LAW ENFORCEMENT AGAINST DEEPFAKE PORN AI

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Abstract: **General Background:** As technological advancements continue to evolve, the proliferation of AI tools raises significant ethical and legal concerns, particularly regarding their misuse in creating deepfake pornography. **Specific Background:** This phenomenon poses serious risks to individuals, especially social media users and public figures who may fall victim to manipulated content that is shared maliciously. **Knowledge Gap:** Despite growing awareness, there is insufficient exploration of the legal frameworks and enforcement mechanisms addressing deepfake-related offenses, particularly in the context of Indonesia. **Aims:** This research seeks to analyze law enforcement strategies against Deepfake Porn AI cases and the implications for victims of AI misuse. **Results:** Employing a normative juridical methodology, this study reviews primary legislation— including the ITE Law, Pornography Law, Copyright Law, and the New Criminal Code—as well as relevant secondary sources. The findings indicate that while existing laws provide some recourse, there is a critical need for better enforcement and legal clarity. **Novelty:** This research highlights the unique challenges posed by deepfake technology and proposes reforms to existing legal frameworks to enhance protection for victims. **Implications:** The recommendations advocate for improved criminal complaint mechanisms and civil lawsuit avenues for victims, alongside a call for progressive legal reforms governing Artificial Intelligence to effectively address the evolving landscape of digital misuse and ensure justice for affected individuals.

Keywords: Deepfake Porn AI, Law Enforcement, Progressive Law

Introduction

In the current era, people around the world need to be wise to technological advances, must become skilled users, and be careful of the dangers posed by technological sophistication. One of the most popular technologies today is Artificial Intelligence, which has the benefit of being able to help and even replace humans in some tasks and/or jobs. Then, a new technology from Artificial Intelligence (AI) has been released, namely Deepfake Technology, which is a tool for creating convincing fake audio, photos/images, and even videos like the original [1]. During the covid-19 pandemic, this technology was relied upon in the television world to replace a news anchor in several countries.

In addition to having a positive impact, Deepfake Technology can also have a negative impact which is a serious threat in the cyber world. The misuse of this technology can lead to various kinds of cyber crime dangers, such as propaganda tools, political tools, hate speech, pornography and others. In particular, pornographic content, which is one of the crimes resulting from the misuse of deepfake technology in the dissemination of pornographic content.

Since it involves stealing other people's images or videos and using them inappropriately, this phenomenon poses a great threat to the privacy and reputation of digital users [2]. According to the Catahu Komnas Perempuan in 2022, there is the largest space for sexual harassment, namely on Social Media as much as 42% and the form of harassment that is often carried out is pornographic content as much as 21% [3]. The case of deepfake pornography makes people feel that this is very troubling because it is difficult to determine its authenticity.

In Indonesia itself, there have been similar cases of misuse of AI technology in 2023. The first victim was a student of one of the campuses in Malang who works as a TikTok celeb whose vulgar photos were spread on Twitter. According to the victim through clarification on her Tiktok account, the vulgar photo that has been broadcast by 1.5 million people who have seen the post is the result of edits from irresponsible actors. He also proved that the photo used by the perpetrator was a photo taken by the victim himself after doing an endorse diamond job for the mobile legend game which was posted on Instagram story by the victim. The second victim experienced by this beautiful photographer from Surabaya also experienced an unfortunate incident, the photo he posted on Instagram was used by the perpetrator of this AI abuse to be a photo that was vulgar and had been spread on twitter. In reality, the photo posted by the victim on her Instagram feed is a form of promotion of her portrait work because the victim herself is a photographer as well as a content creator in the world of photographers and the clothes she wears are still classified as polite and closed, this is very detrimental to the victim from the aspect of mental health and the victim's career.

Research states that since the covid-19 pandemic cases of online sexual harassment have increased. Victims of deepfake porn who are often targeted are celebrities, because their photos and videos are easily available. Victims of deepfake porn can be called victims of sexual violence too, because their photos or videos are manipulated by changing the content of the content from the original so that it has an impact on the perspective of others towards them. In addition to the factor of fame and easy access to one's content, there is also the factor of revenge porn [4]. This is usually done by an ex-lover, or even a lover, who aims to take away someone's right to privacy by spreading the pornographic content.

The phenomenon of this case is very disturbing to the community, especially women, because on the other hand, their identity is tainted from a psychological perspective. Starting from depression, trauma from past events, and post-traumatic stress disorder, victims need psychological assistance and legal assistance to recover. In Indonesian regulations, this deepfake porn case has not been specifically regulated regarding offenses, sanctions, and legal protection for victims. Thus, the law enforcement process, both preventive and repressive, will undoubtedly be affected by regulatory conditions that are not optimally controlled or even a legal vacuum (rechtsvacuum) has occurred [5]. So, the role of the government is needed to strengthen the rules specifically as an effort to deal with cases of misuse of AI because with the development of technology in the future it is not impossible that new cases that harm the community will continue to emerge.

Previous research conducted by Ivana Dewi Kasita conducted in 2022 with the title "Deepfake Pornography: Trends in Online Gender-Based Violence (KGBO) in the Era of the Covid-19 Pandemic" which explains that this article discusses the dangers and impacts of deepfake pornography on online gender-based violence (KGBO) during the Covid-19 pandemic, by highlighting the psychological, social, and economic consequences for victims [6]. This article also discusses the government's efforts to regulate and deal with cases of

deepfake pornography.

Previous research conducted by Muhammad Ariq Abir Jufri, Akbar Kurnia conducted in 2021 with the title "Aspects of International Law in the Utilization of Deepfake Technology Against Personal Data Protection" which explains that this article discusses aspects of international law and its impact on Indonesian national law regarding the use of deepfake technology and its impact on personal data protection [7].This article also discusses the need to harmonize international and national laws using the principles of social engineering and control.

Research written by Isnaini Imroatus Solichah, Faizin Sulistio, Milda Istiqomah conducted in 2023 with the title "Protection of Victims of Deep Fake Pornography in a Legal Perspective in Indonesia" which explains that this article discusses the issue of Online Gender-Based Violence (GBV) in Indonesia and analyzes the adequacy of the existing legal framework to protect GBV victims, especially women [8]. This article provides an overview of GBV cases and their impact on victims, while highlighting the need for a legal system that focuses on the victim's perspective through feminist legal methods.

So, the difference between previous research and current research is that this research will focus on examining how law enforcement against victims of Deepfake Porn AI in Indonesia, apart from the legal aspects of Technology, Pornography, and Criminal Law, the author will relate to Copyright, whether Deepfake Porn AI also injures the Copyright of victims other than Online Based Gender Violence (KGBO).

The purpose of the research is to find out how law enforcement against *Deepfake Porn AI* cases that have an impact on victims related to the misuse of AI technology is a source of concern, especially in the context of targeting social media users and public figures. They are often victims of photo or video manipulation through deepfake technology, which is then disseminated on dark sites or social media that want inappropriate content. And this is the reason why the research was conducted.

Methods

This research is part of the Normative Juridical approach with a statutory approach (statue approach). The legal materials used are primary law and secondary law.

1. Primary legal materials:
   a. Law No. 44 of 2008 on Pornography
   b. Law No. 11 of 2008 concerning Electronic Information and Transactions,
   c. Law No. 28 of 2014 concerning Copyright
   d. Law No. 19 of 2016 Concerning Amendments to Law No. 11 of 2008 concerning Electronic Information and Transactions
   e. Law No. 1 of 2023 Concerning the Criminal Code
   f. Law No. 1 of 2024 on the Second Amendment to Law No. 11 of 2008 on Electronic Information and Transactions

2. Secondary legal materials:
   a. Journal
   b. Articles
   c. Book References
   d. And other sources related to the topic of study
      The interpretation used in this study uses systematic (dogmatic) interpretation, which is an

interpretation by looking at the structure related to the sound of other articles both in the law and with other laws.

Results and Discussion

A.   Deepfake Porn AI

Deepfake Porn AI according to Law No. 11 of 2008 concerning ITE, Law No. 19 of 2016 concerning Amendments to the ITE Law and Law No. 1 of 2024 concerning the Second Amendment to the ITE Law is included in the category of public law and is included in the class of criminal law because it regulates acts that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. Deepfake porn Based on Article 1 paragraph (8) of Law 19/2016 which states that an electronic agent is a device of an electronic system that is made to perform an action on certain electronic information automatically organised by a person. Based on the word 'automatic' when interpreted according to kbbi which has the meaning or meaning of working alone and or by itself. In addition, Artificial Intelligence has a definition as a system that can think for itself and can make its own decisions [9]. So, based on the definition and/or meaning of Electronic Agent and Artificial Intelligence, it can be said that they are similar in terms of their characteristics.

Then, based on Article 27 paragraph (1) of Law 1/2024 concerning the second amendment to the ITE Law '*Every person intentionally and without rights broadcasts, shows, distributes, transmits, and or makes accessible Electronic Information and or Electronic Documents that have content that violates decency for public knowledge.*', is a technology crime because from the creation to the distribution of everything using technology and internet networks. Based on the substance of the article, we can know the characteristics of *deepfake porn* through the fulfilment of elements such as:

1. Every person;
2. Distributing;
3. Makes accessible;
4. Violates decency;
5. Is known to the public.

The element of Every person defines that the word every person means that living beings of the human type in other words can be referred to as legal subjects. When associated with this *Deepfake Porn AI* action, it is included in this element, even though the crime is in the form of AI or technology, it is still a human being who runs it.

The element of Distributing defines that the element is essentially disseminating electronic information to be known to the general public. When associated with the *Deepfake Porn AI* action, this is indeed the purpose of a perpetrator to spread his work to be spread through internet networks uploaded on the dark web or social media platforms that want prohibited content to be known to the public of social media users or the dark web.

The element of Making accessible defines that all other forms of action except distributing and transmitting electronic information and or electronic documents can be known to other parties or the public.

The element of violating decency defines that violating decency is a violation of manners and/or ethics in the sexual field, which is indicated that the act causes a reaction of shame, a disgusting

reaction and / or stimulation of one's lust. When associated with the act of *Deepfake Porn AI*, the technology is indeed used to create prohibited content that violates decency, such as making a victim who in reality wears decent clothes and then after using the technology becomes completely naked or wears revealing clothes which is not desired by the victim, such a thing is a violation of ethics or morals or manners in the sexual field.

The element of being known to the public defines that when something that can be accessed and/or enjoyed by the general public, the majority of whom do not know each other, it is a violation of ethics or morals or manners in the sexual field.

In addition, there are other articles in the ITE Law that are related to the Deepfake Porn AI action, namely Article 27 A of Law Number 1 of 2024 concerning the second amendment to the ITE Law which explains that 'Every person deliberately attacks the honour or good name of another person by alleging a matter, with the intention that it is publicly known in the form of Electronic Information and / or Electronic Documents carried out through an Electronic System.', is a technology crime because from the creation to the distribution of everything using technology and the internet network. Based on the substance of the article, we can know the characteristics of deepfake porn through the fulfilment of elements such as:

1. Any person;
2. Attacking the honour or good name of another person;
3. Publicly known; and
4. In the form of electronic information and/or electronic documents.

Theelement of Every person defines that the word every person means that living beings of the human type in other words can be referred to as legal subjects. When associated with this Deepfake Porn AI action, it is included in this element, even though the crime is in the form of AI or technology, it is still a human being who runs it.

The element**of attacking the honour or good name of another person** defines that the element is essentially an act that brings down or destroys a person's good name and self-esteem. When associated with the *Deepfake Porn AI* action, it is included in this element, because it defames someone through pornographic content which is not his real self due to the impact of the *Deepfake AI* technology.

The **element Known** to the public defines that when something that can be accessed and / or enjoyed by the general public, the majority of which do not know each other.

The **element in the form of electronic information and/or electronic documents** defines that the act of attacking a person's honour or good name through an electronic system that produces electronic information and/or electronic documents.

The cause of the Deepfake Porn AI phenomenon is because the development of increasingly sophisticated technology makes a gap for actors who are proficient in the field of technology to manipulate using AI technology and then spread or distribute it on social media or the dark web so that it can be seen by the general public which has an impact on the good name and self-esteem of others. Coupled with the absence of privacy limits by social media users such as audio, images, and videos that are uploaded or uploaded on social media randomly, without thinking about future impacts. Which makes the biggest threat in the digital era for social media users, especially for social media activists, especially public figures whose privacy rights are increasingly threatened [10]. As explained above, Artificial Intelligence is almost the same as electronic agents by definition according to the ITE Law, which is the same as being able to work automatically, therefore the rules contained in the ITE Law can prevent the widespread distribution of indecent offence content generated from

Deepfake Porn AI because some of the elements have been listed in the ITE Law as explained above by the author and can protect internet users, especially on social media.

Deepfake Porn AI according to Law No. 44 of 2008 concerning Pornography is included in the category of public law and is included in the class of criminal law because it regulates acts that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. does not define Artificial Intelligence technology, namely deepfake but the content of the misuse of technology, namely pornography. In the Pornography Law, precisely in article 1 paragraph (1) which explains that pornography is images, sketches, illustrations, photos, writings, writings, sounds, sounds, animations, conversations, gestures, or other forms that are packaged in various communication media containing obscenity or sexual exploitation that violate the norms of decency in society [11]. In this case, the content produced by Deepfake Porn AI technology is in the form of images and/or photos, videos, and audio which fulfil the elements of what is meant by pornography.

Article 4 paragraph (1) of the Pornography Law explains that it prohibits every person from producing, making, reproducing, duplicating, disseminating, broadcasting, importing, exporting, offering, trading, renting, or providing that explicitly contains:

1. sexual intercourse, including deviant sexual intercourse;
2. sexual violence
3. masturbation or masturbation
4. nudity or a display that gives the impression of nudity; e. genitals; or
5. genitals; or
6. child pornography.

Furthermore, when referring to the Pornography Law that has been explained above, *Deepfake Porn AI* is included in the criteria referred to in Article 4 paragraph (1) of the Pornography Law, but the distribution procedure is limited to the technological element because it is not regulated related to producing to disseminating using technology such as AI. As in the element of producing and the element of making in this article does not explain the process of making pornographic content using AI technology in the form of deepfake and likewise from the element of disseminating and the element of broadcasting pornographic content is also not stated that it uses through electronic media means or other means in this case making multiple interpretations, but has the same essence, namely both known to the general public. *Deepfake Porn AI* also produces content that is similar to what is regulated in the article related to violations of decency as stated in letter (a), namely normal and abnormal intercourse, to letter (f), namely child pornography.

If *Deepfake Porn AI* is reviewed from the Pornography Law, it is more about the material that will be used as pornographic content taken directly with the consent or not of the party in the content, and the form of content is not only about videos of someone having sex but can also be portraits or images and or photos that have the impression of nudity as stated in Article 4 paragraph (1) letter d. The existence of *Deepfake Porn AI* content that is spread on social media and the dark web may be due to the direct creation of pornographic content with the agreement between the pornographic content creator and the pornographic content actor who only approves the creation of pornographic content and not to approve the content to be disseminated. In addition, there is also the term *Revenge Porn*, which is an act of spreading pornographic content because of a grudge. It often happens between people who are in a romantic relationship, where the victim (woman) sends and/or makes audio, photos, and videos that violate decency because of the request of her boyfriend, the perpetrator (man), who when the relationship is over the perpetrator spreads it on social media or to

his closest friends. This factor has resulted in providing opportunities for perpetrators of misuse of AI technology to reproduce using *Deepfake AI* technology such as pornographic audio, images, and videos with the same purpose to be distributed and/or disseminated on social media or the dark web that contains pornographic content [12]. With the existence of this Pornography Law as an effort to prevent and/or reduce as well as the spread of pornographic content, and this Law should be able to protect victims of pornography.

Deepfake Porn AI according to Law No. 28 of 2014 concerning Copyright essentially covers the category of public and private law, such as related to criminalisation that occurs in the scope of Copyright such as Copyright Infringement of human works. In addition, it is also included in the class of criminal law because it regulates acts that interfere with the public welfare and or public order of the owner or holder of Copyright, but it is also included in civil law if the creator or copyright holder sues for compensation for losses against copyright infringement committed by the perpetrator. Explicitly, the Copyright Law does not regulate the definition of Artificial Intelligence technology, namely Deepfake related to the work it produces whether the work can be protected by copyright and whether when someone takes someone else's photographic work via the internet or his own work but does not give permission to the person whose face is photographed to be used as content material from Deepfake Porn AI including copyright infringement. In essence, copyright is an exclusive right owned by the creator that arises automatically after the realisation of a creation as stated in the Copyright Act, copyright is divided into moral rights and economic rights. Creator is briefly interpreted as a person who creates something, as stated in Article 1 paragraph (2) of the Copyright Law, namely a person or several people who individually or jointly produce a distinctive and personal creation. Speaking of personality or personalities that are inherent to humans, which according to KBBI are the essential characteristics reflected in a person's attitude, based on this definition, the work created by Deepfake AI does not fulfil the concept of originality because in addition to not being made by humans, the work of Artificial Intelligence is a combination of previous works modified by machines so that the work does not reflect the characteristics and personality of the creator.

The concept of copyright itself is in accordance with what is stated above, if it is associated with cases of *Deepfake Porn AI*, it may violate the copyright of the victim in addition to violating immorality. It can be divided into 2 types, namely taking someone's photographic work via the internet and one's own photographic work but not giving permission to the person whose face is photographed so that the results of the photo are misused and even commercialised, and based on **Article 40 paragraph (1) letter k and I UUHC** states that photographic works are included in protected creations. Based on **Article 9 paragraph (3) of the UUHC** which states that any person without the permission of the Creator or Copyright Holder is prohibited from copying and/or commercial use of the work. If we look at the element of 'Duplication and or Commercial Use', it can be said that copyright infringement if the work of *Deepfake Porn AI* is intended to be commercially sold to others by promoting it through social media and or advertising needs of its own business, so the perpetrator clearly violates moral rights for using someone's work without permission which can also be categorised as stealing and economic rights for using other people's work without giving any *feedback* to the creator. In addition, the work of *Deepfake Porn AI* also cannot be registered by the perpetrator as a public creation list or intellectual property object because the work contains immorality which violates decency, morals, and is certainly prohibited in religion, as stated in Article 50 of the UUHC which explains that everyone is prohibited from announcing, distributing, or communicating creations that are contrary to morals, religion, decency, public order, or the defence and security of the country.

The most risky factor for the occurrence of *Deepfake Porn AI* is the average taking someone's work without permission by directly downloading or screenshooting directly from the source, namely the creator's social media account and or the creator's web, but it can also be from the portrait work itself but not permission to the person being photographed. These factors make copyright infringement more widespread with the *Deepfake AI* technology, but on the other hand the *Deepfake Porn AI* case the perpetrator gets criminal sanctions can also be sued by the victim for compensation of exclusive rights of the victim as the creator and / or copyright holder. Set on even if the copyright is transferred to another party does not reduce the right of the creator or his heirs to sue people who deliberately without the rights and consent of the creator or copyright holder resulting in injury to the moral rights of the creator or copyright holder as stated in Article 98 paragraph (1) [13]. As explained above by the author that someone who creates a work has copyright to the work and has exclusive rights such as profits on the creation of the work, therefore the UUHC can prevent the perpetrators who deliberately copy and paste someone's work without permission for commercial or non-commercial purposes, and of course protect a creator of the work that has been created.

Deepfake Porn AI according to Law No. 1 of 2023 concerning the Criminal Code (KUHP) is included in the category of public law and is included in the class of criminal law because it regulates acts that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. In addition to the above laws, the new Criminal Code also regulates Deepfake Porn AI, in Article 172 of the Criminal Code which defines pornography as images, sketches, illustrations, photos, sounds, sounds, moving images, animations, cartoons, conversations, gestures, or other message sounds through various forms of communication media and/or public performances, which contain obscenity or sexual exploitation that violate the norms of decency in society. In this case, the content produced by Deepfake Porn AI technology is in the form of images and/or photos, videos, and audio which fulfil the elements of what is meant by pornography. Based on the definition of the article above, it can be investigated that the New Criminal Code does not contain a specific and comprehensive definition of Deepfake Porn AI which contains elements between 'Artificial IntelligenceTechnology' and 'Pornography'.

Article 407 paragraphs (1) and (2) also explain that every person who produces, makes, reproduces, duplicates, disseminates, broadcasts, imports, exports, offers, trades, rents, or provides pornography. However, it does not explicitly explain the procedure for distributing it in the technology element because it is not regulated related to producing to distributing using technology such as *AI*. As in the element of producing in this article does not explain the process of making pornographic content using *AI* technology in the form of *deepfake* and likewise from the element of distributing pornographic content it is also not stated that it uses electronic media, but it has the same essence which is equally known to the general public regardless of the means of distribution. However, there are exceptions to this article, namely in the aspects of works of art, culture, sports, health, and or science. With the existence of Law No. 1 of 2023 concerning the Criminal Code as an effort to prevent and or reduce as well as the spread of pornographic content, and this law should be able to protect victims of pornography.

B.   Mode of Law Enforcement

Before discussing more deeply how law enforcement related to the *Deepfake Porn AI* action refers to the legislation in Indonesia that has a connection with the case, the author will discuss Law Enforcement in outline. According to Prof. Dr. Jimly Asshiddiqie, S.H., he explained that*law*

enforcement is a process of efforts for the functioning and / or enforcement of legal norms in reality by being used as a guide to behaviour in legal relationships for the life of society and the state. Law Enforcement can be viewed from 2 points of view, namely the **Subject** and **the Object**. The first is Law Enforcement when viewed from the **point of view of the subject,** in a broad interpretation of the law enforcement process, all legal subjects are involved in every legal relationship. This means that when someone does something and/or does not do something on the basis of applicable legal norms, it is already a manifestation of that person enforcing the rule of law and running it. The second is in a narrow interpretation, that law enforcement is more about the efforts of a law enforcement apparatus to ensure and guarantee the running of a rule of law as it should, and is given the authority to use it forcibly. Furthermore, in terms **of its object**, namely from the legal aspect. In a broad interpretation, law enforcement contains the values of justice in formal rules or positive written law and the values of justice that live in the community or commonly known as customary law. Meanwhile, in a narrow interpretation, law enforcement is limited to formal regulations or positive and written law only [14]. Based on the brief explanation above, it can be concluded that in essence law enforcement to realise the law itself becomes a *role model for* behaviour in every legal action, both the related legal subjects and law enforcement officials who ensure that legal norms function properly in the life of society and the state.

1 Year 2024 Regarding the Second Amendment to the ITE Law, using public law enforcement methods, more precisely, using Criminal Procedure Law such as a series of investigations, in addition to Indonesian republic police officials who carry out investigations, civil servants in charge of ITE technology are given special authority as investigators as stipulated in the Criminal Procedure Code, The conduct of the investigation agenda in the field of technology is carried out properly but still pays attention to privacy, confidentiality, data integrity, etc., as well as the termination of the investigation based on the Criminal Procedure Code (KUHAP) all of these things have been stated in articles 42 to 44 of the ITE Law. Therefore, except for the criminal sanctions and fines that are contained in the *Deepfake Porn AI* case, namely actions that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. moving on from the procedure towards imposing sanctions or *punishment* on the perpetrators of *Deepfake Porn AI* if according to the ITE Law. Based on article 45 paragraph (1) of the ITE Law, which explains that a person who violates and who fulfills the elements of what is regulated in article 27 paragraph (1) of the ITE Law will be sentenced to 6 years imprisonment and / or a maximum fine of Rp1,000,000,000, - (one billion rupiah). This article is included in the Ordinary Offense because the act of *Deepfake Porn AI* is an offense that can be prosecuted without the consent of the victim or the injured party. Which means that without a complaint or reporting, even if the victim has withdrawn the report, the investigator still has the obligation to continue the legal process.

In addition, there is another article in the ITE Law that relates to the *Deepfake Porn AI* action, namely in Article 45 paragraph (4) of the ITE Law, which explains that a person who violates and who fulfills the elements of what is regulated in Article 27A of the ITE Law will be sentenced to imprisonment of 2 (two) years and/or a fine of Rp. 400,000,000, - (four hundred million rupiah). This article is included in the Delik Aduan, which is an offense that can only be processed by an act of complaint by the victim, and besides that, the *Deepfake Porn AI* action has an impact on the destruction of a person's good name and self-esteem. Based on this kind of law enforcement efforts can create a deterrent effect for perpetrators of *Deepfake Porn AI* in cyberspace, so that it makes us also as users or activists of social media to always be careful, and wise in social media and most

importantly create a safe space in cyberspace for users or activists of social media who tend to be exposed to cases of this kind of pornography occurring.

The method of law enforcement according to Law No. 44 of 2008 concerning Pornography is included in the category of criminal law enforcement which is also included in public law, because it is stated in Article 23 of the Law on Pornography which explicitly describes that the series of agendas for investigation, prosecution, and examination in court are based on Criminal Procedure Law, unless there are other provisions in this Law. In addition, except for the criminal sanctions and fines that have been regulated in this Law for the imposition of *punishment* or *punishment* for the *Deepfake Porn AI* case, namely actions that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general in nature. Moving from the procedure to the imposition of sanctions or *punishment* to the perpetrators of *Deepfake Porn AI* if according to the Pornography Law, precisely in Article 29 of the Pornography Law explains that a person who violates Article 4 paragraph (1) which includes the act of producing, making, disseminating to providing pornography will be subject to imprisonment for a minimum of 6 (six) months and a maximum of 12 (years) and or subject to a fine of at least Rp250,000,000,- (two hundred and fifty million rupiah) and a maximum of Rp6,000,000,000,- (six billion rupiah). Law enforcement efforts such as providing a deterrent effect for the perpetrators of the creation and dissemination of pornographic content as described in the Pornography Law, so as to make someone more careful with the act of *revenge porn* which is mostly experienced by romantic couples both married and unmarried, in this case, besides being able to happen to a woman, it can also happen to a man.

The way of law enforcement according to Law No. 28 of 2014 on Copyright is not only included in the category of criminal law enforcement efforts which are regulated in this Act is a complaint offense and in addition it can also be done civil law enforcement efforts related to violations of moral rights and economic rights which as an exclusive right to the use of creators or copyright holders of their creations. If the perpetrator of Deepfake Porn AI injures the economic rights of the creator or copyright holder then subject to article 113 UUHC which prohibits a person to infringe the economic rights of the creator or copyright holder with the type that has been set forth in article 9 paragraph (1) letter a, letter b, letter e, and or letter g which includes the publication, duplication in any form, distribution, announcement of a creation subject to criminal sanctions imprisonment of up to 4 (four) years and / or a maximum fine of Rp4,000,000,000, - (four billion rupiah).

In addition, there are civil remedies, namely suing the perpetrators of copyright infringement, as stipulated in Article 99 paragraph (1), (2), (3), and (4) UUHC that the creator or copyright holder or owner of related rights has the right to sue for damages to the perpetrator who infringes the copyright of the creator or copyright holder or owner of related rights to the Commercial Court. The claim for compensation in this case is compensation in the form of all or part of the income obtained from the infringement of copyright or related rights products. In addition, it can also ask to confiscate the work done to produce work resulting from copyright infringement and related rights products and / or also stop all activities that are the result of copyright infringement and related rights products. This method of law enforcement provides a deterrent effect for the perpetrators of *Deepfake Porn AI* because basically the material used to create pornographic content through *Deepfake* technology is sourced from the internet which is clearly the work and / or photos of other people or their own work but there is no prior agreement or permission to the person in the work and this happens because the work system of *Deepfake* is placing photos of other people into pornographic content. This is also an

effort to prevent and protect the creators or copyright holders because of the actions taken by the perpetrators who are based without rights.

The way of law enforcement according to Law No.1 of 2023 concerning the Criminal Code is included in the category of criminal law enforcement which is also included in public law, in this new Criminal Code is similar to that listed in the Pornography Law, which is both based on Delik Aduan, which is an offense that can only be processed by an act of complaint. The article that can be imposed on perpetrators who produce, make, reproduce, duplicate and provide pornography is Article 407 paragraph (1) of Law No. 1 of 2023 concerning the Criminal Code with a minimum imprisonment of 6 (six) months and a maximum of 10 (ten) years or a fine of category IV which is worth Rp200,000,000 (two hundred million rupiah) and a maximum of category VI worth Rp2,000,000,000 (two billion rupiah). Law enforcement efforts such as providing a deterrent effect for perpetrators who produce and distribute pornographic content as described in this New Criminal Code, so as to make someone more careful with the act of revenge porn which is mostly experienced by romantic couples, both married and unmarried, in this case, besides being able to happen to a woman, it can also happen to a man.

C.   How to Enforce Law Against Deepfake Porn AI Cases

When viewed from the characteristics and/or types of Deepfake Porn AI cases, this is a manifestation that a crime is increasingly developing and has various new variants as civilization changes. The birth of the Deepfake Porn AI case is a new variant of technological crime that manipulates a work like the original work that violates decency, namely pornography. So, it is necessary to strive for law enforcement both formally and materially as a role model for behavior in legal actions, both the legal subjects involved and law enforcement officials who are mandated and authorized by the Legislation to ensure that legal norms function properly in the life of society and the state [15]. Because the Law is considered to have no meaningful relevance, if in the face of social changes and developments within a society, it still refers to or is fixed to a framework of thinking that is formed based on the situation of a society that has not changed much.

According to the author's opinion, with the Deepfake Porn AI phenomenon, law enforcement is needed through the Preventive Efforts method, namely as an effort to prevent through the prohibition of an act that violates norms and Repressive Efforts, namely as an effort to restore the situation before the violation of legal norms is carried out. In this case, through implying the relevant laws for the Deepfake Porn AI action, there are 3 relevant laws to be used as guidelines for law enforcement in Indonesia, namely Law No. 11 of 2008 concerning ITE, Law No. 19 of 2016 concerning Amendments to the ITE Law and Law No. 1 of 2024 concerning the Second Amendment to the ITE Law, Law No. 44 of 2008 concerning Pornography, and Law No. 28 of 2014 concerning Copyright.

Regulations or legislation that are relevant for law enforcement against the Deepfake Porn AI phenomenon in order to provide legal protection to victims. The first is in Law No. 11 of 2008 concerning ITE, Law No. 19 of 2016 concerning Amendments to the ITE Law and Law No. 1 of 2024 concerning the Second Amendment to the ITE Law, which is classified as public law because it regulates criminal sanctions which are caused by acts that interfere with public welfare and / or public order, especially the Deepfake Porn AI act. Because in essence the criminal sanctions are both fines and imprisonment and criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general in nature and Deepfake Porn AI is included in the category of public crimes, especially in the digital world. Deepfake porn

AI Based on Article 1 paragraph (8) of Law 19/2016 which states that an electronic agent is a device of an electronic system that is made to perform an action on certain electronic information automatically organized by a person. Based on the word "automatic" when interpreted according to kbbi which has the meaning or meaning of working alone and / or by itself. In addition, Artificial Intelligence has a definition as a system that can think for itself and can make its own decisions. So, based on the definition and/or meaning of Electronic Agents with Artificial Intelligence, it can be said that they are similar in terms of their characteristics.

In the ITE Law, there are preventive and repressive efforts as a way of law enforcement related to the Deepfake Porn AI crime. Based on Article 27 paragraph (1) of Law 1/2024 concerning the Second Amendment to ITE "Every person intentionally and without the right to broadcast, show, distribute, transmit, and or make accessible Electronic Information and or Electronic Documents that have content that violates decency for public knowledge.", is a technology crime because from making to distributing everything using technology and internet networks. Based on the substance of the article, we can know the characteristics of deepfake porn through the fulfillment of elements such as:

1. Every person;
2. Distributing;
3. Makes accessible;
4. Violates decency;
5. Publicly known.

The element of Every person defines that the word every person means that living beings of the human type in other words can be referred to as legal subjects. When associated with this Deepfake Porn AI action, it is included in this element, even though the crime is in the form of AI or technology, it is still a human being who runs it.

The element of Distributing defines that the element is essentially disseminating electronic information to be known to the general public. When associated with the Deepfake Porn AI action, this is indeed the purpose of a perpetrator to spread his work to be spread through internet networks uploaded on the dark web or social media platforms that want prohibited content to be known to the public of social media users or the dark web.

The element of Making accessible defines that all other forms of action except distributing and transmitting electronic information and/or electronic documents can be known to other parties or the public.

The element of violating decency defines that violating decency is a violation of manners and/or ethics in the sexual field, which is indicated that the act causes a reaction of shame, a disgusting reaction and / or stimulation of one's lust. When associated with the act of Deepfake Porn AI, the technology is indeed used to create prohibited content that violates decency, such as making a victim who in reality wears decent clothes and then after using the technology becomes completely naked or wears revealing clothes which is not desired by the victim, such a thing is a violation of ethics or morals or manners in the sexual field.

The element of being known to the public defines that when something that can be accessed and/or enjoyed by the general public, the majority of whom do not know each other.

In addition to Deepfake Porn AI being manipulative content, it also includes content that defames a person, as stated in Article 27 A of Law Number 1 of 2024 concerning the second amendment to the ITE Law which explains that "Every person intentionally attacks the honor or good name of another person by alleging a matter, with the intention that it becomes publicly known in the

form of Electronic Information and or Electronic Documents carried out through an Electronic System.", is a technology crime because from the creation to the dissemination of all of them using technology and internet networks. Based on the substance of the article, we can know the characteristics of deepfake porn through the fulfillment of elements such as:

1. Any person;
2. Attacking the honor or good name of another person;
3. Publicly known; and
4. In the form of electronic information and/or electronic documents.

The element of Every person defines that the word every person means that living beings of the human type in other words can be referred to as legal subjects. When associated with this Deepfake Porn AI action, it is included in this element, even though the crime is in the form of AI or technology, it is still a human being who runs it.

The element of Attacking the honor or good name of another person defines that the element is essentially an act that brings down or destroys a person's good name and self-esteem. When associated with this Deepfake Porn AI action, it is included in this element, because it defames someone through pornographic content which is not his real self due to the impact of the Deepfake AI technology.

The element Known to the public defines that when something that can be accessed and/or enjoyed by the general public, the majority of whom do not know each other.

The element in the form of electronic information and or electronic documents defines that the act of attacking a person's honor or good name through an electronic system that produces electronic information and / or electronic documents.

Based on this article, it explains the connection between the purpose of the Deepfake Porn AI action, namely by defaming someone in the form of electronic information and or electronic documents. According to KBBI, the phrase "defame" comes from the word nista, which means contemptible, low, unpleasant, disgrace, reproach, and stain. When viewed from the elements of Deepfake Porn AI, it aims to demean someone, humiliate someone, and make someone despicable to his good name and dignity.

As explained above, Artificial Intelligence is almost the same as an electronic agent by definition according to the ITE Law, which is the same as being able to work automatically, therefore the rules contained in the ITE Law can prevent the widespread dissemination of immoral content resulting from Deepfake Porn AI because some of the elements have been listed in the ITE Law as explained above by the author and can protect internet users, especially on social media. Which makes the biggest threat in the digital era for social media users, especially in this digital era where a person's right to privacy is increasingly threatened. Therefore, the ITE Law, in addition to regulating preventive efforts, also regulates its repressive efforts.

As for Repressive Efforts according to the ITE Law, using public law enforcement methods that are more precise, namely using Criminal Procedure Law such as a series of investigations, apart from Indonesian republic police officials who carry out investigations, civil servants in charge of ITE technology are given special authority as investigators as stipulated in the Criminal Procedure Code, The conduct of the investigation agenda in the field of technology is carried out properly but still pays attention to privacy, confidentiality, data integrity, etc., as well as the termination of the investigation based on the Criminal Procedure Code (KUHAP) all of these things have been stated in articles 42 to 44 of Law 11/2008 concerning ITE. Therefore, except for the criminal sanctions and fines that are contained in the Deepfake Porn AI case, namely actions that disturb public welfare and or public

order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. moving on from the procedure to the imposition of sanctions or punishment on the perpetrators of Deepfake Porn AI if according to the ITE Law. Based on article 45 paragraph (1) of Law 1/2024 concerning the second amendment to ITE, which explains that a person who violates and who fulfills the elements of what is regulated in article 27 paragraph (1) of Law 1/2024 concerning the second amendment to ITE will be sentenced to 6 years imprisonment and or a maximum fine of Rp1,000,000,000, - (one billion rupiah). This article is included in the Ordinary Offense because the act of Deepfake Porn AI is an offense that can be prosecuted without the consent of the victim or the injured party. Which means that without a complaint or reporting, even if the victim has withdrawn the report, the investigator still has the obligation to continue the legal process.

In addition to Deepfake Porn AI being manipulative content, it also includes content that defames a person, as stated in Article 45 paragraph (4) of the ITE Law, which explains that a person who violates and fulfills the elements regulated in Article 27A of the ITE Law will be sentenced to 2 (two) years imprisonment and or a fine of Rp. 400,000,000, - (four hundred million rupiah). This article is included in the Delik Aduan, which is an offense that can only be processed by an act of complaint by the victim, and besides that, the Deepfake Porn AI action has an impact on the destruction of a person's good name and self-esteem. Based on this kind of law enforcement efforts can create a deterrent effect for the perpetrators of Deepfake Porn AI in cyberspace, thus making us also as users or activists of social media to always be careful, and wise in social media and most importantly create a safe space in cyberspace for users or activists of social media who tend to be exposed to cases of this kind of pornography. This kind of law enforcement effort can create a deterrent effect for the perpetrators of Deepfake Porn AI in cyberspace, thus making us also as users or activists of social media to always be careful, and wise in social media and most importantly create a safe space in cyberspace for users or activists of social media, especially cases like this pornography occurs.

The second is that Law No. 44 of 2008 concerning Pornography is included in the category of public law and is included in the class of criminal law because it regulates acts that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general. does not define Artificial Intelligence technology, namely deepfake, but the content of the misuse of this technology, namely pornography. In the Pornography Law, precisely in article 1 paragraph (1) which explains that pornography is images, sketches, illustrations, photos, writings, writings, sounds, sounds, animations, conversations, gestures, or other forms packaged in various communication media containing obscenity or sexual exploitation that violate the norms of decency in society. In this case, the content produced by Deepfake Porn AI technology is in the form of images and/or photos, videos, and audio which fulfill the elements of what is meant by pornography.

In the Pornography Law, there are preventive and repressive efforts as a way of law enforcement related to the crime of Deepfake Porn AI. The Preventive Efforts in the Pornography Law aim to prevent and/or reduce as well as the distribution of pornographic content, and this law should be able to protect victims, the majority of which are due to revenge porn. Article 4 paragraph (1) of the Pornography Law explains that it prohibits every person from producing, making, reproducing, duplicating, disseminating, broadcasting, importing, exporting, offering, selling, renting, or providing that explicitly contains:

1. Sexual intercourse, including deviant sexual intercourse;

2. Sexual violence
3. Masturbation or masturbation;
4. Nudity or a display that suggests nudity;
5. Genitals; or
6. Child pornography.

Furthermore, when referring to the Pornography Law that has been explained above, Deepfake Porn AI is included in the criteria referred to in Article 4 paragraph (1) of the Pornography Law, but the distribution procedure is limited, located in the element of technology because it is explicitly not regulated related to producing to disseminating using technology such as Artificial Intelligence. As in the element of producing and the element of making in this article does not explain the process of making pornographic content using AI technology in the form of deepfake and likewise from the element of disseminating and the element of broadcasting pornographic content is also not stated that it uses through electronic media means or other means in this case making multiple interpretations, but has the same essence, namely both known to the general public. Deepfake Porn AI also produces content that is similar to what is regulated in the article related to violations of decency as stated in letter (a), namely normal and abnormal intercourse, up to letter (f), namely child pornography. If Deepfake Porn AI is viewed from the Pornography Law, it is more about the material that will be used as pornographic content taken directly with the consent or not of the party in the content, and the form of the content is not only about a video of someone having sex but also portraits or images and or photos that have the impression of nudity as stated in Article 4 paragraph (1) letter d. In addition, the Pornography Law also regulates preventive efforts as well as regulating repressive efforts.

As for repressive efforts according to the Pornography Law, using law enforcement methods according to criminal law enforcement which is also included in public law, because it is stated in Article 23 of the Pornography Law which explicitly describes that the series of agendas for investigation, prosecution, and examination in court are based on Criminal Procedure Law, unless there are other provisions in this Law. In addition, except for the criminal sanctions and fines that have been regulated in this Law for the imposition of punishment or punishment for the Deepfake Porn AI case, namely actions that disturb public welfare and or public order. because in essence criminal law is classified as public law because it regulates the interests between the government and the people where the interests are more general in nature. Moving from the procedure to the imposition of sanctions or punishment to the perpetrators of Deepfake Porn AI if according to the Pornography Law, precisely in article 29 of the Pornography Law explains that a person who violates Article 4 paragraph (1) which includes the act of producing, making, disseminating to providing pornography will be subject to imprisonment for a minimum of 6 (six) months and a maximum of 12 (years) and / or subject to a fine of at least Rp250,000,000,- (two hundred and fifty million rupiah) and a maximum of Rp6,000,000,000,- (six billion rupiah). Law enforcement efforts such as providing a deterrent effect for the perpetrators of the creation and dissemination of pornographic content as described in the Pornography Law, so as to make someone more careful with the act of revenge porn which is mostly experienced by romantic couples both married and unmarried, then there is still a need for protection to all people.

The third is the Copyright Law, which contains public and private law. As related to criminalization that occurs in the scope of Copyright such as Copyright Infringement of human works. In the UUHC there are Preventive Efforts and Repressive Efforts. However, it does not explain explicitly about Artificial Intelligence more precisely on its product, namely Deepfake, but related to

the work it produces, it can be investigated whether the work can be protected by copyright and whether when someone takes someone else's photographic work via the internet or their own work but does not give permission to the person being photographed to be used as content material from Deepfake Porn AI including copyright infringement. And besides that, the UUHC regulates the distribution of works through Information Technology which includes elements of the Deepfake Porn AI action in terms of distribution. The Preventive Efforts in this UUHC with the aim to prevent Copyright infringement through the regulation of the Copyright Act. Copyright is an exclusive right owned by the creator that arises automatically after the realization of a creation as stated in the Copyright Act, copyright is divided into moral rights and economic rights. Creator is briefly interpreted as a person who creates something, as stated in Article 1 paragraph (2) of the Copyright Law, namely a person or several people who individually or jointly produce a distinctive and personal creation. Speaking of personality or personalities that are inherent to humans, which according to KBBI are the essential characteristics reflected in a person's attitude, based on this definition, the work created by Deepfake AI does not meet the concept of originality because in addition to not being made by humans, the work of Artificial Intelligence is a combination of previous works modified by machines so that the work does not reflect the characteristics and personality of the creator.

The concept of copyright itself as stated above, if it is associated with cases of Deepfake Porn AI can violate the copyright of the victim in addition to violating immorality. It can be divided into 2 types, namely taking someone's photographic work via the internet and one's own photographic work but not giving permission to the person being photographed so that the photos are misused and even commercialized, and based on Article 40 paragraph (1) letter k and I UUHC states that photographic works are included in protected creations. Based on Article 9 paragraph (3) of the UUHC which states that any person without the authorization of the Creator or Copyright Holder is prohibited from reproducing and/or commercial use of the work. If we look at the element of "Duplication and or Commercial Use", it can be said that copyright infringement if the work of Deepfake Porn AI is intended for commercial purposes, namely selling it to others by promoting it through social media and / or advertising needs of its own business, so the perpetrator clearly violates moral rights for using someone's work without permission which can also be categorized as stealing and economic rights for using other people's work without giving any feedback to the creator. In addition, the work of Deepfake Porn AI also cannot be registered by the perpetrator as a public creation list or intellectual property object because the work contains immorality which violates decency, morals, and of course is prohibited in religion, as stated in Article 50 of the UUHC which explains that everyone is prohibited from announcing, distributing, or communicating creations that are contrary to morals, religion, decency, public order, or national defense and security [16].

The efforts contained in the next Copyright Law are Repressive Efforts which have the aim of restoring the state of the victim who is harmed regarding copyright infringement committed by the perpetrator. In Article 113 of the UUHC which prohibits a person from infringing the economic rights of the creator or copyright holder with the type that has been regulated in Article 9 paragraph (1) letter a, letter b, letter e, and or letter g, which includes publishing, duplicating in any form, distributing, announcing a work subject to a maximum imprisonment of 4 (four) years and or a maximum fine of Rp.4,000,000,000, - (four billion rupiah). In addition, there are civil remedies, namely suing the perpetrators of copyright infringement, as stipulated in Article 99 paragraph (1), (2), (3), and (4) UUHC that the creator or copyright holder or owner of related rights has the right to sue for damages to perpetrators who infringe the copyright of the creator or copyright holder or owner of related rights to the Commercial Court. The claim for compensation in this case is compensation in the form of all

or part of the income obtained from the infringement of copyright or related rights products. In addition, it can also ask to confiscate the work done to produce work resulting from copyright infringement and related rights products and / or also stop all activities that are the result of copyright infringement and related rights products. This method of law enforcement provides a deterrent effect for the perpetrators of Deepfake Porn AI because basically the material used to create pornographic content through Deepfake technology is sourced from the internet which is clearly the work of others or their own work but there is no prior agreement or permission to the person who is in the work and this happens because the work system of Deepfake is manipulating the work like the original work. This is also an effort to prevent and protect the creators or copyright holders because of the actions taken by the perpetrators who are based without rights and without permission, because Punishment or punishment imposed layered criminal sanctions and civil lawsuits [17].

From the Law that is relevant to the Deepfake Porn AI action, namely the Copyright Law which regulates the rights of the victim and the obligation of the perpetrator to undergo the punishment he has violated. Rights themselves are divided into 2 (two) types according to L.J. Van Apeldorn, namely there are Absolute Rights and Relative Rights. Speaking of Absolute Rights themselves are Rights that contain the power to act, in this case Absolute Rights are divided into 2 (two), namely Public Rights and Civil Rights. Some categories included in Public Rights include:

1. The right to express thoughts and feelings through the mass media or press;
2. The right to submit a written request to the authorities; and
3. The right to freely profess one's religion and beliefs.

Especially in letter b mentions that every human being has "The right to apply in writing to the authorities" in this case it can be interpreted if the Copyright infringement committed by perpetrators who deliberately without the rights and consent of the creator or copyright holder which resulted in injury to the moral rights of the creator or copyright holder, then a lawsuit can be filed in the Commercial Court, as stated in **article 98 paragraph (1) of the Copyright Act.**

Furthermore, Civil Rights, which have the meaning of rights in an objective sense referring to civil law. Civil Rights are divided into 2 (two) types, namely:

1. absolute rights that are material in nature; and
2. absolute rights that are not material in nature.

Classification of absolute rights that are material in nature such as property rights, mortgages, and mortgage rights etc. While absolute rights that are not immaterial seeprti copyright, patent rights, and rights to the brand. Copyright itself is included in the absolute rights of non-immovable property in this case works of art such as, photographic works and portraits are protected creations as stipulated in Article 40 paragraph (1) letter k & l of the Copyright Act [18]. So here also arises the public right, namely the right to file a written application (lawsuit) for infringement of protected works by downloading or taking, changing, adding, reducing a work intentionally and without the permission of the creator or copyright holder to the Commercial Court.

In addition to the rights of the victim, of course there is a duty that must be carried out by the perpetrator of Deepfake Porn AI. Obligation or called duty in English and verplichting in Dutch has a concept which must be carried out by legal subjects, namely persons and or legal entities in creating legal relations with other parties. According to Jeremy Bentham, obligation means "duties and obligations that are felt by those who carry them out". Furthermore, there is a classification of obligations (classification of obligations) according to Curson there are 5 (five) kinds of obligations, namely:

1. Absolute and relative obligations;

2.   Public and civil obligations;
3.   Positive and negative obligations;
4.   Universal, general, and special obligations; and
5.   Primary and sanctioned obligations.

In law enforcement efforts, there are obligations that must be carried out by the perpetrators of Deepfake Porn AI, namely obligations that provide sanctions due to the consequences of unlawful acts, such as prohibiting someone from violating the economic rights of creators or copyright holders with the type that has been regulated in Article 9 paragraph (1) letter a, letter b, letter e, and / or letter g, which includes publishing, duplicating in any form, distributing, announcing a creation subject to criminal sanctions of imprisonment of up to 4 (four) years and or a maximum fine of Rp4. 000,000,000,- (four billion rupiah) as stipulated in **Article 113 of the Copyright Law**.

Based on the explanation above, is there still a need for regulations or legislation governing this Deepfake Porn AI action? According to the author's opinion, yes, there is still a need for renewal of the Law governing Artificial Intelligence which also regulates its violations. Because in essence the law is not something that is final (finite scheme) where crime continues to give birth to new variations in new sectors as well as in accordance with the development of civilization and or times that continue to move and dynamic [19]. Therefore, progressive law enforcement efforts are needed so that it can achieve good legal objectives, namely creating an orderly and balanced society so that human interests will be protected.

Conclusion

Deepfake Porn AI according to existing laws in Indonesia means that it is an act of falsifying and defaming a work that looks like the original through technology by replacing other people's portrait works and/or photos of someone taken from the internet on pornographic content, then uploaded via the internet network, which aims to bring down or destroy a person's reputation. The efforts that can be taken by victims if they take the criminal route are the first by making a complaint to the relevant parties based on Article 27A of the ITE Law, then the second can be reported based on Article 29 of the Pornography Law, and the third perpetrator can also be criminalized based on Article 27 paragraph (1) of the ITE Law. In addition, victims can sue civilly in a commercial court to obtain restitution related to works taken and/or used without permission by the perpetrator based on Article 98 paragraph (1) and Article 99 paragraphs (1), (2), (3), and (4) of the Copyright Law. That way subjective and objective law enforcement can be created, and it is still necessary to update the Law to regulate Artificial Intelligence as a form of progressive law enforcement efforts so that it can achieve good legal objectives, namely creating an orderly and balanced society so that human interests will be protected.

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