

Conceptualization Of The Protection Of Human Rights For Victims Of The Crime Of Trafficking In Indonesia

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Abstract

The criminal act of human trafficking has caused suffering because it is a crime that violates human dignity, and so the crime is included in the category of serious crimes. The aim of this research is: This research aims to find out and examine the concept of the criminal act of trafficking in persons in Indonesia, to find out and examine the weaknesses in the arrangements for protecting the human rights of victims of the crime of trafficking in persons in Indonesia, and to find out and examine the conceptualization of the protection of the human rights of victims. Criminal act of human trafficking in Indonesia. This research is a type of normative-empirical legal research that examines the legal problem of human trafficking with a multidimensional approach. The research results show that protecting human rights for victims of human trafficking in Indonesia involves various parties and requires a holistic approach. Despite significant efforts, protection limitations remain, including service, compensation and return costs. Further efforts are needed to address these challenges and ensure maximum protection for victims while continuing to evaluate and monitor for continuous improvement.

I. Introduction

The ongoing development of societal civilization and culture, along with increasingly modern advances in technology, information, communication and transportation, have significantly impacted the growth of crime modes, including human trafficking (Yuliartini & Mangku, 2020). In the process of operation, criminal acts of human trafficking are often carried out behind closed doors, hidden, and in violation of

applicable legal regulations (Yuliartini et al., 2021). Currently, the phenomenon of human trafficking has become widespread, both in the form of organized and unorganized crime networks (Eviningrum & Jamin, 2019). The emergence of technology and increasingly widespread connectivity has made it easier for criminals to operate across countries and regions, increasing the complexity and level of secrecy of these criminal acts (Lewoleba & Harefa, 2020). This demands a comprehensive response from the authorities as well as society as a whole to address and prevent the further spread of human trafficking crimes (Naibaho, 2023).

The crime of human trafficking is a crime that is still a problem in the world (Nur et al., 2019). The call for criminal acts of human trafficking is an expression of anti-trafficking campaigns and organizations that have spread since the 1990s and have strengthened the narrative or exposure that human trafficking is a growing problem that requires solid global partnerships between governments, non-governmental organizations and companies. private sector (Heynen & van der Meulen, 2021). This is based on the fact that these crimes are not only committed within the scope of one country but the majority are committed within the scope between countries or what is usually called cross-country (Oktavionita & Riyadh, 2022). In practice, the criminal act of trafficking in persons is often manifested in the activity of sending workers both domestically and abroad, so this act becomes one of the most common modes of criminal acts of trafficking in persons (Anggadha, 2020). Furthermore, this action is a form of modern slavery because, in reality, victims often receive violence and inhumane treatment (Suseno & Wahyuningsih, 2021).

The criminal act of human trafficking has caused suffering because it is a crime that violates human dignity, and so the crime is included in the severe crime category (Prasetya, 2020). Furthermore, victims of criminal acts of trafficking in persons are not only intended for prostitution or a form of Exploitation (Siregar et al., 2020). This Exploitation includes, among other things, Exploitation of other people's prostitution, sexual Exploitation, forced labor or services, slavery, or even practices that are similar to slavery and organ harvesting. (Irianto, 2006, p. 288) Thus, it is clear that this criminal act has violated the principles of morality and human dignity (Komariyah et al., 2021).

The United Nations (UN) and various international Human Rights (HAM) groups assess that the treatment of humans as trafficked persons constitutes a crime against the most basic human rights, namely freedom, autonomy and dignity (Pasaribu, 2020). Based on empirical evidence, most victims of criminal acts of human trafficking are children, and women are the most likely to become victims of criminal acts of human trafficking (Syamsuddin, 2011, p. 57). The international community has agreed that the criminal act of trafficking in persons includes human rights violations (Sambas, 2019). What is meant by human rights is a set of principles that originate from values, which then become rules that regulate human behavior and relationships between humans (Novika et al., 2020). Human rights can be interpreted as fundamental human rights (Matompo et al., 2018, pp. 2-3).

Historically, efforts to enforce human rights, especially human trafficking, have been manifested in regulations relating to human rights, such as those contained in the Code of Hammurabi in Babylonia 2100 BC and the orders of King Ashoka in India in the 3rd century. Human rights are also found in holy books such as the Torah, Zabur, Gospel

and Al-Qur'an. Firdaus Arifin, Human Rights Theory, Development and Regulation, Thafa Media Publisher (Yogyakarta: Thafa Media, 2019 p.22). Thus, the embryo of regulations related to human rights, especially in the criminal act of trafficking persons, was born a long time ago (Subono & Kosandi, 2019). Regarding violations of human rights in the criminal act of human trafficking, in Law Number 26 of 2000 concerning Human Rights Courts, it is explained that human trafficking is a violation of human rights and is included in crimes against humanity (Solim, 2019). This is based on the fact that every human being has the same human rights inherent from the moment humans are born. These rights include the right to life, the right to feel safe, and freedom from oppression (Yuliarti et al., 2020).

One of the government's efforts to provide legal protection to Indonesian citizens or society is the existence of laws and regulations regarding the criminal act of trafficking in persons (Farhana, 2021). These statutory regulations are Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (Hakim & Hadrian, 2020). Related to the implementation of protection for victims of criminal acts of human trafficking as regulated in Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking, which can be implemented by the government and law enforcement officials (Azis & Wahyudi, 2020). Legislative regulations regarding the protection of victims of criminal acts of human trafficking have been made or created by the government to protect Indonesian citizens (Mahardika & Wicaksono, 2020). The 1945 Constitution provides protection and equal rights for men and women to obtain or receive guarantees and fulfillment of the right to live a decent, healthy and dignified life (Eviningrum et al., 2020). The efforts of the state, especially the government, are to protect and fulfill these rights to protect and fulfill human rights for its citizens (DeCapita, 2019). Victims of criminal acts of human trafficking need guarantees of protection for both witnesses and victims (Flambonita et al., 2022). It is hoped that the existence of statutory regulations regarding criminal acts of human trafficking will provide a legal umbrella for providing services and, most significantly, protection for victims of criminal acts of human trafficking (Handayani et al., 2019).

Previous research has discussed the same theme; Nursiti, 2021 carried out this research), namely discussing the Role of International and Regional Organizations in Resolving Human Rights Violations of Human Trafficking in Indonesia. Furthermore, research (Chandrawaty, 2020) discusses Law Enforcement and State Responsibility toward Women Victims of Human Trafficking as a Form of Human Rights Protection. Then, research from (Syaputra and Setiawan, 2019) discusses cross-border human trafficking in Indonesia. Moreover, research from (Palguna et al. 2021) discusses (Palguna et al., 2021) as well as research from (A. P. Nugroho et al., 2023), which discusses legal protection for child victims of the crime of human trafficking.

Based on the problems described above, the crime of human trafficking is growing due to various driving factors, one of which is economic. Economic factors are very influential because people need work, so it is easier to influence them. Moreover, these people are offered jobs with high salaries. Apart from economic factors, the rapid increase in criminal acts of human trafficking is also caused by weak law enforcement. Law enforcement is an effort to realize justice, legal certainty and benefit. This research aims to find out and examine the concept of the crime of human trafficking in Indonesia, to find

out and examine the weaknesses in the regulation of protecting the human rights of victims of the crime of human trafficking in Indonesia, and to find out and examine the conceptualization of the protection of the human rights of victims of the crime of human trafficking, in Indonesia. Based on the description given above, it is interesting to discuss the conceptualization of protecting the human rights of victims of human trafficking in Indonesia.

2. Research Method

This research is a type of normative-empirical legal research that examines the legal problem of human trafficking with a multidimensional approach. Normative research refers to the analysis of legal norms and principles contained in laws and regulations, while empirical research involves case studies to understand legal practices that occur in society. The approaches used in this research include a case approach to study the application of legal norms, a statutory approach to analyze various related legal rules, and a conceptual approach to explore legal doctrine and human rights principles.

The data used in this research consists of primary data obtained directly from the field and secondary data originating from reviewing literature and library materials. The legal materials used include various statutory regulations, such as the 1945 Constitution of the Republic of Indonesia and Law Number 21 of 2007, concerning the Eradication of the Crime of Human Trafficking. Data collection methods were also carried out through literature studies and interviews with related parties such as the Witness and Victim Protection Agency. Data analysis was carried out descriptively by categorizing and classifying the collected legal materials. This research adopts a qualitative approach to develop an in-depth understanding of human trafficking and explore related legal concepts. Thus, this research aims to provide a more comprehensive understanding of efforts to protect human rights for victims of human trafficking in Indonesia.

3. Results and Discussion

The protection of crime victims is part of human rights protection. Human rights are often violated in society, whether by groups, individuals or the state (Ariyanti, 2019, p. 39). In protecting victims, society and the government carry out preventive and repressive efforts through law enforcement officials. Protection for victims, such as providing protection or supervision from various threats that could endanger the victim's life, providing medical assistance, providing legal assistance, fair examination and trial processes for perpetrators of crimes, is an embodiment of the protection of human rights and also becomes a balancing instrument (Mansur & Gultom, 2008, p. 161). The state must protect and recover victims. Protection and recovery of victims must be carried out in various ways, including rehabilitation, which is not only medical but also psychological, due to the impact that can disturb the victim's physical and mental health (Aisah, 2017, p. 33).

Based on data obtained from the Human Trafficking Crime Task Force, 757 reports occurred during the period 5 June to 14 August 2023. In these reports, the police arrested and named 901 people as suspects in human trafficking cases in Indonesia. The number of victims of criminal acts of human trafficking who were rescued was 2,425 people. One

of the criminal cases of human trafficking in Indonesia is the case of 6 (six) Indonesian citizens (WNI) victims of human trafficking that occurred in Myanmar (CNN Indonesia, 2023). In this case, the Indonesian citizens who were victims were lured or offered jobs in Thailand with halal work and fair wages. The six Indonesian citizens entered Thailand by applicable legal channels accompanied by passports and had been given the authority of the Thai State. After that, without an agreement, the six Indonesian citizens were forcibly transported to Myanmar via a route without passport checks, namely an illegal route (KumparanNews, 2023). These Indonesian citizens were forcibly employed to carry out the work of scammers or fraud in the form of investments.

Based on reports from the Human Trafficking Crime Task Force, in the period 5 June 2023 to 3 July 2023, it succeeded in rescuing 1,943 victims of human trafficking crimes and 698 perpetrators of human trafficking crimes. Various types of victims were rescued, including the following:

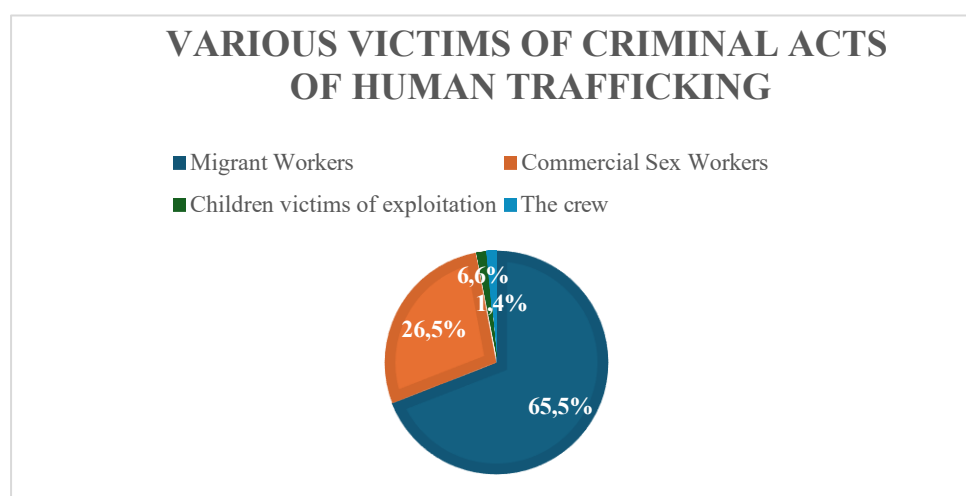


Figure 1. Types of Victims of Human Trafficking Crimes in 2023
Source: 2023 Trafficking Crimes Task Force

Based on the data presented, there are various types of victims of criminal acts of human trafficking in Indonesia. Indonesian Migrant Workers (PMI) accounted for the majority of victims, with a percentage of 65.5%. Apart from that, there are 26.5% of Commercial Sex Workers (PSK), 6.6% of children are exploited for work, and 1.4% of ship crew (ABK). Indonesian Migrant Workers (PMI) are the largest group vulnerable to becoming victims of trafficking. People often become entangled in illegal human trafficking practices while working abroad.

On the other hand, Commercial Sex Workers (PSK) are also significant victims, where difficult social and economic conditions often force individuals to become involved in sexual trafficking. Children who are exploited for work and crew members (ABK) are also included in the category of victims of criminal acts of human trafficking. Children are vulnerable to Exploitation because of their inability to defend themselves and are often exploited for economic interests without paying attention to their rights as children. This data highlights the importance of protecting vulnerable groups such as PMI, prostitutes,

exploited children and ABK from this practice—human trafficking.

The concept of criminal acts of human trafficking in Indonesia

Definition of the crime of human trafficking

The concept of criminal acts of human trafficking in Indonesia is a modern form of human slavery, which is one of the worst forms of human rights violations (Azmi, 2022). The crime of human trafficking involves recruiting, transporting, harboring, sending, transferring, or receiving a person by threat of force, use of force, kidnapping, forgery, or fraud. Perpetrators of the criminal act of trafficking in persons carry out these acts for trapping, entrapping, or exploiting the person in exploitative practices in all their forms, such as prostitution or other forms of sexual Exploitation, forced labor or forced services, slavery, or practices similar to slavery.

In Law of the Republic of Indonesia Number 21 of 2007 concerning Eradication of the Crime of Human Trafficking in Chapter I, General Provisions, Article 1, in this Law, what is meant by:

- a. Trafficking in Persons is the act of recruiting, transporting, harboring, sending, transferring or receiving a person with the threat of violence, use of force, kidnapping, confinement, forgery, fraud, abuse of power or a vulnerable position, debt bondage or providing payments or benefits, to obtain consent from a person who has control over another person, whether carried out within a country or between countries, to exploit or cause the person to be exploited.
- b. A victim is someone who experiences psychological, mental, physical, sexual, economic and social suffering as a result of the crime of human trafficking.
- c. Every person is an individual or corporation that commits the criminal act of trafficking in persons.
- d. A child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb.
- e. A corporation is an organized group of people and assets, whether a legal entity or a non-legal entity.
- f. Exploitation is an act with or without the victim's consent, which includes but is not limited to prostitution, forced labor or services, slavery or practices similar to slavery, oppression, blackmail, physical, sexual or reproductive use of organs, or unlawfully removing or transplanting organs and body tissue or exploiting a person's energy or abilities by another party to obtain benefits, both material and immaterial.
- g. Sexual Exploitation is any form of use of the victim's sexual organs or other bodily organs to obtain profit, including but not limited to all activities of prostitution and fornication.
- h. Recruitment is an action that includes inviting, gathering, taking, or separating someone from their family or community.
- i. Shipping is sending or anchoring someone from one place to another.
- j. Violence is any act against the Law, with or without physical and psychological means, that poses a danger to life or body or results in depriving a person's freedom.
- k. Threats of violence are any unlawful acts in speech, writing, images, symbols or

body movements, either with or without using means that cause fear or restrain a person's essential freedom.

- l. Restitution is the payment of compensation charged to the perpetrator based on a court decision with permanent legal force for material and immaterial losses suffered by the victim or his heirs.
- m. Rehabilitation is recovery from physical, psychological and social disturbances to carry out their roles in the family and society adequately.
- n. Debt bondage places a person in the status or situation of guaranteeing or being forced to guarantee himself or his family, the people he is responsible for, or his services as a form of debt repayment.

The definition of human trafficking has a different meaning for each person. Human trafficking covers a series of complex problems and sensitive issues that are interpreted differently by each person, depending on their personal or organizational point of view. Legal experts provide some understanding by conducting studies based on scientific disciplinary studies. The opinions of several legal experts regarding human trafficking are as follows:

a. Rebecca Surtees and Martha Wijaya

According to Rebecca Surtees and Martha Wijaya, the crime of human trafficking is a "criminal syndicate," which is an association of several people formed to carry out criminal activities. From the definition above, a criminal syndicate must be committed by more than one person and have committed a criminal act in its implementation. The activities of this women and children trafficking syndicate are carried out in an organized manner (Naibaho, 2023).

This broad definition shows that more Indonesians have experienced violence related to human trafficking than previously thought. The crime of human trafficking in Indonesia is an essential problem because Indonesia is the country of origin of Singapore, Brunei, Taiwan, Japan, Hong Kong, and the Middle East, as well as being a destination country for trafficking in people originating from China, Thailand, Hong Kong, Uzbekistan, the Netherlands, Poland, Venezuela, Spain and Ukraine with the aim of sexual Exploitation (Arimuladi et al., 2021). Based on empirical evidence, women and children are the groups most often victims of criminal acts of human trafficking. Victims are trafficked not only for prostitution or other forms of sexual Exploitation but also for other forms of Exploitation, such as forced labor or forced services.

Perpetrators of the Crime of Human Trafficking in Indonesia

Human traffickers can come from various backgrounds and have different motivations. Among them are:



Source: National Police Criminal Investigation Unit Pusiknas

Human traffickers come from various backgrounds and have diverse motives. Criminal organizations, which are well organized and often have extensive international networks, use human trafficking to seek maximum financial gain. They engage in human trafficking activities for sexual Exploitation, forced labor, or organ trafficking. In addition, some intermediaries or brokers act as liaisons between victims and buyers, facilitating human trafficking for their gain, whether working alone or in groups. Buyers or exploiters are parties who use human trafficking victims for personal gain, such as commercial sex, forced labor, or organ trafficking, either as individuals or organizations. The victim's family or loved ones may also be involved in human trafficking, either as buyers or as recruiters. In addition, irresponsible individuals, such as perpetrators of child abuse or Exploitation, also contribute to exploiting victims' vulnerabilities for their gain. Members of mafia or criminal gangs often use human trafficking as part of their broader criminal operations. Certain cultures or societal norms may also facilitate human trafficking by condoning or even supporting exploitative practices. Several industrial sectors, such as agriculture, construction, or shipping, also utilize human trafficking to obtain cheap or even free labor. Efforts to prevent human trafficking must include a comprehensive approach to address all aspects related to this crime, considering that perpetrators can come from various backgrounds and social environments.

Driving Factors/Causes of Human Trafficking

Table 1. Driving Factors/Causes of Human Trafficking

Factor / Cause	Explanation
Poverty	The problem of poverty in Indonesia has become a complex phenomenon and has not been resolved to date. Several factors that cause poverty include the lack of employment opportunities, public knowledge and insight

	into employment and business, and an imbalance in family members' income. Even though the government has been working with family planning programs since the New Order era, this solution needs to be brighter because it needs to pay attention to the basic needs of society, such as adequate employment opportunities and education about the world of employment. The high unemployment rate makes some people seek a source of livelihood abroad by becoming immigrants. The transmigration program launched after the New Order expanded the labor export program to other countries. This shows that the problem of poverty requires a more holistic and sustainable approach from the government to address the root of the problem.
Low level of education	Education plays a crucial role in fighting poverty. A high education diploma is not only a requirement but also allows individuals to have broad insight and knowledge, reducing the possibility of fraud or cheating, especially regarding documents. However, this education problem is also related to poverty, where poor people struggle to continue their children's education to a higher level because of urgent daily needs. The 9-year Compulsory Education Program still needs to be completed because poverty remains a significant problem. Even though the government has implemented education subsidies from the APBN allocation, the cost of education is still high, both in public and private schools. Due to low levels of education, diplomas are often not marketable for jobs in the country. This phenomenon also increases the risk of fraud, document falsification, and Exploitation, as individuals with low levels of education are more vulnerable and easily manipulated by human traffickers.
Forced by force	This tends to be more openly anarchist; the psychological burden is more lasting, and the layer is more barbaric, namely that it is shown to the victims by forcing them to follow orders that are not by their general development. At the same time, women are mostly sex slaves in the iron fence movement, pimps, pimps, employers, etc.

Source: (B. Nugroho & Roesli, 2017)

Mode of criminal act of human trafficking

Human trafficking in modern times is carried out using several modes. As explained by (Novianti, 2014), the modes of human trafficking in question are very diverse. Some of them are as follows:

1. I am sending migrant workers abroad without official documents. Some even falsify official documents under the pretext of legal activities, such as cultural missions.
2. Work placement within the country for sexual Exploitation.
3. We are organizing marriages within a specific time limit as a way of legalizing sexual relations with financial compensation, for example, in the form of contract marriages between foreign workers and Indonesian women.
4. Implementation of inter-country marriages by order, where the woman does not know the condition of her future husband.
5. Recruitment of children to work in journals (fishing buildings in coastal areas) with minimal wages and working conditions that threaten health, mental and morals.
6. Removal of the baby without the correct process.

Weaknesses of the Human Rights Protection Arrangements for Victims of Human Trafficking Crimes in Indonesia

Arranging protection for victims of criminal acts of human trafficking in Indonesia has become a primary focus in the government's efforts to protect human rights and eradicate this crime. Amid the complexity of this problem, the Indonesian government has developed a comprehensive series of policies and protection mechanisms. This policy covers aspects of the definition of victims, which are regulated in national policies, and mechanisms designed to protect them effectively. Various institutions and agencies have been established to implement this protection policy practically. These range from special protection centers for victims of human trafficking to special units within the police that are specially trained to handle these cases sensitively. In addition, non-governmental organizations also play an essential role in providing rehabilitation and social reintegration services for victims, helping them recover from the traumatic impacts experienced and return to everyday life.

Access to justice is also emphasized in these protection arrangements. Victims of human trafficking are given the same rights to gain access to the legal process, including the right to obtain quality legal assistance. Providing adequate legal assistance and trained lawyers is a priority to ensure victims can participate effectively in justice. Apart from concrete efforts to provide protection, the government is also active in increasing public awareness about the problem of human trafficking. Education and outreach campaigns are conducted regularly to educate the public about the signs of human trafficking, the risks involved, and steps that can be taken to report suspected cases.

Not only that, training and capacity building for law enforcement officers and related parties is also an integral part of this protection arrangement. Through ongoing training, it is hoped that officers can increase their understanding of the issue of human trafficking

and handle these cases more sensitively and effectively. Finally, continuous evaluation and monitoring are carried out to evaluate the effectiveness of protection policies and programs. This aims to ensure that existing protection strategies adapt to existing dynamics and provide maximum protection for victims. Thus, the regulation of protection for victims of criminal acts of human trafficking in Indonesia is an effort that continues to develop, be integrated and sustainable to protect human rights and end this criminal practice. However, there are weaknesses in the regulation of protecting the human rights of victims of criminal acts of human trafficking in Indonesia, as shown in graphic form as follows:

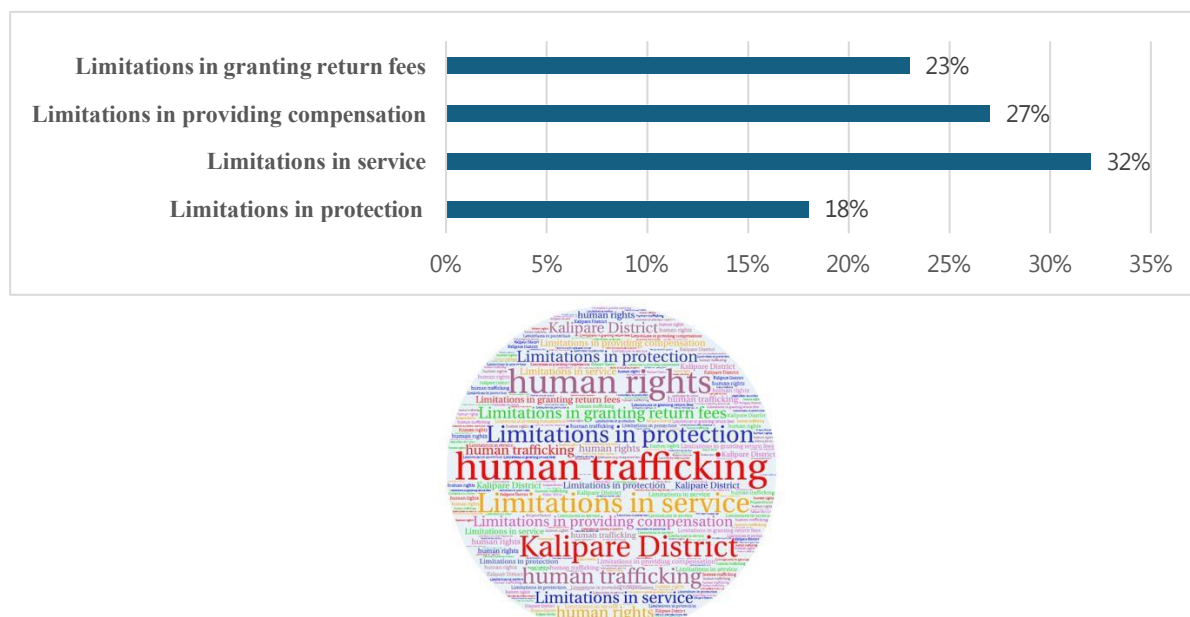


Figure 2. Weaknesses in regulations to protect the human rights of victims of criminal acts of human trafficking in Indonesia

Source: Processed using Nvivo12

Based on the data presented, there are several limitations in the protection arrangements for victims of criminal acts of human trafficking in Indonesia. Among them, limitations in protection reached 18%, limitations in services reached 32%, limitations in providing compensation reached 27%, and limitations in providing reimbursement costs reached 23%. Limitations in protection refer to obstacles that prevent victims from obtaining adequate protection. These may include a lack of access to safe havens, a shortage of personnel trained to handle these cases, or difficulties obtaining quality legal assistance. Meanwhile, service limitations indicate that although victims may receive protection, the services provided may not fully meet their needs. This can be caused by inadequate resources or facilities or a lack of understanding of the victim's needs. Limitations in providing compensation refer to the obstacles faced by victims in obtaining compensation or compensation for the losses they experience as a result of human trafficking. This may be due to a lack of clear regulations or complicated procedures for making compensation claims. Finally, limitations in providing repatriation costs indicate that victims may face difficulties in obtaining the necessary funds to return to their place

of origin or to restart their lives after being victims of human trafficking. This could be due to a lack of support programs or financial assistance available to victims.

Meanwhile, based on word cloud analysis, it can be seen that the issue of human trafficking dominates the discussion, with 150 words appearing. This reflects the main focus on this issue in the context of protecting human rights for victims of criminal acts of human trafficking in Indonesia. However, it is essential to remember that this primary focus also means that the limitations associated with human trafficking become more prominent. Furthermore, limitations in service became the second highlight, with 120 words in the word cloud analysis. This shows that despite efforts to provide protection, there are still challenges in providing adequate services for victims. This could mean a lack of resources or infrastructure is needed to provide quality services to victims. Then, limitations in providing compensation are also a concern with the appearance of 96 words. This indicates that victims may experience difficulties in obtaining compensation or compensation for the losses they experience due to human trafficking. This highlights the need for improvements in claiming compensation and compensation for victims. Finally, limitations in providing return fees are also a concern with the appearance of 83 words. This suggests that victims may face difficulties in obtaining the necessary funds to return to their place of origin or to restart their lives after being victims of human trafficking. This emphasizes the importance of financial and logistical support for victims who want to recover and restart their lives.

Overall, the word cloud analysis highlights essential issues related to the protection of human rights for victims of criminal acts of human trafficking in Indonesia. In overcoming these challenges, more significant and coordinated efforts are needed from various parties, including governments, non-governmental organizations and the general public, to ensure that victims receive the protection, services, compensation and support they need and the limitations they need. These limitations show that there is still room for improvement in the protection arrangements for victims of criminal acts of human trafficking in Indonesia. More extraordinary efforts are needed to overcome these barriers and ensure that victims receive the protection, services, redress, and support they need to recover and obtain justice after traumatic experiences.

Conceptualization of protecting human rights of victims of criminal acts of human trafficking in Indonesia

The conceptualization of human rights protection for victims of criminal acts of human trafficking in Indonesia involves various essential aspects. Human trafficking is a severe violation of human rights and is contrary to human values (Donohue-Dioh et al., 2020). In Indonesia, women and children are vulnerable to becoming victims of human trafficking, which includes sexual Exploitation, forced labor, slavery and practices similar to slavery. Legal protection for victims of human trafficking in Indonesia is regulated in Law Number 7 of 1984 concerning the Ratification of the Convention on the Elimination of All Forms of Discrimination against Women.

The importance of discussing the issue of human trafficking in Indonesia is because this country is the primary source of trafficking in women, children and men. Data shows that around six million Indonesians are migrant workers abroad, primarily women. A comparison of the laws governing the crime of trafficking in persons between Indonesia

and Singapore shows similarities in the regulation of special criminal laws, the definition of the crime of trafficking in persons, the subject of the perpetrator, the definition of the victim, and criminal sanctions. Both countries have legal regulations that regulate criminal acts of human trafficking to provide legal protection for victims. The conceptualization of human rights protection for victims of criminal acts of human trafficking in Indonesia can also be explained as follows:



Figure 3. Conceptualization of human rights protection for victims of criminal acts of human trafficking in Indonesia
Source: processed by researchers in 2024

The conceptualization of human rights protection for victims of criminal acts of human trafficking in Indonesia is a comprehensive and holistic effort. It starts with an in-depth understanding of the phenomenon of human trafficking, including identifying relevant signs and understanding the factors that influence the occurrence of this crime. In essence, this conceptualization emphasizes the importance of protecting the human rights of human trafficking victims comprehensively. This includes the rights to freedom, security, privacy, health and justice. The existence of adequate protection must consider the various physical, psychological and social aspects experienced by the victim. Intervention and law enforcement efforts are an essential part of this conceptualization. Governments and law enforcement agencies must work together to prevent, stop, and prosecute traffickers. This involves strict enforcement of laws, practical investigations, and fair trials for criminals.

Furthermore, this conceptualization highlights the importance of providing assistance and support to victims of human trafficking. This includes physical and mental health services, haven, legal assistance, skills training, and social reintegration. Not only that, public awareness must also be increased through education and public campaigns about human trafficking. The public needs to understand better the signs to look out for and how to report suspected cases. International cooperation is also a key component in

this conceptualization. Collaboration between countries is needed to exchange information, coordinate actions, and overcome cross-border human trafficking networks. Finally, continuous evaluation and monitoring of the effectiveness of human trafficking protection and eradication programs must be carried out periodically. This is important to identify successes, weaknesses, and areas of improvement that need to be targeted in efforts to protect human rights for victims of criminal acts of human trafficking in Indonesia. By integrating all these concepts holistically, it is hoped that Indonesia can improve adequate protection for victims and help them better in the recovery process.

4. Conclusion

Based on the research results that have been presented, it can be concluded that protecting human rights for victims of criminal acts of human trafficking in Indonesia is a complex and holistic effort. This protection involves various aspects, from an in-depth understanding of human trafficking, intervention and firm law enforcement to providing assistance and support to victims. The importance of this protection is reflected in the involvement of various parties, including the government, law enforcement agencies, NGOs and the general public. These protection efforts include preventive and repressive measures, from preventing new cases and enforcing the Law against perpetrators to rehabilitation and social reintegration for victims. Even though there have been significant efforts from the government and various related parties, there are still limitations in the protection arrangements for victims. This includes obstacles in protection, services, providing compensation, and restitution costs for victims. Therefore, more significant and coordinated efforts are needed to overcome these challenges and ensure victims receive maximum protection. By integrating all concepts and efforts holistically, it is hoped that Indonesia can improve adequate protection for victims of criminal acts of human trafficking and assist them in a better recovery process. In addition, continuous evaluation and monitoring also needs to be carried out to identify successes, weaknesses and areas of improvement that need to be targeted in efforts to protect human rights for victims of criminal acts of human trafficking in Indonesia.

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