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Law Enforcement Against Human Trafficking Crimes in Indonesian

Gevan Naufal Wala¹

¹Universitas Tarumanagara, Jakarta, Indonesia, gevannaufall@gmail.com

Corresponding Author: gevannaufall@gmail.com¹

Abstract: The Human trafficking is a serious violation of human rights that remains a crucial issue in Indonesia. Although the government has passed Law Number 21 of 2007 concerning the Eradication of Human Trafficking (UU TPPO), the implementation of law enforcement still faces various challenges, such as weak coordination between institutions, limited resources, and low public awareness. This study aims to analyze the effectiveness of law enforcement against TPPO, the obstacles faced by law enforcement officers, and the efforts that have been and can be made in overcoming this crime. Using the normative legal method, this study examines the prevailing laws and regulations and law enforcement practices. The results of this study are expected to contribute to the formation of policies and strategies for overcoming human trafficking in a comprehensive and sustainable manner.

Keywords: Human trafficking, law enforcement, human rights, crime, Indonesia.

INTRODUCTION

Human trafficking is a form of transnational organized crime that violates human dignity. In Indonesia, this phenomenon does not only occur in large urban areas, but also extends to rural areas with minimal access to information and education. The victims are mostly women and children who are promised jobs or a better life, but are instead exploited physically, sexually, and economically. Human trafficking is a very complex form of modern slavery, involving criminal networks, recruiters, transporters, and users of exploitation services. This crime is very detrimental to victims both physically and psychologically, and threatens national security and tarnishes Indonesia's image in the eyes of the world. Based on data from the United Nations Office on Drugs and Crime (UNODC), Indonesia is included in the countries of origin, transit, and destination of human trafficking. Cases of human trafficking that have been successfully uncovered often show systematic recruitment patterns with increasingly varied modes, such as offers of work abroad, scholarships, or fake marriages. The Indonesian government has responded to this phenomenon by issuing Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. This law is an important milestone in providing a strong legal umbrella for law enforcement efforts. In addition, Indonesia has also ratified various international instruments, such as the Palermo Protocol, to strengthen

international cooperation in eradicating human trafficking. However, the existence of regulations alone is not enough. In practice, law enforcement against human trafficking crimes still faces many obstacles. Law enforcement officers often have difficulty in proving elements of human trafficking, especially hidden exploitation. On the other hand, perpetrators often take advantage of legal loopholes, weak victim protection systems, and low public awareness as opportunities to continue their actions. In some cases, victims are even reluctant to report because they are afraid, embarrassed, or do not know that they are victims of human trafficking. This shows that there needs to be an approach that is not only repressive but also preventive and rehabilitative. Handling TPPO must involve many parties: the government, law enforcement officers, NGOs, the media, and the community. This study was conducted to answer important questions about how law enforcement against TPPO is carried out in Indonesia, what obstacles are faced, and what future strategies are to strengthen eradication efforts. By understanding these dynamics, it is hoped that synergy can be created between regulations, law enforcement, and the community in creating an effective and equitable legal protection system for victims of human trafficking.

METHOD

This study uses a normative legal approach, which is a method that relies on the study of applicable legal norms, both in the form of laws and regulations and legal principles related to law enforcement against human trafficking crimes. This approach was chosen because the study aims to understand and analyze how positive law in Indonesia responds to human trafficking crimes, as well as how the implementation of these legal regulations is carried out by law enforcement officers. In this context, the statute approach is used to study various applicable regulations, such as Law Number 21 of 2007 concerning the Eradication of Human Trafficking Crimes, Law Number 8 of 1981 concerning Criminal Procedure Law (KUHP), Law Number 31 of 2014 concerning Protection of Witnesses and Victims, and other implementing regulations. This approach is important to determine the extent to which legal norms provide a basis for efforts to eradicate TPPO in Indonesia. In addition, this study also uses a conceptual approach, namely by examining relevant basic concepts, such as the concept of human trafficking, human rights, transnational crime, and law enforcement theory. This approach helps in understanding more deeply the nature and characteristics of the crime of human trafficking and its law enforcement framework.

The data and information used in this study were obtained through library research, by examining primary, secondary, and tertiary legal materials. Primary legal materials include applicable laws and regulations and relevant court decisions. Secondary legal materials include legal literature, scientific journals, reports from official institutions, and opinions of legal experts. While tertiary legal materials include legal dictionaries, encyclopedias, and other supporting sources. After all legal materials are collected, the analysis process is carried out qualitatively. The author interprets the legal norms found, relates them to the theories used, and compares them with law enforcement practices that occur in the field. Through this method, it is hoped that comprehensive conclusions can be produced regarding the effectiveness of law enforcement against TPPO as well as recommendations that can strengthen the existing legal system.

In addition to the statute approach and conceptual approach, this study also uses a case approach. This approach is carried out by analyzing several court decisions that have permanent legal force (*inkracht*) related to the crime of human trafficking. Through this approach, the author can identify the pattern of legal considerations used by judges, as well as spread consistency between legal norms and their implementation in judicial practice. This is important to know how law enforcement is applied concretely to perpetrators of TPPO and the protection provided to victims in the legal process.

The normative-qualitative analysis method is used in processing and interpreting the legal data that has been collected. The author interprets positive legal norms, then links them to relevant legal principles and legal theories, such as the theory of law enforcement by Satjipto Rahardjo, as well as the principles of human rights inherent in victims of TPPO. This analysis is not only descriptive, but also critical, in order to assess the effectiveness and responsibility of national law towards the complex and often cross-border phenomenon of human trafficking.

Furthermore, in the data collection process, legal literature search (library study) is the main technique used. The search was conducted on various legal documents, such as national regulations, international legal instruments that have been ratified by Indonesia (for example the Palermo Protocol), and national policy documents such as the National Action Plan for the Elimination of Human Trafficking. In addition, reports from institutions such as the National Commission on Violence Against Women, IOM (International Organization for Migration), and UNODC (United Nations Office on Drugs and Crime) are also important references for gaining empirical and global perspectives on this issue.

By using these approaches and analysis techniques, it is hoped that this study can provide a comprehensive picture of the extent to which the Indonesian legal system is able to face the challenges in eradicating TPPO, as well as identifying structural or implementation weaknesses that need to be improved in the future.

RESULTS AND DISCUSSION

1. Case Volume & Law Enforcement Response

- a. SBMI (Serikat Buruh Migran Indonesia) documented 251 trafficking cases in 2024, encompassing 456 complaints across sectors such as fishing crew (43%), domestic workers (17.5%), and online scam workers (13.6%)
- b. Bareskrim Polri (Indonesia's Criminal Investigation Agency) uncovered 397 international trafficking networks between October–November 2024, arresting 482 suspects and rescuing 904 victims.
- c. The Ministry of Foreign Affairs reported over 2,400 Indonesian nationals (WNI) were victims of trafficking in online scamming over just two years—a dramatic rise from under 200 in 2021.
- d. Between 2020–2023, 3,703 WNI were identified as victims of online scamming, with 40% confirmed as human trafficking cases; Bareskrim handled 1,061 cases in 2023, involving 3,363 victims.

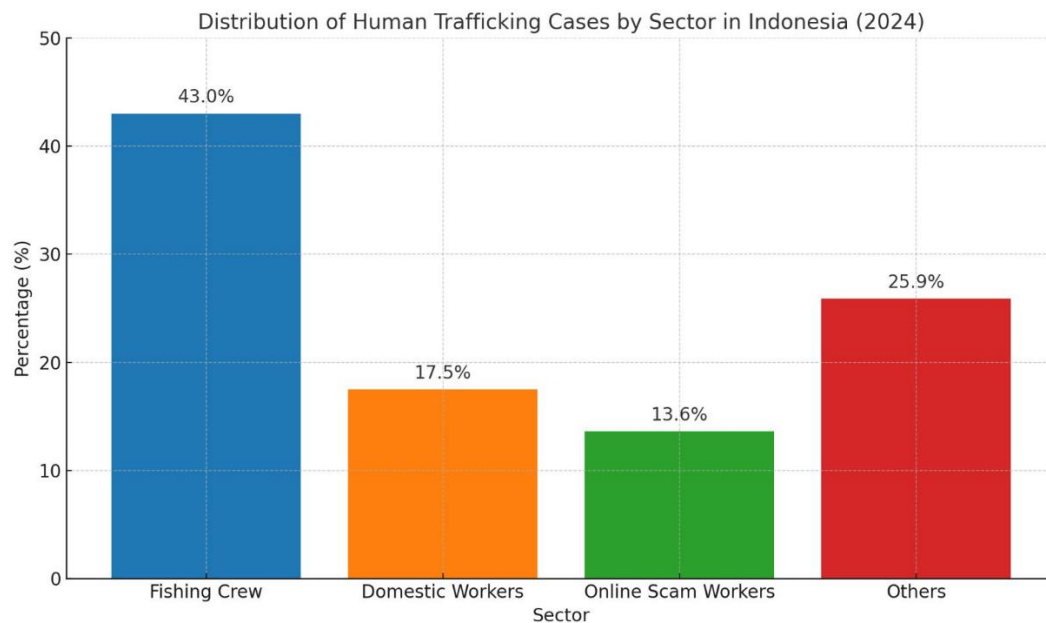
These figures indicate shifting modalities of trafficking—from traditional exploitation to more digital and complex types like online scam trafficking.

2. Prosecution and Conviction Patterns

- a. Under Law No. 21/2007, penalties range from 3 to 15 years' imprisonment, deemed sufficient and adequate.
- b. In 2017, 123 new investigations, 407 prosecutions, and 324 convictions were recorded a marked increase over previous years (190 in 2016).
- c. Challenges remain: agency coordination is weak, there are no centralized case-tracking systems, insufficient training of investigators, and cases sometimes charged under lesser provisions like worker protection laws.

3. Victim Identification & Protection

- a. Growing victim referrals: LPSK assisted 508 cases in 2023 (up from 262 in 2022); Ministry of Social Affairs received 1,359 referrals in 2023
- b. However, government systems remain fragmented, with duplicate reporting and significant underreporting of labor victims, especially in fishing
- c. Many victims are identified through mediation processes rather than criminal prosecution, diluting legal accountability



CONCLUSION AND SUGGESTIONS

Conclusion

Human trafficking in Indonesia remains a severe and evolving crime that affects vulnerable populations across multiple sectors. Although the government has made significant legal and institutional efforts, including the enactment of Law No. 21 of 2007, various enforcement and protection challenges persist.

The highest number of cases in 2024 emerged from the fishing industry, domestic labor, and online scam syndicates—marking a shift in trafficking patterns from traditional forms to more digital and transnational methods. While the number of rescued victims and dismantled trafficking syndicates has increased, inconsistencies in prosecution outcomes, fragmented victim services, and weak inter-agency coordination hinder the overall impact. Indonesia's anti-trafficking system demonstrates strong intent but struggles with execution, particularly in the areas of victim identification, legal accountability, and long-term rehabilitation. For the nation to truly combat trafficking, its response must be proactive, adaptive, and rooted in human rights protection.

Suggestions

1. **Enhance Inter-Agency Coordination**
Establish a centralized digital system that allows real-time tracking of trafficking cases and victim referrals across police, social services, courts, and immigration.
2. **Strengthen Legal Enforcement Capacity**
Provide specialized training for law enforcement officers, prosecutors, and judges to better identify, investigate, and prosecute trafficking cases using the correct legal framework (Law No. 21/2007).
3. **Victim-Centered Protection System**
Improve access to safe houses, legal aid, psychosocial support, and reintegration programs for survivors, especially for male and rural-based victims who are often underserved.
4. **Public Awareness and Prevention Campaigns**
Expand educational campaigns at the village and school levels, particularly in high-risk areas, to inform the public about the dangers and signs of trafficking.
5. **Strengthen Cross-Border Collaboration**

Given the international dimension of many trafficking operations, Indonesia should intensify bilateral and multilateral cooperation with ASEAN countries and global partners for intelligence sharing, joint operations, and victim repatriation.

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