

ABSTRAK

Penelitian ini dilatarbelakangi oleh hakim menjatuhkan putusan pembedaan dan putusan bebas terhadap pelaku Tindak Pidana Eksploitasi Anak. Pokok permasalahan yang penulis kaji dalam penelitian ini yaitu: 1) Mengapa Hakim menjatuhkan Putusan Pembedaan Terhadap Pelaku Tindak Pidana Eksploitasi Anak? 2) Mengapa Hakim menjatuhkan Putusan Bebas terhadap pelaku Tindak Pidana Eksploitasi Anak?. Penelitian ini bertujuan untuk: 1) alasan hakim menjatuhkan putusan Pembedaan terhadap Pelaku Tindak Pidana Eksploitasi Anak 2) alasan hakim menjatuhkan Putusan bebas terhadap pelaku Tindak Pidana Eksploitasi Anak. Sifat penelitian bersifat normatif. Variabel bebas ialah alasan hakim menjatuhkan putusan pembedaan terhadap pelaku tindak pidana eksploitasi anak dan alasan hakim menjatuhkan putusan bebas bagi pelaku tindak pidana eksploitasi anak. Variabel terikat ialah putusan hakim terhadap pelaku tindak pidana eksploitasi anak. Berdasarkan hasil penelitian yang penulis lakukan maka alasan hakim menjatuhkan putusan pembedaan terhadap pelaku tindak pidana eksploitasi anak adalah terdakwa terbukti memenuhi unsur-unsur dakwaan yaitu: a) unsur setiap orang b) unsur dilarang menempatkan, membiarkan, melakukan, menyuruh melakukan, atau turut serta melakukan eksploitasi secara ekonomi dan/sekual terhadap anak, alasan hakim menjatuhkan putusan bebas terhadap pelaku tindak pidana eksploitasi anak adalah terdakwa tidak terbukti memenuhi unsur dakwaan unsursebagi berikut a) Untuk tujuan mengeksploitasi orang tersebut di wilayah negara Republik Indonesia.

Kata Kunci: Eksploitasi, Anak

ABSTRACT

Description of the settlement of the crime of child exploitation. This research is motivated by the judge's decision to sentence and acquit the perpetrators of Child Exploitation Crimes. The main problems that the author examines in this research are: 1) Why do judges sentence perpetrators of Child Exploitation Crimes? 2) Why do judges sentence perpetrators of Child Exploitation Crimes? This study aims to: 1) the reasons why judges impose criminal sentences on perpetrators of child exploitation 2) the reasons why judges impose acquittals on perpetrators of child exploitation. The nature of the study is normative. The independent variables are the reasons why judges impose criminal sentences on perpetrators of child exploitation and the reasons why judges impose acquittals on perpetrators of child exploitation. The dependent variable is the judge's decision on perpetrators of child exploitation. Based on the results of the research conducted by the author, the reason the judge sentenced the perpetrator of the crime of child exploitation was that the defendant was proven to have fulfilled the elements of the charge, namely: a) the element of every person b) the element of being prohibited from placing, allowing, carrying out, ordering to be carried out, or participating in carrying out economic and/or sexual exploitation of children, The reason the judge acquitted the perpetrator of the crime of child exploitation was that the defendant was not proven to have fulfilled the elements of the charges as follows: a) For the purpose of exploiting the person in the territory of the Republic of Indonesia.

Keywords: Exploitation, Children