

## ***Women as Victims of Online Gender-Based Violence in a Victimology Perspective***

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### ***Abstract***

***The development of digital technology has given rise to Online Gender-Based Violence (KBGO), especially in the form of the dissemination of non-consensual pornography that has a multi-layered impact on victims. This study aims to analyze the form of victimization experienced by victims and evaluate legal protection in the case of Rebecca Klopper based on Decision Number 616/Pid.Sus/2023/PN JKT. SEL using a feminist victimology perspective. This research is a normative legal research with legislative, conceptual, and case approaches. The results of the study show that victims not only experience primary victimization through the recording and dissemination of intimate content without consent, but also revitalization that is strengthened by social responses in the form of victim blaming, stigmatization, and objectification that reflect patriarchal constructions in interpreting the victim's position. Normatively, victim protection has been regulated in the Sexual Violence Crime Law, the Electronic Information and Transaction Law, and the Witness and Victim Protection Law. However, the implementation has not been fully from the perspective of the victim, as can be seen from the focus of the verdict which is limited to the perpetrators of the dissemination without revealing the perpetrators of the initial recording and the principle of restorative justice has not been accommodated. A comparison with the setting in Singapore shows the importance of a legal approach that is not only repressive, but also oriented towards the comprehensive recovery of victims in responding to the character of digital-based violence.***

***Keywords: Online Gender-Based Violence (KBGO), Feminist Victimology, Restorative Justice.***

### **A. Introduction**

In today's digital era, the presence of social media such as Instagram, X, TikTok, and Telegram provides ease of interaction and access to information. However, on the other hand, these technological developments also exacerbate gender inequality where women are often victims of gender-based discrimination and violence. The digital space that is supposed to be a safe space is often a means of violence, especially in the form of Online Gender-Based Violence (KBGO).<sup>1</sup> Komnas Perempuan defines KBGO as a form of gender-based violence that uses information and communication technology to harm women

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<sup>1</sup> Fidella Azhar Julian and Wa Ode Asmawati, "Women and the Phenomenon of Online Gender-Based Violence in Social Media," *RISOMA: Journal of Social Research in Humanities and Education* 2, no. 2 (2024), <https://doi.org/10.62383/risoma.v2i2.64>.

physically, sexually, and psychologically.<sup>2</sup> This phenomenon shows an increasing trend where in 2024 reports related to KBGO will increase by 40.8% compared to the previous year.<sup>3</sup> In addition, data from SAFEnet Indonesia also recorded a surge in cases from 118 to 480 cases in just the first quarter of 2024.<sup>4</sup> This shows that technology not only provides convenience, but also becomes a new means that strengthens gender inequality and expands forms of violence against women.

Today, the case of the dissemination of immoral videos involving actress Rebecca Klopper shows how technological developments can be used as a means that violate the right to privacy while harming women. This case began on May 22, 2023 when a 47-second video featuring the figure of Rebecca Klopper spread on social media and went viral.<sup>5</sup> The spread then expanded further with the appearance of an additional 11-minute video on platform X that exacerbated the situation faced by the victim.<sup>6</sup> In the video, Rebecca Klopper is known to be drunk after consuming alcoholic beverages, while her ex-lover, Rizky Pahlevi, recorded the video without her consent. In addition, the victim also never received or knew the existence of the video before it was finally spread to the public.<sup>7</sup>

The development of this case continued with the arrest of Bayu Firlen (BF) by the police on September 1, 2023, who played a role in disseminating videos through platform X with the aim of obtaining financial gain.<sup>8</sup> This condition not only has legal repercussions, but also puts significant pressure on the victim. Rebecca Klopper experienced trauma and psychological stress, such as feeling cornered, embarrassed, intimidated, and sleep disorders.<sup>9</sup> In addition to the psychological impact, the victim also suffered material losses, including the cancellation of cooperation as a *brand ambassador* and the termination of a number of previously agreed employment contracts.<sup>10</sup>

At the time, the response of the public in the digital space showed a tendency to blame the victim for the events they experienced. This phenomenon can be categorized as *victim blaming*, which is an attitude or response that implicitly or explicitly places the victim as the party responsible for the act of violence he or she experiences as if the event is a consequence of the victim's behavior or choice, not the result of the perpetrator's actions

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<sup>2</sup> Komnas Perempuan, *Komnas Perempuan's Suggestions and Inputs on the Second Amendment Bill to Law Number 11 of 2008 concerning Information and Electronic Transactions* (Jakarta: National Commission on Anti-Violence against Women, 2023), 1.

<sup>3</sup> Komnas Perempuan, *Executive Summary and Recommendations of CATAHU Komnas Perempuan 2024* (Jakarta: National Commission on Anti-Violence against Women, 2025), 7.

<sup>4</sup> Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia, "Collaborating with a Number of Parties, the Ministry of PPPA Encourages Joint Action to Protect Women and Children from Violence in the Online Realm," accessed March 14, 2025, <https://kemenpppa.go.id/page/view/NTMxMQ==>.

<sup>5</sup> Lampung Tribune, "11-Minute Video Link Appears, Allegedly Full Version of Sensational Video Similar to Rebecca Klopper," accessed May 24, 2025, <https://lampung.tribunnews.com/2023/05/28/link-video-11-menit-muncul-diduga-versi-lengkap-video-heboh-mirip-rebecca-klopper>.

<sup>6</sup> *Ibid.*

<sup>7</sup> Kumparan, "Rebecca Klopper Allegedly Drunk during Syur Video Recorded by Ex-Boyfriend," *kumparanHITS*, November 13, 2023, accessed May 24, 2025, <https://kumparan.com/kumparanhits/rebecca-klopper-diduga-mabuk-saat-video-syur-direkam-oleh-mantan-pacar-21ZNtqZ3mWO>.

<sup>8</sup> Law-Justice, "Artist Rebecca Klopper's Porn Video Spreader Sentenced to 3 Years in Prison," accessed May 24, 2025, <https://www.law-justice.co/artikel/162297/penyebar-video-porno-artis-rebecca-klopper-divonis-3-tahun-bui/>

<sup>9</sup> RM.id, "Rebecca Klopper Still Accompanied by Fadly Faisal," accessed May 31, 2025, <https://rm.id/baca-berita/bibir-mer/197080/rebecca-klopper-masih-ditemani-fadly-faisal>

<sup>10</sup> *Ibid.*

who should be held accountable.<sup>11</sup>

This condition shows that the focus of public attention has shifted from the perpetrator's actions to the victim's behavior. In fact, substantially, the incident that occurred was a form of violation of the victim's right to privacy and bodily autonomy. In this case, Rebecca Klopper never gave consent to the recording or dissemination of the content, making her a victim of unauthorized recording or *Non-Consensual Pornography* (NCP). The term *Non-Consensual Pornography* refers to content that shows a person naked or engaging in sexually explicit activity that is then disseminated to third parties without the consent of the individual contained in the photo or video without a legitimate purpose.<sup>12</sup>

In the legal context in Indonesia, this act is regulated in Article 14 Paragraph (1) letter a of Law Number 12 of 2022 concerning the Crime of Sexual Violence which places recording without consent as a form of electronic-based sexual violence.<sup>13</sup> In addition, provisions related to the dissemination of content containing morality are also regulated in Article 27 paragraph (1) jo Article 45 paragraph (1) of the Law on Information and Electronic Transactions which is the basis for criminalizing the perpetrators of the dissemination of such content.<sup>14</sup>

The feminist legal framework highlights that law is not completely neutral and objective, but rather reflects and reinforces dominant social norms, especially patriarchal values.<sup>15</sup> This is reflected in the case of Rebecca Klopper where the public blames the victim. Responses on social media showed that the dissemination of the video was seen as a consequence of the victim's behavior, not as a form of violation of the right to privacy. This view reflects the practice of revitalization, which is a condition when the victim again experiences adverse treatment due to the negative response of the community after the crime occurred.<sup>16</sup>

Within the scope of feminist law, radical feminism views that the main root of oppression of women lies in the patriarchal system that makes women's bodies the object of domination and control by male power.<sup>17</sup> Through this approach, the case of Rebecca Klopper shows how patriarchal power remains at work in the digital space when women's bodies and privacy are positioned as public objects that can be disseminated and controlled without consent.

Although normatively the protection of victims has been regulated in Law Number 31 of 2014 concerning the Protection of Witnesses and Victims, its implementation has not fully guaranteed justice for victims. Decision 616/Pid.Sus/2023/PN JKT. SEL shows that

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<sup>11</sup> Sexual Assault Centre of Edmonton (SACE), "Victim Blaming," diakses 24 Mei 2025, <https://www.sace.ca/learn/victim-blaming/>.

<sup>12</sup>Jessica A. Magaldi, Jonathan S. Sales, dan John Paul, "Revenge Porn: The Name Doesn't Do Nonconsensual Pornography Justice and the Remedies Don't Offer the Victims Enough Justice," *Oregon Law Review* 98, no. 1 (2020).

<sup>13</sup> Law Number 12 of 2022 concerning the Crime of Sexual Violence, Article 14 paragraph (1) letter a.

<sup>14</sup> Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, Article 27 paragraph (1).

<sup>15</sup> Alfianto Prima Putra, *A Study of Feminist Legal Theory on the Protection of the Rights of Victims of Sexual Violence* (thesis, University of Lampung, 2023), 19.

<sup>16</sup> David Brain Siregar, Juanrico Alfaromona Sumarezs Titahelu, and Denny Lutumaerissa, "The Impact of Revitalization on Survivors of Sexual Violence in the Investigation Process," *Pattimura Law Study Review* 1, no. 1 (2023).

<sup>17</sup> Wafa Suci Ningrum, "The Phenomenon of Feminism Success (Gender Studies of Liberal Feminism and Radical Feminism)," *Familia: Family Law Journal* 5, no. 1 (2024).

there are gaps in law enforcement that reflect gender bias and structural inequality such as the failure to investigate the original perpetrator who uploaded the video to YouTube so that the chain of dissemination is not broken, the recording act without consent by the victim's ex-lover is not processed legally, and the criminal imposition of Bayu Firlen (BF) is far below the maximum threat with consideration of confession and remorse. This shows the tendency of the judiciary to provide leniency to perpetrators of sexual violence which ultimately overrides aspects of justice and recovery for female victims.

This condition suggests that the main problem in this case lies not only in law enforcement against the perpetrator, but also how the legal system responds to the vulnerability and needs of the victim. Therefore, this study combines feminist legal frameworks, particularly the perspective of radical feminism, using a feminist victimology approach. Feminist victimology exists as a development of the theory of victimology that focuses on the study of victims of crime, including the nature of the victim, the process of victimization, and the consequences experienced by the victim<sup>18</sup> by considering the influence of patriarchal social and cultural structures. This approach allows for an analysis of female victims in KBGO cases that includes not only legal aspects, but also social, cultural, and power relations dimensions that make women more vulnerable to victimization.

Although various studies have discussed Online Gender-Based Violence (KBGO) in a positive legal perspective, research that specifically analyzes the forms of victimization and victimization using the perspective of feminist victimology in the context of case studies in Indonesia is still limited. In addition, the analysis of court decisions associated with feminist victimology approaches has also not been done in depth.

This research has a novelty by comprehensively examining the form of victimization of women as victims of KBGO through the perspective of feminist victimology and linking it with a critical analysis of relevant court decisions so that it focuses not only on normative aspects, but also on the victim's experience in the framework of power relations and social structures.

Based on this description, this study aims to analyze how the form of victimization of women as victims of Online Gender-Based Violence (KBGO) in the perspective of feminist victimology and how the legal protection of victims in related court decisions.

## B. Research Methods

This research is a normative legal research that focuses on the study of legal norms through legal materials as the main source. The approaches used include the statute approach, the case approach, and the conceptual approach. The approach to laws and regulations is carried out by examining the provisions in Law Number 12 of 2022 concerning the Crime of Sexual Violence, Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, and Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Witness and Victim Protection. The case approach is carried out through an analysis of Decision Number 616/Pid.Sus/2023/PN JKT. SEL, while the conceptual approach is used to understand the concepts of feminist victimology, radical feminism, and victimization and revitalization.

The source of legal materials in this study consists of primary, secondary, and

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<sup>18</sup> Noor Rohmat, *Law of Criminology and Victimology* (Yogyakarta: K-Media, 2018), 2.

tertiary legal materials obtained through literature studies. Primary legal materials include laws and regulations and court decisions, secondary legal materials in the form of books, scientific journals, and the results of previous research, while tertiary legal materials include dictionaries, encyclopedias, and other supporting sources, including online media reports that are used to compile a chronology of cases and identify patterns of social responses such as victim blaming, stigmatization, and sexual objectification. Legal material analysis techniques are carried out qualitatively through legal interpretation methods that include grammatical, systematic, and teleological interpretations, as well as prescriptive analysis to assess the suitability between legal norms and their application in court decisions and victim protection from a feminist victimology perspective.

### C. Results and Discussion

#### 1. The Form of Victimization Experienced by Women as Victims of Gender-Based Violence (KBGO) in the Case of Rebecca Klopper Reviewed from the Perspective of Feminists Victimology

Basically, victimology is a branch of science that studies victims, the causes of victims, and the consequences that are caused as part of social reality. Victimology provides a comprehensive understanding of crime victims as a consequence of human actions that cause mental, physical, and social suffering by emphasizing the position and role of the victim in a crime event, including his relationship with the perpetrator. Through the study of victimology, various aspects related to victims, such as the factors that cause the occurrence of crimes, the process of a person becoming a victim, prevention efforts, and the rights and obligations of victims can be analyzed.<sup>19</sup>

However, victimology is often considered not completely neutral because of the existence of the concept of *The Ideal Victim* introduced by Nils Christie who explains that in certain social constructions there are categories of victims who are perceived to be more deserving of empathy and support than other victims.<sup>20</sup> As for the characteristics of *The Ideal Victim* according to Nils Christie <sup>21</sup> :

1. Victims are perceived as physically weak individuals such as women, individuals who are sick, elderly, or very young.
2. The victim is in a situation or activity that does not raise suspicion.
3. The victim is seen as innocent and cannot be held accountable for the events he experienced.
4. The victim had no relationship or closeness to the perpetrator.
5. The perpetrator is described as having a dominant physical posture and a character that is perceived as evil.
6. The victim has a sufficient combination of moral legitimacy, influence, and social sympathy to be recognized as a victim without posing a threat to others.

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<sup>19</sup> Dikdik M. Arief Mansur and Elisatris Gultom, *The Urgency of Crime Victim Protection: Between Norms and Reality* (Jakarta: Raja Grafindo Persada, 2007), 33.

<sup>20</sup> Jim Greene, "Ideal Victim (Concept)," *EBSCO Research Starters: Social Sciences and Humanities*, diakses 28 Februari 2025, <https://www.ebsco.com/research-starters/social-sciences-and-humanities/ideal-victim-concept>.

<sup>21</sup> UGM Psychology Laboratory, "In the Prison of Perception: Understanding the Phenomenon and Implications of the Ideal Victim," accessed February 28, 2026, <https://lm.psiologi.ugm.ac.id/2025/06/dalam-penjara-persepsi-memahami-fenomena-dan-implikasi-ideal-victim/>.

The existence of the concept of *The Ideal Victim* raises its own problems for victims of Online Gender-Based Violence (KBGO) who in many cases do not meet the construction of the ideal victim. This condition has implications for the emergence of the practice of *victim blaming* in the social space, namely the tendency to blame the victim for the events they experienced. Instead of receiving support, victims are faced with responses that are cornered and judgmental, even irrelevant to the substance of the event. It is not uncommon for the victim's experience to be doubted or considered exaggerated, further aggravating the psychological and social impact he experienced.

This reality confirms that not all victims receive equal recognition in the social space. Victimization, which should be used to identify the suffering of victims, has actually shifted its meaning to a social control mechanism that again targets women's bodies and morality. Within the framework of feminism, this condition is understood as a manifestation of a patriarchal structure that affects the way the law and society interpret the position of the victim. Criticism of traditional criminology that tends to be oriented to male experiences and viewpoints suggests that such approaches have not provided adequate space for understanding the experiences of female victims, particularly in cases of sexual harassment.<sup>22</sup> This then gave birth to a feminist victimology perspective that was rooted in radical feminism, namely the view that the oppression of women occurred as a result of the patriarchal system.<sup>23</sup>

In the case experienced by Rebecca Klopper, the primary form of victimization can be identified through the act of recording without consent and the dissemination of immoral content by her ex-lover without the victim's knowledge. Primary victimization refers to losses experienced directly due to a criminal act, either in the form of physical injury, psychological trauma, or material loss.<sup>24</sup> The incident places the victim as a party who experiences *Non-Consensual Pornography* (NCP), which is the dissemination of sexually nuanced visual material without the consent of the subject regardless of how the content was obtained.<sup>25</sup> Attorney Rebecca Klopper stated that the alleged motive of the perpetrator was related to feelings of hurt and jealousy, which was triggered by the development of the victim's life and personal relationships.<sup>26</sup> In popular culture practice, such behavior can be qualified as *Revenge Porn*, which is the dissemination of sexually charged images or videos without the consent of the party being shown and is generally committed by an ex-spouse with the purpose of retaliation, humiliation, or exploitation.<sup>27</sup> Regardless of the perpetrator's personal motives, the act remains a

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<sup>22</sup> UK Essays, "Contributions of Feminism to the Study of Victimology," diakses 28 Februari 2026, <https://www.ukessays.com/essays/criminology/contributions-of-feminism-to-the-study-of-victimology-8903.php>.

<sup>23</sup> Wafa Suci Ningrum, "The Phenomenon of Feminism Success (Gender Studies of Liberal Feminism and Radical Feminism)," *Familia: Family Law Journal* 5, no. 1 (2024).

<sup>24</sup> Mahrus Ali dan Rena Yulia, "Finding the Factors and Proposing the Solution for Preventing Secondary Victimization," *Academic Journal of Interdisciplinary Studies* 12, no. 5 (2023).

<sup>25</sup> Musca Law, "Nonconsensual Pornography Laws: Offenses, Penalties and Defenses," diakses 1 Maret 2026, <https://www.muscalaw.com/blog/nonconsensual-pornography-laws-offenses-penalties-and-defenses>.

<sup>26</sup> Grid.id, "The Perpetrator's Motive for Spreading Rebecca Klopper's Syur Video Allegedly Jealous and Hurt Because of What?," accessed March 1, 2026, <https://www.grid.id/read/043923566/motif-pelaku-sebarkan-video-syur-rebecca-klopper-diduga-cemburu-dan-sakit-hati-karena-apa>

<sup>27</sup> Sintya Mauliddina, Yusti Probawati Rahayu, Ajuni Ajuni, and Mary Philia Elisabeth, "Revenge Porn and Psychological Impact on Victims: A Psychological Study and a Brief Review of the Law," *Ranah Research: Journal of Multidisciplinary Research and Development* 7, no. 1 (2024).

violation of the victim's bodily integrity, right to privacy, and sexual autonomy, which in the perspective of feminist victimology is not only understood as an individual offense, but also as a form of gender-based violence because it targets women's bodies and sexuality as objects of control and exploitation.

Although primary victimization has occurred through the recording and dissemination of intimate content without consent, the impact experienced by victims does not stop at that stage. In addition to direct losses due to the actions of the perpetrator, the victim also faces further consequences in the form of a social response that corners and discredits him. In the perspective of feminist victimology, this condition is understood as revitalization, which is a situation when the victim again suffers losses due to social or institutional responses that exacerbate the previous impact.

Some people, especially social media users, throw out narratives that blame the victim by questioning personal relationships, the reason for the recording, and their personal behavior, even giving stigmatized labels such as "adult film artists". This response shows that the victim is not only dealing with the perpetrator, but also with a social construct that prolongs the victimization process.

To identify concrete forms of victimization, this study examined a number of comments from social media users that were posted in online news accounts on platform X. These comments were then classified based on a developing narrative pattern to show how social responses operate in prolonging and reproducing victimization experiences. Based on the results of the classification, the social response to victims can be grouped into three main categories as follows:

**Table 1. Classification of Social Response to Victims in KBGO Cases by Platform X**

| Category        | Number of Findings |
|-----------------|--------------------|
| Victim Blaming  | 36                 |
| Stigmatization  | 41                 |
| Objectification | 50                 |

Based on the grouping of comments, the social response to victims is dominated by *victim blaming* narratives, accompanied by stigmatization, and sexual objectification. This pattern shows that victims not only face criminal acts as a form of primary victimization, but also experience victimization through social constructions that weaken their position as victims. The dominance of *victim blaming* reflects a tendency to position women's sexuality as a burden of individual moral responsibility so that social supervision and judgment are directed more towards the victim than the perpetrator. In the patriarchal construction, women are positioned as guardians of sexual honor, so that when violence occurs, public attention is more focused on the

behavior of the victim, while the perpetrator tends to escape the spotlight.<sup>28</sup>

This construction manifests itself in the form of stigmatization that degrades the victim, as can be seen from the use of terms such as "easy girl" or "artist" that reflect sexual moral standards that are not gender-neutral. Patriarchy forms the view that women's sexuality represents the honor of the family and society, so that women's sexual expression and involvement are easier to be used as objects of moral judgment than men.<sup>29</sup>

In the context of Online Gender-Based Violence (KBGO), this condition can be seen when the victim is stigmatized as a party who is considered provocative or immoral. In the case of Rebecca Klopper, the dissemination of intimate content without consent further reproduces that stigma because victims are judged on alleged lack of care, while perpetrators tend not to be the main focus of social judgment. This stigmatization worsens the position of the victim because the female body is still positioned as the source of the problem, not the digital violence she experiences, so it is in line with feminist analysis that sees sexuality as an area of dominance that reproduces gender injustice.

In addition, the pattern of social response also appears in the form of sexual objectification that emphasizes the shift in the position of the victim from a harmed subject to an object of public consumption. In the case of Rebecca Klopper, objectification can be seen from the comments that not only ask for a video link, but also assess the visual quality and body parts of the victim in a vulgar manner so that the victim's body is positioned as an object of collective consumption, not as a subject who experiences a violation.

This pattern shows that the dissemination of intimate content without consent is not understood as a form of electronic-based sexual violence, but rather reduced to public entertainment material. From the perspective of feminist victimology, this condition is a form of dehumanization because the victim is treated solely as an object of consumption without acknowledging his will, bodily autonomy, and experience of suffering. With objectification in this case, it is not only in the form of vulgar comments, but also part of the revitalization process that prolongs the impact of violence on the victim.

These findings confirm that the victimization experienced by victims cannot be understood solely as an individual expression of social media users, but as a reflection of a social structure that normalizes control and supervision over women's sexuality. The tendency of *victim blaming* and the application of double standards in sexual morality is rooted in patriarchal norms that position women as the main guardians of morality, so that victims are often blamed for their experiences.<sup>30</sup>

The case of Online Gender-Based Violence (KBGO) shows that the digital space is not neutral, because it reproduces the power relations and gender inequality that

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<sup>28</sup> TokohWanita.com, "Reviewing the Shackles of Women's Sexuality in Patriarchal Culture," accessed March 2, 2026, <https://tokohwanita.com/2021/10/24/mengulas-belenggu-seksualitas-perempuan-dalam-budaya-patriarki/>.

<sup>29</sup> Putri Ayienda Dinanti and Joesana Tjahjani, "Women's Sexuality and the Dominant Discourse of Patriarchy in *Chuck Palahniuk*' s Beautiful You," *LITERA* 20, no. 2 (2021).

<sup>30</sup> LPM Al-Kalam, "Double Standards in Sexual Violence," accessed March 2, 2026, <https://www.lpmalkalam.com/2024/10/standar-ganda-dalam-kekerasan-seksual.html>.

have taken root in society. As a result, victims not only experience initial violence, but also face bullying, redistribution of intimate content without consent, as well as delegitimization over their traumatic experiences. Therefore, revitalization needs to be understood as a structural problem rooted in unequal social norms, not just individual behavior on social media.

### **1. Legal Protection for Victims of Online Gender-Based Violence (KBGO) in the Case of Rebecca Klopper refers to Decision Number 616/Pid.Sus/2023/PN JKT. CELL**

In the digital era, the development of internet technology not only brings convenience, but also opens up space for the emergence of new forms of crime, one of which is Online Gender-Based Violence (KBGO). Based on data from the Southeast Asia Freedom of Expression Network (SAFE-net), throughout 2025 there will be 2,382 reports of KBGO cases in Indonesia.<sup>31</sup> The most dominant form includes the threat of the dissemination of intimate content (*intimate image abuse* or *non-consensual intimate imagery*) which is often accompanied by the practice of sexual extortion (*sextortion*) and the dissemination of content without the consent of the victim.<sup>32</sup>

These conditions have a significant impact on victims, both psychologically and socially, such as shame, anxiety, depression, trauma, and vulnerability to *cyberbullying* which often hinders the victim's access to recovery without institutional support.<sup>33</sup> This situation is exacerbated by stigma and social isolation, as well as the persistent character of digital footprints so that content that has been spread has the potential to be re-accessed. This shows the limitations of digital protection mechanisms in ensuring victim recovery and contributing to prolonged victimization.

In line with these problems, the protection of victims of Online Gender-Based Violence (KBGO) needs to be reviewed within the legal framework that applies in Indonesia. Legal protection for victims is one of the goals in the criminal law system that not only focuses on punishing perpetrators, but also on restoring and fulfilling the rights of victims. These regulations are reflected in several laws and regulations, including the Sexual Violence Crime Law (TPKS Law), the Electronic Information and Transaction Law (ITE Law), the Witness and Victim Protection Law, and the Indonesian Law Number 1 of 2023.

In the Sexual Violence Crime Law (TPKS Law), it is regulated regarding the prevention, handling, protection, and recovery of victims, including electronic-

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<sup>31</sup> Databox Katadata, "There are 23 Thousand Cases of Online Gender Violence in Indonesia Throughout 2025," accessed March 22, 2026, <https://databoks.katadata.co.id/teknologi-telekomunikasi/statistik/6997e95edf081/ada-23-ribu-kasus-kekerasan-gender-online-di-indonesia-sepanjang-2025>.

<sup>32</sup> Databox Katadata, "Threatening to Spread Content, the Most Types of KBGO in the Third Quarter of 2025," accessed March 22, 2026, <https://databoks.katadata.co.id/teknologi-telekomunikasi/statistik/69157928ecd7b/ancam-sebar-konten-jenis-kbgo-terbanyak-di-ri-kuartal-iii-2025>.

<sup>33</sup> Dita Aviliani, Faisal Adnan Reza, and Nurul Isnaini, "Psychological Dynamics of Women Victims of *Cyber Sexual Harassment*," *INSANIA: Journal of Alternative Thinking of Education* 28, no. 2 (2023).

based violence.<sup>34</sup> Article 14 paragraph (1) letter a of Law Number 12 of 2022 states that any person who without consent records or takes pictures of sexual content can be sentenced to a maximum of 4 (four) years in prison and/or a maximum fine of IDR 200,000,000.00 (two hundred million rupiah).<sup>35</sup> This provision shows that the law is not only oriented towards criminalizing the perpetrator, but also places the victim as a subject who is entitled to protection.

Related regulations are also contained in the Electronic Information and Transaction Law (ITE Law) which regulates the prohibition of distribution and access to immorality-related electronic content. Article 27 paragraph (1) jo. Article 45 paragraph (1) of Law Number 19 of 2016 concerning Amendments to Law Number 11 of 2008 states that every person who deliberately and without the right distributes or makes accessible electronic information containing moral content can be sentenced to a maximum of 6 (six) years in prison and/or a maximum fine of Rp1,000,000,000.00 (one billion rupiah).<sup>36</sup> This provision is the legal basis to ensnare perpetrators of the dissemination of intimate content without the victim's consent through an electronic system.

The Witness and Victim Protection Law affirms that victims have the right to various forms of protection and assistance. Article 5 paragraph (1) of Law Number 31 of 2014 regulates the rights of victims, including protection of personal security, provision of information without pressure, confidentiality of identity, legal assistance, and assistance during the judicial process. In addition, Article 6 paragraph (1) stipulates that victims of certain criminal acts, including sexual violence, have the right to receive medical assistance as well as psychosocial and psychological rehabilitation. Based on these provisions, normatively the legal system in Indonesia has accommodated the protection of victims of Online Gender-Based Violence (KBGO), both through the regulation of prohibitions against perpetrators and the fulfillment of victims' rights.

Although legal provisions have provided a normative basis for victim protection, their implementation in practice has not been fully able to reach the reality of victims' experiences, especially in the case of Online Gender-Based Violence (GBV). Therefore, an approach is needed that not only places the victim within a formal legal framework, but also considers her experience and social position, as examined in the perspective of feminist victimology.

Feminist victimology emphasizes the importance of understanding women's experiences as victims by considering social, cultural, and structural factors, including power relations and gender inequality.<sup>37</sup> In this perspective, justice is measured not only by the punishment of the perpetrator, but also by the extent to which the legal system is able to meet the rights and needs of the victim.

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<sup>34</sup> Rofiq Hidayat, "Approved to Become Law, Here's the Content of the TPKS Law," *Hukumonline*, April 12, 2022, accessed March 2, 2026, <https://www.hukumonline.com/berita/a/disetujui-menjadi-uu--begini-materi-muatan-uu-tpks-lt62554a6c96520>.

<sup>35</sup> Law Number 12 of 2022 concerning the Crime of Sexual Violence, Article 14 paragraph (1) letter a.

<sup>36</sup> Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, Article 27 paragraph (1).

<sup>37</sup> Fiveable Content Team, "Feminist Victimology," *Fiveable*, 2025, diakses 20 Maret 2026, <https://fiveable.me/comparative-criminal-justice-systems/key-terms/feminist-victimology>.

The *victim-oriented justice* approach places the victim as the main focus in the justice process, emphasizing loss recovery, support for trauma recovery, and prevention of victimization.<sup>38</sup>

In addition, feminist victimology emphasizes that women's victimization cannot be separated from gender-based power relations.<sup>39</sup> This inequality is rooted in a patriarchal culture that places men in dominant positions and women in subordinate positions, increasing women's vulnerability as victims and limiting their capacity to resist.<sup>40</sup>

In this context, power relations affect the position of the victim who is not completely on par with the perpetrator so that the victim's choices and actions cannot be understood as a completely free decision. This inequality also contributes to the emergence of revitalization, which is a condition when victims again experience suffering due to social responses and handling mechanisms that are not in favor of the victim, such as stigma, *victim blaming*, and social exclusion.<sup>41</sup> In addition, the concept of *continuum of violence* shows that violence against women does not occur in isolation, but as a series of interrelated events.<sup>42</sup> In the case of Online Gender-Based Violence (KBG0), recording without consent, disseminating content, and the social impact experienced by the victim is part of an ongoing victimization process.

As reflected in the case of Rebecca Klopper in Decision Number 616/Pid.Sus/2023/PN JKT. SEL, the victim experienced Online Gender-Based Violence (KBG0) through the dissemination of videos with immoral content without her consent on platform X. The recording was carried out by the victim's ex-lover in the condition that the victim was not fully conscious which was then disseminated by other parties for financial gain.

Based on the verdict, the defendant Bayu Firlen (BF) obtained the video by accessing it through the YouTube platform, then downloading and redistributing it through social media X. However, the search for the party who first uploaded the video was not the focus of the examination, so legal liability was only directed to the defendant as the party who redistributed the content.

On the other hand, the victim stated that he did not know the initial source of the video obtained by the defendant. The victim confirmed that the material was previously only owned by her ex-lover, and that the recording was done without

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<sup>38</sup> Restorative Justice 101, "Victim-Centred Restorative Justice," *Restorative Justice 101*, 2024, diakses 20 Maret 2026, <https://restorativejustice101.com/restorative-justice/victim-centred-restorative-justice/>.

<sup>39</sup> Public Relations of Yogyakarta State University, "Psychology Srawung: Sexual Violence Occurs due to Unbalanced Power Relations," *Yogyakarta State University*, 2019, accessed March 20, 2026, <https://www.uny.ac.id/id/berita/srawung-psikologi-kekerasan-seksual-terjadi-karena-relasi-kuasa-yang-tidak-seimbang>.

<sup>40</sup> Wulan Junaini, Hesti Asriwandari, and Achmad Hidir, "Objectification of Women in Power Relations (Study of Four Women in Sexual Violence Cases in Pekanbaru City)," *Innovative: Journal of Social Science Research* 3, no. 4 (2024).

<sup>41</sup> Febrina Hertika Rani, Ismail Pettanasse, Rd. Muhammad Ikhsan, and Samsul, "Factors Causing Revitalization in Indonesia: An Analysis of Women Victims of Crime Who Experience Repeated Violence," *Legalita Law Journal* 6, no. 2 (2024).

<sup>42</sup> The Kvinna till Kvinna Foundation, *The Continuum of Violence* (Stockholm: The Kvinna till Kvinna Foundation, 2024), 20.

her consent and without her knowledge. Thus, the victim has no control over the existence or dissemination of the content.

The panel of judges in Decision Number 616/Pid.Sus/2023/PN JKT. SEL imposed a prison sentence of 3 (three) years and a fine of IDR 1,000,000,000 (one billion rupiah) with the provision that if the fine is not paid, it will be replaced with a prison sentence of 4 (four) months. In his consideration, the judge paid attention to mitigating matters, such as the defendant's confession and remorse, the absence of a previous criminal history, and the defendant's relatively young age so that he was considered to have the opportunity to improve himself. Based on these considerations, this decision shows that the judge paid attention to the subjective condition of the defendant in the criminal sentence.

In positive law in Indonesia, the regulation regarding Online Gender-Based Sexual Violence (KBGO) has been regulated in the Sexual Violence Crime Law, especially Article 14 paragraph (1) letter a which regulates the prohibition of recording or taking sexually charged images without consent, with a maximum penalty of 4 (four) years in prison and/or a maximum fine of Rp200,000,000.00 (two hundred million rupiah).<sup>43</sup> This provision shows that the law not only cracks down on perpetrators of dissemination, but also includes those who make recordings without consent as part of electronic-based sexual violence.

However, in Decision Number 616/Pid.Sus/2023/PN JKT. SEL was not found to have any consideration or tracing of the party who made the recording without the victim's consent. This shows that the implementation of the provisions in the Sexual Violence Crime Law has not been carried out optimally.

On the other hand, the Electronic Information and Transaction Law (ITE Law), especially Article 27 paragraph (1) jo. Article 45 paragraph (1) of Law Number 19 of 2016, regulates the prohibition of distribution or access to immorality-containing electronic information with a maximum prison sentence of 6 (six) years and/or a maximum fine of Rp1,000,000,000.00 (one billion rupiah).<sup>44</sup> This provision is the legal basis for ensnaring the defendant as a party who distributes immoral content through electronic media while affirming his position as a perpetrator in the dissemination of the content.

In *the a quo decision*, the judge has applied legal provisions by imposing a criminal sentence on the defendant as the perpetrator of the dissemination. Nevertheless, law enforcement's focus tends to be limited to the perpetrators of the spread without being followed by efforts to uncover the other parties who played a role in the initial recording. In addition, although the laws and regulations open up the possibility of imposing a heavier penalty, the judge imposes a relatively lighter sentence by considering the subjective condition of the defendant, such as confession, remorse, and the young age of the defendant.

This shows that judges' considerations tend to be oriented towards the condition and interests of the perpetrator rather than the impact experienced by the victim, so that the neglect of the victim's suffering reflects a distorted

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<sup>43</sup>Law Number 12 of 2022 concerning the Crime of Sexual Violence, Article 14 paragraph (1) letter a.

<sup>44</sup> Law Number 1 of 2024 concerning the Second Amendment to Law Number 11 of 2008 concerning Information and Electronic Transactions, Article 27 paragraph (1).

understanding of the principles of restorative justice.<sup>45</sup>

In fact, from the perspective of *restorative justice*, which is understood as a case resolution process that involves the parties to recover the impact of the crime,<sup>46</sup> case settlement does not only focus on punishing the perpetrator, but also on the recovery of the victim, including the fulfillment of the right to restitution, rehabilitation, and recovery of the victim's psychological and social condition.<sup>47</sup> Thus, the absence of considerations leading to the recovery shows that this verdict does not fully reflect the principles of restorative justice so that aspects of suffering, loss, and the need for recovery of victims have not been the main considerations in the imposition of the verdict.

Although normatively laws and regulations have regulated the protection of victims, their implementation in practice still shows various limitations. The Law on the Protection of Witnesses and Victims through Article 5 paragraph (1) and Article 6 paragraph (1) guarantees the right of victims to protection, recovery, as well as medical assistance and psychosocial and psychological rehabilitation. However, in this case, there appears to be no consideration that explicitly shows how these rights are fulfilled or integrated in the court decision so that legal protection still tends to stop at the normative level without being followed by the substantive fulfillment of the victim's needs.

The failure to disclose the party who first disseminated the content shows that law enforcement has not reached the entire chain of victimization, especially the perpetrators who play a role in the early stages of the spread. In addition, the absence of legal proceedings against those who allegedly made recordings without consent reflects a neglect of the initial form of Online Gender-Based Sexual Violence (KBGO) which became the starting point for violations against victims. This condition shows that law enforcement is still focusing on the perpetrators who appear on the surface without thoroughly unraveling the series of acts that cause layered losses to the victims. The judge's consideration which focuses more on the subjective condition of the defendant also shows a tendency towards an approach oriented towards the perpetrator, rather than on the experience and impact borne by the victim. In fact, within the framework of victim protection as stipulated in the Law on the Protection of Witnesses and Victims, victims have the right to protection, recovery, and medical and psychosocial assistance as part of a full recovery.

As seen in the case of Rebecca Klopper, the spread of content in the digital space has a persistent character, is easily replicated, and difficult to remove completely. This condition reinforces the ongoing impact that is not only psychological, but also social, as victims continue to deal with repeated exposures as well as public stigma. Therefore, this impact should be the main consideration in the judicial process. However, the suboptimal attention to the dimension of victim loss shows that the orientation of victim protection has not been fully realized substantively in law

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<sup>45</sup> Tesalonika Amazia Simamora dan Handar Subhandi Bakhtiar, "Restitution for Child Victims of Sexual Violence Crimes," *Al-Risalah* 26, no. 1 (2024).

<sup>46</sup> Tony F. Marshall, *Restorative Justice: An Overview* (London: Home Office, 1999), 5.

<sup>47</sup> United Nations Office on Drugs and Crime (UNODC), *Handbook on Restorative Justice Programmes* (New York: United Nations, 2006), 6-7.

enforcement practices, especially in responding to the character of digital-based violence that is sustainable and difficult to recover.

By comparison, Singapore has explicitly criminalized the practice of *non-consensual dissemination of intimate images* through Section 377BE of the *Penal Code*. This provision is part of a legal reform that aims to provide protection for the sexual integrity and privacy of individuals in the digital space.

Normatively, Section 377BE provides that an act can be qualified as a criminal offense if a person intentionally or knowingly disseminates, or threatens to disseminate, intimate images or recordings without the consent of the person concerned, and knows or should know that such acts have the potential to cause embarrassment, emotional distress, or suffering to the victim.<sup>48</sup> Thus, the element of error (*mens rea*) in this provision is not only limited to intentionality, but also includes knowledge of the impact caused.

The scope of "intimate images" is defined as a visual representation that shows private activities or intimate body parts so that legal protection does not only focus on sexually explicit acts, but also includes violations of the private space and dignity of the individual's body.<sup>49</sup> In addition, criminalization is not only limited to acts of dissemination, but also includes threats to disseminate intimate content that demonstrates a preventive approach in protecting victims from psychological distress.<sup>50</sup>

In terms of sanctions, violators of this provision can be subject to imprisonment with a fine or a combination of both if the victim is a child. Conceptually, this arrangement suggests that Singapore law has adopted a victim-oriented approach by placing psychological impacts as well as violations of bodily autonomy as an important part of the construction of the delicacy.

When compared to Indonesia, the arrangement shows that legal protection does not only focus on taking action against perpetrators, but also explicitly considers the impact experienced by the victim. This shows that the legal approach in Indonesia still needs to be strengthened so that it is not only repressive, but also able to accommodate victim recovery more comprehensively in the context of Online Gender-Based Violence (KBGO).

Based on this description, this condition can be understood as a form of revitalization, where the victim not only experiences violence in the early stages, but also faces continued suffering due to the response of the law enforcement system that has not been fully on the side of the victim. This is reflected in the predominance of attention to perpetrators and formal aspects, while victims' experiences, including psychological, social, and stigma impacts reinforced by the persistent nature of digital footprints, have not been adequately recognized.

This situation shows that there is an imbalance in power relations that still affects the way the law works, so that the interests and needs of victims tend to be marginalized in the judicial process. As a result, the legal process does not fully

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<sup>48</sup> Singapore Criminal Lawyer, "Revenge Porn – What Does It Mean under Section 377BE?," diakses 3 Mei 2026, <https://www.singaporecriminallawyer.com/revenge-porn-under-section-377be/>.

<sup>49</sup> *Ibid.*

<sup>50</sup> Singapore Legal Advice, "Cybersexual Crimes in Singapore and Their Penalties," diakses 3 Mei 2026, <https://singaporelegaladvice.com/law-articles/cybersexual-crimes-singapore-penalties/>.

function as a means of recovery, but has the potential to prolong the burden experienced by the victim. Therefore, a shift in the orientation of law enforcement that places victims as the main subject, through the fulfillment of rights, comprehensive restoration, and recognition of victims' experiences as part of the achievement of justice, is needed.

#### D. Conclusions and Recommendations

This study shows that victims of Online Gender-Based Violence (GBV) not only experience primary victimization through the recording and dissemination of intimate content without consent, but also victimization that comes from social responses and law enforcement practices. Although normatively various regulations have regulated victim protection, their implementation has not been fully victimized, as seen in Decision Number 616/Pid.Sus/2023/PN JKT. SEL, which still focuses on the perpetrators of the spread, does not reveal the perpetrators of the initial recording and focuses more on the subjective condition of the defendant than the impact experienced by the victim. In addition, the lack of accommodation on the principle of *restorative justice* shows that victim recovery, both psychologically, socially, and digitally, has not been the main consideration in law enforcement, so the protection provided is still normative and not yet substantive.

Based on these findings, it is necessary to strengthen the implementation of the law that not only focuses on criminalizing perpetrators, but also reaches the entire chain of victimization, including the perpetrators of the initial recording. In addition, law enforcement officials need to adopt *a restorative justice approach* by ensuring the fulfillment of victims' rights, such as restitution, psychological rehabilitation, and digital recovery as an integral part of the justice process. Strengthening digital protection mechanisms also needs to be done to prevent the redistribution of intimate content without consent. On the other hand, international practices such as the regulation in Singapore can be used as a reference in developing a more responsive legal policy oriented towards the protection of victims of child pornography comprehensively.

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