



Efforts to Combat the Crime of Selling Abortion Products Through Social Media

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Abstract

The misuse of rapid technological advancements for the illicit sale of abortion drugs presents a challenging criminal phenomenon, complicated by the constraints within existing legal frameworks. This paper addresses two primary inquiries: firstly, the efficacy of law enforcement endeavors in combatting the online sale of abortion drugs, and secondly, the factors hindering police efforts in addressing this issue. Employing both normative juridical and empirical juridical methodologies, the research draws upon both primary and secondary data sources. The findings and ensuing discussions delineate the multifaceted nature of police interventions, comprising both penal and non-penal strategies, aimed at curtailing the proliferation of abortion drugs via social media platforms. Inherent impediments to law enforcement efforts include deficiencies in police IT infrastructure, suboptimal utilization of available resources due to personnel limitations, and a lack of community legal literacy regarding the gravity of the issue. Furthermore, societal apathy towards the matter exacerbates the challenge. It is imperative that concerted efforts are directed towards addressing these obstacles to effectively combat the sale of abortion drugs through online channels.

A. Introduction

Technology is a double-edged sword. On one hand, it improves human welfare, progress, and civilization. On the other hand, it provides new ways to break the law. Laws govern many



aspects of human life, including fulfilling needs through online commerce, also known as e-commerce.¹

A marketplace is a digital platform that hosts applications, websites, or internet-based services to facilitate electronic trade. It connects numerous sellers and buyers, enabling them to transact virtually without meeting in person. This convenience benefits both sellers, who can easily conduct their business, and buyers, who can quickly find desired products. However, the growth of online marketplaces for drug sales is risky because it can harm consumers. Some sellers offer medicinal products at lower prices, which can lead to irregularities, such as the sale of controlled substances and drug abuse.²

Presidential Regulation Number 74 of 2017, concerning the Road Map of the Electronic-Based National Trading System (E-Commerce Road Map), demonstrates the government's commitment to supporting e-commerce.³ This roadmap includes programs for funding, taxation, consumer protection, education and human resources, communication infrastructure, logistics, cybersecurity, and the management of the 2017-2019 *SPBNE* roadmap implementation.⁴ Despite these efforts, the rise in internet users has also led to an increase in cybercrime. In 2017, the Directorate of Cyber Crime Police reported 1,763 cases of cybercrime, including electronic transaction fraud and computer crimes.⁵

Several legal regulations govern electronic transactions in Indonesia. These include the Criminal Code (Criminal Law Book), the Civil Code (Civil Law Book), Law Number 8 of 1998 concerning Consumer Protection, Law Number 11 of 2008 concerning Information and Electronic Transactions, Government Regulation No. 82 of 2012 concerning the Implementation of Financial Systems and Transactions, Law Number 19 of 2016 which amends Law Number 11 of 2008 on Information and Electronic Transactions, and Law Number 7 of 2014 concerning Trade.⁶

Abortion, as defined by Black's Law Dictionary, includes both intentional and spontaneous abortion. Its legality varies: while the Big Indonesian Dictionary states that abortion is generally prohibited by law, exceptions are made in cases where the mother's life is at risk, in which case abortion can be considered a medical treatment and justified.⁷ Traditional methods of abortion include drinking herbal teas, special massages, and inserting objects into the uterus, which can lead to fatal consequences for the woman, including the loss of her life.⁸

Instagram, a widely utilized social media platform today, can offer numerous benefits when utilized appropriately. Unfortunately, it is often misused, exemplified by the illicit trade of hard drugs such as abortion medications. Indonesia has established strict regulations prohibiting the distribution of drugs that fail to meet safety, efficacy, and quality standards, as outlined in

¹Ahmad M. Ramli, "*Cyber Law dan HAKI Dalam Sistem Hukum Indonesia*", Jakarta: Refika Aditama, 2004. Hlm. 1

²Marditia, Putri Purbasari Raharningtyas, and Putu Devi Kuaumawardani. "Marketplace Accountability Regulatory Model for the Online Distribution of Hard Drugs (Prescription Drugs)." *SOEPRA Jurnal Hukum Kesehatan* 8.No.1 (2022):107 doi: <https://doi.org/10.24167/shk.v8i1.4760>

³https://www.kominfo.go.id/content/detail/8356/siaran-pers-about-paket-policy-economy-xiv-peta-jalan-e-commerce/0/siaran_pers

⁴Article 2 Paragraph 2 Presidential Regulation No. 74 of 2017 concerning the SPNBE Roadmap.

⁵Abdul Chaer, <http://berita7.com/dinamika-ancaman-cyber-crime-di-tahun-politik-2018-2019/> diakses pada 22 Juni 2021

⁶Solim Jevlin, Mazmus Septian Ramupea, Agung Wijaya, Bella Monica Manurung, Wendy Lionggodinata. 2019. *Efforts to Overcome Fraudulent Crimes of Online Buying and Selling Sites in Indonesia*. Medan: Ocean of Justice.

⁷Pandamdari, Endang, Gunawan Djajaputra, and Endyk M. Asror. "Tinjauan Yuridis Pertanggungjawaban Pelaku di Indonesia Terkait Tindak Pidana Aborsi." *Synotic Law: Jurnal Ilmu Hukum* 1.No.1 (2022):5 doi: <https://doi.org/10.56110/sl.v1i1.2>

⁸Farhana, Nurul. "ABORSI DALAM PERSPEKTIF HAK ASASI MANUSIA DAN HUKUM ISLAM." *Journal Presumption of Law* 4.No.2 (2022): 182 doi: <https://doi.org/10.31949/jpl.v4i2.3431>

Article 98 Paragraphs (2) and (3) and Article 196 of Law Number 36 of 2009 concerning health. Those found distributing drugs illegally can face imprisonment for up to ten years and fines of up to IDR 1,000,000,000.00 (one billion rupiah). Misoprostol, a drug commonly used in abortion-related crimes, has been found to be sold through various online channels, including websites, marketplaces, and social media platforms, as revealed in a research by Moore et al. in 2020, which identified 727 online vendors selling misoprostol.⁹

This research explores a novel approach to combatting the illegal trade of abortion products via social media platforms. Despite awareness of the associated risks and legal repercussions, individuals persist in selling and purchasing these drugs on social media, often driven by financial gain or the desire to conceal unwanted pregnancies. Given the prevalence of this phenomenon, the authors aim to investigate legal strategies for addressing the issue, as well as the challenges faced by law enforcement in tackling it effectively.

Employing a normative juridical methodology, this research draws on theoretical legal principles and empirical evidence gathered from field observations. Primary and secondary data sources include insights from key stakeholders such as Lampung Police Investigators specializing in Special Crimes, officials from the Palapa Health Center UPT, and a Criminal Law lecturer from the University of Lampung Faculty of Law.

B. Discussion

1. The Role of Investigators in Overcoming the Crime of Selling Abortion Products on Social Media

Indonesia, as an archipelagic nation abundant in natural resources, is committed to leveraging these resources to enhance the standard of living for its people and foster a just and prosperous society grounded in Pancasila and the principles of the 1945 Constitution. The government of Indonesia is tasked with safeguarding the entire nation and its territory, with the goal of promoting public welfare, nurturing national identity, and engaging in global affairs guided by principles of independence, enduring peace, and social justice. The nation's sovereignty is enshrined in law, as articulated in the Constitution of the Republic of Indonesia, which reflects the collective will of the people, acknowledging the supremacy of one God, valuing human dignity, unity, and democracy, and striving for social justice for all citizens.¹⁰

Indonesia's governance is founded on the rule of law (*rechtstaat*), not solely on the exercise of power (*machtstaat*), as explicitly stated in the 1945 Constitution. Thus, Indonesia stands as a democratic legal state, grounded in Pancasila and the 1945 Constitution¹¹, ensuring the protection of human rights and equality of all individuals under the law. However, as societal attitudes and technological advancements evolve over time, the landscape of inappropriate behaviors within society, as well as the realm of technology and information, undergo significant changes, both in direct interactions and online platforms.

The expanding population exacerbates socio-economic challenges within communities, particularly in the realm of insufficient employment opportunities to sustain livelihoods. This predicament often breeds discontent among the populace, leading some individuals to resort to any means necessary to meet their economic needs, including the illicit sale of abortion drugs through social media platforms. Such activities flagrantly contravene Law Number 36 of 2009 concerning Health and constitute illegal drug trafficking, prohibited by established laws and regulations, while also undermining the moral fabric of society, especially among young people

⁹Ramdhani, Humaira, et al. "Penyalahgunaan Obat Misoprostol Sebagai Tindakan Aborsi pada Wanita Dewasa Muda: Systematic Review." *2-TRIK: TUNAS-TUNAS RISET KESEHATAN* 12.1 (2022): 88 doi: <http://dx.doi.org/10.33846/2trik12116>

¹⁰Buchari Said, *Criminal Law, Faculty of Law, Pasundan University, 2009*

¹¹Hadi, Fikri. "NEGARA HUKUM DAN HAK ASASI MANUSIA DI INDONESIA." *Wijaya Putra Law Review* 1.2 (2022): 171 doi: <https://doi.org/10.38156/wplr.v1i2.79>

To achieve just and prosperous society, a conducive environment across all facets, including legal frameworks to address criminal activities should be established. As articulated by GP Hoefnagels, legal policy (or law policy) forms an integral component of social policy, underscoring the interdependence between the two realms in what is collectively termed as law enforcement policy.¹²

A comprehensive approach that integrates both penal and non-penal strategies to combat criminal activities is essential, as relying solely on criminal law enforcement presents inherent limitations. These limitations manifest on two fronts: firstly, criminal law's inability to delve into the underlying causes of criminal behavior without input from other disciplines, and secondly, its role as a temporary measure, offering symptomatic relief rather than addressing the root causes of criminality.¹³

Data from the Population and Family Planning Agency (*BKKBN*) highlights Indonesia's significant population growth, with a growth rate of 1.39% recorded until the end of 2018. This translates to approximately 4.2 million to nearly 4.8 million newborns annually, juxtaposed against 1.72 million deaths (Dina Manafe: 2019). Sudibyo Alimoesa, Deputy for Family Welfare and Family Empowerment (*KSPK*) of the *BKKBN*, underscores the prevalence of abortions in Indonesia, estimating around 2.5 million abortions annually, almost half of the country's birth rate. WHO estimates suggest approximately 4.2 million abortions occur annually, with 750,000 to 1.5 million taking place in Indonesia alone within Southeast Asia. Presently, it is believed Indonesia witnesses 2 - 2.5 million abortions annually (Putro Agus Harnowo: 2019). According to WHO research spanning from early 2010 to the present, induced abortions account for 20-60% of cases in Indonesia (Suci M. Ayu and Tri Kurniawati: 2007).¹⁴

Cases of abortion are regulated by Law no. 39 of 1999 concerning Human Rights, which delineates fundamental rights such as the right to life, the right to establish a family and procreate, the right to personal development, access to justice, personal freedom, security, welfare, participation in governance, and the protection of women and children's rights.¹⁵

Article 9, paragraph (1) of Law Number 39 of 1999 concerning Human Rights asserts the fundamental right to life, emphasizing that everyone has the inherent right to exist, sustain life, and enhance their quality of life, a right considered a divine gift. Additionally, Article 53, paragraph (1) of the same law addresses children's rights, affirming that every child in the womb possesses the right to life, to sustain life, and to improve their standard of living. These provisions underscore the ongoing debates surrounding the legality of abortion within both legal frameworks and societal discourse.¹⁶

Abortion's repercussions are profound, particularly for the victim—the unborn child—who loses the entitlements they should rightfully possess, as delineated above. A concerning trend emerges when exploring social media platforms like Instagram, where searching for terms like "abortion medication" or "gastrula" yields numerous accounts offering these drugs for sale, along with instructions on their use for abortion purposes. This pervasive presence of abortion drug sales on social media underscores the urgent need for comprehensive countermeasures, encompassing both repressive (penal) and preventive (non-penal) strategies.

¹²GP Hoefnagels. *The Other Side of Criminology*, Holland, Deventer-Kluwer, 1978, p. 57. See in Barda Nawawi Arief, 1998. Op. cit.

¹³Barda Nawawi Arief. *Several Aspects of Criminal Law Enforcement and Development Policies*. Bandung. Image of Aditya Bakti, 1998. pp 44-45.

¹⁴Indah Setyowati, Siwi Ciwi Utrujah, "Proses Penyidikan Terhadap Pelaku Tindak Pidana Aborsi Yang Dilakukan Oleh Mahasiswa Diwilayah Hukum Porlestabes Semarang"

¹⁵Sinambela, Tanti Agustina, and Ninon Melatyugra. "ILEGITIMASI ABORSI OLEH KORBAN PERKOSAAN BERDASARKAN HAK UNTUK HIDUP JANIN." *Jurnal Ilmu Hukum: ALETHEA* 5.No.2 (2022): 112-113 doi: <https://doi.org/10.24246/alethea.vol5.no2.p111-128>

¹⁶I Ketut Nuasa, "Penguatan Implementasi Kebijakan Hukum Pidana Terhadap Legalitas Abortus Provocatus" *Widya Kerta Jurnal Hukum Agama Hindu*, 5 No.1 (2022):49 doi: <https://doi.org/10.53977/wk.v5i01.538>

Efforts to combat criminal acts, often referred to as penal policy, criminal policy, or *strafrechtspolitik*, entail the rational enforcement of criminal law to uphold justice and ensure efficiency.¹⁷ This involves employing a combination of punitive and non-punitive measures to address various forms of crime, integrating both criminal and non-criminal approaches.

Anticipating crime involves considering the intertwined roles of environmental and communal factors. Assessing these variables is crucial to gauging the evolution, both qualitatively and quantitatively, of aspects such as the perpetrator, victim, timing, location, and *modus operandi*. The National Police can respond with proactive measures, encompassing routine activities and targeted operations. These routine activities are categorized into three main efforts: repressive actions aimed at uncovering ongoing criminal activities, preventive measures to directly deter criminal occurrences, and preemptive interventions designed to address criminological factors at their root.

According to the aforementioned theory, investigators address crime through preemptive strategies, facilitated by appropriate facilities and infrastructure. This approach echoes the perspective of Catur Prasetyo, who advocates for preventive measures against criminal behavior, particularly in cases like the illicit sale of abortion drugs. Prasetyo suggests that if preventive actions fail to forestall criminal activity, repressive penalties should then be enforced in accordance with relevant laws and regulations, such as Law Number 36 of 2009 regarding Health and Article 98 Paragraph (2) of the same law.¹⁸

Presidential Regulation Number 80 of 2017, which pertains to the Food and Drug Supervisory Agency, mandates that the POM Agency is responsible for overseeing drug and food regulations according to established laws and regulations. This supervision extends from the initial stages to the final distribution, including online platforms. In light of this, the author asserts that selling abortion drugs via social media constitutes a violation of the law, necessitating punitive measures in line with legal statutes. Failure to address this issue could normalize the practice, particularly among youths, leading to societal harm and moral erosion.

The responsibility for addressing the sale of abortion drugs on social media falls under the jurisdiction of law enforcement agencies, notably the Directorate of Special Criminal Investigation within the police force. Law enforcement is a fundamental function of the government, encompassing the maintenance of public order, law enforcement, protection, and community service. Police officers not only have the authority to enforce laws through penal measures but also possess preventive capabilities. Through continuous patrol activities and non-penal interventions, law enforcement officers can proactively deter criminal behavior. The powers and obligations of the police in addressing crime are outlined in laws such as Law No. 2 of 2002 regarding the Indonesian National Police and legislation concerning defense and security.

The advancement of technology has enabled widespread access to various content, including both legal and illegal substances, leading to a proliferation of online sales of drugs used for abortion. Complicating matters is the fact that these drugs, primarily intended for treating stomach ulcers, fall under legal categorization. However, they are subject to supervision by regulatory bodies like BPOM due to their classification as hard drugs and their potential side effects for inducing abortion. This presents a challenge for law enforcement in combating the illicit trade of abortion drugs, given their primary medical purpose. Nevertheless, individuals engaging in the unauthorized distribution of these drugs can face criminal

¹⁷Briliantiny Hengkengbala Lamani, Wemple Kumendong, Felby S.Wewengkang "Penegakan Hukum Dalam Tindak Pidana Pencabulan Anak Dibawah Umur (Undang-undang Nomor 23 Tahun 2002), *Journal Lex Crimen*, 11. No.6 (2022):9 <https://ejournal.unsrat.ac.id/index.php/lexcrimen/article/view/44428>

¹⁸Results of an interview with Catur Prasetyo, Head of Sub-directorate I Indagsi Ditreskrimsus Lampung Police on January 24, 2022 at 12.00 WIB

penalties.¹⁹ Law enforcement employs repressive measures to address the sale of abortion drugs through social media. These measures include counseling perpetrators to repent and redirect their actions, aiming to dissuade them from repeating their offenses. Additionally, employing a situational crime prevention approach, law enforcement conducts environmental assessments to heighten the perceived risks and reduce the benefits for potential criminals.²⁰

In handling cases involving the sale of abortion drugs through electronic or online platforms, the police establish specialized units tasked with undercover operations to locate and apprehend offenders. Furthermore, education initiatives are undertaken, where apprehended perpetrators are provided with religious instruction aimed at fostering their reintegration into society as law-abiding citizens. Persistent offenders face punitive action in accordance with applicable laws following due legal process.²¹

The police are empowered to address instances of online abortion drug sales in accordance with the provisions outlined in the Criminal Procedure Code (*KUHAP*). This involves conducting investigations into such crimes, determining the feasibility of investigating cases involving the sale of abortion drugs through social media platforms, and collecting evidence pertinent to these transactions and identifying suspects. Subsequently, arrests are made as a measure of temporary restriction on the freedom of suspects or defendants when there is substantial evidence warranting investigation, prosecution, and trial, following legal protocols. Detention, as defined by Article 1, paragraph (21) of the Criminal Procedure Code, involves placing a suspect or defendant in a designated facility under the jurisdiction of investigators, public prosecutors, or judges, pursuant to legal regulations. Extended detention may be ordered when there are concerns that the individual may flee, tamper with evidence, or engage in further criminal activity. Searches related to the sale of abortion drugs via social media platforms may entail home or body searches, conducted in accordance with the procedures stipulated in the Criminal Procedure Code. Typically, investigations into such cases involve searches of residences or other premises utilized for the illicit trade of drugs. Finally, confiscation, a process wherein investigators seize and retain movable or immovable assets, tangible or intangible, is carried out to preserve evidence for the purpose of investigation, prosecution, and trial. Confiscation requires authorization from the chairperson of the local district court.

Crime prevention policies utilizing non-penal approaches primarily involve leveraging social resources to address underlying factors contributing to criminal behavior, thereby indirectly impacting crime prevention efforts.²² These policies aim to mitigate the conditions conducive to criminal activity, focusing on proactive measures to deter crime.

Regarding the criminal activity of selling abortion products via online platforms, perpetrators reported by third parties undergo immediate processing and sentencing under relevant articles and laws to serve as a deterrent. Selling abortion drugs is classified as a violation of Law Number 36 of 2009 concerning health and falls under the purview of Article 98 Paragraph (2) of the same law, which pertains to the sale of illegal drugs. Additionally, perpetrators may be prosecuted under Law Number 11 of 2008 concerning Information and

¹⁹Anggun, U., Adhayanto, O., & Syahputra, I. (2022). PENEGAKAN HUKUM PIDANA TERHADAP PENJUAL OBAT SECARA ONLINE. *Student Online Journal (SOJ) UMRAH-Ilmu Sosial dan Ilmu Politik*, 3(1), 888-889

²⁰Adhika Primanda, Dewa Gede Bayu Rastika, "Peredaran Ilegal Obat Melalui Media Sosial dan Upaya Penanggulangannya" *Journal Of Food And Drug Safety*, No.1 (2021):64 <https://doi.org/10.54384/eruditio.v2i1.73>

²¹Results of an interview with Catur Prasetyo, Head of Sub-directorate I Indagsi Ditreskrimsus Lampung Police on January 24, 2022 at 12.00 WIB

²²Badra Nawawi Arief . *Interest Collection on Criminal Law Policy*, (Bandung: PT. Citra Aditya Bakti, 2002), pp. 77-78

Electronic Transactions, as stipulated in the State Gazette of the Republic of Indonesia of 2008 Number 58, Supplement to the State Gazette of the Republic of Indonesia Number 4843.²³

In relation to the sale of abortion drugs online, authorities are empowered to seize packages containing these drugs, often dispatched through courier services like JNE, JNT, Sicepat, among others. Additionally, items associated with the illicit sale of abortion drugs via social media, such as drugs themselves and electronic devices like phones or computers used for marketing purposes, can be confiscated under relevant legal provisions. Mrs. Dr. Saradiah Mariana Natapradja, Head of the Palapa Health Center UPT, highlights the collaboration between health centers and law enforcement to engage communities in addressing online sales of abortion drugs. Furthermore, joint initiatives between the police and health centers include educational campaigns promoting moral values, religious teachings, and legal awareness in schools, aiming to foster social responsibility. Such endeavors contribute to public awareness and understanding of social ethics.²⁴

Effective law enforcement instills a sense of deterrence among potential offenders. Police efforts involve monitoring social media for abortion drug sellers, employing investigative techniques to ascertain their whereabouts, issuing warnings, and, if necessary, effecting arrests. Publicizing these arrests serves to underscore the consequences of engaging in such illicit activities.

Ensuring fair law enforcement necessitates law enforcement officers embodying an ideal role characterized by integrity and ethical conduct. This role not only upholds the principles of justice but also serves as a bulwark against corruption within law enforcement. Failure to uphold this ideal role risks creating disparities in law enforcement practices, potentially leading to legal inconsistencies and disorder.

2. Police Inhibiting Factors in Supervision of Sales of Abortion Products on Social Media

According to Soerjono Soekanto, law enforcement involves harmonizing the values outlined in solid principles or perspectives, serving as a culmination of value elucidations to foster, maintain, and regulate social peace.²⁵ Satjipto Raharjo defines law enforcement as the endeavor to actualize concepts of legal certainty, societal welfare, and justice, with the process of realizing these ideals supports the law enforcement.²⁶

Soerjono Soekanto identifies several factors influencing law enforcement's efficacy in combating crimes, particularly in cases like the online sale of abortion products. Firstly, there is a legal gap as no explicit law addresses such transactions, often categorizing them ambiguously under sales laws or laws governing illegal drugs or health. Secondly, law enforcement officers face challenges in tracking and apprehending offenders due to difficulties in identifying and reporting them, compounded by limited police resources and inadequate understanding of available equipment. Thirdly, insufficient facilities hamper effective law enforcement, especially concerning tracking offenders who exploit social media platforms. Fourthly, societal taboos surrounding abortion discourage individuals from reporting online sellers, contributing to a reluctance to cooperate with law enforcement. Lastly, cultural norms also play a role in shaping attitudes towards law enforcement efforts.²⁷

According to the theory of crime prevention, the quest to address societal challenges finds its theoretical anchor. Marc Ancel contends that criminal policy constitutes a rational societal

²³Results of an interview with Catur Prasetyo, Head of Sub-Directorate of Indagsi Ditreskrimsus Lampung Police on January 24, 2022 at 12.00 WIB

²⁴Results of an interview with dr. Saradiah Mariana Natapratja, Head of UPT Puskesmas Palapa on November 17, 2021. At 11.00 WIB

²⁵Soerjono Soekanto. 1983. *Factors Affecting Law Enforcement*, Jakarta. King Grafindo Persada. Page 5.

²⁶Satjipto Raharjo. 1996. *Legal Studies*. Bandung. Image of Aditya Bhakti. Pg 13.

²⁷Soekanto, *Influencing Factors*, p.8.

endeavor aimed at combatting crime.²⁸ This policy landscape delineates two primary approaches: penal and non-penal. The former emphasizes repressive measures, enforced through penal laws, while the latter centers on preventive strategies to forestall criminal activities proactively.²⁹

Efforts to prevent and combat crime are integral to criminal policy, interwoven with broader social policies geared towards fostering social welfare and community protection. Within this framework, criminal law policies, especially in their judicial or applicative stages, must harmonize with and contribute to the objectives of social policy, notably in promoting social welfare and safeguarding communities. Crime prevention endeavors should thus be tailored to bolster public welfare and fortify community protection.³⁰ The intangible dimensions of community well-being and protection, encompassing trust, truth, honesty, and justice, are significant as well.

Saradiah Mariana, as the Head of *UPT Puskesmas* Palapa, identifies the lack of public awareness regarding the risks associated with unsupervised abortion procedures and the use of unknown drugs as a key obstacle in curbing the sale of abortion drugs via social media. This deficiency in knowledge, coupled with inadequate sex education among teenagers, perpetuates the demand for abortion drugs and consequently increase the number of online sellers.³¹

Gunawan Jatmiko, a Lecturer at the Faculty of Law, University of Lampung, underscores society's expectation for law enforcement agencies, particularly the Police, to effectively prevent and address a broad spectrum of criminal activities. The evolving nature of crime, including its manifestation through social media platforms like the sale of abortion drugs, necessitates law enforcement agencies to adapt and employ preventive measures. Such measures, as stipulated in Health Law Article 98 Paragraph (2) 36/2009, are vital for thwarting criminal activities, including the illicit sale of abortion drugs via social media channels.³²

The perpetrators of criminal acts, particularly those involved in the illicit sale of abortion drugs through social media, often implement preemptive measures to forestall the commission of such offenses, alinging with Health Law Article 98 Paragraph (2) 36/2009.

An effective legal framework is one that not only punishes offenders but also serves as a deterrent against future criminal conduct, thereby preventing recidivism and deterring potential perpetrators through the imposition of stringent penalties. The essence of this research lies in exploring the pivotal role of investigators in combating the sale of abortion products via social media platforms. Despite their crucial function, law enforcement officers encounter obstacles in effectively monitoring and curtailing the illicit trade of abortion products within the realm of social media.

Enforcing laws against the illicit sale of drugs is not only a responsibility of the police force, but also ingrained within their broader mandate as guardians and servants of the community. Upholding the law must be executed with resolve while maintaining respect for human rights. This obligation is underscored by Article 27, Section (1), which ensures equal treatment of all citizens before the law. Therefore, governmental law enforcement agencies must ensure legal certainty, not only for the general populace but also for specific groups such as victims and suspects.

However, challenges arise in enforcing laws against the sale of abortion drugs via social media due to the absence of specific regulations governing this crime. Despite this, the

²⁸Guntari, Titiek. "Penal and Non Penal Efforts In Combating Environmental Crimes." *Jurnal Advokatura Indonesia* 1.No.1 (2022): 59

²⁹Barda Nawawi Arief.2008.Op.cit.hlm.52

³⁰Barda Nawawi Arief.2010.Op.cit.hlm.57

³¹Results of an interview with Saradiah Mariana, as the Head of UPT Puskesmas Palapa on November 17, 2021. At 11.00 WIB

³²Results of an interview with Gunawan Jatmiko, a Faculty Lecturer Law University of Lampung on February 14, 2022 at 14.00 WIB

community strongly supports law enforcement efforts in combating this issue, particularly parents concerned about their children's exposure to such practices facilitated through easily accessible online platforms, such as social media.

C. Conclusion

Based on research findings and discussions regarding investigators' involvement in addressing the sale of abortion drugs online, particularly on platforms like Penally, it is evident that their role can be categorized into repressive and preventive actions. In repressive measures, law enforcement, notably the police, will actively seek out individuals selling abortion drugs via social media, employing tactics to identify their whereabouts and apprehend them. Subsequently, they will take direct action against those caught in the act or respond promptly to reported incidents. Conversely, in preventive efforts, investigators, alongside health centers and relevant authorities, will engage in community outreach and education to instill societal norms and religious values that highlight the repercussions of engaging in the sale of abortion drugs, aiming to deter such activities proactively.

The obstacles faced by investigators in combating the illicit sale of abortion drugs on social media encompass several key factors. These include cultural and community dynamics, where a lack of public awareness and community indifference hinder reporting of such crimes, compounded by insufficient infrastructure within the Lampung Police force for effective social media investigations. Furthermore, the human resources aspect plays a significant role, as inadequate understanding among investigators regarding the operation of available tools further diminishes their effectiveness. Overall, deficiencies in both human resources and infrastructure emerge as the primary barriers thwarting police efforts to address the issue of abortion drug sales via social media platforms.

The author proposes a multifaceted approach to addressing the issue of illicit abortion drug sales via social media platforms. This entails a heightened involvement of law enforcement agencies within the community, fostering direct engagement with the populace, and dissemination of educational initiatives aimed at enhancing public vigilance and discernment regarding contemporary challenges. To optimize police efficacy in investigative endeavors and engender a pervasive sense of communal security, adequate resources and infrastructure are imperative. Additionally, proactive parental involvement in monitoring their children's social media activities is advocated, alongside comprehensive education campaigns targeting adolescents. These educational efforts should encompass elucidation on the pernicious ramifications of promiscuity, advocacy for constructive utilization of social media platforms, and enlightenment regarding the hazards associated with both medically supervised and self-administered abortion procedures..

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