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Legal Protection for Victims of Sexual Violence at Higher Education Institutions in Gorontalo

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AbstraK (Indonesia)	Kekerasan seksual di lingkungan perguruan tinggi merupakan persoalan hukum dan kelembagaan yang dapat mengancam martabat, rasa aman, serta keberlanjutan pendidikan korban. Meskipun Indonesia telah memperkuat kerangka hukum melalui Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual dan regulasi mengenai pencegahan dan penanganan kekerasan di perguruan tinggi, efektivitas perlindungan tetap ditentukan oleh implementasinya pada tingkat institusi. Penelitian ini bertujuan menganalisis pelaksanaan perlindungan hukum terhadap korban kekerasan seksual pada perguruan tinggi terpilih di Gorontalo, mengidentifikasi hambatan implementasinya, serta merumuskan arah penguatan perlindungan. Penelitian menggunakan metode hukum empiris dengan pendekatan kualitatif yang didukung pendekatan yuridis normatif dan konseptual. Data primer diperoleh melalui wawancara dan observasi, sedangkan data sekunder diperoleh melalui studi kepustakaan dan dokumentasi. Data dianalisis secara kualitatif melalui tahapan *editing*, klasifikasi, verifikasi, dan interpretasi. Hasil penelitian menunjukkan bahwa perlindungan hukum tidak cukup bergantung pada keberadaan regulasi dan struktur kelembagaan, tetapi memerlukan keterhubungan antara akses pelaporan, kerahasiaan informasi, pendampingan, tindak lanjut institusional, rujukan, dan pemulihan korban. Implementasinya masih menghadapi hambatan berupa relasi kuasa akademik, respons negatif terhadap pengungkapan, keterbatasan kapasitas layanan, potensi konflik kepentingan, serta belum optimalnya koordinasi dan pengelolaan data. Penelitian menyimpulkan bahwa efektivitas perlindungan ditentukan oleh kemampuan perguruan tinggi menerjemahkan kewajiban hukum ke dalam mekanisme yang aman, independen, dapat diakses, dan berorientasi pada pemulihan serta keberlanjutan pendidikan korban. Perguruan tinggi perlu memperkuat prosedur pelaporan, kerahasiaan, kapasitas satuan tugas, pengelolaan konflik kepentingan, sistem rujukan eksternal, dan evaluasi layanan secara berkala untuk mempersempit kesenjangan antara perlindungan normatif dan perlindungan yang dapat diakses dalam praktik.

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Abstrack

Sexual violence in higher education constitutes a legal and institutional problem that may threaten victims' dignity, personal security, and continuity of education. Although Indonesia has strengthened its legal framework through Law Number 12 of 2022 on Sexual Violence Crimes and regulations governing the prevention and handling of violence in higher education, the effectiveness of legal protection ultimately depends on its implementation at the institutional level. This study aims to analyse the implementation of legal protection for victims of sexual violence at selected higher education institutions in Gorontalo, identify barriers to its implementation, and formulate directions for strengthening victim protection. This study employs empirical legal research with a qualitative approach, supported by normative juridical and conceptual approaches. Primary data were obtained through interviews and observations, while secondary data were collected through library research and documentation. The data were analysed qualitatively through editing, classification, verification, and interpretation. The findings demonstrate that effective legal protection depends not merely on the existence of regulations and institutional structures, but also on the integration of accessible reporting mechanisms, confidentiality, assistance, institutional follow-up, referral services, and victim recovery. Implementation continues to face barriers related to academic power relations, negative responses to disclosure, limited service capacity, potential conflicts of interest, and insufficient coordination and data management. The study concludes that effective protection depends on the capacity of higher education institutions to translate legal obligations into mechanisms that are safe, independent, accessible, and oriented towards victim recovery and educational continuity. Higher education institutions should therefore strengthen reporting procedures, confidentiality safeguards, task force capacity, conflict-of-interest management, external referral systems, and periodic service evaluation to reduce the gap between normative legal guarantees and protection that victims can effectively access in practice.

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I. INTRODUCTION

Legal protection for victims of sexual violence in higher education institutions constitutes an essential component of safeguarding the rights to human dignity, personal security, and equal access to education. Article 1(3) of the 1945 Constitution of the Republic of Indonesia affirms that Indonesia is a state governed by the rule of law, while Article 28G (1) guarantees every person the right to the protection of their person, honor, dignity, and security[1]. Within the context of higher education, these constitutional guarantees are particularly significant because interactions between students and lecturers, academic

[1] Lili Naili Hidayah et al., "Perlindungan Hukum Terhadap Masyarakat Terkait Kegiatan Pertambangan Batubara Di Kabupaten Sarolangun," *Wawasan Yuridika* 5, no. 36 (2021): 60, https://doi.org/10.25072/jwy.v5i1.421.

supervisors, educational personnel, and university officials may involve power imbalances that can affect academic assessment, continuity of study, access to educational services, and even future employment opportunities.

Such circumstances may place victims in a particularly vulnerable position when deciding whether to report the sexual violence they have experienced. The consequences of sexual violence are not confined to the incident itself, but may also include psychological distress, disruption of academic performance, and threats to the victim's continued education[2]. Therefore, the effectiveness of legal protection for victims should not be assessed solely on the basis of the existence of legal norms prohibiting sexual violence and imposing sanctions on perpetrators[3]. It must also be evaluated in terms of the capacity of higher education institutions to provide safe reporting mechanisms, appropriate assistance, protection and recovery measures, as well as guarantees that victims can continue their education without being subjected to intimidation, discrimination, or revictimization[4].

Indonesia's legal framework for the protection of victims of sexual violence has undergone significant development through Law Number 12 of 2022 on Sexual Violence Crimes and Regulation of the Minister of Education, Culture, Research, and Technology Number 55 of 2024 on the Prevention and Handling of Violence in Higher Education Institutions[5]. The Ministerial Regulation replaced Regulation of the Minister of Education, Culture, Research, and Technology Number 30 of 2021, while simultaneously broadening the scope of measures for preventing and addressing violence within higher education institutions[6]. This protective framework was subsequently strengthened by

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2 Muhammad Ammar Al Ghifari and Satriya Wibawa, "Penanggulangan Kejahatan Perdagangan Manusia Di Indonesia Melalui Pemenuhan Dimensi-Dimensi Keamanan Manusia: Kasus Perdagangan Manusia Kabupaten Cianjur," *Padjadjaran Journal of International Relations* 3, no. 2 (2021): 126, https://doi.org/10.24198/padjir.v3i2.33698.

3 Edi Yuhermansyah and Rita Zahara, "Kedudukan Psk Sebagai Korban Dalam Tindak Pidana Prostitusi," *LEGITIMASI: Jurnal Hukum Pidana Dan Politik Hukum* 6, no. 2 (2018): 295–315, https://doi.org/10.22373/legitimasi.v6i2.3960.

4 Lilis Suryani et al., "Perlindungan Hukum Terhadap Saksi Pelapor Dalam Proses Persidangan Di Bawaslu," *Amsir Law Journal* 6, no. 1 (2024): 9–20, https://doi.org/10.36746/alj.v6i1.591.

5 Republic of Indonesia, Law Number 12 of 2022 on Sexual Violence Crimes, State Gazette of the Republic of Indonesia Year 2022 Number 120, Supplement to the State Gazette Number 6792; Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia Number 55 of 2024 on the Prevention and Handling of Violence in Higher Education Institutions, State Bulletin of the Republic of Indonesia Year 2024 Number 676.

6 Regulation of the Minister of Education, Culture, Research, and Technology of the Republic of Indonesia Number 55 of 2024 on the Prevention and Handling of Violence in Higher Education Institutions, particularly the considerations and closing provisions repealing Regulation of the Minister of Education, Culture, Research, and

Government Regulation Number 30 of 2025 on the Prevention of Sexual Violence Crimes and the Handling, Protection, and Recovery of Victims of Sexual Violence Crimes, as well as Law Number 3 of 2026 on the Protection of Witnesses and Victims[7].

These regulatory developments demonstrate the increasing strength of the normative foundation for victim protection. Nevertheless, the existence of legal rules does not in itself guarantee the effectiveness of protection in practice[8]. A more fundamental issue concerns how these legal norms are translated into institutional mechanisms within higher education institutions, including access to reporting procedures, confidentiality of victims' identities, assistance and support services, follow-up mechanisms for complaints, recovery measures, and coordination with external institutions[9]. Accordingly, an analysis of legal protection must distinguish between the existence of a legal framework and its practical implementation. It must also take into account the law applicable at the time an institutional measure was undertaken, as well as subsequent legal developments that may provide a basis for formulating future policy improvements.

Several previous studies have provided an important foundation for understanding the protection of victims of sexual violence in higher education institutions. Jantu examined victim protection from the perspective of progressive law and emphasized the importance of orienting legal protection toward the fulfillment of victims' rights. Meanwhile, Wulandari and Rahayu analyzed Regulation of the Minister of Education, Culture, Research, and Technology Number 30 of 2021 using a SWOT approach to assess the strengths,

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Technology Number 30 of 2021 on the Prevention and Handling of Sexual Violence in Higher Education Institutions.

7 and Iip Saripudin Rahmansyah, Novi, "Implementasi Permendikbudristek No. 55 Tahun 2024: Evaluasi Pencegahan Kekerasan Di Perguruan Tinggi," Journal Justiciabelen (JJ) 5, no. 2 (2025): 12, https://doi.org/10.35194/jj.v5i02.5153.

8 and Alfaiz Alfaiz Bella Yugi Fazny, Randi Saputra, Abdul Aziz, "Survey of Sexual Harassment to Students at Indonesia University," International Journal of Sociology of Education 13, no. 2 (2024): 96, https://doi.org/10.17583/rise.13950.

9 and Suhardiman Syamsu Dwi Rahmayani, A. M. Rusli, "Evaluation of Services and Responses to Sexual Violence Cases in Higher Education: A Systematic Review," Journal of Public Administration and Government 6, no. 3 (2024), https://doi.org/10.22487/jpag.v6i3.1680.

weaknesses, opportunities, and challenges of policies aimed at preventing and addressing sexual violence on university campuses[10].

Febrianti and colleagues identified shortcomings in institutional follow-up at one higher education institution during the period under study, demonstrating that the existence of national policies does not necessarily ensure their effective implementation at the institutional level. Shofiyati, Hidayah, and Sabarudin subsequently examined the patterns of sexual violence, response mechanisms, and structural and cultural approaches to prevention in higher education institutions[11]. In addition, Putri, Mulyawan, and Ali analyzed victim protection from a victimological perspective, emphasizing the importance of placing victims' interests at the center of legal protection mechanisms[12].

At the international level, the concept of *institutional betrayal* developed by Smith and Freyd demonstrates that institutional responses may constitute a distinct dimension of victims' experiences. Meanwhile, Adams-Clark and colleagues have advanced the discourse on *institutional courage* in relation to the experiences of survivors of campus sexual violence. Taken together, these studies indicate that victim protection is shaped not only by legal norms, but also by institutional responses, case-handling mechanisms, organizational capacity, and the broader social environment in which victims seek protection[13].

Nevertheless, previous studies still leave an important analytical gap. Existing scholarship tends to examine normative frameworks, prevention strategies, case-handling mechanisms, victim perspectives, or institutional responses as relatively separate areas of inquiry[14]. The interrelationship among legal obligations, institutional capacity, reporting and support mechanisms, case follow-up, victim recovery, and coordination with external institutions has not

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10 Jamieson Crawford Gontier et al., "TOWARDS THE IMPLEMENTATION OF IMMERSIVE TECHNOLOGY IN CONSTRUCTION – A SWOT ANALYSIS," *ITcon* 26, no. November 2020 (2021): 366–80, 10.36680/j.itcon.2021.020.

11 and Sabarudin Sabarudin Arrum Shofiyati, Siti Nur Hidayah, "Kekerasan Seksual Di Perguruan Tinggi: Modus, Penanganan, Dan Upaya Preventif," *Jurnal Harkat: Media Komunikasi Gender* 20, no. 1 (2024): 47, https://doi.org/10.15408/harkat.v20i1.32354.

12 and Nuraliah Ali Nabella Dellia Putri, Agus Mulyawan, "Legal Protection for Victims of Sexual Violence in Higher Education from a Victimology Perspective," *Journal of Law, Politic and Humanities* 5, no. 4 (2025): 277, https://doi.org/10.38035/jlph.v5i4.1633.

13 Carly Parnitzke Smith and Jennifer J. Freyd, "Dangerous Safe Havens: Institutional Betrayal Exacerbates Sexual Trauma," *Journal of Traumatic Stress* 26, no. 1 (2013): 119–124, https://doi.org/10.1002/jts.21778.

14 and Roy Marthen Moonti Muh. Adriansyah Abd. Sani, Rustam Hs. Akili, "Juridical Aspects of Protecting Students and Teaching Staff from Sexual Violence in Higher Education," *International Journal of Law, Crime and Justice* 2, no. 1 (2025): 40–51.

yet been comprehensively examined in the context of higher education institutions in Gorontalo. This gap is particularly significant given the continuing development of the regulatory framework governing the prevention and handling of sexual violence and the protection of victims through 2026.

This study seeks to address the identified gap by examining the implementation of legal protection at Universitas Negeri Gorontalo, Universitas Ichsan Gorontalo, and Universitas Nahdlatul Ulama Gorontalo, based on field findings integrated with an updated legal analysis covering developments up to September 1, 2026. The analysis employs Soerjono Soekanto's framework on the factors affecting law enforcement, namely legal factors, law enforcement or implementing institutions, facilities and infrastructure, society, and culture.[10]

The novelty of this study lies in integrating normative and empirical dimensions to assess victim protection through the interrelationship among legal obligations, the institutional capacity of higher education institutions, reporting and support mechanisms, case follow-up and victim recovery, coordination with external institutions, and social conditions affecting victims' access to protection across three higher education institutions in Gorontalo within a legal framework that continued to develop through 2026. Accordingly, the originality of this study is contextual and analytical in nature. It does not rest on a claim that this is the first study of sexual violence in higher education institutions in Gorontalo, nor does it seek to establish a purely causal relationship arising solely from the enactment of a particular regulation.

Based on the foregoing issues, this study aims to analyze the implementation of legal protection for victims of sexual violence at Universitas Negeri Gorontalo, Universitas Ichsan Gorontalo, and Universitas Nahdlatul Ulama Gorontalo; identify the factors that hinder the effectiveness of its implementation; and formulate recommendations to strengthen victim protection mechanisms. The study is guided by three research questions: (1) how do the higher education institutions selected as research sites implement legal provisions concerning reporting, protection, assistance, and recovery for victims of sexual violence; (2) what institutional, procedural, and social factors influence or restrict victims' access to legal protection; and (3) how can internal university mechanisms and coordination with external institutions be strengthened to achieve more effective victim protection?

Geographically, the study is limited to the three higher education institutions selected as research sites in Gorontalo City, Gorontalo Province. Accordingly, the findings are not intended to represent all higher education institutions in Gorontalo Province. Following the introduction, this article presents the research methodology, analyzes the forms and implementation of legal protection for victims, discusses institutional, procedural, and social barriers, and concludes with recommendations for strengthening victim protection.

II. METHODOLOGY

This study employs empirical legal research with a qualitative approach to analyze the implementation of Law Number 12 of 2022 on Sexual Violence Crimes and Regulation of the Minister of Education, Culture, Research, and Technology Number 55 of 2024 on the Prevention and Handling of Violence in Higher Education Institutions in providing legal protection for victims of sexual violence at higher education institutions in Gorontalo City. Empirical legal research is used to examine how law operates in practice based on information obtained from informants and observations of institutional practices[15]. This empirical inquiry is supported by a normative juridical approach and a conceptual approach. The normative juridical approach is used to analyze statutory provisions concerning the prevention and handling of sexual violence and the protection of victims, while the conceptual approach is employed to examine legal concepts and doctrines relating to legal protection, the fulfillment of institutional obligations, and law enforcement.

The analysis of regulatory developments is distinguished from the period during which field data were collected. Legal developments occurring after the completion of fieldwork are not automatically treated as evidence that the relevant provisions had already been implemented when the interviews or observations were conducted[16]. The research sites comprise Universitas Negeri Gorontalo, Universitas Ichsan Gorontalo, and Universitas Nahdlatul Ulama Gorontalo. Institutional information was also obtained from Higher Education

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15 Jumal Ahmad, "Desain Penelitian Analisis Isi (Content Analysis)," *Jurnal Analisis Isi* 5, no. 9 (2018): 1–20, https://www.academia.edu/download/81413125/DesainPenelitianContentAnalysis_revisedJumalAhmad.pdf.

16 Dian Kurniati and M. Syahran Jailani, "Kajian Literatur : Referensi Kunci, State Of Art, Keterbaruan Penelitian (Novelty)," *Jurnal QOSIM Jurnal Pendidikan Sosial & Humaniora* 1, no. 1 (2023): 1–6, https://doi.org/10.61104/jq.v1i1.50.

Service Institution Region XVI (LLDikti Region XVI) and the Gorontalo Regional Police. Informants were selected using purposive sampling, based on the relevance of their positions, authority, knowledge, and involvement in the issues under investigation. The study involved five informants: one member of the Task Force for the Prevention and Handling of Sexual Violence (Satgas PPKS) at Universitas Ichsan Gorontalo, the Head of LLDikti Region XVI, one unit head from Subdirectorate IV for Women and Children Protection (PPA) of the Gorontalo Regional Police, and two university students. These informants were selected to provide institutional, law-enforcement, and student perspectives on the implementation of legal protection for victims of sexual violence.

The research data consist of primary and secondary data. Primary data were obtained through interviews and observations concerning the implementation of legal protection, the role of institutional task forces, understanding of applicable regulations, prevention and response mechanisms, and obstacles encountered in addressing sexual violence within higher education institutions[17]. Secondary data were obtained through literature review and examination of documents relevant to the research object. Primary legal materials include the statutory and regulatory instruments forming the legal basis of the study, particularly Law Number 12 of 2022 on Sexual Violence Crimes and Regulation of the Minister of Education, Culture, Research, and Technology Number 55 of 2024 on the Prevention and Handling of Violence in Higher Education Institutions. Secondary legal materials include books, scholarly journal articles, academic works, and expert opinions relating to the legal protection of victims, sexual violence in higher education, and law enforcement.

Data were collected through observation, interviews, documentation, and literature review[18]. Observation focused on institutional practices relevant to the prevention and handling of sexual violence and victim protection. Interviews were conducted to obtain first-hand information from informants concerning prevention, reporting, victim assistance, case handling, protection, and recovery mechanisms. Documentation involved collecting and reviewing formal records

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17 Mawardi De La Cruzz, Firmansyah Abdillah, and Mohammad Haekal Rahman, "Legal Protection for Workers in Gorontalo : Towards a Civilized Justice System," Indonesian Civil Law Review (ICLR) 2, no. 1 (2025): 41–63.

18 Jupri; Jupri et al., "The Role of the Saber Extortion Task Force (Sweeping Illegal Charges Task Force) in The Eradication of Criminal Acts of Corruption," Jurnal Hukum Volkgeist 6, no. 2 (2022): 186–95.

and other supporting documents relevant to the research, while the literature review was used to examine legislation, legal scholarship, and previous studies related to the issues under investigation. Information obtained from institutional representatives and students was analyzed according to the respective position and capacity of each source[19]. Accordingly, institutional accounts were not treated as substitutes for victims' direct experiences, but rather as data reflecting institutional perspectives and practices in the implementation of legal protection.

The data were analyzed using a qualitative descriptive-analytical method through the stages of editing, classification, verification, and interpretation. The editing stage involved examining the completeness, clarity, consistency, and relevance of the data[20]. Classification was conducted by grouping the data according to issues relating to victim protection, the implementation of institutional obligations, and barriers to implementation. Verification involved assessing the accuracy of the information based on informants' responses and its consistency with available supporting data. The classified and verified data were subsequently interpreted by integrating field findings, relevant documentary evidence, and applicable legal provisions to develop an analysis of the implementation of legal protection for victims of sexual violence.

The adequacy of qualitative data was determined by the relevance and depth of the information obtained, or its information power, in relation to the objectives of the study, rather than solely by the number of informants[21]. The analysis is limited to implementation issues as reflected in the research data and is not intended to measure the prevalence of sexual violence, compare the performance of all higher education institutions in Gorontalo, or establish a causal relationship between the enactment of regulations and changes in institutional practices.

III. LEGAL PROTECTION AND INSTITUTIONAL RESPONSIBILITY

19 Irmawati Nasadi and Suhartin I Akdaji, "The Dynamics of Marriage in the Modern Era : Between Tradition and State Law," *Indonesian Civil Law Review (ICLR)* 1, no. 1 (2025): 69–83.

20 Katerina Bartzi et al., "The Digital Repository Service of the National Documentation Centre in Greece : A Model for Digital Humanities Data Management and Representation," n.d.

21 Desi Apriani, Zulherman Idris, and M Nasir, "Ketentuan Sanksi Menurut Hukum Persaingan Usaha Indonesia Ditelaah Dari Aspek Law Is a Tool of Social Engineering," *UIR Law Review* 9, no. 1 (2025): 32–46, https://journal.uir.ac.id/index.php/uirlawreview/article/view/24394.

A. Legal Basis and Period of Applicability

Legal protection for victims of sexual violence in higher education institutions should be understood as part of the fulfilment of victims' rights to case handling, protection, and recovery. Constitutional guarantees provide the foundation for safeguarding every person's dignity and sense of security; however, the practical implementation of such protection must be further examined through statutory and regulatory provisions that impose concrete obligations on institutions. Law Number 12 of 2022 on Sexual Violence Crimes places case handling, protection, and recovery within an interconnected framework for the fulfilment of victims' rights.

This legal construction indicates that legal protection cannot be confined merely to preventing acts of sexual violence or imposing sanctions on perpetrators[22]. Criminal proceedings undoubtedly play an important role in ensuring accountability, yet victims' needs arise from the earliest stages of reporting and examination and continue through assistance, protection, and recovery[23]. In the context of higher education, each of these rights must be linked to the institutions, officials, procedures, and services responsible for their effective realization. Accordingly, institutional commitments to prevent and reject sexual violence must be translated into protection mechanisms that are accessible, operational, and capable of functioning effectively in practice.

The legal framework governing witness and victim protection must also be analyzed with due regard to its temporal applicability. Law Number 13 of 2006, as amended by Law Number 31 of 2014, remains relevant for explaining the legal context of events that occurred while those provisions were still in force. However, this framework can no longer be treated as the current positive law, as Law Number 3 of 2026 on the Protection of Witnesses and Victims has been in force since May 20, 2026 and has replaced the previous legal regime.

The 2026 Law introduces a renewed framework concerning the categories of persons entitled to protection, the institutional position of the Witness and

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22 Dian Ety Mayasari, "Imposition of Criminal Sanction Against Sexual Offenders from the Perspective of Child Protection Laws," *YURIDIKA Fakultas Hukum Airlangga* 37, no. 1 (2022): 1–12, https://doi.org/10.20473/ydk.v37i1.33513.

23 David M Buss, "Evolution and Human Behavior Sexual Violence Laws : Policy Implications of Psychological Sex Differences ☆," *Evolution and Human Behavior* 44, no. 3 (2023): 278–83, https://doi.org/10.1016/j.evolhumbehav.2023.01.003.

Victim Protection Agency (LPSK), restitution, compensation, and victim-related funding. Accordingly, any analysis of a case or institutional action must take into account the time at which the relevant event occurred and the legal provisions applicable at that time. This temporal approach is essential to avoid applying subsequent legislation retroactively to acts or institutional measures that took place before the new law entered into force.

A similar regulatory transition has occurred in the framework governing the prevention and handling of violence in higher education institutions. Regulation of the Minister of Education, Culture, Research, and Technology Number 55 of 2024 did not merely amend, but replaced Regulation of the Minister of Education, Culture, Research, and Technology Number 30 of 2021. This regulatory change broadened the scope of governance from sexual violence specifically to the prevention and handling of various forms of violence within higher education institutions. Accordingly, the term *Satgas PPKS* remains relevant when describing field findings or institutional structures established under the previous regulatory framework, whereas the analysis of the currently applicable legal framework must be aligned with the prevention and handling structure introduced under Ministerial Regulation Number 55 of 2024.

However, changes in regulatory nomenclature and legal provisions do not, by themselves, establish that higher education institutions have completed the corresponding institutional adjustments. Such adjustments must be demonstrated through formal decisions establishing or appointing the relevant task force, internal procedures, the allocation of authority and responsibilities, and institutional documents applicable within each university.

The protective framework was further strengthened by Government Regulation Number 30 of 2025 on the Prevention of Sexual Violence Crimes and the Handling, Protection, and Recovery of Victims of Sexual Violence Crimes. In this study, the Regulation is treated as part of the evolving legal framework and as a normative basis for identifying areas in which institutional policies may require further improvement. Its enactment is not treated as evidence that all of its provisions had already been implemented at the time the field data were collected. Distinguishing between empirical findings and subsequent legal developments is therefore necessary to ensure that the assessment of institutional

conduct remains consistent with the legal framework applicable during the relevant period.

In strengthening institutional governance, higher education institutions should ensure that their internal procedures clearly specify the legal basis for institutional action, the authorities responsible for decision-making, available objection or review mechanisms, and the circumstances in which victims must be provided with assistance or referred to external institutions.

B. Reporting, Confidentiality, and Initial Assistance

The effectiveness of legal protection for victims is strongly influenced by the availability of reporting mechanisms that are safe, accessible, and trustworthy. Based on the research data, limited access to case-related information within higher education institutions is associated with institutional reporting constraints. Information obtained from LLDikti indicates difficulties in accessing institutional information concerning reported cases, while data from the Gorontalo Regional Police relate to sexual violence in general and are not specifically disaggregated by higher education institution. These limitations mean that the available data cannot be used to determine the number of unreported cases, establish that individual universities have concealed cases, or compare the performance of the three higher education institutions included in this study. Nevertheless, the absence of disaggregated data remains an important concern for evaluating victim protection, as institutions may face difficulties in assessing response times, continuity of referrals, and recurring patterns of problems when reports are not adequately documented or cannot be compared across institutions.

Reporting mechanisms must also be assessed from the perspective of victims or individuals who are considering whether to disclose an experience of sexual violence. The mere availability of a complaint hotline or contact number is insufficient if potential complainants are not provided with clear information concerning confidentiality, service hours, stages of case handling, the persons authorized to access their information, and the institution's responsibilities after a report is submitted. These issues become particularly significant where the reported person has a structural or academic relationship with the victim. Victims should therefore be able to submit reports without being required to approach a unit or official who has a direct relationship with the reported party. They should

also be informed from the outset about what information will be recorded, to whom such information may be disclosed, and what forms of assistance are available before they decide on subsequent steps.

The findings further reveal accounts of fear, shame, disruption to educational activities, and the need to repeatedly recount the alleged incident. Such experiences are relevant to assessing the quality of institutional services, but they should not automatically be interpreted as evidence of a particular clinical diagnosis. Conditions such as depression or post-traumatic stress disorder require assessment by appropriately qualified professionals. Initial assistance should therefore be responsive to the needs expressed by victims and, where necessary, followed by professional assessment or specialized services. Higher education institutions may appoint liaison officers responsible for explaining procedures, identifying urgent safety needs, and facilitating access to legal assistance, psychological support, and healthcare services. Such a role is coordinative in nature and is not intended to replace the functions of psychologists, healthcare professionals, investigators, or legal counsel.

Protecting victim confidentiality involves more than refraining from publicly disclosing a victim's name; it also requires appropriate management of case-related documents and information. Within relatively small academic communities, a combination of information concerning a study program, semester, position, and particular characteristics of an incident may enable identification even when the victim's name is withheld. Access to complaint records should therefore be restricted according to institutional authority and case-handling necessity, accompanied by clear rules governing the storage, use, and disclosure of information. At the same time, confidentiality should not be invoked as a justification for avoiding institutional accountability. Anonymized aggregate data may still be used for evaluation, oversight, and policy improvement. Victim confidentiality and institutional transparency should therefore not be treated as competing interests; rather, both can be pursued simultaneously through an appropriate information-governance system.

C. Accountability, Recovery, and Educational Continuity

The handling of sexual violence in higher education institutions may involve both internal administrative mechanisms and criminal justice processes, which serve

distinct but interrelated functions. Higher education institutions must act within the scope of their authority when adopting safety measures, examining alleged internal misconduct, providing assistance, and issuing recommendations in accordance with applicable procedures. By contrast, criminal liability must be determined through the criminal justice process and cannot be established solely on the basis of research interviews or the existence of an allegation of sexual violence. This functional distinction, however, does not mean that counseling, interim protection, academic accommodations, or other forms of assistance should be postponed until criminal proceedings have been completed. Victims' immediate needs and the determination of legal responsibility should therefore be addressed according to their respective functions and institutional competences, while safeguarding the procedural rights of all parties involved.

Questions of accountability become more complex when the reported person occupies a strategic position or exercises influence over the institutional structure responsible for receiving and handling complaints. The data available in this study include information concerning an alleged case involving a university leader; however, the available documentation is insufficient to establish the final outcome of the process or to verify all information regarding the duration of case handling. Accordingly, the principal issue for analysis is not whether the allegation itself is true or false, but whether the institution has adequate procedures to address potential conflicts of interest. Higher education institutions should establish mechanisms to ensure that individuals with a conflict of interest do not participate in decision-making concerning complaints in which they are implicated. Such safeguards may include recusal from decision-making, independent examination or review, and referral to external bodies where internal processes cannot ensure sufficient independence. Decisions concerning protection and case handling should also be supported by documented reasons and legal or procedural grounds, while ensuring that the reported party is afforded an appropriate opportunity to respond in accordance with applicable procedures.

Legal protection must further encompass victim recovery and continuity of education. Recovery should not be understood merely as the availability of counseling after an incident, but also as the victim's ability to continue studying or working in conditions that do not reproduce the source of harm or distress.

Within higher education institutions, recovery measures may include changing academic supervisors, modifying assessment arrangements, adjusting schedules or class placements, facilitating access to psychological and healthcare services, and adopting other measures that enable victims to continue their education. Any such adjustment, however, should take into account the needs and consent of the affected person. Transferring a victim to another class or environment, for example, does not necessarily constitute effective protection if it results in additional costs, prolongs the period of study, or creates new academic burdens. The effectiveness of recovery measures should therefore be assessed by their actual impact on the victim and on the continuity of their education.

The financial dimensions of recovery also require precision in the use of legal terminology. Restitution, compensation, service funding, and educational assistance constitute distinct legal and policy instruments and do not automatically confer the same entitlements on every victim. The availability of, and procedures for obtaining, each form of recovery must be determined by the applicable legal framework and the relevant procedural requirements. Based on the available data, this study cannot conclude that victims or complainants at the higher education institutions examined have received, or are automatically entitled to receive, any particular form of financial payment. In this context, the responsibilities of higher education institutions should at least include providing accurate information concerning available rights and services and facilitating referrals to competent external institutions where victims' needs exceed the institution's own capacity.

Taken together, the findings indicate that the implementation of legal protection for victims of sexual violence at the higher education institutions examined cannot be assessed solely on the basis of the existence of regulations or the establishment of institutional task forces. Legal protection must be reflected in the institution's capacity to translate legal norms into safe reporting mechanisms, confidential information management, accessible support services, conflict-of-interest-free case handling, coordination with external institutions, and recovery measures that safeguard the continuity of victims' education. Accordingly, three interrelated dimensions emerge as central to the implementation of legal protection: access to protection, institutional accountability, and continuity of victim recovery. These dimensions provide

important indicators for assessing the extent to which the legal obligations of higher education institutions are substantively realized in practice rather than confined to formal or administrative compliance.

IV. IMPLEMENTATION BARRIERS AND DIRECTIONS FOR IMPROVEMENT

A. Power Relations and Responses to Disclosure

The implementation of legal protection for victims of sexual violence in higher education institutions is shaped not only by the existence of regulations and institutional mechanisms, but also by power relations embedded within academic relationships. Field findings indicate that academic dependency and concerns about the consequences of reporting constitute important barriers that may discourage students from disclosing experiences of sexual violence. These concerns should be distinguished from a lack of awareness of applicable regulations. Students may be aware of available reporting mechanisms yet still decide not to report because they fear that lecturers or academic supervisors may influence their grades, supervision process, or continuation of study.

The analysis developed by Sumintak and Idi on power relations provides a useful framework for understanding how academic relationships may place students in a position of dependency on individuals who exercise particular forms of authority within the educational process. This finding, however, should not be generalized to suggest that all lecturer-student relationships involve the same level of risk. The central issue is how institutions provide effective protection when hierarchical relationships themselves form part of the circumstances underlying a complaint.

The implication is that increasing awareness of sexual violence through socialization or educational campaigns will remain insufficient unless it is accompanied by procedural safeguards for those who report. Higher education institutions should ensure the availability of reporting channels that can be accessed without requiring complainants to approach individuals who have a direct relationship with the reported party, procedures for transferring decision-making authority where conflicts of interest arise, and access to external assistance or consultation when internal mechanisms cannot provide the necessary degree of independence. Such safeguards are essential because the

willingness to report is shaped not only by knowledge of available procedures, but also by confidence that reporting will not result in academic, administrative, or social disadvantage to the complainant.

Another identified barrier concerns the tendency toward victim-blaming. The research findings indicate that responses to sexual violence may involve judgments concerning clothing, behavior, social relationships, or considerations relating to the reputation of the institution. Wulandari and Krisnani explain victim-blaming through attributional bias, while Ahrens demonstrates that negative social reactions can silence individuals who have disclosed experiences of sexual violence. These perspectives indicate that victim protection does not end with the availability of a mechanism for receiving complaints. The manner in which institutions, officers, and the surrounding social environment respond after disclosure may influence whether an individual continues to engage with available protection services or withdraws from the process.

Accordingly, the examination of a complaint should be clearly distinguished from moral judgments concerning the complainant's private life. Assessment of facts and evidence remains necessary to ensure procedural fairness, but respectful treatment and access to support services should not depend on judgments concerning clothing, behavior, social relationships, or lifestyle where such matters are irrelevant to the substance of the case. This approach is important for preventing secondary victimization while preserving due care in the examination of alleged misconduct.

A low number of reports should likewise not automatically be treated as an indicator of successful prevention. A limited number of complaints may reflect a lower incidence of sexual violence, but it may also result from distrust in reporting mechanisms, fear of the consequences of disclosure, lack of knowledge regarding procedures, or other factors. Conversely, an increase in reporting does not necessarily indicate an increase in the occurrence of sexual violence, as it may instead reflect greater awareness of and confidence in complaint mechanisms. The data available in this study do not permit these possibilities to be empirically distinguished. It is therefore more appropriate to acknowledge the possibility of underreporting than to estimate the scale of unreported incidents without adequate supporting data.

The evaluation of legal protection should therefore not rely solely on the number of reported cases as an indicator. Monitoring systems should combine reporting data with indicators concerning the accessibility of complaint channels, response times, availability of assistance, continuity of referrals, procedural resolution, and service-user experiences. Documentation should also clearly distinguish among reports or allegations, cases under examination, and violations formally established through applicable procedures. Such distinctions are necessary both to maintain data accuracy and to safeguard the rights of all parties involved.

B. Institutional Capacity, Independence, and Data

A further implementation barrier concerns the institutional capacity of higher education institutions to translate legal norms into effective services. Soerjono Soekanto's framework on the factors influencing law enforcement provides a useful analytical lens for mapping these challenges through five dimensions: legal factors, law enforcement or implementing actors, facilities and infrastructure, society, and culture. In the context of this study, the availability of personnel and training relates to the capacity of implementing actors; private consultation spaces and access to referral resources relate to facilities and infrastructure; while stigma, the normalization of certain forms of conduct, and victim-blaming relate to societal and cultural factors. These dimensions do not operate in isolation, but may interact and reinforce one another in the implementation of victim protection.

The formal establishment of a task force, for example, does not necessarily result in effective protection if its members lack sufficient time, funding, competence, service facilities, or access to adequate external support. Conversely, the availability of resources does not resolve implementation problems where complaint procedures still allow reports to be handled by individuals with conflicts of interest. In this study, Soekanto's framework is therefore used to identify the location of implementation problems and corresponding areas of institutional responsibility, rather than to assign scores to individual higher education institutions or to establish causal relationships among the identified factors.

Institutional challenges may also arise when the protection of an institution's reputation is prioritized over the interests of individuals who require protection. Nikmatullah identifies difficulties in fulfilling institutional commitments to victim protection where bureaucratic constraints, limited resources, and concerns about institutional reputation influence responses to sexual violence. This perspective may be read alongside Smith and Freyd's concept of *institutional betrayal*, which helps explain the possibility of additional harm arising when an institution that is expected to provide protection fails to respond adequately to the needs of those who depend on it.

The use of this concept in the present study is not intended to conclude that the higher education institutions examined automatically meet the criteria of *institutional betrayal*. Rather, it is employed as an analytical perspective for assessing whether institutional procedures facilitate access to assistance and fair processes or, conversely, create additional barriers for those seeking protection.

Institutional reform should be translated into commitments that are observable and capable of evaluation. Higher education institutions should provide complaint procedures in clear and accessible language, explain the limits of confidentiality, document each referral, and record follow-up actions taken in response to task-force recommendations. Where an institutional decision departs from the recommendation of the task force, the reasons and legal or procedural basis for that decision should be documented, and an appropriate review mechanism should be available in accordance with applicable rules. The perspective of *institutional courage* further suggests that institutional evaluation should not focus solely on failures, but also on an organization's capacity to respond in ways that are constructive, transparent, and oriented toward protection. In this study, however, *institutional courage* is treated as a framework for organizational development rather than as an intervention whose effectiveness has been empirically tested in the higher education institutions examined.

Further institutional strengthening requires a data-governance system capable of supporting evaluation without compromising victim confidentiality. Data coordination may be facilitated by agreeing on a set of non-identifying variables, such as the date of reporting, type of service requested, stage of case

handling, referral status, and category of outcome. Reports or allegations should not be merged indiscriminately with violations that have been formally established through applicable procedures, as doing so may produce aggregate figures that obscure the procedural status of individual cases. Information obtained from LLDikti and the police underscores the importance of shared terminology in data management, but it should not be interpreted as a basis for unrestricted information sharing.

Any exchange or disclosure of data must remain subject to the applicable legal basis, the authority of each institution, the purpose for which the data are used, and confidentiality obligations. Where the number of cases is sufficiently small that a particular category could lead to the identification of an individual, reporting may use broader categories or omit certain details. Data coordination should therefore be directed toward establishing an accountable monitoring system while continuing to safeguard personal identities. This recommendation is intended as a proposed direction for improvement and should not be understood as a finding that this study identified or evaluated an existing integrated inter-agency database in Gorontalo.

C. Prevention, Referrals, and Evidentiary Limits

The prevention of sexual violence requires the development of institutional procedures to be accompanied by education across the entire higher education community. Shofiyati, Hidayah, and Sabarudin distinguish between structural and cultural approaches to preventing sexual violence, while Beres, Treharne, and Stojanov advance a whole-campus approach that frames prevention as a responsibility shared across the university environment. These perspectives underscore the need for a clear allocation of responsibilities. University leaders are responsible for supporting procedural independence and providing adequate resources; lecturers and educational personnel should understand their reporting and referral obligations according to their respective roles; and students should receive practical information concerning unacceptable conduct, reporting mechanisms, and available support services.

Prevention initiatives should not be limited to slogans or general awareness campaigns. Educational programs should address concrete situations arising in academic supervision, student organizations, fieldwork or internships, and digital

communication. Their content should also be aligned with the applicable legal framework and the specific needs of the higher education environment. Awareness-raising cannot substitute for a functioning response system; conversely, even a well-designed response system will remain difficult to access if members of the academic community do not understand when, where, and how it can be used.

Bystander education may constitute one component of a broader prevention strategy, but its implementation requires adaptation and evaluation in light of local conditions. The work of Jouriles and colleagues on campus bystander programs provides a basis for assessing effectiveness not merely by the number of participants, but also by learning outcomes and the manner in which the program is delivered. In the context of higher education institutions in Gorontalo, evaluation may focus on whether members of the academic community are able to recognize problematic conduct, identify safe referral pathways, and respond appropriately when someone discloses an experience of sexual violence. Students, however, should not be placed in the role of investigating alleged incidents or confronting reported individuals where doing so may create safety risks.

Technological developments also require greater attention to forms of sexual violence involving digital media and to the management of electronic evidence. Henry and Powell demonstrate that technology can facilitate various forms of sexual violence through conduct occurring online as well as through digital practices connected to offline incidents. One practical implication is that higher education institutions should provide guidance on how to preserve messages, communication records, and other digital information securely, while referring technical and evidentiary matters to appropriately qualified authorities or professionals. The widespread circulation of screenshots, even when intended to support a complaint, may increase the risk of exposing identities and other sensitive information. Student chat groups and social media platforms should therefore not be used as informal repositories for sensitive case-related materials. At the same time, the medium through which conduct occurs does not, by itself, determine its legal classification; the applicable legal elements, factual context, and evidentiary materials must still be assessed under the relevant legal provisions.

External referral systems should likewise be designed with a clear allocation of responsibility at each stage of service transfer. A university liaison officer may facilitate access to legal assistance, healthcare services, psychological support, the police, and competent victim-protection institutions. The research materials refer to LLDikti, the police, and the Integrated Service Center for the Empowerment of Women and Children (P2TP2A) however, the available data do not provide a verified service map or evidence that all of these institutions provided services in every case discussed. Recommendations for strengthening referral mechanisms should therefore begin with the development of documented local cooperation arrangements, regularly updated service contact information, clear delineation of institutional authority, and follow-up mechanisms to ensure continuity of support after a referral has been made.

Inter-institutional coordination should also be directed toward reducing repetitive administrative burdens on victims, insofar as permitted by law. Victims should be informed of the purpose of any additional examination or interview and of developments in the process that may lawfully be communicated to them. Nevertheless, higher education institutions cannot guarantee control over the duration of criminal investigations or the outcomes of legal proceedings that fall within the authority of other institutions. Clarifying these jurisdictional boundaries is essential to ensure that referral systems do not create expectations that cannot be fulfilled and that each institution remains accountable within the scope of its respective legal functions.

This study has several limitations that should be considered when interpreting the findings. It focuses on selected higher education institutions and on experiences reported by the research sources, rather than on a probability sample capable of representing all higher education institutions in Gorontalo Province. Limited information concerning the timing of fieldwork and the availability of traceable case documentation also restricts the study's ability to assess the consistency of protection measures over a particular period. International literature is used in this study to assist in interpreting mechanisms and issues that may be relevant, rather than to establish the prevalence of comparable phenomena in Gorontalo. The study is likewise not intended to provide clinical diagnoses concerning particular individuals or to determine the final status of any allegation in the absence of supporting official documentation.

In light of these limitations, future research should document informant-selection procedures in greater detail, clearly distinguish institutional accounts from victims' direct experiences, examine relevant internal university decisions, and identify the legal framework applicable to each case during the relevant period. Strengthening these aspects would enable a more accurate analysis of the gap between rights formally guaranteed by law and actual access to protection services.

Taken together, the discussion indicates that barriers to the implementation of legal protection for victims of sexual violence can be mapped across three interrelated levels: barriers arising from power relations and the broader social environment; barriers relating to institutional capacity and independence; and barriers concerning prevention procedures, referral mechanisms, data management, and evidentiary processes. Accordingly, improvement cannot be achieved merely through the adoption of additional regulations or awareness-raising activities. It requires safe and independent reporting mechanisms, stronger task-force capacity, safeguards against conflicts of interest, protection of confidentiality, accountable data governance, documented referral systems, and periodic evaluation of both access to services and service-user experiences. This orientation places the effectiveness of protection not on the quantity of documents or activities produced by higher education institutions, but on their capacity to ensure that individuals in need of protection can obtain safe access, fair procedures, continuous assistance, and recovery without losing their right to education.

V. CONCLUSION

Legal protection for victims of sexual violence at the higher education institutions examined in Gorontalo demonstrates that the effectiveness of protection cannot be determined solely by the existence of statutory and regulatory provisions. Rather, it depends on the interconnection among access to reporting mechanisms, victim assistance, institutional follow-up, and recovery. The legal framework provides a basis for higher education institutions to fulfil their protective obligations, but effective implementation requires ensuring that academic power relations, responses to disclosures of sexual violence, service capacity, the independence of case handling, and inter-institutional coordination

do not become barriers to victims seeking protection. Legal analysis must also take into account the temporal applicability of regulations so that institutional actions are assessed according to the law in force at the time they occurred, while remaining analytically distinct from subsequent legal developments. Within the scope of this study, the findings are not intended to determine the prevalence of sexual violence, establish a causal relationship between regulatory change and shifts in institutional practice, or compare the performance of individual universities. Rather, the study seeks to explain how legal obligations interact with institutional and social conditions in the provision of victim protection.

The implications of this study underscore the importance of developing a documented, accessible, independent, and victim-oriented protection system. Such a system should include safe reporting mechanisms, safeguards for the confidentiality of information, competent assistance, measures to prevent conflicts of interest, decisions supported by clear and reviewable grounds, and referral mechanisms that clearly define the respective responsibilities of higher education institutions and external agencies. Continuity of education should be treated as an integral component of recovery, so that the effectiveness of protection is assessed not only by the procedural progress of a case but also by the victim's ability to continue exercising the right to education safely and on an equal basis. Within this framework, the contribution of the study lies in developing an integrated perspective that connects legal obligations, institutional capacity, access to protection, and continuity of victim recovery as interrelated dimensions for evaluating the implementation of legal protection in higher education institutions. This framework may serve as a basis for strengthening institutional policies while also providing an analytical foundation for future research on victim protection in higher education.

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COMPETING INTEREST

Declaration on the Use of Artificial Intelligence (AI)

The authors declare that Artificial Intelligence (AI) technology was used in a limited capacity during the preparation of this article solely to assist with language

editing, sentence refinement, and improving the clarity and readability of the manuscript. AI was not used to generate or determine the research ideas, research questions, methodology, research data, findings, or substantive conclusions. All ideas, data, analyses, interpretations, scholarly arguments, and responsibility for the accuracy and integrity of the article remain entirely with the authors.

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