

LAW ENFORCEMENT AGAINST TRAFFICKING IN PERSONS IN THE INDONESIAN MIGRANT WORKERS SYSTEM (PMI)

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Abstract

This study aims to determine the results of an analysis of law enforcement on trafficking in persons in the migrant worker system in Indonesia. The research to be used by the author is empirical juridical research. The data used was obtained by interviewing people in Bali who were victims of individuals and companies suspected of trafficking. The results of this study state that in enforcing the trafficking law in the migrant worker system in Indonesia, ministries/agencies have made many efforts to prevent trafficking by involving various components of society, such as PATBM and local wisdom-based programs, as well as programs that have had an impact on prevention and more treatment efforts in the community. While carrying out the task of preventing trafficking, recommendations to address these challenges in the future include the need for synergy in campaigning for massive prevention of trafficking through the media carried out by K/L members of the Task Force through their Communication, Information and Education (IEC) products, as well as the need to draft regulations that provide clear aspects of protection and regulation related to the welfare of school students and college students.

Kata Key: Law Enforcement, Criminal Trafficking, PMI System

INTRODUCTION

The development of society, which began from agrarian life to industrial life, more or less felt the impact on the social and cultural values of society. The values derived from life have shifted, causing society to become more consumptive. This is then used by some people to make a profit by selling dreams at all costs either subtly or with threats to job seekers, especially those from suburban or rural areas without knowing the real motives that want to exploit those who later become victims of trafficking. Trafficking in persons is mostly women, children or men and or previously called migrant workers and now called PMI (Indonesian Migrant Workers) who are recruited, placed or hired in a non-procedural manner. This is a type of slavery in the modern era, which is a multidimensional crisis experienced in Indonesia. Over time the practice of trafficking in persons increasingly demonstrated its quality and quantity.

The motives for trafficking are twofold, the first is trafficking by individuals and the second is carried out by companies that do not have official permits, in other words, companies that only have notarial deeds, the issuance of the MINISTRY of Law and Human Rights, and the Business Identification Number (NIB), but these syndicates either intentionally or unintentionally or dark-eyed, Where these people are very brave to promote job vacancies abroad regardless of the risks – very dangerous risks regardless of the legal consequences they face. In Law number 21 of 2007 concerning Trafficking in Persons, LN number 58, article 1 number 1 states that Trafficking in Persons is the act of recruiting, transporting, sheltering,

sending, transferring, or receiving a person with threats of violence, use of force, kidnapping, confinement, forgery, fraud, abuse of power or vulnerable position, debt bondage or providing payment or benefits, so as to obtain the consent of the person in control of the person otherwise, whether committed within the state or between countries, for the purpose of exploitation or resulting in exploitation of persons so that it can be seen that the crime of trafficking does not necessarily have to be cross-state, but if it occurs between regions within the State, it can also be categorized as trafficking in persons. However, it is the understanding of most communities and it is possible that our law enforcement officials often limit themselves to the notion that trafficking crimes must go through cross-borders, so many cases that actually occur domestically are not even resolved.

Reviewing Law number 21 of 2007 concerning the Eradication of Trafficking in Persons in passing has been comprehensive in its prevention and countermeasures. The imposition of sanctions for perpetrators (Human trafficking) is already very heavy when compared to the sanctions in the Criminal Code. However, in its implementation, the law enforcement process has not proceeded in accordance with the spirit and mandate of Law number 21 of 2007 concerning the Eradication of Trafficking in Persons. Where the main obstacle is that it has not been understood by the public about the dangers and impacts of trafficking, in addition to the economic point of view, this business is considered to be able to bring huge profits from an economic point of view. Likewise, in terms of victims/potential victims, there are systemic factors that are the cause of this is poverty / economic factors, low level of education, culture / consumptive community lifestyle, high unemployment rate / relatively limited absorption of local labor, environmental factors and many other factors. By increasingly showing an increasing trend followed by an increasingly diverse and complex modus operandi, so that Indonesian Migrant Workers (PMI) need comprehensive and synergistic handling. The ongoing trafficking traffic becomes increasingly alarming and distressing when the consequences have shackled the human rights and self-liberties of the majority female victims and hindered the growth and development of the personality of the migrant workers concerned, which will further hinder the development process of Indonesia's potential and quality human resources.

Many of us find migrant workers who abroad are migrant workers who come from Indonesia, especially Bali, so it is possible that some of them recruit and then channel to work for the benefit of trafficking offenders, be it syndicates or perpetrators who are abroad or who are in the country. So that this perpetrator freely persuades and posts news on social media opening vacancies to work abroad. With the existence of this syndicate that is already working and is abroad, he provides information to the exploited victims in such a way that they simply believe without heeding the correct procedures as PMI on the grounds that they want to leave quickly and can work abroad. So that without realizing it, the victim has entered the trap of this syndicate which is ready to be sold and employed in a Non-Procedural way. So that these victims have lost their dignity and dignity even though as fellow creatures of God they have human rights that we must respect together and it is appropriate that the eradication of trafficking crimes must be carried out consequently both against trafficking crimes committed across countries and against trafficking crimes committed within the country.

In Law number 18 of 2017 concerning the protection of Indonesian migrant workers, it is explained that, Work is a human right that must be upheld, respected, and guaranteed enforcement as mandated in the 1945 Constitution of the Republic of Indonesia; that the State guarantees the rights, opportunities, and provides protection for every citizen without discrimination to obtain decent employment and income, both at home and abroad in accordance with expertise, skills, talents, interests, and abilities; that Indonesian migrant workers should be protected from trafficking, slavery and forced labor, victims of violence, arbitrariness, crimes of human dignity and dignity, and other treatment that violates human rights; That the placement of Indonesian migrant workers is an effort to realize equal rights and opportunities for workers to obtain decent work and income.

In this case, it is closely related to the Criminal Code Law or article 372 on embezzlement and Article 378 on fraud, and is further corroborated by PERGUB No. 12 of 2021 concerning the protection system of Indonesian Migrant Workers in Bali. Therefore, the crime of human trafficking really needs to be a very special concern, considering that the crime exists because of its human resources themselves and the antosias of people who want to work abroad for various reasons, some want to change their destiny, some want to gain experience, some want to make a career and some even have problems in family or personal affairs and some are in debt. So on this basis, the author is interested in conducting a study entitled "Law Enforcement against Trafficking Offenders in the Indonesian Migrant Workers (PMI) System in Bali Carried out by Individuals and Companies That Do Not Have Official Permits".

RESEARCH METHODS

The research to be used by the author is empirical juridical research. Empirical juridical research which is intended as another type of sociological legal research and can be mentioned with field research, which examines the validity of applicable laws and those that have occurred in people's lives. Or in other words, it is a study carried out on the actual situation or real circumstances that have occurred in society with the intention of knowing and finding the facts and data needed.

The data used in the preparation of writing this study is of two types, namely primary data and secondary data.

1. Primary data is data obtained from field data through guided interviews, namely interview techniques by preparing a list of questions as a guide, but not closing the questions varies according to the situation and conditions during the interview. In this case, research was carried out on people in Bali who were victims of individuals and companies suspected of human trafficking.

Some of the primary data comes from:

- Association of Indonesian migrant worker placement companies Bali (AP3MIB)
- UPT BP2MI Denpasar
- Bali Provincial Manpower Office

- PT. Sanjaya Thanry Bahtera Bali Branch
- Pastika Law Office, Curators and Administrators
- Police Report Number: LP/B/100/II/2022/Bali/SPKT/Polda Bali Dated February 22, 2022
- Police Report Number: LP/B/39/III/2022/SPKT/RES Buleleng Dated March 16, 2022

2. Secondary data is data obtained through literature research conducted on official documents, books, research results in the form of reports related to the problems discussed.

Primary legal materials are laws and regulations related to the problems to be studied, namely:

- Criminal Code Article 378 of the Criminal Code on Fraud and Article 372 of the Criminal Code on Embezzlement
- Law number 21 of 2007 concerning the Eradication of Trafficking in Persons
- Law No. 18 of 2017 concerning the protection of Indonesian migrant workers
- Bali Governor Regulation Number 12 of 2021 concerning the Protection System for Indonesian Migrant Workers in Krama Bali

In this study, researchers got more accurate data because they had done with the collection of data sources, both primary data and secondary data, the data collection technique used in this study was the Interview technique. The data analysis technique that will be used is qualitative analysis, that qualitative analysis is descriptive, namely data in the form of interviews and questionnaires that will be carried out by the author directly. The opinions of respondents obtained by means of interviews and questionnaires, then analyzed quantifiable so as to get a solution, so that conclusions can be drawn. Descriptive methods of analysis are aimed at describing precisely the properties of a particular individual, state, symptom, or group. This study describes trafficking crimes.

RESULTS AND DISCUSSION

Trafficking prevention in Indonesia

The Ministry of Women's Empowerment and Child Protection (MOWECP) was appointed as the Coordinator of the Anti-Trafficking Sub-Task Force based on the Regulation of the Daily Chairperson of the Central Trafficking in Persons Task Force Number 1 of 2021 concerning the Establishment of a Central Trafficking Prevention and Handling Sub-Task Force. Members of the Anti-Trafficking Sub-Task Force assist the Coordinator in carrying out their duties. Reports on the achievements and good practices of each Sub-Task Force related to trafficking prevention are important discussions to formulate the impact of prevention efforts, understand the challenges faced and summarize the recommendations of exposure to trafficking prevention. Through the Regulation of the Daily Chairperson of the Central Trafficking in Persons Prevention and Handling Task Force Number 1 of 2021 concerning the Establishment of a Sub-Task Force on the Prevention and Handling of Trafficking, the Ministry of Women's

Empowerment and Child Protection was appointed as the Coordinator of the Trafficking Prevention Sub-Task Force. In carrying out its duties, the Coordinator of the Anti-Trafficking Sub-Task Force is supported by members consisting of:

Table 1: Coordinator of the Anti-Trafficking Sub-Task Force

Ministry of National Development Planning / National Development Planning Agency	Indonesian National Army
Ministry of Tourism and Creative Economy / Tourism and Creative Economy Agency	National Police of the Republic of Indonesia
Ministry of Youth and Sports	Indonesian Broadcasting Commission
Ministry of Communication and Informatics	Indonesian Child Protection Commission
Ministry of Finance	National Commission on Human Rights
Ministry of Law and Human Rights	Kwartir National Scout Movement
Ministry of Education, Culture, Research, and Technology	Indonesian Chamber of Commerce and Industry
Ministry of Villages, Development of Disadvantaged Villages, and Transmigration	Central Family Welfare Coaching Drive Team
Ministry of Internal Affairs	Indonesian Journalists Association
Ministry of Religious Affairs	Teachers' Union of the Republic of Indonesia
Ministry of Manpower	Indonesian Film Artists Association
Ministry of Foreign Affairs	Network of Counter-Labor Action Programs
Ministry of Marine Affairs and Fisheries	End Child Prostitutions in ASEAN Tourism (ECPAT)
State Intelligence Agency	Indonesian Child Welfare Foundation
Maritime Security Agency	National Commission on Child Protection
Indonesian Migrant Workers Protection Agency	Migrant Care

As referred to in Article 4 paragraph (2) point a, the Sub-Task Force on Trafficking Prevention carries out the following duties:

1. Mapping trafficking cases
2. Develop a trafficking prevention model
3. Develop programs for Productive Migrant Villages, Migrant Worker Villages, Tourism Villages, Women-Friendly and Child-Caring Villages as part of anti-trafficking prevention
4. Replicating community watches in various regions as an anti-trafficking effort
5. Develop guidelines for cooperation in fieldwork practices or internships abroad for students
6. Develop communication, information and education materials involving trafficking-related stakeholders, through socialization and advocacy up to the village level
7. Strengthen oversight of Indonesian migrant workers' inspections at airports, seaports, and cross-border
8. Conducting Pre-Departure Orientation (OPP) for Indonesian Migrant Workers
9. Conduct surveillance in the sea traffic lanes of trafficking offenders

10. Monitoring and preventing trafficking in airports, seaports, and borders
11. Monitoring and deepening the network of trafficking offenders related to foreign networks or foreign nationals
12. Provide input in mapping trafficking trafficking networks nationally and internationally
13. Exchanging information in community watch forums in rural areas
14. Map high-risk areas for money laundering originating from trafficking
15. Strengthening one-stop integrated services for the protection and placement of Indonesian Migrant Workers
16. Conducting debriefing and information activities to prospective Indonesian Migrant Workers
17. Conduct intensive coordination with the Secretariat of the Task Force on Prevention and Handling of Trafficking
18. Monitor and evaluate trafficking prevention
19. Allocate a budget for trafficking prevention

The strategic objectives of the Trafficking Prevention Sub-Task Force are:

1. Improve the implementation of effective and impactful trafficking prevention policies
2. Improve the quality and coverage of trafficking prevention programs and activities at the family, school, and community levels
3. Improving early detection of Passport Applicants suspected of Indonesian Migrant Workers-Nonprosedural (PMI-NP)
4. Increase immigration supervision for suspected PMI-NP communities through Immigration Checkpoints (TPI)
5. Monitoring Immigration Offices whose areas of work have the potential for trafficking
6. Improve coordination and cooperation between ministries/agencies, local governments, and community institutions

Involving PATBM, National Children's Forum, Provincial Children's Forum, District/City Children's Forum; Subdistrict Children's Forum; Forum Anak Desa/Kelurahan as a Pioneer and Whistleblower in the field of trafficking with the following indicators:

1. Number of technical policies drafted for prevention efforts
2. Issuance of derivative rules of Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers
3. Implementation of Fisheries Human Rights

4. There is a nationwide mapping of trafficking vulnerabilities based on geographic coverage, namely the area of origin, transit and destination, including the contribution of social norms, customs, culture, and other factors contributing to trafficking.

Achievements and Good Practices

The Ministry of Youth and Sports (Deputy for Youth Development) has conducted training and capacity building of human resources (students, parents, educators, religious leaders, religious extension workers, penghulu, and other stakeholders) and other stakeholders, in the form of:

1. Development of the youth entrepreneurship ecosystem through the establishment of regulations in the form of Ministerial Regulations that can serve as guidelines.
2. Facilitating youth entrepreneurship through providing government assistance for Young Novice Entrepreneurs, Sociopreneurs, Youth Entrepreneurship Centers; Youth Entrepreneurship Development in Islamic Boarding Schools; and awarding Appreciation to Outstanding Young Entrepreneurs and National Level Novice Young Entrepreneurs.
3. Facilitating the activities of Youth Organizations.
4. Distribution of Government assistance for Leadership Development, Caring, Volunteering, and Youth Pioneering Activities

The Ministry of Women's Empowerment and Child Protection has made efforts to carry out various trafficking prevention programs through outreach activities, training, community watch, involving business actors in the tourism sector to the provision of call center services with the following elaboration:

- 1) Socialization of trafficking hazards in areas of origin, transit, destinations and areas with tourism potential.
- 2) Training and capacity building of students, parents, educators, religious leaders, religious extension workers, elders, communities, and other stakeholders.
- 3) Community Watch (CW) is a grassroots model of trafficking prevention that involves community participation.
- 4) Establishment and development of prevention models based on local wisdom. The PPPA Ministry initiated several village-based intervention models, including Child-Friendly Rural Tourism Free of Violence and Exploitation, Villages Free from Child Pornography, and the establishment of community watches based on community participation at the grassroots, as well as strengthening PATBM in understanding trafficking issues.
- 5) Preparation, dissemination, and campaigning of IEC products and other promotional materials in print and electronic media massively to change the paradigm of society.

- 6) Encourage the involvement of business actors in the tourism sector to have a code of conduct and policies for the protection of children and women as well as the prevention and handling of trafficking through the World Day of Anti-Trafficking in Persons webinar.
- 7) Drafting a Memorandum of Understanding (MoU) in collaboration with the media to disseminate information on trafficking.
- 8) Strengthening the role of children's participation in children's forums and encouraging the role of Pioneers and Whistleblowers (2P) guided by the Anti-trafficking Task Force in providing trafficking-related information.
- 9) The existence of the SAPA 129 call center of the Ministry of PPPA is based on Presidential Regulation Number 65 of 2020 concerning the Ministry of Women's Empowerment and Child Protection which adds the function of the Ministry of PPPA as a final referral service in providing protection to women and children from violence.
- 10) Establish Presidential Regulation Number 22 of 2021 concerning Amendments to Presidential Regulation Number 69 of 2008 concerning the Task Force for the Prevention and Handling of Trafficking in Persons (GT-PPTPPO).
- 11) Establish PPPA Ministerial Regulation Number 8 of 2021 concerning Integrated Service SOPs for Witnesses and/or Victims of Trafficking.

1. Mapping the trafficking situation through PPA Symphony data collection

In 2021, the Indonesian Ministry of Women's Empowerment and Child Protection in collaboration with the International Organization for Migration (IOM) has successfully published a guidebook entitled "Guide to Assessing the Situation of trafficking" aimed at GT-PPTPPO and other parties who play a role in the prevention and mitigation of trafficking cases, in order to compile a profile of the assessment of the trafficking situation based on the principle of evidence-based information (evidence-based information). This handbook consists of detailed steps on how to write a trafficking situation assessment report divided into three parts: the General Guide, the Methodology Guide and the Writing Guide.

The Coordinating Ministry for Human Development and Culture (Kemenko PMK) has carried out various trafficking prevention programs through the preparation of the Presidential Decree, prevention efforts in the housing sector and encouraging the existence of a legal umbrella for trafficking with the following description:

1. Coordinating the preparation of the PRESIDENTIAL DECREE ON PP-TPPO which is a strengthening of the Coordinating Minister for PMK Number 2 of 2016 concerning the 2015-2019 RAN PTPPO.
2. Efforts to prevent trafficking in the sector of sending students abroad.
3. Encouraging the establishment of a legal umbrella for students and students abroad because there is no legal umbrella that regulates the association, considering that so far

the legal umbrella for internships has only been regulated through Permenaker Number 8 of 2008 which includes work internships, not educational internships.

The Ministry of National Development Planning / National Development Planning Agency has implemented anti-trafficking prevention in the preparation of work plans and data collection, as follows:

1. Develop a 2022 Government Work Plan that includes policies related to the protection of women from violence including trafficking, prepared in 2021
2. Bappenas included indicators of trafficking victims per 100,000 population by gender, age group, and type of exploitation. This indicator is an indicator of SDGs Goal 16 which must be reported annually

The Ministry of Home Affairs has taken anti-trafficking prevention measures through various programs and activities and encouraged the availability of funding to the regions and issued policies and regulations with the following elaboration:

1. Implement anti-trafficking prevention measures through community empowerment and protection, in collaboration with community organizations, the media, academia, and the business world
2. Conduct an inventory and identification of trafficking cases to develop trafficking prevention and handling policies in each region
3. Provide funding support through the regional budget for trafficking prevention and response
4. Increased supervision in the implementation of the issuance of required documents for prospective Indonesian Migrant Workers (PMI) in the area of origin and in border areas as well as PMI routes
5. Issued Circular Letter of the Minister of Home Affairs Number 460/812/SJ and Number 460/813/SJ dated January 28, 2020 concerning Planning and Budgeting in the Prevention and Handling of Cases of Violence Against Women and Children
6. Issued a Circular Letter of the Minister of Home Affairs Number 60/1417/OTDA dated March 10, 2020 concerning the Establishment of uptd PPA institutions which affirms:
 - a) In the office, UPTD can be formed to carry out operational technical activities
 - b) In order to encourage the realization of the handling of cases of violence against women and children so that they can be handled quickly, integrated and comprehensively, it is necessary to accelerate the establishment of the UPTD PPA as a follow-up to the President's direction at a limited meeting on handling cases of violence against children guided by Permendagri 12/2017 concerning Guidelines for the Formation and Classification of Service Branches and Regional Technical Implementation Units

7. Issued a Joint Decree of the Minister of Women's Empowerment and Child Protection, Minister of Home Affairs, Minister of Villages, Development of Disadvantaged Regions, and Transmigration, Minister of Social Affairs, and Head of the National Population and Family Planning Agency No. 12 of 2020, No. 440-824.A of 2020, No. 47 of 2020, No. 01 of 2020, No. 100 of 2020 concerning Synergy of Women and Children Protection Programs and Activities During the Corona Virus Disease Pandemic 2019 (Covid-19)
8. Conduct a Technical Coordination Meeting on Development Planning (Rakortekrenbang) prior to the annual RPKD discussion, with discussions related to trafficking as one of the indicators
9. Oversee trafficking-related programs/activities during RPKD Facilitation and Evaluation
10. Encourage the establishment of GT-PPTPPO which was delivered during money and meeting forums both conducted by the Directorate General of Regional Development and carried out by other K/L
11. Encourage regions to submit reports on the implementation of GT-PPTPPO, either through inclusion in the meeting radiogram or at the time of money, based on Inmendagri No. 183/373/SJ dated February 5, 2016

The Ministry of Communication and Informatics plays an important role in preventing trafficking through the provision of information and publications using print and digital media, as well as monitoring of content that has the potential to be misused by perpetrators for trafficking crimes with the following description:

1. Socialization of trafficking hazards in areas of origin, transit, destinations and areas with tourism potential
2. Termination of access to Electronic Information and/or Electronic Documents that have unlawful content as stipulated in laws and regulations related to trafficking
3. Preparation, dissemination, and campaigning for IEC products and other promotional materials in print and electronic media massively to change the paradigm of society.

Create content in 2020 with the following themes:

1. Forming an infographic through social media with the title "5 Services for Indonesian Migrant Workers (PMI) Victims of Violence" which contains types of services for the fulfillment of rights to victims
2. Komunika's comic series "Bukan Jamannya Siti Nurbaya" with the theme of preventing child marriage with the potential for trafficking, which can be read at the <https://www.komikkomunika.id/books/urai/#p=1> link

The Ministry of Manpower has adopted policies in the implementation of early detection of trafficking prevention, the preparation of modules and training policies for prospective Indonesian Migrant Workers to the establishment of the LTSA with the following details:

1. Implementation of early detection of trafficking prevention through:

- a) Socialization of placement procedures for prospective Indonesian Migrant Workers
 - b) Supervision of the fulfillment of documents for prospective Indonesian Migrant Workers,
 - c) Supervision of the placement process of Indonesian Migrant Workers by the Indonesian Migrant Worker Placement Agency
 - d) Prevention of the use of child labor by the company
 - e) Effectiveness of labor supervision through the development of policies and supervision instruments for Indonesian Migrant Worker Placement Companies (P3MI), Manning Agents and Companies, which are suspected of employing women and children
2. Preparation of Standardization of Job Training Policies for Prospective Migrant Workers
 3. Preparation of Modules for the guidance and supervision of Job Training Institutions / Overseas Job Training Centers (LPK / BLKLN) for Prospective Indonesian Migrant Workers (CPMI)
 4. Development of policies and instruments for the application of standards and criteria including a black listing system for foreign companies in the destination country that want to cooperate with P3MI
 5. Establishment of 45 LTSA (One-Stop Integrated Services) in 2021 for the service and protection of Indonesian Migrant Workers. This LTSA is expected to be able to create fast, easy, cheap, and safe services for prospective migrant workers, as well as increase protection for migrant workers and their families. LTSA includes seven main desks, namely the Employment desk, Dukcapil desk, Immigration desk, Health desk, Police desk, BPJS Employment desk , and BP2MI desk as well as additional Banking desks.

The Ministry of Maritime Affairs and Fisheries has conducted good practices related to trafficking prevention in collaboration with IOM Indonesia, including:

1. Disseminate the dangers of trafficking in the fisheries sector to Indonesian border-crossing fishermen in the provinces of North Sumatra and Nanggroe Aceh Darussalam provinces
2. Conduct training for fisheries supervisors, syahbandar, fisheries shahbandar and other law enforcement officials in the Prevention and Handling of trafficking in the marine and fisheries sector

Develop a pocket book of 'Fishing Vessel Crews' as one of the prevention efforts through the dissemination of information that includes preparing conditions, knowing rights and obligations, knowing access to worker complaint services in the fisheries sector and the dangers/risks of being a victim of trafficking. The Ministry of Foreign Affairs initiated the Bali Process on People Smuggling, Trafficking in Persons, and Related Transnational Crimes (Bali

Process) which is a multilateral forum for Indonesian initiatives. In addition, it has also carried out activities in the form of:

1. Training for officials and staff of the Ministry of Foreign Affairs or representatives of the Republic of Indonesia regarding the handling of trafficking cases. The activity, which was held on October 27-29, 2019, was attended by 133 participants online and was in collaboration with the International Organization for Migration (IOM), the Coordinating Ministry for Human Development and Culture, and the Victim Witness Protection Agency (LPSK).
2. Issuance of National Identity Number for Indonesian citizens abroad. This activity was held in collaboration with the Ministry of Home Affairs in 2021.
3. Preparation of 5 (five) technical guidance packages on prevention efforts during 2015-2021.
4. Training for trafficking victim assistance and service officers.
5. Implement regional cooperation at the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crimes, with one of its objectives being to increase efforts to prevent and eradicate trafficking, including for the purposes of forced labor and slavery, along the supply and value chain of the business sector. This activity was attended by participants consisting of governments, business groups, international organizations, and civil society groups from 43 countries.
6. Disseminate to the community/Working Group on trafficking.
7. Public Awareness Campaign through print/electronic media in several regions in Indonesia as part of preventive efforts, early detection and education to the public, especially in PMI pockets. This campaign aims to rally community support in efforts to protect Indonesian citizens abroad, including encouraging the realization of a safe migration process.

The Indonesian Child Protection Commission (KPAI) carries out its duties and functions as an institution that has an important role to play in the prevention and protection of children who are potential victims of trafficking. Programs and activities that have been carried out include:

1. KPAI supervises K/L in its mandate to provide child protection efforts, especially in trafficking situations.
2. KPAI collects data on trafficking cases annually from case reports received and monitored in the media. A disaggregated data on child victims of economic and/or sexual exploitation contains a number of complaints from child trafficking victims. Case sorting consists of child victims of economic exploitation, child victims of child labor, child victims of prostitution through networks and children victims of non-network prostitution, who use online and direct complaint methods, with the following data:

Number of Cases of Child Cluster Service Exploited Secara Economic and/or Sexual

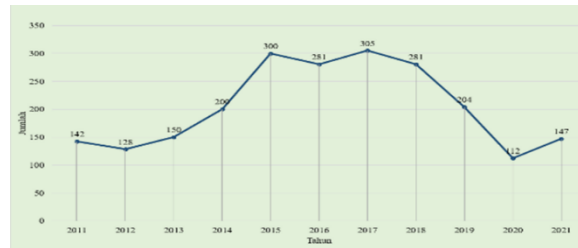


Fig.1 Statistics on the Number of Complaint Cases

Provide input to the Ministry of Social Affairs of the Republic of Indonesia regarding the Draft Regional Plan of Action for the Protection of Children from All Forms of Online Exploitation and Abuse in ASEAN (2021-2025) Supplement to the ASEAN Regional Plan of Action on the Elimination of Violence Against Children in ASEAN (2021-2025), Complementing the ASEAN Regional Action Plan on the Elimination of Violence Against Children).

1. Implementing programs towards Modern Housing, Child-Friendly Apartments. (Reviewing and strengthening regulations, both regulations at the Provincial and District/City levels to close potential cases caused by the absence of SOPs regarding rental regulations and immoral behavior (daily rental ban). For comparison, PERGUB DKI Jakarta Number 70 of 2021 concerning Development of Flat and Apartment Management contains matters related to sanctions if you commit violations and SOPs for apartment management towards modern child-friendly housing)
2. Schools and prevention of exploitation & trafficking
3. Answering the Challenge of Restitution
4. Answering Corporations and TPPO.
5. Law enforcement
6. KPAI developed a partnership program with Grab Indonesia and LPSK in 2019 that continues to be implemented in 2020-2021 as an effort to prevent and address trafficking through the role of the transportation industry. Grab is committed to training Grab drivers to identify trafficking situations and provide support/assistance to victims they encounter and wish to escape from trafficking situations.
7. In 2021, the cooperation was designed by KPAI with the Ministry of PPPA and LPSK with the target of young/active investigators in the PPA and Police Reskrim Units, the Public Prosecutors in Kajati and the judges at the High Court. The goal is to conduct dialogue and FGDs related to the legal process of trafficking and exploitation of children that give rise to restitution in them. The draft cooperation has been in the form of an MOU that has been reviewed and approved by K/L, but the MOU is constrained by official duties and functions, where all K/Ls are refocusing the budget and cannot hold official trips in 2021. For this reason, the MoU will be followed up in 2022.

The Ministry of Villages, Development of Disadvantaged Regions and Transmigration has made achievements and good practices related to trafficking through programs with the following elaboration:

1. Declared the Movement to Increase Women's Involvement through Women-Friendly and Child-Caring Villages on November 11, 2020 by the Minister of PPPA and the Minister of Villages, Development of Disadvantaged Regions, and Transmigration. The movement is one of the synergy efforts in realizing the ' Sustainable Development Goals' (SDGs) in villages.
2. Preparation of a Women-Friendly and Child-Caring Village Guidebook (DRPPA) in 2021.
3. Development of anti-trafficking programs at the village level through strengthening village apparatus.

The Ministry of Law and Human Rights (Kemenkumham) has made efforts to prevent trafficking through the following:

1. Established a Foreigner Surveillance Team (TIM PORA) in the regions throughout 2020 to 2021.
2. Conduct trafficking prevention coordination meetings.
3. Through the Directorate of Immigration, the Ministry of Law and Human Rights made efforts to delay the issuance of passports and delay departures at immigration checkpoints for Indonesian citizens suspected of being Non-Procedural Indonesian Migrant Workers (PMI-NP). The following data was successfully collected by the Immigration Directorate:

Table 2: PMI-NP

	2020	2021
Delay in Issuing Passports at Immigration Offices	1670	251
Delay of Departure at Immigration Checkpoints	165	278

The Ministry of Education, Culture, Research and Technology has made achievements and good practices related to trafficking prevention through visual media with the following programs:

1. In 2021, the Puspeka (Character Strengthening Center) team launched a trafficking-related campaign video uploaded through the Ministry of Education and Culture's Cerdas Berkarakter page with the title:
 - a) The Story of Ani and Bintari: Abolish Trafficking in Persons, with the link: <https://www.youtube.com/watch?v=TKcKASFENsw>
 - b) Let's #GerakBersama Prevent Child Trafficking in Persons, with the link: <https://www.youtube.com/watch?v=fi4mEPq3o1E>

2. Mapping of trafficking cases including sexual exploitation of children; Development of trafficking prevention models including child sexual exploitation; Community Education on family resilience; and Facilitating the realization of children's participation in the prevention of trafficking, including sexual exploitation of children. The targets of this trafficking prevention program are: Representatives of the Primary School Principal Working Group (K3S) at the district/city level; Representatives of the Principal's Work Deliberation (MKKS) for Junior and Senior High Schools / Vocational Schools at the District / City level; Representatives of parents/school committees at all levels of education (junior high and high school/vocational school); Representatives of students and student organizations from the junior and senior high school / vocational levels as well as accompanying teachers; and others. These activities are carried out in 20 regencies/cities and are also carried out by parents through the involvement of families and communities in education units.

Law Enforcement in Indonesia

The police are one of the law enforcement components in trafficking that plays a role in conducting investigations and investigations and working to combat and eradicate trafficking offenders. For this reason, the Indonesian National Police in the field of Law Enforcement has the authority to be the Coordinator of the Law Enforcement Sub-Task Force and is assisted by the K / L who works according to their duties and functions. Law enforcement for trafficking offenders has been successfully achieved with the example of Cynthiara Alona's case of successfully deciding and punishing perpetrators and hotel owners.

1. Achievements and Good Practices

The Coordinator of the Law Enforcement Sub-Task Force is carried out by the Indonesian National Police for Law Enforcement, assisted by the Ministry of National Development Affairs/National Development Planning Agency, the Maritime Security Agency, the Center for Financial Transaction Reporting and Analysis, the Ministry of Law and Human Rights, the Ministry of Law and Human Rights, the Ministry of Manpower, the Ministry of Foreign Affairs, the Ministry of Foreign Affairs, the Ministry of Home Affairs, Ministry of Maritime Affairs and Fisheries, Witness and Victim Protection Agency, Indonesian Migrant Workers Protection Agency, Attorney General's Office, Security Maintenance Agency, National Police of the Republic of Indonesia and Indonesian National Army.

2. Good Practice Takes The Example Of Cynthiara Alona's Trafficking Law Enforcement Process

Cynthiara Alona was arrested by police officers of the Metro Jaya Regional Police in connection with a prostitution case on March 16, 2021. He was arrested after a hotel in his Kreo comradeship was caught being a place of prostitution. The relevant Sub-Task Force conducts a large-mode investigation process of trafficking with a mode of sexual exploitation so that the determination of suspects is not only to trafficking and exploitation perpetrators, but also to facilitate hotel owners. After going through the prosecution and court process, the Panel of Judges of the Klas 1 a Tangerang District Court decided and sentenced the perpetrator to the

owner of the hotel. Facilitation of restitution is given to all victims and the court decision grants the LPSK restitution calculation.

3. Details of Achievements of Each K / L

The Indonesian Police carried out the establishment of an unformed Regional Trafficking Task Force and activated and improved the performance of the Regional Trafficking Handling Task Force that was established in 2020, successfully cracked down on trafficking offenders with the Non-Procedural PMI Mode and recruited students for internships abroad, socialized restitution guidelines with the achievement that there were 112 cases that successfully applied for restitution calculations against victims with the help of LPSK, collects/collects data on trafficking perpetrators and victims in an integrated manner with the achievement of successfully cracking down on trafficking perpetrators together with the Polda ranks, and facilitates victims to obtain restitution and victim/witness rights with the help of LPSK.

- a) The Indonesian National Army conducted 30 legal counseling activities that included trafficking materials in its curriculum in 2021.
- b) The Financial Transaction Reporting and Analysis Center (PPATK) conducts asset tracing in the context of handling trafficking, exchanges information between INTRAC, BP2MI, and Law Enforcement Agencies, produces a Proactive Analysis Report that has fulfilled requests for information related to trafficking cases, including 2 (two) Analysis Results Reports in 2020 and 5 (five) Analysis Results Reports.
- c) The Witness and Victim Protection Agency (LPSK) has successfully collected / collected data on trafficking perpetrators and victims in an integrated manner, with the following results facilitating victims to obtain restitution, there are 194 Sheltered in 2020 and 177 Sheltered in 2021, assistance for victims and their families in the judicial process (there are 269 Protected in 2020 and there are 219 Protected in 2021), protection of witnesses, victims, and their families with data there were 314 Protected in 2020 (3 (three) children aged men, 130 adult men, 65 children and 116 adult women) and 252 protected men in 2021 (0 children age, 84 adult men, 39 children and 129 adult women).
- d) The Ministry of Manpower has made achievements, among others, by conducting a Saudi Arabia illegal CPMI shelter on Jl. Pondok Gede, Makassar District on June 17, 2021 and finding as many as 10 CPMI people, illegal CPMI shelter sidak to Saudi Arabia on Jl. Pawon A278, Bekasi City Non-Commissioned Officer, examination at VFS Tasheel, East Jakarta on December 21, 2021 and found as many as 69 CPMI and FGD people supervised the PMI placement process on December 15, 2021 A total of 80 people. The implementation of the FGD involved APJATI, ASPATAKI, Police, Immigration, BP2MI and the Directorate General of Sea Transportation.
- e) The Ministry of Maritime Affairs and Fisheries has made achievements by organizing training for fisheries supervisors, syahbandar, fisheries shahbandar and other law enforcement officials in the prevention and handling of trafficking in the marine and

fisheries sector, including in West Papua (Mansinam and Waramuy) and Banten (Serang). These trainings consisted of Civil Service Investigator Training (PPNS) which was attended by 30 people and Interpol Network Operator Training which was attended by 7 (seven) people. In addition, it also carries out actions in the form of collecting/collecting data on the distribution of trafficking perpetrators and victims in an integrated manner. Currently, the Ministry of Maritime Affairs and Fisheries is coordinating the results of the achievements with the relevant technical directorates in the Ministry of Law and Human Rights, namely the Directorate of Prisoners and Prisoner Services (Binapiyantah) at the Directorate General of PAS and the Directorate of Intelligence and the Directorate General of Immigration.

- a) Strengthening Law Enforcement is also carried out by overseeing the Implementation of Government Regulation Number 27 of 2021 concerning the Implementation of the Marine and Fisheries Sector and Minister of Fisheries Regulation Number 33 of 2021 which contains the substance of the governance of manning fishing vessels for the protection of fishing vessel crews, including the requirement to work on fishing vessels (one of the requirements related to the minimum sea worker is 18 years so that it has an impact on reducing child labor), Marine Work agreements for fishing vessel crews; social security for fishing boat crews; and compensation for fishing boat crews.
 - b) In addition, Law Enforcement Strengthening is also carried out by overseeing the Implementation of KP Regulation Number 33 of 2021 related to interns.
 - c) Improving the competence of fishing vessel crews, including competency standards; training quality standards; organizing training; testing the expertise of fishing vessel crews; certificate of crew of fishing vessels; and the inauguration of the certificate of the crew of the fishing vessel.
 - d) Completeness of fishing vessel crew documents, including sailor books for fishing boat crews; sailing period of fishing boat crews; and Sijil Fishing Vessel Crew.
1. The Ministry of Home Affairs has made achievements by collaborating on the use of population data with various K/L, including the private sector. The result of the achievement is an increase in K / L that can access population data. In addition, it also facilitates population administration services to residents with the results of increasing ownership of population documents.
 2. The Attorney General's Office has made achievements related to the evaluation of APH capacity building training (through cooperation between Jampidum and OPDAT/Australia, IOM, UNODC and the Ministry of PPPA), advocacy of decision makers in the APH ranks in handling trafficking, preparation of IEC materials for victim-oriented and gender-responsive APH, preparation of technical guidelines that are gender responsive and care for women and children for APH in 2021, dissemination of Law Number 21 of 2007 to communities in trafficking-prone areas and facilitating victims to obtain restitution.

3. The Indonesian Migrant Workers Protection Agency (BP2MI) has made achievements by achieving the handling of CPMI/PMI complaints and their families as well as the eradication of syndicates through the SIKAT SINDIKAT Task Force
4. Strengthening the role of the community in supervision through the Directorate General of PSDKP, KKP carries out activities to strengthen the role of the community in monitoring marine and fisheries resources through a community-based supervision system. The awareness participants consisted of the Supervisory Community Group (Pokmaswas). The awareness material is adjusted to the vulnerability of violations of the use of marine and fisheries resources, either illegal fishing or destructive fishing.

The Impact of Investigation Efforts Conducted

The impact of this investigation effort is in the form of:

1. Kemenkumham Challenge.
2. Synergy and coordination among stakeholders in the prevention and handling of trafficking has not been optimal.
3. Increase APH and community understanding of Women's Rights and Children's Rights in order to implement the ratification of the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child and its Optional Protocols, particularly related to the prevention and handling of trafficking.
4. Specific budget allocations for trafficking prevention are not yet available.
5. The design of a trafficking prevention strategy has not been structured.
6. The absence of systematic reporting and accurate evaluation.
7. Monitoring the development of the social reintegration of criminal offenders.

CONCLUSION

Based on the results of research that has been carried out to analyze law enforcement against trafficking in persons in the Indonesian Migrant Workers System (PMI), it can be concluded as follows:

1. In enforcing the trafficking law in the migrant worker system in Indonesia, ministries/agencies have made many efforts to prevent trafficking by involving various community components, such as PATBM and local wisdom-based programs, as well as programs that have had an impact on prevention and more treatment efforts in the community. This approach is able to increase the sense of concern in the community because the capacity building program of cadres in the community has succeeded in increasing the potential of the Balinese people. The cadre engagement program in the community and local government is considered able to provide a more real sense of concern in the eyes of the community, because their daily involvement with the situation and playing a role in handling makes the community more empowered and able to

provide solutions for their own communities. The involvement of children's groups, in this case through children's forums, can be an embryo that fosters new cadres and increases educational efforts from an early age. The involvement of the child himself as a messenger will usually be more effectively heard by the child. Although this educational process is slow, it will be much imprinted on the minds of children and build a better community in their group.

2. Synergy in campaigning for the prevention of trafficking in a mass manner through the media that must be carried out by K/L members of the Task Force through their Communication, Information and Education (IEC) products, as well as the drafting of regulations that provide clear aspects of protection and regulation related to the welfare of school students and college students.

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