

Following up on the Emergency of Sexual Violence in Higher Education, PPKS Permendikbudristek Launched

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MERDEKA BELAJAR
EPISODE KEEMPAT BELAS

KAMPUS MERDEKA DARI KEKERASAN SEKSUAL

KEPENDIDIKAN, KEBUDAYAAN, RISET, DAN TEKNOLOGI

Sanksi Kepada Pelaku Harus Berdasarkan Dampak Akibat Perbuatannya Terhadap Kondisi Korban dan Lingkungan Kampus, Bukan Berorientasi Pada Pelaku

Sanksi Ringan	Sanksi Sedang	Sanksi Berat
Pasal 14 ayat (2): Sanksi administratif ringan: • Teguran tertulis, atau pernyataan permohonan maaf secara tertulis yang dipublikasikan di internal kampus atau media massa	Pasal 14 ayat (3): Sanksi administratif sedang: • Pemberhentian sementara dari jabatan tanpa memperoleh hak jabatan, atau pengurangan hak mahasiswa • Penundaan mengikuti perkuliahan (skors), pencabutan beasiswa, atau pengurangan hak lain	Pasal 14 ayat (4): Sanksi administratif berat: • Pemberhentian tetap sebagai mahasiswa • Pemberhentian tetap dari jabatan kependidikan, atau warga kampus sesuai ketentuan peraturan perundang-undangan

Pelaku yang mendapatkan sanksi ringan dan sedang, wajib mengikuti program konseling sebelum re-integrasi ke kampus. Pembiayaan program konseling dibebankan pada pelaku. Laporan hasil konseling menjadi dasar bagi pimpinan perguruan tinggi untuk menerbitkan surat bahwa pelaku telah melaksanakan sanksi yang dikenakan.

Perguruan Tinggi yang tidak melakukan PPKS dikenai sanksi administratif berupa:

- Penghentian bantuan keuangan atau bantuan sarana dan prasarana; dan/atau
- Penurunan tingkat akreditasi

Jakarta, (Kemendikbudristek Inspectorate General) – Responding to the high cases of sexual violence in tertiary institutions in Indonesia, the Ministry of Education, Culture, Research and Technology (Kemendikbudristek) launched Permendikbudristek Number 30 of 2021 concerning Prevention and Handling of Sexual Violence in Higher Education environments (Permendikbudristek PPKS) . The launch was carried out in the Fourteenth Episode Freedom Learning webinar: Free Campus from Sexual Violence today via the Indonesian Ministry of Education and Culture's YouTube channel, Friday (12/11). The Permendikbudristek PPKS is a breakthrough to protect the rights of victims of sexual violence cases, especially in tertiary institutions.

The PPKS Permendikbudristek goal is to prevent and deal with at least eleven (11) possible incidents of sexual violence that affect relationships between students, educators, education staff, campus residents, and the general public who interact with students, educators, and education staff.

Not only in one university, victim protection also covers cross-university cases. For example, in article 4, it is stated that if students of Higher Education X experience sexual violence perpetrated by students of Higher Education Y, then the Task Force of the two campuses will refer to the PPKS Regulation for handling it.



Photo source: Kompas.com

"The PPKS Ministerial Regulation details forms of action with consequences for administrative sanctions, recognizes the possibility of this form of sexual violence developing, and regulates preventive measures to reduce losses due to cases of sexual violence," said Minister of Education and Research and Technology Nadiem Makarim in his presentation.

The PPKS Permendikbud also explains what matters include sexual violence, because often this form of crime is not realized by either the victim or the perpetrator. This factor complicates the examination and handling of cases, so cases often just stop. Referring to article 5, what includes acts of sexual violence are verbal, non-physical, physical, and through information and communication technology. This PPKS Permendikbudristek also seeks to eliminate the "gray" area in the terminology of sexual violence, so as to clarify what is included and what is not included in this matter.

The Minister of Education and Culture admitted that sexual violence is the most difficult to prove, but the effect is very large and long-term. Therefore, if there are reports of sexual violence, tertiary institutions are required to carry out handling which includes assistance, protection, recovery of victims, and imposition of administrative sanctions.

Referring to articles 10 to 19, Minister Nadiem invited academics to play an active role in protecting victims. "The assistance in question includes counselling, advocacy, health services, legal aid, social and spiritual guidance, as well as companions for persons with disabilities," he explained.

"Sanctions for perpetrators must be based on the impact of their actions on the condition of the victim and the campus environment, not the chances of the perpetrator repenting. The Chancellor and Director of Higher Education are fully responsible for implementing PPKS Regulations and can impose heavier sanctions than the recommendations of the Task Force (task force)," said Minister Nadiem.

It was also conveyed that the Task Force at the tertiary level which would assist the chancellor and director in implementing the PPKS Permendikbud, needed to understand education about preventing sexual violence, be able to handle reporting, guarantee the confidentiality of the identities of parties directly related to reports and maintain the independence of the task force.

The PPKS Permendikbudristek also facilitates victims who still do not feel they have received fair treatment from the university or the task force handling the case. Victims can ask the Director General of Higher Education, Research and Technology (Dirjen Diktiristik) and/or the Director General of Vocational Education (Dirjen Diksi) to conduct a re-examination. The Permendikbudristek PPKS also mandates that the Chancellor and directors must routinely monitor and evaluate all activities to prevent and deal with sexual violence, as well as the performance of the task force on campus.

Source: <https://itjen.kemdikbud.go.id/webnew/2021/11/13/tindakuntungi-darurat-keKerasaan-seksual-di-perguruan-tinggi-permendikbudristek-ppks-dilakukan/>
(<https://itjen.kemdikbud.go.id/webnew/2021/11/13/tindakanlanjuti-darurat-kekerasan-seksual-di-perguruan-tinggi-permendikbudristek-ppks-diluncurkan/>)

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