

PERLINDUNGAN HUKUM TERHADAP KORBAN TINDAK CYBERCRIME PENGANCAMAN PEMBAYARAN UTANG MELALUI MEDIA SOSIAL

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Abstrak

Penelitian ini bertujuan untuk (1) menganalisis bentuk perlindungan hukum terhadap korban tindak pidana pengancaman pembayaran utang melalui media sosial serta (2) akibat hukum yang timbul bagi pelaku dalam sistem hukum Indonesia. Metode penelitian yang digunakan adalah penelitian hukum yuridis normatif dengan pendekatan perundang-undangan, pendekatan, dan pendekatan konseptual melalui kajian terhadap peraturan perundang-undangan dan putusan pengadilan. Bahan hukum yang digunakan terdiri atas bahan hukum primer, sekunder, dan tersier yang dianalisis secara kualitatif. Hasil penelitian menunjukkan bahwa (1) perlindungan hukum terhadap korban pengancaman pembayaran utang melalui media sosial telah diatur dalam Kitab Undang-Undang Hukum Pidana, Undang-Undang Informasi dan Transaksi Elektronik, Undang-Undang Perlindungan Data Pribadi. Namun demikian, pelaksanaannya masih menghadapi berbagai kendala, terutama dalam aspek pembuktian digital, identifikasi pelaku, dan rendahnya kesadaran hukum masyarakat. Selain itu, (2) pelaku pengancaman pembayaran utang melalui media sosial dapat dimintai pertanggungjawaban pidana berdasarkan ketentuan UU ITE, serta dapat menimbulkan konsekuensi hukum perdata dan administratif apabila perbuatannya juga melanggar hak privasi dan perlindungan data pribadi korban. Motif penagihan utang tidak dapat dijadikan alasan pembenar untuk melakukan pengancaman, intimidasi, maupun penyebaran data pribadi melalui media sosial. Berdasarkan hasil penelitian tersebut, diperlukan penguatan penegakan hukum, peningkatan literasi hukum masyarakat, serta optimalisasi perlindungan terhadap korban guna mewujudkan kepastian hukum, keadilan, dan perlindungan yang efektif dalam penanganan tindak pidana pengancaman melalui media sosial.

Kata Kunci: perlindungan hukum, *cybercrime*, pengancaman digital, penagihan utang, media sosial.

LEGAL PROTECTION FOR VICTIMS OF CYBERCRIME IN CASES OF DEBT PAYMENT THREATS THROUGH SOCIAL MEDIA

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Abstract

This study aims to (1) analyze the forms of legal protection available to victims of criminal acts involving debt collection threats through social media, (2) as well as the legal consequences imposed on perpetrators under the Indonesian legal system. The research employs a normative juridical legal research method using statutory and conceptual approaches through the examination of legislation and court decisions. The legal materials used consist of primary, secondary, and tertiary legal sources, which are analyzed qualitatively. (1) The results indicate that legal protection for victims of debt collection threats through social media is regulated under the Indonesian Criminal Code, the Electronic Information and Transactions Law, and the Personal Data Protection Law. However, the implementation of these legal protections still faces various challenges, particularly in relation to digital evidence, perpetrator identification, and the low level of public legal awareness. (2) Furthermore, perpetrators of debt collection threats through social media may be held criminally liable under the provisions of the Electronic Information and Transactions Law and may also face civil and administrative consequences if their actions violate the victim's privacy rights and personal data protection. The motive of debt collection cannot serve as a legal justification for committing threats, intimidation, or the dissemination of personal data through social media. Based on these findings, stronger law enforcement, increased public legal literacy, and the optimization of victim protection mechanisms are necessary to ensure legal certainty, justice, and effective protection in handling criminal acts of threats conducted through social media.

Keywords: legal protection, cybercrime, digital threats, debt collection, social media.