

**TINJAUAN YURIDIS PENJATUHAN TINDAKAN KEBIRI
KIMIA DALAM PEMIDANAAN KASUS KEKERASAN
SEKSUAL TERHADAP ANAK
(Telaah Putusan-Putusan PN Mojokerto)**

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INTISARI

Tindak kekerasan seksual terhadap anak merupakan kejahatan serius yang berdampak jangka panjang bagi korban. Sebagai upaya pemberian efek jera dan perlindungan terhadap anak, pemerintah Indonesia telah mengatur pidana tindakan kebiri kimia melalui Undang-Undang Nomor 17 Tahun 2016. Penelitian ini bertujuan untuk mengkaji secara yuridis penjatuhan pidana tambahan kebiri kimia terhadap pelaku kekerasan seksual terhadap anak, dengan menelaah beberapa putusan Pengadilan Negeri Mojokerto yang berkaitan. Metode penelitian yang digunakan adalah yuridis normatif dengan pendekatan kasus. Data diperoleh melalui studi pustaka dan telaah terhadap putusan hakim yang telah berkekuatan hukum tetap. Hasil penelitian menunjukkan bahwa dalam penjatuhan pidana tindakan kebiri kimia oleh majelis hakim didasarkan pada fakta bahwa para pelaku melakukan kekerasan seksual yang sangat berat, berulang, serta menimbulkan penderitaan fisik dan psikis mendalam pada korban yang sebagian besar masih berusia anak-anak, serta terpenuhinya unsur dalam Pasal 76D yang berisikan “larangan melakukan kekerasan atau ancaman kekerasan persetubuhan terhadap anak” *jo* Pasal 81 UU Perlindungan Anak yang berisikan “sanksi pidana yang diberikan kepada pelaku tindak pidana kekerasan seksual terhadap anak baik pidana pokok, tambahan maupun tindakan”. Selain itu, adanya perbedaan dalam pemberian tindakan kebiri kimia dilihat dari adanya perbedaan jumlah korban, tindakan yang dilakukan pelaku, serta hal-hal yang memberatkan dan meringankan pelaku.

Kata Kunci : Tindakan kebiri kimia, kekerasan seksual, anak, Pengadilan Negeri Mojokerto.

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**JURIDICAL REVIEW OF THE IMPOSITION OF CHEMICAL
CASTRATION IN SENTENCING FOR SEXUAL
VIOLENCE AGAINST CHILDREN
(A STUDY OF DISTRICT COURT DECISIONS IN MOJOKERTO)**

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ABSTRACT

Sexual violence against children is a serious crime that has long-term impacts on victims. As an effort to create a deterrent effect and provide protection for children, the Indonesian government has regulated the punishment of chemical castration through Law Number 17 of 2016. This study aims to examine, from a juridical perspective, the imposition of additional punishment in the form of chemical castration on perpetrators of sexual violence against children by analyzing several decisions of the Mojokerto District Court. The research method used is normative juridical with a case approach. Data were obtained through literature study and analysis of court decisions that have permanent legal force. The results of the study indicate that the imposition of chemical castration punishment by the panel of judges is based on the fact that the perpetrators committed extremely severe and repeated sexual violence, causing profound physical and psychological suffering to the victims, most of whom were still children. It also shows the fulfillment of the elements in Article 76D, which contains a "prohibition against committing violence or threats of violence in sexual intercourse against children," in conjunction with Article 81 of the Child Protection Law, which contains "criminal sanctions imposed on perpetrators of sexual violence against children, including principal punishments, additional punishments, and measures." Furthermore, differences in the imposition of chemical castration measures were observed based on the number of victims, the acts committed by the perpetrators, as well as aggravating and mitigating factors.

Keyword : Chemical castration, sexual violence, children, Mojokerto District Court.

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