

**PENYEBARAN FOTO ANAK YANG MEMUAT KETELANJANGAN
DITINJAU DARI UNDANG-UNDANG NOMOR 44 TAHUN 2008
TENTANG PORNOGRAFI**

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ABSTRAK

Penyebaran foto anak yang memuat ketelanjangan melalui media sosial tidak hanya melanggar norma kesusilaan, tetapi juga melanggar hak anak serta ketentuan hukum pidana. Metode penelitian menggunakan metode penelitian yuridis normatif dengan menganalisis Pasal 4 ayat (1) huruf f jo. Pasal 11 jo. Pasal 37 Undang-Undang Nomor 44 Tahun 2008 tentang Pornografi, serta Pasal 27 ayat (1) Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik jo. Pasal 45 ayat (1) UU Nomor 19 Tahun 2016 tentang Perubahan atas Undang-Undang Nomor 11 Tahun 2008 tentang Informasi dan Transaksi Elektronik, dikaitkan dengan konsep pertanggungjawaban pidana. Hasil penelitian menunjukkan bahwa perbuatan penyebaran foto anak yang memuat ketelanjangan dapat dimintai pertanggungjawaban pidana.

Kata Kunci: pornografi anak; media sosial; pertanggungjawaban pidana; undang-undang pornografi; undang-undang ITE

***DISTRIBUTION OF IMAGES OF MINORS CONTAINING NUDITY AS
REVIEWED UNDER LAW NUMBER 44 OF 2008 CONCERNING
PORNOGRAPHY***

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ABSTRACT

The distribution of images involving minors containing nudity through social media not only violates norms of decency but also infringes upon children's rights and constitutes a criminal offense. This research aims to analyze the criminal liability arising from the act of disseminating images of minors containing nudity through electronic media. The research employs a normative juridical method by examining Article 4 paragraph (1) letter f in conjunction with Article 11 and Article 37 of Law Number 44 of 2008 concerning Pornography, as well as Article 27 paragraph (1) of Law Number 11 of 2008 on Electronic Information and Transactions in conjunction with Article 45 paragraph (1) of Law Number 19 of 2016 concerning the Amendment to Law Number 11 of 2008 on Electronic Information and Transactions. The analysis is further linked to the concept of criminal liability within Indonesian criminal law. The results of the study indicate that the act of distributing images of minors containing nudity fulfills the elements of criminal offenses as regulated under the Pornography Law and the Electronic Information and Transactions Law. Therefore, perpetrators of such acts may be held criminally liable in accordance with the applicable legal provisions

Keywords: child pornography; social media; criminal liability; pornography law; Electronic Information and Transactions law