

## COMPARISON OF CHEMICAL CASTRATION SANCTIONS AGAINST PERPETRATORS OF CHILD SEXUAL VIOLENCE IN IN- DONESIA AND SOUTH KOREA

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Article	Abstract
<p><b>Keywords:</b> Comparative Law, Chemical Castration, Violence Child Sexu- ality</p> <p><b>DOI:</b> 10.28946/scls.v3i1.4743</p>	<p>Chemical castration punishment is regulated in Law No. 17 of 2016 about Child Protection, which provides additional sanctions for perpetrators of child sexual crimes. In South Korea, it is regulated in the South Korean Bill on Prevention and Handling Perpetrator Violence Sexual to However, the implementation of this law has encountered various obstacles, including unclear implementation procedures and rejection from several medical circles. Even though there are aiming to protect children from sexual violence, criticism has emerged regarding potential human rights violations. tendency to repeat crimes. With a more structured system, South Korea has succeeded in reducing the recidivism rate through a rehabilitation approach and long-term supervision. This study uses a normative legal approach using a legislative approach, a conceptual approach and a comparative legal approach. The results of the study show that although both countries have the same goal of protecting children from sexual violence, there are significant differences in the implementation and effectiveness of chemical castration sanctions in Indonesia which carries out execution aimed at the profession doctor while South Korea was handed over to court as execution castration chemical. This study aims to provide insight into the comparison of legal policies in the two countries and their implications for the protection of child sexual violence victims. Meanwhile, South Korea became the first country in Asia to implement chemical castration in 2011. This policy was implemented based on the results of a medical diagnosis indicating that the perpetrator had.</p>

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## A. INTRODUCTION

Sexual violence against children is a serious problem faced by many countries, including Indonesia and South Korea. In an effort to combat this crime, both countries have implemented chemical castration as an additional sanction for perpetrators of sexual violence. This policy emerged in response to the increasing cases of sexual violence against children and aims to provide a deterrent effect and protect society. Based on data from the Online Information System for the Protection of Women and Children (Simfoni PPA), it was recorded that in the period from January to June 2024, there were 7,842 cases of violence against children with 5,552 female victims and 1,930 male victims, where sexual violence cases ranked first in terms of the number of victims from 2019 to 2024. In addition, according to the analysis of the Korean Ministry of Health and Welfare on cases of violence against children in Korea, the total number of cases of violence against children reported in 2021 was 53,932, a significant increase of around 27.6% compared to the previous year.

In Indonesia, the implementation of chemical castration is regulated in Law No. 17 of 2016 and Government Regulation No. 70 of 2020. Government Regulation Number 70 of 2020 concerning Procedures for Implementing Chemical Castration, Installation of Electronic Detection Devices, Rehabilitation, and Announcement Identity Perpetrator Violence Sexual towards Children. Likewise opportunities for profession medical as executor punishment castration chemistry more carry on explained in Article 9 of PP No. 70 of 2020 concerning Implementation Castration which states that the procedure implementation castration implemented as following:

- 1) " The implementation of chemical castration is carried out after existence conclusion as meant in Article 8 states that that perpetrator intercourse worthy subject to Chemical Castration;
- 2) in term maximum time 7 (seven) days Work since received conclusion as meant in letter a, prosecutor to order doctor for do Chemical Examination. Castration Action For Perpetrator Actions Sexual;
- 3) Implementation Constitution Chemical castration as referred to in letter b is carried out quick after convict finished undergo criminal the main thing is;"

This punishment is intended for perpetrators who have been proven to have committed sexual violence against children, with the provision that chemical castration is carried out after the perpetrator has served the main sentence. However, the application of this punishment has drawn controversy because it is considered to violate human rights and has the potential to be a form of torture, as expressed in various legal studies.<sup>1</sup> Chemical castration is a form of sanction that emerged through the Child Protection Act. that is with performing the act of injecting chemical compounds to suppress certain hormones which, when given to men, will suppress the testosterone hormone. However, not all parties agree with the existence of sanctions in the form of chemical castration in the Indonesian criminal law system. One party that does not agree with the chemical castration sanction is Komnas HAM. Komnas HAM is of the opinion that application of chemical castration sanctions as Punishment for perpetrators of sexual crimes against children is an act that violates human rights.<sup>2</sup>

Komnas HAM is of the view that chemical castration sanctions are a step backwards and can damage the dignity of Indonesian law. It must still be understood that the application of maximum punishment is carried out so that people who commit crimes will think twice before committing the crime. However, the development of law at this time has a great influence on

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<sup>1</sup> Ahmad Habib Al Fikry, "Chemical Castration Punishment for Perpetrators of Sexual Violence against Children in the Perspective of Islamic Law," *Lex Generalis Law Journal* 2, (2021): 88-108, <https://jhlgr.wangrengcang.com/>.

<sup>2</sup> Nuzul Qur'aini Mardiyah, "Implementation of Chemical Castration Punishment for Perpetrators of Sexual Violence," *Constitutional Journal* 14, no. 1 (2017): 213, <https://doi.org/10.31078/jk14110>.

the development of the era where someone can commit a violation not because of a weak government, but because of several laws that do not regulate and do not develop or renew the law.<sup>3</sup> One of cases that get sanctions castration chemistry in Indonesia is case Grace Slamet Santoso who is in Surabaya who received sanctions castration chemistry for 3 years Because has do sexual intercourse with child as many as 15 children.<sup>4</sup>

Meanwhile, South Korea became the first Asian country to legalize chemical castration in 2011. This punishment is applied to repeat offenders who commit sexual crimes against children, with the stipulation that they must undergo castration injections every three months for three years after serving their prison sentences. Although the policy has shown a decrease in recidivism rates, it has been criticized for its medical ethics and human rights.<sup>5</sup>

A comparison between the two countries shows significant differences in the legal approach and implementation of chemical castration sanctions. In Indonesia, although the law is in place, implementation still faces challenges related to medical procedures and effective law enforcement. On the other hand, South Korea has developed a more structured and direct system in the implementation of chemical castration penalties, although it still has to deal with ethical and human rights issues. Reason main compare with the country of South Korea is because Korea is one of the developed countries on the Asian continent.

Against this backdrop, it is important to further analyze the effectiveness and implications of chemical castration sanctions in both countries, as well as consider the perspectives of implementation and regulation in law enforcement against perpetrators of child sexual violence. Following This is table implementation castration chemistry in various countries that have done execution to perpetrator violence sexual child:

Table 1. Implementation Chemical Castration in various countries<sup>6</sup>

No.	Country	Information
1.	California	It was the first US state to impose chemical castration as a punishment for child sex offenders.
2.	South Korea	The government uses the chemical castration method only if health experts give examination results that the perpetrator of sexual crimes is likely to repeat his actions. The chemical castration procedure will be carried out after a diagnosis from a psychiatrist, then the prosecutor's office will carry out the castration process.
3.	Russia	The chemical castration procedure is carried out after the court requests a forensic psychiatrist's report to follow up on the medical steps for the perpetrator. Then the court will inject depoprovera, which contains synthetic progesterone, into the body of the patient. By injecting more female hormones into a man's body, this will reduce sexual desire. After undergoing chemical castration, perpetrators of pedophilia will serve a prison sentence. They can only apply for parole after serving 80 percent of their sentence. The

<sup>3</sup> Junef Muhar, "Law Enforcement in the Framework of Spatial Planning to Realize Sustainable Development," *Faksimil, Journal of Legal Research* 17, (2021): 53., [www.publikasi.unitri.ac.id](http://www.publikasi.unitri.ac.id).

<sup>4</sup> Mohammad Ekaputra, Frans B.S. Siagian, Sunarmi, "The Fall of Sanctions Criminal Chemical Castration Against Perpetrator Violence Sexual," *Locus Journal of Academic Literature Review*, (2023): 830-845, <https://doi.org/10.56128/ljoalr.v2i10.237>.

<sup>5</sup> Kodrat Alam, "Menakar Keterlibatan Dokter Dalam Pelaksanaan Tindakan Kebiri Kimia Bagi Pelaku Kekerasan Seksual Terhadap Anak," *Journal of law* 36, no. 2 (2020): 93, <https://doi.org/10.26532/jh.v36i2.7561>.

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

		castration sentence in force in Russia is mandatory for every perpetrator found guilty by the court.
4.	Australia	Chemical castration is given to perpetrators of child sexual violence and rape.
5.	Dutch	Sexual offenders may choose their punishment, whether to be imprisoned for a long time or to be castrated. Castration is done chemically. This means that for castration, the perpetrators may voluntarily ask to be sterilized in order to reduce their unnatural lust.

Source: *Institute for Criminal Justice Reform* ECPAT Indonesia Mappi FH UI

## B. RESEARCH METHODS

This research is a normative legal research, using a legislative approach, a conceptual approach and a comparative legal approach. Many countries can be used as examples related to the implementation and regulation of chemical castration punishment in child sexual violence crimes, but on this occasion the author takes the example of South Korea where the country is the first country in Asia to apply chemical castration punishment to perpetrators of child sexual violence.

## C. ANALYSIS AND DISCUSSION

### 1. Arrangement Sanctions Chemical Castration of Perpetrator Violence Child Sexual Abuse in Indonesia and South Korea

South Korea is the first country in the Asian region to implement chemical castration for perpetrators of sexual crimes since 2011. The implementation of this policy is only applied based on the results of examinations by medical personnel with a diagnosis or final result that the perpetrator has a tendency to repeat the act. If the results of the examination state that the perpetrator must be given a castration sentence as a way to reduce his sexual desire and provide a deterrent effect on the perpetrator. However, medical personnel do not immediately provide this recommendation. The recommendation must be given when the perpetrator has served his sentence after the results of the psychiatrist's diagnosis of the perpetrator. Medical personnel can then recommend to the prosecutor to carry out this punishment. Basically, the South Korean Government uses the chemical castration method only if health experts provide examination results that the perpetrator of sexual crimes tends to repeat their actions. The chemical castration procedure will be carried out after a diagnosis from a psychiatrist, then the prosecutor's office will carry out the castration process.<sup>7</sup>

Chemical castration punishment in Korea began with the case of a perpetrator named Park, who had attempted sexual crimes and/or committed sexual crimes against girls four times since the 1980s. The perpetrator who received the punishment must meet the requirements that the perpetrator is over 19 years old, committed acts against children under the age of 16, and the results of a psychiatric diagnosis stated that the perpetrator was a pedophile. This castration policy was taken due to the rampant incidents of similar sexual abuse in South Korea and to prevent this act from happening again. This is because pedophiles have a tendency to repeat the act. Park is threatened with chemical castration every

<sup>7</sup> Ainunnisa Rezky Asokawati, "Quo Vadis Criminal Punishment of Chemical Castration for Perperators of Sexual Crimes Against Children in Indonesia," *Journal of Islamic Law Studies* 3, (2020): 7. <https://scholarhub.ui.ac.id/jilsAvailableat:https://scholarhub.ui.ac.id/jils/vol3/iss1/2>.

three months, using an electronic tracking bracelet, and being under supervision for three years. Under South Korean law, the perpetrator can be threatened with chemical castration for 15 years.<sup>8</sup>

Chemical Castration is a form of criminal sanction that has recently been legalized by the Indonesian government in the hope that it can discourage perpetrators of sexual violence against children from committing crimes. Chemical castration is a form of action sanction that is outside the Criminal Code. Chemical castration is a form of antiandrogen injection, which is known to have a negative impact, namely that it can accelerate the aging of the body. Chemical castration sanctions in Indonesia are regulated in Article 81 paragraph (7), (8), Article 81A paragraph (1), paragraph (2), paragraph (3), and paragraph (4) of Law Number 17 of 2016 concerning the Second Amendment to Law Number 23 of 2002 concerning Child Protection (hereinafter referred to as the Child Protection Law).

Based on Article 81 Paragraph (5) of Law Number 17 of 2016 concerning Child Protection, which states that:

" In the event that the criminal act as referred to in Article 76D results in more than 1 (one) victim, resulting in serious injury, mental disorder, infectious disease, impaired or loss of reproductive function, and/or death."

The article explains that perpetrators of child sexual violence that result in more than 1 (one) victim, resulting in serious injury, mental disorders, suffering from infectious diseases, impaired or loss of reproductive function and the victim dies, then if every element is met, the perpetrator can be subject to chemical castration sanctions. This article is used as a basis and consideration in Indonesia in implementing chemical castration sanctions against perpetrators of child sexual violence.

The following is an explanation regarding the conditions for implementing chemical castration sanctions as contained in Article 81 Paragraph (5) of Law Number 17 of 2016 concerning Child Protection:

1. More than 1 (one) victim

Multiple victimization refers to a situation where more than one individual experiences suffering or harm as a result of an act of child sexual abuse, the perpetrator causing multiple other victims.<sup>9</sup>

2. Seriously injured victim

Serious injury victims in the legal context in Indonesia refer to individuals who have suffered serious injuries due to criminal acts or accidents, as regulated in various laws. The definition of serious injury can be found in several regulations, including the Criminal Code (KUHP) and the Road Traffic and Transportation Law (UU LLAJ). According to Article 90 of the Criminal Code, serious injury is defined as:<sup>10</sup> Falling ill or receiving an injury that gives no hope of recovery at all or that poses a threat of death.

- a. Unable to continue to carry out the duties of a position or job.
- b. Loss of one of the five senses.
- c. Get severe disability or paralysis.
- d. Disturbed thinking ability for more than 4 weeks.

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<sup>8</sup> *Ibid.*

<sup>9</sup> Nabila Chandra Ayuningtyas and , Subekti, "The Urgency of Legal Protection for Victims of Revenge Porn.," *Recidive: Journal of Criminal Law and Crime Prevention* 10, no. 3 (2022): 164, <https://doi.org/10.20961/recidive.v10i3.58954>.

<sup>10</sup> Irwika Fadhila Tanjung, "Legal Protection for Children in Conflict with the Law in Serious Abuse Crimes (Study of Supreme Court Decision Number 3202 K/Pid. Sus/2023)," *CONSTITUTUM: Scientific Journal of Law* 3 no. 1, (2024): 14.

- e. Abortion or death of a woman's womb.
- f. Wounds that require hospital care for more than 30 days
- 3. Victims of mental disorders
 

Victims of mental disorders refer to individuals who experience psychological or mental impacts due to criminal acts, violence, or other traumatic situations. Victims of mental disorders are individuals who suffer not only physically but also psychologically due to criminal acts or traumatic situations. Legal protection for them is essential to ensure that their rights are respected and their needs are met in the context of social justice.<sup>11</sup>
- 4. The victim has an infectious disease
 

A victim of a communicable disease refers to an individual who is infected with a disease that can be transmitted to others, and experiences negative impacts both physically and socially as a result of this condition.
- 5. Victims experience impaired or loss of reproductive function
 

Victims of impaired or lost reproductive function refer to individuals who experience negative impacts on their reproductive ability, either due to violence, disease, or certain medical conditions. Reproductive function includes the ability to have sexual intercourse, produce offspring, and undergo normal reproductive processes. Disruption of this function can be caused by a variety of factors, including sexual violence, sexually transmitted infections (STIs), or medical conditions such as infertility.
- 6. Victim died
 

Fatalities are individuals who lose their lives due to various hazardous events.

## **2. Implementation Sanctions Chemical Castration of Perpetrator Violence Child Sexual Abuse in Indonesia and South Korea**

Chemical castration is a safety measure because of its high risk and the need for public protection. The difference between a safety measure and a safety measure is not found in the possibility of guilt for past actions or in preventing reoffending. In the United States, when it comes to accommodating mentally ill patients, it is important to isolate them from society and eliminate the risk. The punishment of castration should be viewed as a type of mental punishment given to criminals.<sup>12</sup>

Security measures are not a curse for the perpetrator, but a social risk. The aspect of humane care and treatment during detention is more important, because the physical and psychological impacts are great, so strict quantification of benefits is needed. The quantification of benefits is a punishment given from a special prevention perspective based on the premise of sex such as psychiatric care. Chemical castration of sexual offenders in South Korea must be based on compassion and sympathy. There is also a view that states that chemical castration aims to prevent or overcome the risk of *recidivism*, meaning as a sign of prevention or overcoming the risk of repeating criminal acts<sup>13</sup> rather than treating them with anger and blame, treating them like mentally ill people or people who are unable to adjust socially.

The South Korean Bill on the Prevention and Handling of Perpetrators of Sexual Violence against Children regulates provisions on chemical castration (pharmacological

<sup>11</sup> Aqmal Maulana Saputra, "Psycho-Sociological Problems: Examining the Traumatic Impact of Sexual Violence on Children," *Pratyaksa: Journal of Educational, Social, and Humanitarian* 1, no. 1 (2025): 177-188.

<sup>12</sup> Kim Heegyun, "A Study on the Possibility of Introducing Chemical Castration for Repeated Child Sexual Offenders," *Journal of Criminal Law* 21, no. 4 (2009): 275.

<sup>13</sup> Han Sanghoon, "A Review of the Necessity of Chemical Castration for Sexual Offenders," *Proceedings of the 2010 Summer Academic Conference of the Korean Criminal Law Association*, (2010): 76-77.

castration). It has been stipulated that the implementation of the law must require the consent of the perpetrator. Based on the draft law before the enactment of the Law on Handling Sexual Impulse Drugs, the consent of the subject or perpetrator for castration to be carried out was essential. The current law does not require the consent of the subject or perpetrator, although it is stipulated as a requirement and is not expected to be free from controversy regarding its unconstitutionality. According to a study in the United States, after 11 years of follow-up, In the group that received good drug treatment for sex offenders, the recidivism rate was The relapse rate was only 3%, but in cases where treatment was not received or was stopped, the relapse rate exceeded 46%.<sup>14</sup>

The purpose of chemical castration treatment in South Korea is to prevent recidivism and improve social integration by providing chemical castration treatment and psychological treatment programs for repeat sexual offenders targeting children under the age of 13 who are found to have sexual disorders that cause difficulty in suppressing abnormal sexual urges or desires.

Article 1 of the South Korean bill states that:

"Perpetrators of repeated sexual crimes against children under the age of 13 may be subject to chemical castration and psychological treatment for a certain period of time using known medical methods, at the request of the prosecutor and a court decision, with the consent of the perpetrator."

Articles 10 and 11 of the South Korean bill state that:

"Chemical castration treatment is carried out by admitting the perpetrator to a treatment facility, and the maximum period must not exceed 6 months and must include psychological treatment. Fees, etc. must be paid in *parallel*".

Articles 12 and 13 of the South Korean bill state that:

"Chemical castration is carried out by the prosecutor. In the case where chemical castration is carried out simultaneously with the imposition of punishment, then chemical castration is carried out first. In the case where chemical castration is carried out simultaneously with the granting of therapeutic custody, then chemical castration is carried out during the period of therapeutic custody."

Articles 14 and 15 of the South Korean bill state that:

"Anyone who has undergone chemical castration shall be punished with life imprisonment, five years or imprisonment for a maximum of five years, without reducing the term specified in Article 72 Paragraph 1 of the Korean Criminal Code. After serving one-third of the sentence, the person may be released on parole through administrative disposition, and in this case, the eligibility for parole may only be reviewed if the person agrees to undergo chemical castration treatment again after parole."

Based on the explanation of the Article, it shows that repeated sexual violence against children under the age of 13 can be subject to chemical castration and psychological treatment for a certain period of time, no more than 6 months. Chemical castration is carried out by

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<sup>14</sup> J Michael Bailey & Aaron S. Greenberg, "The Science and Ethics of Castration: Lessons from the Morse Case," 92 Nw. UL Rev. (1998), <https://www.researchgate.net/publication/283610851>.

the Prosecutor as the executor on the recommendation of the medical team. This chemical castration and psychological treatment are requirements for the perpetrator to apply for parole. South Korea asks for the help of a psychiatrist to diagnose someone who will be sentenced to chemical castration. After receiving a diagnosis, South Korea appoints the prosecutor to carry out the chemical castration sentence. A psychiatrist is a specialist in mental health who has clinical skills in diagnosing, treating, handling, and preventing mental health problems. South Korea uses medical personnel or doctors as legal advisors for law enforcement to carry out chemical castration executions.

The context of the implementation of chemical castration punishment in South Korea against perpetrators of child sexual violence is not carried out by the medical profession, the medical profession only acts as an advisory opinion for law enforcement to carry out chemical castration executions. So it is still law enforcement officers who carry out the execution or executor of chemical castration punishment. In the realm of the medical profession as an advisory opinion for law enforcement, it is actually quite often done in the Indonesian context, such as determining the competence of law enforcement officers in carrying out chemical castration executions.

A person who has received a treatment order will be subject to a probationary period, during the treatment period based on Article 32 Paragraph 2 of the law on Probation, the perpetrator must comply with the following requirements:

- a. Comply with drug treatment carefully as directed by the probation officer.
- b. Take medication regularly as directed by the probation officer.
- c. Receive psychological treatment such as cognitive behavioral therapy under the direction of a probation officer.

If a criminal shows successful treatment effects through the implementation of therapeutic supervision, there is no need for chemical treatment anymore, which is the main reason why child sexual abusers must complete other treatment programs such as the Cognitive Behavioral Program, psychiatric treatment.<sup>15</sup> The requirement of mutual consent is a major requirement in many countries that have introduced chemical castration. It should also be noted that it is considered to be psychological in nature. forced chemical castration. The only countries that have introduced it are Poland and Korea, as well as the United States, Germany, Sweden, Denmark, in most countries, including Norway, mutual consent is a prerequisite and It is considered a prerequisite for treatment.

The implementation of chemical castration sanctions in Indonesia has been regulated in the Child Protection Law, where additional punishment in the form of chemical castration only applies to perpetrators of sexual violence who are adults so that the implementation of chemical castration does not apply if the perpetrator of sexual violence is still a child. The implementation of chemical castration sanctions in Indonesia, so far, has occurred in two cases where the perpetrator was proven to have committed sexual violence against more than one child. First, in case No. 69/Pid.sus/2019/PN.Mjk, in this case the defendant Muhammad Aris was proven legally and convincingly to have committed a crime of sexual violence against 9 (nine) children in the jurisdiction of the Mojokerto Police as determined by the Mojokerto District Court and then confirmed by the Surabaya High Court. Second, the decision of the Surabaya District Court which stated that the convict Rahmat Slamet Santoso was sentenced to chemical castration where since 2015, Rahmat had been found guilty of committing sexual abuse against 15 children while serving as a Scout Leader at 6 public and private elementary and junior high schools. The judge

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<sup>15</sup> Lee Jae-hong, "Probationary Period and Principles Non-Retroactive Punishment," *Criminal Case Studies* 7 (1999): 75.



sentenced the defendant to 12 years in prison with a fine of Rp. 100 million, subsidiary to 3 months in prison and three years of chemical castration.

The implementation of chemical castration in Indonesia is carried out by health workers, namely a doctor, the medical profession as the executor of chemical castration punishment is further explained in Article 9 of PP No. 70 of 2020 concerning the Implementation of Castration, which states that the procedures for implementing castration are carried out as follows:<sup>16</sup>

- 1) Implementation of Chemical Castration Action is carried out after there is a conclusion as referred to in Article 8 which states that the perpetrator of sexual intercourse is worthy of being subjected to Chemical Castration Action;
- 2) Within a maximum period of 7 (seven) working days from the receipt of the conclusion as referred to in letter a, the prosecutor orders the doctor to conduct a Chemical Examination. Castration Action for Perpetrators of Sexual Acts;
- 3) The implementation of the Chemical Castration Law as referred to in letter b is carried out immediately after the convict has completed serving his main sentence;
- 4) The implementation of Chemical Castration is carried out in government hospitals or designated regional hospitals;
- 5) The implementation of the Chemical Castration Law was attended by prosecutors, representatives of the ministry that handles government affairs in the legal sector, the ministry that handles government affairs in the social sector, and the ministry that handles government affairs in the health sector;

The mandate of Article 9 Letter b of PP No. 70 of 2020, then as explained that the medical profession is a profession that carries out the castration process, on the orders of the prosecutor's office. This is because it is recognized that doctors are responsible for the health sector. Chemical castration is carried out after the defendant has served his main sentence and is carried out in a government-owned hospital attended by the prosecutor, representatives of the ministry that handles government affairs in the legal sector, the ministry that handles government affairs in the social sector, and the ministry that handles government affairs in the health sector.<sup>17</sup>

Based on the explanation above, the author can explain that in South Korea, the implementation and execution of chemical castration against perpetrators of child sexual violence is carried out by the Prosecutor in collaboration with medical personnel in determining whether the perpetrator will repeat his actions or not through a series of tests by a doctor or psychiatrist. In South Korea, medical personnel or doctors only provide advisory opinions for law enforcement, not as executors. Meanwhile, in Indonesia, based on PP No. 70 of 2020, chemical castration against perpetrators of child sexual violence is carried out by a doctor, in contrast to South Korea where it is carried out by the Prosecutor. The implementation of chemical castration treatment in South Korea is carried out simultaneously with the main sentence, this is different from Indonesia where chemical castration is carried out after the defendant has served the main sentence.

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<sup>16</sup> Zagita Layriyan, Parasian Simanungkalit, and Anwar Sadat Zagita, "Analysis of Castration "Punishment for Child Sexual Violence Perpetrators Reviewed From the Perspective If Criminal Law and Human Rights ," *Unigres Journal*, (2023): 106-122.

<sup>17</sup> Abdul Rahman, "Doctor's Refusal to Implement Chemical Castration as Additional Criminal Punishment," *Jurnal Ilmu Hukum: ALETHEA* 8, no. 1 (2024): 37-52, <https://doi.org/10.24246/alethea.vol8.no1.p37-52>.

## D. CONCLUSION

Arrangement castration chemicals in Indonesia based on the Child Protection Law, which in essence perpetrator has cause more victims from one person, victim of disturbance soul, victim exposed sick contagious, and the victim die, if defendant fulfill one of the above requirements so defendant can sentenced sanctions castration chemistry that will become the executor is a doctor. While in South Korea the accused will pass a number of series test psychic by a Doctor and later Doctor will give conclusion whether defendant potential repeat his actions or no, if defendant potential will repeat his actions so will implementation castration chemistry by the Prosecutor. In its implementation, the countries of Indonesia and South Korea very to consider to action the accused who committed violence sexual in a way over and over again.

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