

ABSTRAK

Perkembangan teknologi kecerdasan buatan (Artificial Intelligence/AI) melahirkan teknologi deepfake yang mampu memanipulasi gambar atau video sehingga tampak asli. Teknologi ini sering disalahgunakan untuk membuat konten pornografi dengan menggunakan identitas orang lain tanpa persetujuan. Salah satu fenomena yang menjadi perhatian adalah pelaku deepfake bermuatan pornografi di SMAN 11 Semarang yang menimbulkan kerugian psikologis dan sosial bagi korban. Penelitian ini bertujuan untuk menganalisis apakah pelaku deepfake pornografi telah memenuhi unsur tindak pidana menurut Pasal 4 Undang-Undang Nomor 12 Tahun 2022 tentang Tindak Pidana Kekerasan Seksual (UU TPKS) serta bagaimana bentuk pertanggungjawaban pidana terhadap pelakunya.

Penelitian ini menggunakan metode yuridis normatif dengan pendekatan perundang-undangan dan konseptual. Bahan hukum diperoleh dari peraturan perundang-undangan, buku, jurnal, dan sumber hukum lain yang relevan, kemudian dianalisis secara kualitatif.

Hasil penelitian menunjukkan bahwa penyebaran deepfake bermuatan pornografi telah memenuhi unsur tindak pidana karena termasuk bentuk kekerasan seksual nonfisik yang menyerang martabat dan kehormatan korban. Pelaku dapat dimintai pertanggungjawaban pidana karena terdapat unsur kesengajaan dalam pembuatan dan penyebaran konten tersebut. Pasal 4 UU TPKS dapat digunakan sebagai dasar hukum untuk menjerat pelaku deepfake pornografi sebagai bentuk kekerasan seksual digital.

Kata Kunci: Deepfake, Pornografi, Pertanggungjawaban Pidana, Kekerasan Seksual Digital, UU TPKS

ABSTRACT

The development of Artificial Intelligence (AI) technology has given rise to deepfake technology, which is capable of manipulating images or videos to appear authentic. This technology is often misused to create pornographic content using another person's identity without their consent. One phenomenon that has attracted public attention is the creation and dissemination of pornographic deepfake content at SMAN 11 Semarang, which has caused psychological and social harm to the victims. This study aims to analyze whether the perpetrators of pornographic deepfake content have fulfilled the elements of a criminal offense under Article 4 of Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS), as well as to examine the form of criminal liability that may be imposed upon them.

This research employs a normative juridical method using statutory and conceptual approaches. Legal materials were obtained from legislation, books, journals, and other relevant legal sources, which were then analyzed qualitatively.

The results of this study indicate that the dissemination of pornographic deepfake content fulfills the elements of a criminal offense, as it constitutes a form of non-physical sexual violence that violates the dignity and honor of the victims. The perpetrators may be held criminally liable due to the existence of intentional elements in the creation and dissemination of such content. Article 4 of the Law on the Crime of Sexual Violence can serve as a legal basis for prosecuting perpetrators of pornographic deepfake content as a form of digital sexual violence.

Keywords: Deepfake, Pornography, Criminal Liability, Digital Sexual Violence, Law Number 12 of 2022 concerning the Crime of Sexual Violence (UU TPKS)