

# Systematic Review of the Impact of Rape on Reproductive and Psychosocial Health and Its Implications for Abortion Policy and Restorative Justice in Indonesia

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Rape victims,  
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## Abstract

**Background of study:** Rape is a form of sexual violence that violates women's human rights and causes physical and psychological trauma, including unwanted pregnancies (UP), which raise dilemmas about abortion. In Indonesia, abortion for rape victims is legally recognized as an exception with indications of medical emergencies or severe psychological trauma, but its implementation faces complex legal, ethical, and social challenges. Procedural barriers and social stigma worsen victims' access to safe and legal abortion services. National law, Islamic law, and medical bioethics approaches have potentially aligned views in the context of protecting health and victim recovery.

**Aims or objectives:** To assess the regulatory framework of Indonesian positive law concerning the legality of abortion for rape victims, compare these provisions with Islamic legal principles and medical bioethical perspectives, and evaluate the practical barriers that impede rape victims' access to safe and lawful abortion services.

**Methods:** This systematic literature review guided by PRISMA analyzes regulations, ethical dilemmas, and implementation challenges related to the reproductive rights of rape victims in Indonesia.

**Result:** The study finds discrepancies between legal norms and field practices, as well as a lack of understanding among officials and medical personnel of victim perspectives. Reproductive health education, restorative justice implementation, and cross-sector collaboration are urgently needed to ensure victims' rights are met with dignity and comprehensiveness.

**Conclusion:** Further research is recommended to explore victims' experiences and the effectiveness of legal abortion policies within Indonesia's socio-cultural context. These efforts align with sustainable development goals towards healthy lives, gender equality, and social justice.

## 1. Introduction

Rape is one of the most severe forms of sexual violence, fundamentally violating women's human rights (HAM) and leaving deep physical and psychological vulnerabilities (9). Within the domain of reproductive health, the traumatic impact of rape often leads to gynecological injuries and the most serious consequence, unwanted pregnancy (UP), a condition that forces victims into the dilemma of either unsafe or constrained abortion choices (8). Pregnancy resulting from rape triggers complex and sensitive legal, ethical, and moral dilemmas, especially concerning decisions to undergo abortion (4). In principle, rape victims have the right to choose to terminate pregnancies caused by the criminal act, as an essential part of restoring their health and human rights (5, 6).

Legally, in Indonesia, abortion for rape victims is recognized as an exception under the Health Law and its implementing regulations, with primary indications including medical emergencies or severe psychological trauma (1, 10). However, this legality remains a subject of serious debate when viewed from the perspectives of Islamic law, medical bioethics, and national criminal law (2). Furthermore, case studies focusing on vulnerable populations, such as abortion due to rape in children, highlight the urgent need for regulatory adjustments, especially with the enactment of Health Law Number 17 of 2023, alongside comprehensive human rights protections (3). Although the legal framework has provided a foundation, the implementation of restorative justice principles for restoring victims' health rights still faces significant obstacles (7). In practice, victims often encounter major barriers, including refusal or difficulties in fulfilling abortion rights by authorized law enforcement officials (5).

A systematic literature review of the entire spectrum of these issues—from legal foundations, ethical dilemmas, to practical challenges in fulfilling victims' reproductive rights—is crucial to identifying gaps between regulatory norms and the effectiveness of the legal protection practices provided. Based on the complexity of the identified issues, this literature review primarily aims to identify and deeply analyze the legal framework, implementation challenges, as well as the ethical and social dilemmas surrounding the fulfillment of

reproductive rights (especially access to safe and legal abortion) for female rape victims in Indonesia. Based on these objectives, the main research questions to be addressed in this study include reviewing how Indonesian positive law (covering criminal, health, and human rights law) regulates the legality of abortion for rape victims, comparing such regulations with perspectives from Islamic law and medical bioethics, and analyzing practical challenges, including procedural barriers and social dilemmas faced by rape victims to access safe and legal abortion services as a form of restoring their health rights and legal protections.

## 2. Method

This article was written using a literature review based on the PRISMA guidelines, which provide a structured method for searching, selecting, and analyzing various scientific sources. A literature review involves searching and studying literature by reading and examining journals, books, and other published works related to a specific topic or issue. Data were collected from reliable sources such as Google Scholar, PubMed, and other journals using keywords like abortion, rape victims, abortion legality, reproductive health, and restorative justice. The selected articles included national and international scientific journals published between 2020 and 2025. In this study, the researcher used secondary data, which were indirectly obtained from 10 relevant national and international scientific journals related to the research topic. The data from each article were analyzed using a qualitative thematic approach by identifying common themes and main meanings. Additionally, the researcher assessed the clarity of the methods and the accuracy of each article's content to avoid bias. The writing process involved collecting and selecting journals based on thematic relevance, then analyzing the content to find relationships among the impacts of rape, abortion regulations, reproductive health education, and restorative justice. The results from the various literature sources were then synthesized and summarized to provide a comprehensive understanding of the issues and possible solutions for addressing rape victims.

## 3. Results

**Table 1. Summary of Included Articles in the Systematic Review**

Author & Year	Title	Design & Method	Respondents / Data Source	Assessment Procedure	Main Results	Novelty
1 Fadli I. (2022)	Implementasi Prinsip Keadilan Restoratif Terhadap Korban Pemerkosaan Sebagai Pemulihan Hak Atas Kesehatan	Literature Review	Library/Literature	Conceptual analysis of restorative justice implementation in victim health recovery.	Indonesia's justice system still operates on a retributive paradigm and insufficiently considers victims' health rights. Restorative justice is important to restore victims' physical, psychological, and social health.	Connecting Restorative Justice as the essence of health rights recovery for rape victims, criticizing the retributive focus of the justice system.
2 Hakiim A, Abdullah M (2022)	Perlindungan Hukum Bagi Korban Pemerkosaan : Dilema aborsi	Literature Review	15 articles that passed inclusion criteria out of >100 identified articles	Selection and analysis of 15 articles based on relevance and quality.	Although abortion is legally permitted, many victims lack real access, highlighting dilemmas and gaps in implementation.	Comprehensive analysis of ethical dilemmas and gaps in implementing safe abortion rights for rape victims through a literature review.
3 Manurung NPV, Rakia ASR., Hidaya WA. (2024)	Analisis Yuridis Aborsi Korban Perkosaan dalam Perspektif Hukum Pidana dan Undang-	Normative Juridical with legislation and case approach	Primary & Secondary Legal Materials	Juridical analysis to compare the implementation of the Criminal Code (KUHP) and Health Law.	Conflicts between the Criminal Code (KUHP), which criminalizes abortion, and the Health Law, which allows exceptions,	Focus on juridical analysis and clear normative conflict comparison between Criminal Law provisions

		Undang Kesehatan				create policy uncertainty.	and Health Law.
4	Nabiila AAN, Salsabilah A, Tsabitah HF, Zahra NA, Wasir R. (2024)	Tindakan Aborsi terhadap Kehamilan Akibat Perkosaan dan Kaitannya dengan Hak Asasi Manusia	Normative, using juridical-empirical method	Library and Field Research (Primary & Secondary Legal Materials)	Descriptive analysis using data validity methods of credibility, transferability, dependability, and confirmability.	Abortion for rape victims is legal under Law No. 36/2009 and Government Regulation No. 61/2014, based on risks to physical and mental health, linked to human rights protection.	Study of abortion legality linked to human rights aspects and implementing regulations (Government Regulation).
5	Puspitasari RD, Hakim AR. (2025)	Perlindungan Hukum atas pengguguran kandungan korban Perkosaan di Tinjau dari Hukum Nasional	Normative, Juridical	Primary Legal Materials (Legislation) and Secondary (Literature)	Conceptual analysis of legal protection of abortion under National Law.	Rape victims often choose abortion due to psychological trauma and need clear legal protection to avoid prosecution.	Review of legal protection for abortion from the National Law perspective to emphasize protection for rape victims who undergo abortion.
6	Ristintyawati, Handitya B. (2022)	Legalitas Aborsi Bagi Korban Perkosaan (Tinjauan Menurut Hukum Positif dan Hukum Islam)	Normative Law with legislative and conceptual approach	Primary & Secondary Legal Materials	Conceptual analysis to examine the legality alignment of abortion between Positive Law and Islamic Law.	Abortion legality in Indonesian Criminal Law aligns with Islamic Law on considerations of physical and psychological health. Active education is needed about legal abortion limits.	Comparative review of the dualism between Positive Law and Islamic Law regarding the legality of abortion for rape victims.
7	Sugiharto AF, Ganda M. (2023)	Aborsi Dalam Kasus Perkosaan Anak: Perspektif Undang-Undang Nomor 17 Tahun 2023 dan Hak Asasi Manusia	Normative Law	Legislation (Law No. 17/2023) and Human Rights	Juridical analysis of abortion provisions in Law No. 17 Year 2023 and its relation to Child Rights protection.	Abortion is allowed under Article 60 of Law No. 17/2023 if psychological trauma or medical emergency exists. The law must ensure justice for children as victims.	Analysis focusing on abortion legality in child rape cases from the perspective of Law Number 17 Year 2023 (latest Health Law).
8	Suharmanto, Lusina SE, Larasati RM, Happy TA. (2024)	Korban Perkosaan Dalam Hal Pemenuhan Hak Aborsi Oleh Kepolisian Resor Jombang	Empirical Juridical / Sociological	Empirical juridical research facts at Jombang Police Resort	Analysis of victim abortion rights implementation based on empirical facts at Jombang Police Resort.	Despite regulations, implementing legal abortion rights at Jombang Police Resort still faces obstacles and resistance.	Specific empirical juridical study examining the implementation of abortion rights at the law enforcement level (Jombang Police Resort).

9	Dwitami SA, Gultom JE, Saputri DA, Suherman A. (2025)	Upaya Hukum Terhadap Korban Kekerasan Seksual Yang Melakukan Aborsi	Normative Law	Secondary Data: books, research results, legal opinions	Qualitative analysis of legal protection efforts and state's role in victim abortion cases.	Legal protection for abortion victims is regulated by Law No. 36/2009. The state's role is to avoid prosecuting victims who undergo abortion according to the law.	Focus on identifying concrete legal efforts that can be used to protect sexual violence victims who undergo abortion.
10	Waruwu C, Irawati AC. (2025)	Tindakan Aborsi Akibat Pemerkosaan Ditinjau Menurut Pandang Islam, Bioetika Kedokteran Dan Hukum Di Indonesia	Normative (Multiple Perspective Literature Review)	Legal, Islamic, and Bioethics Literature	Qualitative analysis of legal protection efforts and state's role in victim abortion cases.	Abortion is often chosen to alleviate psychological trauma but faces strict limits from Islamic, medical bioethics, and legal perspectives.	Analysis of abortion actions from three different scientific perspectives: Islam, Medical Bioethics, and Law.

#### 4. Discussion

The findings of this literature review indicate that the issue of abortion for women who are victims of rape in Indonesia remains highly complex, involving interrelated dimensions of law, morality, religion, and health. The impact of rape on victims' reproductive health and psychosocial conditions is severe, particularly among children and adolescents who experience deep psychological trauma such as depression and post-traumatic stress, as well as reproductive health problems including infections and injuries to reproductive organs. Unwanted pregnancies resulting from rape further exacerbate the victims' psychological distress, making abortion often perceived as a means to reduce suffering (6). Although abortion for rape victims is legally regulated under the Health Law No. 36 of 2009 and Government Regulation No. 61 of 2014 as a form of protection, its implementation still faces numerous challenges (10). The reviewed literature highlights a significant gap between legal provisions and actual practice due to complex administrative procedures, inconsistencies between the Criminal Code (KUHP) and health regulations, and the limited understanding of law enforcement officers and medical personnel regarding the victims' perspectives. These barriers often prevent victims from accessing safe abortion services, even though they are legally entitled to them (7).

In addition to legal obstacles, victims also face social and cultural pressures, including stigma, discrimination, and shame, which further intensify psychological trauma (9). From a religious perspective, the literature suggests that Islamic law and medical bioethics can align with positive law when abortion aims to save the mother's life and restore her physical and mental health, in accordance with the *maqasid syariah* principles that prioritize the protection of life and intellect (1). Therefore, ethical and spiritual approaches should be integrated with legal and medical frameworks to ensure a comprehensive recovery process for victims (2).

Furthermore, the review emphasizes the importance of reproductive health education and legal awareness from an early age as preventive measures to reduce the risk of sexual violence and unwanted pregnancies (8), as well as the implementation of restorative justice principles to place the victims' rights at the center of attention and avoid secondary victimization such as forced marriage. However, the limited number of available studies shows that most existing research still focuses on normative legal aspects, while empirical studies exploring victims' lived experiences and the effectiveness of existing policies are scarce (4). This limitation highlights the need for further in-depth research to provide a more realistic understanding of the situation (7).

Overall, these findings have significant implications for midwifery practice, public policy, and future research directions. Health professionals should receive training in the legal and ethical aspects of abortion services for rape victims to ensure empathetic and lawful care. From a policy standpoint, stronger cross-sectoral collaboration among the legal, health, education, social, and religious sectors is essential to guarantee safe and dignified access to services for victims (7). Moreover, this issue is closely linked to the Sustainable Development Goals (SDGs), particularly SDG 3 (Good Health and Well-being), SDG 5 (Gender Equality), and SDG 16 (Peace, Justice, and Strong Institutions) (3,7,10). Therefore, ensuring the right to safe abortion for rape victims should not only be viewed as a national legal matter but also as part of a global commitment to achieving justice, equality, and health for all women.

## 5. Conclusion

This literature review concludes that the issue of abortion for rape victims in Indonesia is a complex problem involving legal, ethical, religious, health, and socio-cultural aspects. Although it is stipulated in Health Law No. 36 of 2009, Government Regulation No. 61 of 2014, and Law No. 17 of 2023, its implementation is still hindered by bureaucratic procedures, conflicts between the Criminal Code and health regulations, and lack of knowledge among officers and medical staff about the victims' perspectives. Negative societal views and traditional pressures further worsen the mental condition of the victims, whose reproductive rights should be guaranteed. From the perspective of Islamic law and medical ethics, abortion for rape victims can be justified if it aims to preserve the life and restore the physical and mental condition of the victim, in accordance with the maqashid sharia principle that emphasizes the protection of life and human dignity. Therefore, alignment between legislation, religious values, and medical ethics is needed through restorative justice approaches, increased knowledge about reproductive health, and cooperation among various parties so that victims can access safe, lawful, and humane abortion services. These efforts also support the achievement of the Sustainable Development Goals (SDGs), particularly SDG 3 on good health and well-being, SDG 5 on gender equality, and SDG 16 on justice and strong institutions, making the fulfillment of safe abortion rights for female rape victims an essential part of fair and humanitarian development in Indonesia.

## Author Contributions

All authors actively contributed to the literature search, the development of the research conceptual framework, and the design of the manuscript structure based on PRISMA guidelines. Specifically, A.N.F.S. was responsible for writing the introduction, abstract, and the declaration of AI use in the writing process. A.M.D.C. contributed to writing the methods, conclusion, and author contributions sections. H.S. handled the writing of the discussion, data availability statement, registration, and protocol sections. Meanwhile, L.P.R. was responsible for writing the results, funding, and conflict of interest declaration sections. All authors participated in content review, final editing, and gave their approval for the final manuscript before submission for publication. Additionally, the supervising lecturer D.R.S. played a crucial role by providing scientific guidance, methodological advice, and substantial corrections throughout the writing and manuscript preparation process, ensuring that the study was systematically organized in accordance with academic standards and met scientific publication ethics.

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## Declaration of Conflicting Interests

The authors declare that they have no conflicts of interest regarding the publication of this systematic review. This research was conducted independently without any financial relationships or affiliations with companies, organizations, or entities whose products or services are related to the subject matter discussed in this manuscript. The authors have no competing interests that could inappropriately influence or bias the content of this work. All sources of support and contributions have been appropriately acknowledged in the relevant sections of this manuscript.

## Registration and Protocol

This systematic review was conducted following the PRISMA (Preferred Reporting Items for Systematic Reviews and Meta-Analyses) guidelines to ensure methodological transparency and reliability. However, the review protocol was not registered in any formal review registry such as PROSPERO or INPLASY, as it was conducted as part of an academic coursework project rather than a registered research study. Future studies are encouraged to register their protocols to enhance reproducibility and transparency.

## Data Availability Statement

All data supporting the findings of this systematic review were obtained from secondary sources, including published national and international journal articles accessible through Google Scholar, PubMed, and other reputable databases between 2020 and 2025. The datasets generated or analyzed during this review are available from the corresponding author upon reasonable request. Since all data were derived from publicly available literature, no new primary data were collected.

## Declaration Of Using AI In The Writing Process

In the preparation of this literature review article, the author used AI technology in a very limited capacity, mainly to assist with grammar checking and sentence structuring to enhance clarity and readability. All analysis, data collection, and writing processes were carried out by the author's own efforts and critical thinking. The use of AI served only as a minor supportive tool and did not replace the author's evaluative judgment and control over the content. The author ensured that all content was thoroughly reviewed and edited to maintain accuracy and originality.

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