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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Indonesia's Legal Framework Against Online Child Sexual Exploitation and Trafficking

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Abstract. *The rapid expansion of digital technologies has transformed the nature of child exploitation, creating new forms of online sexual abuse and technology-facilitated human trafficking. Indonesia faces increasing challenges in protecting children from online grooming, sextortion, child sexual abuse material (CSAM), and trafficking conducted through social media and digital platforms. This study aims to analyze the adequacy of Indonesia's legal framework in protecting child victims of online sexual exploitation and technology-facilitated trafficking. Employing normative juridical research, the study examines relevant legislation, including Law No. 35 of 2014 concerning Child Protection, Law No. 21 of 2007 concerning the Eradication of Human Trafficking, Law No. 12 of 2022 concerning Sexual Violence Crimes, and Law No. 1 of 2024 concerning Electronic Information and Transactions. The analysis is supported by reports from UNICEF, ECPAT, and other empirical studies on online child exploitation in Indonesia. The findings indicate that although Indonesia has established a relatively comprehensive legal framework, significant challenges remain, including legal fragmentation, underreporting of cases, limited digital forensic capacity, and insufficient inter-agency coordination. The study argues that strengthening child safeguarding policies, harmonizing relevant legislation, and enhancing institutional capacity are essential to ensure effective protection of children in the digital environment.*

Keywords: *Child Protection; Digital Safety; Human Trafficking; Indonesia; Online Exploitation.*

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1. Introduction

The rapid development of digital technologies has fundamentally transformed the nature of child sexual exploitation and trafficking. Digital platforms, social media, messaging applications, online gaming environments, livestreaming services, and other electronic systems have created new opportunities for communication and social interaction, but they have also provided perpetrators with increasingly sophisticated mechanisms to target, groom, recruit, manipulate, and exploit children. Online child sexual exploitation and trafficking therefore represent a complex form of contemporary criminality that extends beyond traditional geographical boundaries and challenges conventional approaches to criminal justice and child protection. The persistent circulation of exploitative digital material can also prolong the harm experienced by victims even after the initial act of abuse has ended.

Indonesia has developed a broad normative and criminal law framework to address these forms of exploitation. Constitutional guarantees concerning the protection of children are reinforced by legislation on child protection, trafficking in persons, sexual violence, and electronic information. Law Number 35 of 2014 concerning Child Protection, Law Number 21 of 2007 concerning the Eradication of the Criminal Act of Trafficking in Persons, and Law Number 1 of 2024 concerning the Second Amendment to the Electronic Information and Transactions Law provide important legal foundations for preventing and prosecuting exploitation. Indonesia has also strengthened its international commitments through the ratification of the Optional Protocol to the Convention on the Rights of the Child concerning the sale of children, child prostitution, and child pornography. These instruments demonstrate the state's recognition that children require enhanced protection from sexual exploitation in both physical and digital environments.

Nevertheless, the existence of legal provisions does not automatically guarantee effective protection. Online exploitation presents significant legal and institutional challenges because perpetrators may operate anonymously, use encrypted communications, exploit multiple digital platforms, and conduct activities across national borders. Electronic evidence can be rapidly deleted, concealed, or transferred between jurisdictions, while the identification and preservation of evidence may exceed the technical capabilities of conventional investigative mechanisms. Furthermore, overlapping legal provisions concerning child protection, trafficking, sexual violence, and cybercrime may create difficulties in determining the appropriate legal classification of particular conduct.

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Institutional fragmentation represents an additional challenge. Effective responses require cooperation among law-enforcement agencies, prosecutors, courts, child-protection institutions, social services, healthcare providers, electronic-system providers, and international partners. Weak coordination may result in delayed intervention, inadequate evidence management, inconsistent enforcement, and insufficient victim assistance. Children may also experience secondary victimization when investigative and judicial procedures fail to account for their age, vulnerability, privacy, and psychological condition.

2. Research Methods

This study aims to analyze the adequacy of Indonesia's legal framework in protecting child victims of online sexual exploitation and technology-facilitated trafficking. Employing normative juridical research, the study examines relevant legislation, including Law No. 35 of 2014 concerning Child Protection, Law No. 21 of 2007 concerning the Eradication of Human Trafficking, Law No. 12 of 2022 concerning Sexual Violence Crimes, and Law No. 1 of 2024 concerning Electronic Information and Transactions.

3. Results and Discussion

3.1. The Normative and Criminal Law Framework for Combating Online Child Sexual Exploitation and Trafficking

Indonesia has developed a multidimensional legal framework to combat child sexual exploitation and trafficking, including forms of exploitation facilitated through digital technologies. The constitutional foundation of this framework is derived from the 1945 Constitution of the Republic of Indonesia, which recognizes the protection of children as part of the state's fundamental responsibility. Article 28B paragraph (2) expressly guarantees every child's right to survival, growth, and development, as well as protection from violence and discrimination. This constitutional mandate establishes an important basis for developing legislation that addresses both conventional and technology-facilitated forms of child exploitation.

At the statutory level, Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 on Child Protection constitutes one of the principal legal instruments for protecting children against sexual exploitation and abuse. The legislation strengthens criminal protection against sexual violence and exploitation involving children and emphasizes the state's responsibility to provide protection and recovery. Its importance becomes increasingly significant in the

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digital environment, where children may be targeted through social media, messaging applications, online gaming platforms, and other electronic communication systems. Digital technologies can facilitate grooming, manipulation, sexual extortion, production and distribution of exploitative material, and commercial sexual exploitation.

Law Number 21 of 2007 concerning the Eradication of the Criminal Act of Trafficking in Persons provides another essential component of the legal framework. The law criminalizes trafficking in persons for various exploitative purposes and provides heightened protection for children as particularly vulnerable victims. In online cases, trafficking may occur through digital recruitment, advertising, communication, or coordination, even where the subsequent exploitation takes place partly or entirely in the physical world. Accordingly, digital evidence can become essential for establishing recruitment, control, transactions, communication, and the purpose of exploitation.

Indonesia has also strengthened its international legal commitments through ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution, and child pornography through Law Number 10 of 2012. This instrument reinforces Indonesia's obligation to prevent and criminalize conduct involving the sale and sexual exploitation of children and to provide appropriate protection and assistance to child victims.

The electronic dimension of child protection is further addressed through Law Number 1 of 2024, which amended Law Number 11 of 2008 concerning Electronic Information and Transactions. Significantly, the amended law introduces specific obligations for electronic-system providers to protect children who access or use their systems. Providers are required to implement measures concerning age information, child-user verification, and reporting mechanisms for misuse that violates or potentially violates children's rights. This represents an important movement from a purely criminal-law approach toward preventive regulation of the digital environment.

Nevertheless, the effectiveness of this normative framework depends on coherent implementation. Overlapping provisions concerning child protection, trafficking, sexual violence, and electronic information may create challenges in determining the appropriate legal classification of conduct. Law-enforcement authorities therefore require specialized capabilities in digital investigation, electronic evidence, and technology-facilitated trafficking. Ultimately, Indonesia's legal framework must integrate criminal accountability, preventive platform obligations, child-sensitive procedures, and victim protection to ensure that

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technological development does not create new spaces for the exploitation and trafficking of children.

3.2. Legal and Institutional Challenges in Addressing Online Child Sexual Exploitation and Trafficking

Despite the development of a comprehensive legal framework, Indonesia continues to face significant legal and institutional challenges in addressing online child sexual exploitation and trafficking. The rapid expansion of digital technologies has transformed the nature, scale, and methods of child exploitation. Perpetrators can use social media, messaging applications, online gaming platforms, livestreaming services, and other digital environments to identify, groom, manipulate, recruit, and exploit children. The speed and anonymity of online interactions frequently exceed the capacity of traditional legal and institutional mechanisms, creating a persistent gap between regulatory objectives and effective enforcement.

One of the principal legal challenges concerns the characterization of technology-facilitated exploitation. A single incident may involve several forms of criminal conduct, including child sexual abuse, sexual exploitation, trafficking in persons, distribution of prohibited electronic content, and sexual violence. Determining which legal provisions should apply may become complex when recruitment occurs online but exploitation takes place offline, or when digital platforms are used across multiple jurisdictions. This complexity can affect investigation, prosecution, sentencing, and the availability of victim-protection mechanisms. Law-enforcement authorities therefore require an integrated interpretation of child-protection, anti-trafficking, sexual-violence, and cybercrime legislation.

Electronic evidence presents another major challenge. Online exploitation frequently involves encrypted communications, anonymous accounts, disappearing content, foreign-based platforms, cryptocurrency transactions, and rapidly deleted digital material. Investigators must be able to identify, preserve, authenticate, and analyze electronic evidence while maintaining procedural safeguards. Limited technical capacity, insufficient specialized personnel, and difficulties in obtaining information from technology companies can impede investigations. Cross-border cases are particularly challenging because perpetrators, victims, servers, financial transactions, and digital platforms may be located in different countries, requiring effective international cooperation and timely access to digital evidence.

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Institutional fragmentation also affects the effectiveness of protection. Cases involving children may require the involvement of police investigators, prosecutors, courts, child-protection institutions, social workers, healthcare professionals, educational institutions, immigration authorities, and digital-platform providers. Without clear coordination and referral mechanisms, victims may encounter repeated procedures, delayed assistance, or uncertainty regarding institutional responsibilities. The absence of integrated case-management systems can further hinder information sharing and continuity of protection from identification through recovery.

Another critical challenge is the capacity of institutions to apply child-sensitive and victim-centred procedures. Children involved in online sexual exploitation may experience trauma, shame, fear, social stigma, and psychological pressure. If investigative or judicial procedures require repeated testimony or fail to protect privacy, the legal process itself may produce secondary victimization. Institutions therefore require specialized training in interviewing children, handling sensitive digital evidence, protecting identities, and providing psychological and legal assistance.

Finally, regulatory obligations imposed on digital platforms must be accompanied by effective governmental supervision. Platforms should have mechanisms for identifying risks, receiving complaints, restricting harmful content, and protecting child users. However, regulatory effectiveness depends on monitoring, transparency, accountability, and meaningful sanctions for non-compliance.

Ultimately, addressing online child sexual exploitation and trafficking requires more than expanding criminal provisions. Indonesia needs stronger institutional coordination, specialized digital-investigation capacity, international cooperation, platform accountability, child-sensitive justice mechanisms, and comprehensive victim support. Closing these legal and institutional gaps is essential to ensure that technological development does not outpace the state's capacity to protect children from increasingly sophisticated forms of exploitation.

3.3. Reconstruction of a Victim-Centred and Technology-Aware Legal Protection Model

The increasing use of digital technologies in facilitating child sexual exploitation and trafficking requires Indonesia to reconstruct its legal protection framework toward a victim-centred and technology-aware model. Conventional approaches that primarily emphasize the identification, prosecution, and punishment of offenders are no longer sufficient to address the complex and continuing harms

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experienced by children in digital environments. Online exploitation can involve grooming, sexual extortion, recruitment, livestreaming, production and distribution of exploitative material, and commercial exploitation, while digital content may continue circulating long after the initial abuse has occurred. Legal protection must therefore respond not only to the criminal conduct but also to the continuing vulnerability, trauma, privacy violations, and social consequences experienced by child victims.

A victim-centred model requires children to be recognized as rights-holders rather than merely as sources of evidence in criminal proceedings. The best interests of the child should guide every stage of the legal process, from identification and investigation to prosecution, adjudication, rehabilitation, and reintegration. Law-enforcement institutions should adopt child-sensitive procedures that minimize repeated interviews, protect victims from direct confrontation with perpetrators, and prevent unnecessary exposure of sensitive information. Privacy protection is particularly important in online exploitation cases because disclosure of a child's identity, images, or personal information can cause additional and potentially permanent harm.

The reconstruction of legal protection must also incorporate a stronger preventive dimension. Digital platforms and electronic-system providers should bear appropriate responsibilities for reducing risks to children within their services. This may include age-appropriate design, effective age-assurance mechanisms, reporting and complaint channels, content moderation, risk assessments, and procedures for responding rapidly to suspected child sexual exploitation. Platform responsibility should not replace state responsibility; rather, it should complement governmental regulation, supervision, and enforcement. The state must establish clear standards and ensure that technology companies comply with child-protection obligations while respecting privacy and other fundamental rights.

Technology-aware law enforcement is equally necessary. Investigators and prosecutors require specialized expertise in digital forensics, online financial transactions, encrypted communications, platform architecture, and the preservation and authentication of electronic evidence. Cooperation with technology companies and foreign authorities is particularly important when perpetrators, victims, servers, or financial transactions are located across jurisdictions. Cross-border cooperation should facilitate timely evidence preservation and investigation while ensuring procedural safeguards.

Victim recovery must constitute another central component of the reconstructed model. Child victims should have access to psychological counselling, medical

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services, legal assistance, safe accommodation where necessary, family and social support, and appropriate forms of restitution or compensation. Recovery should be understood as a long-term process rather than a temporary intervention following criminal prosecution.

Ultimately, a victim-centred and technology-aware protection model requires the integration of prevention, criminal accountability, digital governance, child-sensitive justice, privacy protection, and comprehensive recovery. Indonesia should evaluate the effectiveness of its legal framework not only by the number of offenders prosecuted or harmful content removed, but also by whether children are effectively protected from repeated exploitation and whether victims can recover with dignity and security. Such reconstruction would enable Indonesian law to remain responsive to technological developments while ensuring that digital innovation does not undermine the fundamental rights and best interests of children.

4. Conclusion

The analysis of Indonesia's legal framework against online child sexual exploitation and trafficking demonstrates that Indonesia has established a substantial normative and criminal law foundation for protecting children from technology-facilitated exploitation. Constitutional guarantees, child protection legislation, anti-trafficking provisions, sexual violence regulations, and electronic information laws collectively provide mechanisms for preventing, investigating, and prosecuting offences involving children. Indonesia's commitment to international child-protection standards further strengthens this legal framework. However, the existence of comprehensive legal provisions does not necessarily guarantee effective protection in practice. Online child sexual exploitation and trafficking continue to present complex legal and institutional challenges. The anonymity of digital platforms, encrypted communications, rapidly disappearing electronic evidence, cross-border criminal networks, and the involvement of multiple online services complicate investigation and prosecution. Institutional fragmentation and differences in technical capacity may further weaken coordination between law-enforcement agencies, child-protection institutions, prosecutors, courts, and digital-platform providers. Moreover, inadequate child-sensitive procedures may expose victims to secondary victimization and undermine their access to effective justice and recovery. Accordingly, Indonesia's legal framework should be reconstructed through a victim-centred and technology-aware protection model. Children must be recognized as rights-holders whose best interests, dignity, privacy, and security guide the entire legal process. Prevention should be strengthened through appropriate responsibilities for electronic-system

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providers, including effective reporting mechanisms, age-appropriate safeguards, risk assessment, and rapid responses to suspected exploitation. At the enforcement level, specialized digital-investigation capabilities and stronger domestic and international cooperation are essential. Ultimately, effective protection requires an integrated framework combining prevention, criminal accountability, digital governance, child-sensitive justice, privacy protection, and comprehensive victim recovery. The success of Indonesia's legal framework should therefore be measured not merely by the prosecution of offenders or removal of exploitative content, but by its ability to prevent repeated victimization, ensure meaningful remedies, and create a safer digital environment in which children's fundamental rights and best interests are effectively protected.

5. References

Journals:

- Lisanawati, Go. "Cyber Child Sexual Exploitation dalam Perspektif Perlindungan atas Kejahatan Siber." *Pandecta Research Law Journal* 8, no. 1 (2013). <https://doi.org/10.15294/pandecta.v8i1.2348>.
- Nelson, Febby Mutiara, and Topo Santoso. "Financial Service Provider and Online Sexual Exploitation of Children: A Lacunae in Indonesia Legal Framework?" *Journal of Law and Legal Reform* 6, no. 1 (2025): 391–420. <https://doi.org/10.15294/jllr.v6i1.14264>.
- Novianti, Novianti, and Achmad Chusairi. "Online Child Sexual Exploitation and Abuse (OCSEA) of Children and Adolescents: A Systematic Literature Review." *Psikologika: Jurnal Pemikiran dan Penelitian Psikologi* 29, no. 2 (2024). <https://doi.org/10.20885/psikologika.vol29.iss2.art7>.
- Octaviana, Setyarini Nur. "Child Sexual Abuse in Indonesia: History and Challenge in Legal Perspective." *Indonesian Journal of Criminal Law Studies* 4, no. 1 (2019): 83–92. <https://doi.org/10.15294/ijcls.v4i1.36295>.
- Rahayu, Sri, Monalisa, Yulia Monita, and Melyana Sugiharto. "Legal Protection for Children in Cases of Online Sexual Abuse: A Comparative Study." *Jambe Law Journal* 5, no. 1 (2022): 81–122. <https://doi.org/10.22437/ijl.5.1.81-122>.
- Ruslina, Ulim. "Children and Crime of Pornography." *Law Research Review Quarterly* 8, no. 4 (2022): 447–462. <https://doi.org/10.15294/lrrq.v8i4.63432>.
- Sihombing, L. Alfies, Yeni Nuraeni, Wahyudi, Loso Judijanto, and Abidah Abdul Ghafar. "Sexual Grooming of Children Mode through Live Streaming: Legal Gaps in the Face of Anonymity of Online Transactions." *Lex Scientia Law Review* 9, no. 2 (2025). <https://doi.org/10.15294/lslr.v9i2.28259>.



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Books:

Budiyanto. *Pengantar Cybercrime dalam Sistem Hukum Pidana di Indonesia*. Malang: Sada Kurnia Pustaka, 2025.

Erdianti, Ratri Novita. *Hukum Perlindungan Anak di Indonesia*. Malang: UMMPress, 2020.

Nashriana. *Perlindungan Hukum Pidana bagi Anak di Indonesia*. Jakarta: RajaGrafindo Persada, 2011.

Nuraeny, Henny. *Tindak Pidana Perdagangan Orang: Kebijakan Hukum Pidana dan Pencegahannya*. Jakarta: Sinar Grafika, 2022.

Sadi Is, Muhamad, et al. *Kapita Selekta Hukum Pidana Indonesia*. Jakarta: Prenada Media, 2022.