after the shooting process, the photographer uploaded one of the victim's photos to the Whatsapp group of the marketing team. . The photo shows a little underwear under the dress worn by the victim because when the photo was taken he was not ready to start the shooting process, so there was still a bra attached to his back (Hapsari, 2022).

Another online cat calling case was experienced by a student at the Islamic University of Kalimantan (UNISKA) Muhammad Arsyad Al Banjari. The case began on September 11 2021, the victim wanted to consult regarding a scholarship application via WhatsApp message to the perpetrator, who was referred to as an unscrupulous campus employee. Different from what was expected, the victim actually received a response outside of the discussion regarding the scholarship program. The person not only asked about the identity of the victim but also asked him to go out and do something indecent (Eglacia, n.d.).

The criterion of reprehensible online cat calling sexual harassment as a crime can be seen in the doctrine of crime according to Moeljatno which states that acts of crime/disgraceful injure the values that we want to maintain deeply in social life. The measure of blameworthiness can be very diverse, there are 4 (four) sizes of blameworthiness as follows: First, an action is declared disgraceful if naturally (naturally) the act is deemed disgraceful. This is in line with the view according to "action deontology" which states that the good or bad of behavior must be measured from the nature of the behavior itself, not from its consequences. Second, an action is declared disgraceful if the act violates the prohibition norms stipulated in the laws and regulations. In this context, the nature of disgrace is formal

because it is based on positive legal provisions, this attitude is in line with adherent's ethical theory "rule deontology". Third, an act is declared disgraceful depending on the habit of the act being opposed by society. Such a view is based solely on social aspects. As long as the community still considers the act to be reprehensible, then the act is categorized as a disgraceful act. Fourth, an action is declared disgraceful if the action is concretely proven to be of no benefit. This view departs from the ethical theory of "teleologism" which positions behavior as good or bad solely in terms of the consequences that will be received. If the behavior in the future brings many benefits, then the action will be considered good (Shidarta, 2013).

The definition of "mala in se" (plural) or "malum in se" (single form) is "wrong in themselves, act morally wrong, offends against conscience (wrong in itself, acts morally wrong, violates conscience).(Yuherawan et al., n.d.)" It can be said that the act of mal in se is an act that is indeed wrong and indeed evil even before it is regulated by a statutory regulation that exists in positive law. Mala in se means that the act was intended to damage, destroy, harass, disgrace and other evil qualities (evil inside) regardless of the motive for the act. The act of mal in se has the highest degree of reprehensibility among other disgraceful acts.

## **B. Criminal liability for perpetrators and legal protection for victims of the criminal act of sexual harassment Cat Calling through the Internet media**

Every criminal act that has been regulated in laws and regulations which contain criminal sanctions can be enforced by the state by using existing legal instruments. The imposition of criminal sanctions on anyone who violates the material rules of criminal law aims to maintain the effectiveness of the criminal law itself. Andi Hamzah's opinion states that the determination of legal responsibility has almost the same objective as the criminal objective, which among other things is as a deterrent effect, both aimed at lawbreakers and those with the potential to become criminals. Legal protection for the community from evil deeds, as well as reforms for criminal (Hamzah, 2004).

The ability to be responsible for a person in criminal law is regulated *a contrario* in Article 44 of the Criminal Code which regulates that anyone who commits an act for which he cannot be held accountable because of an imperfect

mind or because of an illness changing his mind should not be punished. Furthermore, Roeslan Saleh stated that in determining the ability to be responsible, it was determined based on 2 (two) factors, namely the factor of reason and the factor of will. Reason as a determinant of which actions are permissible and which are not permissible, while the will can adjust the level of behavior with awareness of what is permissible and what is not permissible. Agreeing with Roeslan Saleh, Andi Hamzah also stated that the perpetrators of criminal acts can be held accountable including the possibility of determining their behavior with their will and understanding the real purpose of their actions.(Hamzah, 2004)

The concept of criminal responsibility (liability) is very closely related to the teaching of guilt which in Latin is known as *Mens Rea*. *Mens rea* teachings are based on *actus non facit reum nisi mens sit rea*, which means that an act does not result in a person being guilty unless the person's thoughts are evil. In English the doctrine is formulated as "an act does not make a person guilty, unless the mind is blameworthy guilty" so that there are 2 (two) conditions that must be met in order to convict someone, namely there is an outward act that is prohibited (*actus reus*) and there is evil / despicable mental attitude (*mens rea*) (Hanafi, 1999).

Criminal liability is intended to determine whether a person is responsible for a criminal act that occurred or not. The elements of accountability from a psychological point of view must also be sought in the minds of the perpetrators which show a relationship with the actions committed so that the perpetrators can be held accountable for their actions. A person who has a mental disorder cannot be said to have an inner connection between himself and the actions he is doing, because that person is not aware of the consequences of his actions. Until now the laws and regulations that regulate several forms of sexual violence, however, are very limited in form and scope. Laws and regulations have not been fully able to respond to the facts of sexual violence that occur and develop in society. Apart from that, efforts to prevent and involve the community are still needed in order to create an environment free from sexual violence so as to guarantee legal certainty and meet the legal needs of society.

Cat Calling online sexual harassment in the criminal law system in Indonesia is regulated in CHAPTER XIV Article 281, Article 289 of the Criminal Code in conjunction with Article 9, Ar-

Article 34 of Law No. 44 of 2008 Concerning Pornography, Article 27 paragraph (3) jo Article 45 paragraph (1) ) Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 concerning Information and Electronic Transactions (UU ITE), Article 14 letter b of Law Number 12 of 2022 concerning Crimes of Sexual Violence as follows:

**Article 281 of the Criminal Code:**

"Punished with imprisonment for a maximum of 2 (two) years and 8 (eight) months whoever intentionally breaks decency in public; whoever intentionally spoils modesty in front of other people who are present not of his own free will".

**Article 289 of the Criminal Code:**

"Whoever with violence or threats of violence forces someone to commit or allow obscene acts, is punished for damaging decency with a maximum imprisonment of 9 (nine) years".

**Article 9 in conjunction with Article 35 of Law No. 44 of 2008:**

"Everyone is prohibited from using another person as an object or model that contains pornographic content"; "Anyone who makes another person an object or model that contains pornographic content as referred to in Article 9 shall be subject to imprisonment for a minimum of 1 (one) year and a maximum of 12 (twelve) years and/or a minimum fine of Rp. 500,000,000 (five hundred million rupiah) and a maximum of Rp. Rp. 6,000,000,000 (six billion rupiah)."

**Article 27 paragraph (3) in conjunction with Article 45 paragraph (1) of the ITE Law:**

"everyone intentionally and without rights distributes and/or transmits and/or makes electronic information and/or documents electronically containing insults and/or defamation accessible." reputation", "Anyone who fulfills the elements referred to in 27 paragraph (1), paragraph (2), paragraph (3) or paragraph (4) shall be punished with imprisonment for a maximum of 6 (six) years and/or a fine of up to Rp. 1,000,000,000 (one billion rupiah)."

**Article 14 letter b Law No. 12 of 2022:**

"Anyone who without rights transmits electronic information and/or electronic documents with sexual content against the will of the recipient aimed at sexual desire is punished for committing electronic-based sexual violence, with a maximum imprisonment of 4 (four) years and/or a maximum fine of Rp.

200,000,000 (two hundred million rupiah)".

The thing that is confusing is the arrangement in Article 5 of Law no. 12 of 2022 which clearly states that "everyone who commits non-physical sexual acts aimed at the body, sexual desires, and/or reproductive organs with the intention of demeaning a person's dignity based on his sexuality and/or decency, is punished for non-physical sexual harassment by maximum imprisonment of 9 (nine) months and/or a maximum fine of Rp. 10,000,000 (ten million rupiah). This can be seen from the application of sanction's, the crime of Cat Calling is still far below the act of physical sexual harassment. This has sparked debate because the Criminal Code and the ITE Law provide heavier criminal sanctions than Law no. 12 of 2022 concerning the Crime of Sexual Violence itself.

Even though it was previously explained that the Cat Calling action was an evil act that also had a big impact on the victims. In terms of applying heavier criminal sanctions using the Criminal Code & the ITE Law, it indicates that the Government has failed to see cat calling as an act of sexual harassment which is mal in se in it. This further distances the spirit of preventive legal protection in preventing matters of sexual harassment from happening in the future. Criminal law in Law no. 12 of 2022 is still repressive in nature by still focusing on losses to the body (through the application of heavier criminal sanctions) rather than losses to honor and good name which have already been verbally abused. In fact, this criminal act of verbal sexual harassment has become an entry point in several more dire cases that can cause harm to a person's life and body. In terms of the impact arising from a crime Cat Calling sexual harassment online is as follows:

1. Shame; someone who is a victim of online Cat Calling sexual harassment feels ashamed because it can be seen by many people when it occurs on social media where many people can see it;
2. Fear; a person who is a victim of online Cat Calling sexual harassment becomes afraid and worried that it is possible that everyone who sees him on the social media platform will commit acts of sexual harassment and

- even rape against him; remembering how easily other people harass him;
3. Depression; victims of Cat Calling can also be depressed about sexual harassment that leads to their body shape. The victim began to think that outwardly he was wrong by having such a body shape which became the material for the Cat Calling that occurred.
  4. Economy; victims of Cat Calling because they have been harassed and many people know or even take part in the verbal abuse, making them a person who not enthusiastic and lose enthusiasm in continuing and improving their standard of living.

Based on the provisions of Article 6 of Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Protection of Witnesses and Victims it states that victims of gross human rights violations, victims of criminal acts of terrorism, victims of criminal acts of trafficking in persons, victims of criminal acts torture, victims of criminal acts of sexual violence, and victims of serious abuse, have the right to receive medical assistance; and psychosocial and psychological rehabilitation assistance. Mechanism for handling online Cat Calling sexual harassment crimes in order to demand criminal accountability for perpetrators of online Cat Calling sexual harassment crimes based on Law no. 12 of 2022 are as follows:

1. Within a period of 1 x 24 hours (one twenty-four) hours from receiving a report on a crime of sexual violence, the Police can provide temporary protection to the victim for up to a period of 14 (four) days (Article 42 of Law No. 12 of 2022).
2. Families, police, prosecutors, companions, judges have the right to issue stipulations to limit the movement of the perpetrators, both those aimed at keeping the perpetrators away from the victim within a certain distance and time or limiting certain rights of the perpetrators (Article 42 paragraph (3) in conjunction with Article 45 of Law No. 12 of 2022);
3. The central government, through the ministry of communication and information, has the authority to delete and/or terminate access to electronic information and/or electronic documents containing criminal acts of sexual violence submitted by the prosecutor through the head of the

district court. (Article 46 in conjunction with Article 47 of Law No. 12 of 2022);

4. Examination of witnesses and/or victims (Article 48, Article 49, Article 50 of Law No. 12 Year 2022);
5. The investigation process is carried out in a special room at the police station, in certain cases the examination can be carried out at the UPTD PPA or other places. Before conducting an examination of the victim, the investigator must coordinate with the companion regarding the readiness and needs related to the victim's condition, even in the case of the victim experiencing severe trauma. can submit questions through a companion (Article 52 in conjunction with Article 54 of Law No. 12 of 2022);
6. Prosecution Process; The Public Prosecutor, if deemed necessary, can hold a preliminary meeting with witnesses and/or victims after receiving or receiving back the complete investigation results from the investigator. The Public Prosecutor also conveys and explains information regarding:
  - a. Judicial process;
  - b. The rights of witnesses and/or victims, including the right to apply for restitution and the procedures for filing it;
  - c. Consequences of the decision of witnesses and/or victims to attend or not attend the examination at trial to ensure that witnesses and/or victims can understand the situation; and
  - d. Examination outside the court through electronic recording and/or direct remote examination with audiovisual communication devices can be carried out if witnesses and/or victims cannot attend court for reasons of health, security, safety, and/or other valid reasons (Article 56 Law No. 12 of 2022);
7. The Public Prosecutor in describing facts and actions related to sexuality as much as possible avoids overly detailed, vulgar and excessive descriptions in the indictment while still paying attention to accurate, clear and

complete descriptions aimed at respecting human rights, dignity and privacy of victims and preventing victimization of victims (Article 57 of Law No. 12 of 2022);

8. Examination of cases of criminal acts of sexual violence is carried out in private, however, the judge's decision is carried out in a trial that is open to the public while keeping the identities of witnesses and/or victims confidential (Article 58 in conjunction with Article 59 Law no. 12 Year 2022).

Then regarding legal protection for victims of the crime of sexual harassment online Cat Calling according to Law No. 12 of 2022 are as follows:

1. Victims have the right to treatment, protection and recovery since the crime of sexual violence occurred, even victims with disabilities have the right to proper accessibility and accommodation to fulfill their rights (Article 66 of Law No. 12 of 2022);
2. The rights of victims include: (Article 68, Article 69, Article 70 of Law No. 12 of 2022)
  - a. The right to information on all processes and results of handling, protection and recovery;
  - b. The right to obtain documents as a result of handling;
  - c. The right to legal services;
  - d. The right to psychological reinforcement;
  - e. The right to health services includes examination, action and medical treatment;
  - f. The right to services and facilities according to the special needs of victims; and
  - g. The right to remove sexually charged content for cases of sexual violence with electronic media;
  - h. Protection from threats or violence by perpetrators and other parties and the recurrence of violence;
  - i. Protection from the demeaning attitude and behavior of law enforcement official's victim;
  - j. Self-protection from job loss, job transfer, education, or political access;
  - k. Protection of victims and/or reporters from criminal charges or civil

lawsuits for sexual violence crimes that have been reported;

1. The right is given psychological reinforcement, spiritual and spiritual guidance.
3. The right to recovery after the court process which includes periodic and sustainable monitoring, examination, and physical and psychological health services for victims; Strengthening community support for victim recovery, assisting in the use of restitution and/or compensation, providing social security services in the form of health insurance and other social assistance according to needs based on an integrated team assessment, economic empowerment and provision of other needs based on the identification results of UPTD PPA and/or Provider Agencies Community-Based Services (Article 70 of Law No. 12 of 2022).

In addition to repressive efforts, preventive efforts against the criminal act of online Cat Calling sexual harassment must be carried out, for this reason the Central Government and/or Regional Governments are required to organize education and training for law enforcement officials, government service personnel, and service personnel at Community-Based Service Providers with ongoing monitoring. The community is also required to play an active role in efforts to prevent the crime of sexual harassment by online Cat Calling by cultivating literacy and education about crimes of sexual violence for all ages of society to prevent criminal acts of sexual violence from occurring and not to become victims or perpetrators. Besides that, it creates environmental conditions that can prevent criminal acts of sexual violence from occurring.

## Conclusion

1. The crime of online sexual harassment is still considered as an act that is not a crime, the people in Indonesia, especially in this case, consider that the act of Cat Calling is a natural action that is carried out as material for daily conversation and can even be used as a joke . Even though the physical and psychological impact caused is almost the same as the crime of non-verbal (physical) sexual violence. Even though Cat



Calling is an evil and cruel act that someone can easily do and even that person is not aware that he or she is the perpetrator of Cat Calling. In some cases, victims of Cat Calling experience severe depression that takes a toll on their minds and minds, which will take a long time for the wounds to heal.

2. Perpetrators of the crime of sexual harassment by Cat Calling can be punished, and victims of the crime of sexual harassment by Cat Calling are entitled to adequate legal protection. In fact, cat calling is still not popular among academics and legal practitioners, especially law enforcement officials. The application of criminal sanctions has not been maximized where the criminal sanctions imposed on Cat Calling are still far below the criminal sanctions imposed on criminal acts which have almost the same impact on victims. Besides that, there are still many law enforcement officials who are not educated in preventing or repressive efforts against the crime of online Cat Calling sexual harassment, causing the recurrence of this crime in the future.

### Suggestion

1. It is necessary to reform the criminal law as a whole which includes reforming the material (substantive) criminal law, the formal criminal law and the law regarding the implementation of the crime itself related to the crime of online Cat Calling sexual harassment. The public needs to be made aware that online cat calling sexual harassment is an internet-based crime (cybercrime) with a very serious impact, so that the use of internet-based social media can be used in a good way in accordance with its designation as a means of communication and information technology;
2. There are several provisions in material criminal law that must be subject to a judicial review relating to the criminal act of online Cat Calling sexual harassment, because it is still far from the expected justice in realizing a just and prosperous society. Especially in terms of the imposition of existing criminal sanctions and remedies for victims. Also required serious attention by the State in terms of preventing the criminal act of Cat Calling by conducting socialization and education on a regular basis to law enforcement officials and the wider community, as well as continuous monitoring and control and evaluation of this matter.

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