



## Efforts to Optimize the Criminal Justice System in Handling the Criminal acts of Human Trafficking (TPPO)

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### Abstract

This study aims to analyze the legal obstacles faced by the criminal justice system in handling human trafficking crimes and to analyze efforts to optimize the performance of the criminal justice system in handling human trafficking crimes (TPPO). This study is a normative legal study, using a Statute Approach (*Approach*), Conceptual Approach (*Conceptual Approach*), Case Approach (*Case Approach*), and Sociological Approach (*Sociological Approach*). The technique of collecting legal materials with literature study and analysis of legal materials with descriptive analysis, the reasoning used is deductive reasoning. The results of the study indicate that the legal obstacles of the criminal justice system in handling TPPO include the difficulty of proving the articles in Law No. 21 of 2007, weak SOP for police investigations, back and forth files of the Prosecutor's Office, lack of database, misinterpretation of law enforcement officers, weak government-regional coordination, no special prison guidance, complicated trial evidence, officers involved, minimal understanding of TPPO Articles, low community participation. Efforts to optimize the performance of the criminal justice system in handling TPPO includes adaptation procedural law, and implementation rule implementer, improvements to legal structure with a database based on UNODC, coordination government-apparatus with human resource training, as well as cooperation national international cross- border, socialization awareness community about TPPO, confidentiality identity witnesses and victims, and education role public in prevention, priority of legal remedies for appeals, cassation and judicial review of TPPO cases.

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### Introduction

Human trafficking is a concerning crime, considering that humans are not actually commodities to be traded. As the most noble creatures of God Almighty, humans should protect each other's dignity and worth. Human trafficking is a criminal act *in* which there is a sale transaction whose object is a human being carried out by one party to another for various purposes. <sup>[1]</sup> Human trafficking is a modern form of slavery. In *the Globalization Report on Trafficking in Persons 2022*, from 2017 to 2020, at least 187,915 people were recorded as victims of human trafficking. Human trafficking is caused by several factors indicative of poverty and inequality.

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<sup>1</sup> Wood Kayowuan Lewoleba and Beniharmoni Harefa., "Legal Protection for Child Victims of Human Trafficking," *International Journal of Multicultural and Multireligious Understanding*, Vol 7 No. 2, (2020): p. 111.

Victims of human trafficking often come from poor countries and are taken to developed countries for exploitation.<sup>[2]</sup>

Human trafficking in Indonesia remains a significant problem for the Republic of Indonesia. Indonesia's criminal justice system in addressing human trafficking still faces numerous obstacles. These obstacles contribute to the lengthy processing of human trafficking cases, due to a lack of information and the difficulty of tracking perpetrators. According to data from *the US State Department*, Indonesia ranks second in the report on the effectiveness of legal regulations in handling human trafficking because the Indonesian government has not fully met the minimum standards for eradicating human trafficking by 2023.<sup>[3]</sup> Furthermore, data from *the Global Slavery Index* also lists Indonesia as one of the 10 countries with the largest estimated number of people in slavery in the world.<sup>[4]</sup>

Data from the Criminal Investigation Unit Indonesian National Police show TPPO cases throughout In 2023, it reached 1061 cases.<sup>[5]</sup> Report from the Global Trafficking in Persons Report 2024 recorded improvement significant case global human trafficking after pandemic number of identified victims of human trafficking increased by 25 percent. Notes from the Ministry of Foreign Affairs of the Republic of Indonesia Indonesia, until In 2022 it was recorded as many as 1,262 non- procedural PMI whose cases handled by the Indonesian Representative in the Southeast Asia Region, which shows 700% increase from Year previously.<sup>[6]</sup> Amount There were 318 cases of TPPO in 2019 and the number is increasing to 400 cases in 2020. Data from *International Organization for Migration (IOM) Indonesia* show TPPO cases in 2020 increased by 154 cases, and records from the Witness and Victim Protection Agency (LPSK) show that that amount application protection witnesses in TPPO cases increased by 15.3 percent.<sup>[7]</sup> In the Indonesian National Police sector, the data submitted is the number of cases that were successfully resolved with a coverage of TPPO case resolution of only 12.8 percent in 2024. At the investigation level by the Police, ineffective coordination between institutions and the absence of a centralized database has hampered law enforcement efforts by law enforcement officers against TPPO and comprehensive data collection, so that the reported data is incomplete and there is a high possibility of duplication.<sup>[8]</sup> Law No. 21 of 2007 concerning the Eradication of the Crime

of Human Trafficking still contains legal loopholes, resulting in law enforcement in the Indonesian criminal justice system in handling human trafficking cases being far from optimal. in fact, enforcement law to crime This Still Far from the word optimal. The low number arrest to perpetrator, no existence action firm to the officers involved, as well as verdict courts that often do not reflect justice substantive become indicator weakness system enforcement. Decisions the often fail create effect deterrent, so that perpetrator and parties involved still own room for repeat the same crime. T baitg overlap arrangement between a number of regulation related legislation with issue TPPO also complicates the enforcement process laws that result in different interpretations, both at the level of investigation, prosecution, and justice.<sup>[9]</sup>

Article 4 of Law No. 21 of 2007 concerning the Eradication of TPPO explains that *"every person who carries Indonesian citizens to outside the territory of the Republic of Indonesia with Meaning For exploited outside the territory of the Republic of Indonesia shall be punished with criminal imprisonment for a minimum of 3 ( three ) years and a maximum of 15 years and criminal a fine of at least IDR 120 million and a maximum of IDR 600 million."*<sup>[10]</sup> In terms of law enforcement based on the Anti-Trafficking Law, there is still a lack of clarity in the norms of evidence in criminal acts of human trafficking. Law enforcement officers, namely the Police who conduct investigations, fail to prove the elements of the crime of human trafficking, especially in cases where the perpetrators are abroad. This is reinforced by the implementation of the Anti-Trafficking Law. When handling cases of Anti-Trafficking, there is misinterpretation among law enforcers regarding human trafficking. In terms of implementation of the Anti-Trafficking Law, the Indonesian criminal justice system still faces many major challenges in enforcing the law against human trafficking.<sup>[11]</sup> This is emphasized by the IOM that there are elements of indecisive action from the Police since the reporting of the Anti-Trafficking case.<sup>[12]</sup>

The implementation of human trafficking case handling mandated by Law No. 21 of 2007 concerning the Eradication of Human Trafficking (TPPO) has not been optimal in terms of reporting human trafficking cases. While the legal structure governing human trafficking is quite clear, the handling of cases and the enforcement of justice for human trafficking cases remain suboptimal. Law enforcement

<sup>2</sup> Pierre Hauck and Sven Peterke (Ed), *International Law and Transnational Organization Organized Crime*, New York : Oxford University Press, (2016), p. 150.

<sup>3</sup> US State Department, <https://www.state.gov/>. Accessed Saturday, November 1, 2025, at 12:00 WITA.

<sup>4</sup> Global Slavery Index, <https://www.walkfree.org/global-slavery-index/>. Accessed Saturday, November 1, 2025, at 1:40 PM WITA.

<sup>5</sup> PPA SYMPHONY ( System Online Information on the Protection of Women and Children), <https://kekerasan.kempppa.go.id/>. Accessed on Sunday, November 2, 2025. At 5:50 PM WITA.

<sup>6</sup> Ministry Coordinator for Political and Security Affairs. <https://polkam.go.id/angka-kasus-terus-meningkat-kemenko-polhukam-ajak-perangi-tpo/>. Accessed Thursday, November 13, 2025, at 09:41 WITA.

<sup>7</sup> *International Organization for Migration (IOM) Indonesia*. <https://indonesia.iom.int/id/news/world-day-anti-trafficking-people-2024-creating-a-safe-migration-environment-to-fight-trafficking-people>. Accessed on Thursday, November 13, 2025. At 10:07 WITA.

<sup>8</sup> *Usembassy*. <https://id.usembassy.gov/id/laporan-tahunan-perdagangan-orang-2023/>. Accessed on Sunday, November 2, 2025. 10:10 PM WITA.

<sup>9</sup> Faradila, Ainuddin, & Abdul Gani Makhruh, *Accountability Criminal to Perpetrator Trading Human Trafficking*, *Unizar Recht Journal*, Vol.2, No.1 (2023). P. 35.

<sup>10</sup> Indonesia. Law No. 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (TPPO) Article 4.

<sup>11</sup> Sarina Riyadi, Muhammad Choirul Yusuf. (REPROSYSTEMENCE (REPORT AND PROTECTION SYSTEM OF HUMAN TRAFFICKING INCIDENCE) AS A REPORTING AND PROTECTION SYSTEM RELATED TO THE PHENOMENA OF TRAFFICKING IN PERSONS FOR VULNERABLE AREAS TO ACTUALIZE GOOD GOVERNANCE IN REALIZING STRONG INSTITUTIONAL SIGNIFICANCE IN THE ERA OF SDGs 2030). *IMMIGRATION Polytechnic Journal* (2023). Published: 10-04-2023. P.61-63.

<sup>12</sup> Synergy in Handling Human Trafficking by the Criminal Justice System. National Seminar on December 13, 2025. <https://youtu.be/mXfaIoLBukI?si=aTKZoe0CU4CykmnC>.

officials have limited understanding of the essence of this crime, particularly in interpreting the legal subject "person," which is often only interpreted as a physical individual, without considering the social, psychological, and economic vulnerabilities inherent in victims. Law enforcement, which should be the primary instrument in eradicating human trafficking, has instead been weak, inconsistent, and unresponsive to the escalation of cases in society. The ultimate goal of the criminal justice system in the long term is to achieve community welfare, which is the goal of social policy, while in the short term it is to reduce crime and recidivism. If objective This No achieved so can confirmed that system the criminal justice No walk in a way reasonable.<sup>[13]</sup> Based on this, research was conducted by analyzing efforts to optimize the criminal justice system in handling human trafficking crimes, which will reveal the legal obstacles of the criminal justice system components and efforts to optimize the performance of the criminal justice system components in handling human trafficking crimes.

### Research methods

The type of research used is normative legal research, namely something approach scientific research that focuses on research systematic against the legal norms stated in various instrument law written, good in scope national and international. This method focus on construction law positive as foothold main in understand, interpret, and assess substance regulation relevant legislation with issues studied. The approach used in this research is the Statute Approach (*Approach*), Conceptual Approach (*Conceptual Approach*), Case Approach (*Case Approach*), and Sociological Approach (*Sociological Approach*).

### Analysis Method

Analysis material law is one of the stage most important in A research. The analysis used in study This use method interpretation the law that is a process of interpretation or giving meaning to text law ( such as Law ) so that it can applied to events concrete and method preference law that is referring to the principle or principle the law that determines which rules should be come first or enforced If there is conflict between a number of regulation applicable law For something incident law certain. The way of thinking used is deductive that is method conclusion material law from general special It means do various study reference Good rule Laws and literature law Then reviewed Again in a way specific and in-depth in order to obtain norms and principles law choose existing articles relevance with the issues raised. After collected material law furthermore qualified and analyzed in a way descriptive For get answer from study. technique used by the researcher is through library studies conducted in the Mataram University library and the library of the Faculty of Law, Social and Political Sciences, Mataram University, as well as through the internet and e-journals which are focused on e- resources websites. National Library, official websites of government and non-government institutions, as well as national and international e-journals

that have been translated into Indonesian that relate to the legal issues being researched.

## Results and Discussion

### Juridical Obstacles to the Criminal Justice System

Obstacle juridical is constraint or barrier in implementation something action, policy, or enforcement law that originates from from provision law positive, legislation, or rule Normative. The consequences of these obstacles cause the components of the criminal justice system to be less than optimal in handling legal cases.<sup>[14]</sup> The handling of human trafficking crimes by the criminal justice system, consisting of the Police, Prosecutors, Judges, and Correctional Institutions, is not always 100 percent complete and without any obstacles. The following are some of the legal obstacles the criminal justice system faces in handling human trafficking crimes in the legal aspects, legal structure aspects, and legal culture aspects:

### The Difficulty of Proving the Elements of the Crime of Human Trafficking in Law No. 21 of 2007 Concerning the Eradication of the Crime of Human Trafficking (TPPO).

Proving the crime of human trafficking is still a matter of debate among many parties, including international parties, who consider that proving the elements of the crime of human trafficking in Indonesian criminal law is very difficult, which also influences the ineffectiveness of eradicating the crime of human trafficking and does not have a deterrent effect on perpetrators. the supported by the results study the law states that there is mismatch between formulation offense in Law no. 21 of 2007 concerning Eradication Action Criminal Human Trafficking (UU P TPPO) with standard The Palermo Protocol (*Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*), in particular related emphasis element of " means " (*means*). Analysis relatedness between the TPPO Law and the Palermo Protocol and lack in formulation The crime that causes the method element to become the main problem in the legal substance in handling the crime of human trafficking is as follows:

### Mismatch The element of " Means ".

Palermo Protocol Standards, three key elements of human trafficking must be present: Act (recruitment, etc. ), Means (threats, violence, deception, abuse of power/vulnerability), and Purpose (exploitation). There are several things in the TIP Law chapter in Law no. 21 of 2007 which only focuses on actions and goals its exploitation This actually has an impact. The lack of emphasis on "methods" (for example, fraud or exploiting a vulnerable position) makes it difficult for law enforcement officials to prove human trafficking cases, especially if the victim is deemed to have "agreed" or there is no clear physical violence. The following articles in the Human Trafficking Law have not consistently used the three key elements in formulating the elements of the crime of human trafficking. *First*, Article 3 of the Human Trafficking Law does not There is only a "Means" element in the formulation of Article 3 of the TIP Law contains 2 (two)

<sup>13</sup>Ali Zaidan, *Heading Criminal Law Update*, Sinar Grafika Jakarta 2015. Pg. 115.

<sup>14</sup> Anugrahdwi (2023). *Challenges in Law Enforcement*. Legal Article, Faculty of Law, Postgraduate Program, Muhammadiyah University of North Sumatra. [https://pascasarjana.umsu.ac.id/tantangan-dalam-penegakan-hukum/#:-:text=Tantangan%20dalam%20penegakan%20hukum/%20di%20Indonesia%20dapat,penegakan%20hukum%20\\*%20Peningkatan%20kesadaran%20hukum%20masyarakat.](https://pascasarjana.umsu.ac.id/tantangan-dalam-penegakan-hukum/#:-:text=Tantangan%20dalam%20penegakan%20hukum/%20di%20Indonesia%20dapat,penegakan%20hukum%20*%20Peningkatan%20kesadaran%20hukum%20masyarakat.)

elements key just that is element actions /processes and elements purpose, without formulate element way. This is No in accordance with the requirements Palermo TPPO Protocol, that there are 3 ( three ) elements key in categorize TPPO offense, namely existence element action /process, element methods and elements objective. *Second*, on Article 4 of the TPPO Law does not contain the element of "Method" and the element of "Act" is limited: <sup>[15]</sup>

The absence of the element of "method" The formulation of Article 4 of the TPPO Law only contains 2 (two) key elements, namely the element of action/process and the element of purpose, without formulating the element of method required in the formulation of the TPPO crime. The element of action alone does not describe the existence of an unlawful act if it is not accompanied by the element of method, so the absence of the element of method does not describe the existence of *an actus reus* is an act that violates the law (objective element). While element objective is *mens rea* which describes existence attitude inner perpetrator in do crime ( elements subjective ). The absence of the method element in the formulation of Article 4 of the TPPO Law makes it seem as if there is consent from the victim, because there is no indication of any unlawful act committed by the perpetrator. Therefore that, the disappearance element method making Article 4 of the Anti -TPPO Law invalid characteristic oppose the law element deeds.

Limited formulation the element of " action /process" in the word " carry " in Article 4 of the TPPO Law only formulate element actions /processes in form activity taking Indonesian citizens out of Indonesian territory. In in practice, law enforcement officers difficulty enforce this Article Because the act of " carrying " only Can proven If has happen displacement in the area embarkation. In addition, the act of " carrying " when this is also difficult proven because of the latest modus operandi of TPPO that is being carried out through control distance far away. So that with existence control mode distance Far without existence the perpetrator who brought direct potential victims, making element the act of " bringing " into being No fulfilled.

### **The difficulty Proof Offense Formal in Article 2 of the TIP Law.**

In a way empirical based on decision court related TPPO offense, there is difficulty in interpret formulation Article 2 of the Anti- Trafficking Law. Interpretation Good in a way grammatical as well as systematic so there are 3 elements key in provision offense Article 2 Paragraph (1) of the TIP Law, namely element action /process, element methods and elements purpose. According to Doctrinaire as well as provisions of Article 3 of the Palermo TPPO Protocol, interpretation element action /process, element methods and elements objective must be interpreted as offense formal that is fulfilled offense during elements action in formulation chapter the fulfilled.

### **The Issue of Victim Consent.**

The Palermo Protocol confirms that the victim's consent is not relevant if one of the " ways " ( such as fraud or coercion ) is used. Although The TPPO Law also recognizes matter In this case, there is less emphasis on elements method make proof that the victim was tricked or forced ( even though looks agree ) to be more difficult in practice The Indonesian courts. The Indonesian criminal justice system has been complicating the judicial process, with evidence often turning human trafficking cases into ordinary fraud cases. This continues to affect the effectiveness of the law and law enforcement within the Indonesian criminal justice system, leading people to view human trafficking cases, which were once a dangerous crime, as commonplace crimes. <sup>[16]</sup>

### **Obstacles to Police Investigation of Human Trafficking Crimes.**

Enforcement the law that is carried out by the Police should Can fulfil principle *fair trial* and not may *by design* only. Then, enforcement the law must also focusing on victims, so that they are protected and have rights they fulfilled. S until moment This enforcement law Still weak and victims of human trafficking have access to justice Still experience difficulties. According to SBMI, the Indonesian National Police assessed fail in enforcement systematic and structured law, because the process hasty. This fact further demonstrates that the Indonesian National Police (Polri) has not only failed to enforce the law on human trafficking cases, but is also weak in implementing the law enforcement process and the legal structure within the Police, which is often undermined by the presence of police officers involved in human trafficking cases and as the masterminds behind the termination of human trafficking cases. The reason is because the majority of perpetrators arrested have repeatedly committed human trafficking crimes, based on the analysis of reports from 2020 to 2023, as many as 65 percent of human trafficking perpetrators are recidivists. <sup>[17]</sup> Obstacles in human trafficking investigations show that in carrying out its functions, based on the provisions mandated by the National Police Law and the Human Trafficking Law, they are broadly divided into two, namely internal obstacles and external obstacles as follows: <sup>[18]</sup>

#### **Obstacle Internal**

Internal barriers are problems that arise from in so that result in obstacle in the investigation process action criminal human trafficking themselves. Internal obstacles experienced by investigators as in the jurisdiction of the National Police of the United States Southeast West in dealing with human trafficking, namely investigator No can withhold agent distributor abroad involved in action criminal human trafficking due to No know existence agent said. Even with help parties abroad, existence a agent TPPO distributors still difficult For known.

<sup>15</sup>MANUSCRIPT ON MONITORING THE IMPLEMENTATION OF LAW NUMBER 21 OF 2007 ON ERADICATION OF THE CRIMINAL ACTS OF TRAFFICKING IN PERSONS. PANLAK UU/PUSPANLAK UU QUARTER III 2023. Pages 5-6.

<sup>16</sup> <https://www.humantraffickingfoundation.org/theissue>. Accessed on January 21, 2026. At 1:19 PM WITA.

<sup>17</sup> <https://mongabay.co.id/2023/08/22/benarkah-penegakan-hukum-tindak-pidana-perdagangan-orang-masih-lemah/>. Accessed on Tuesday, December 30, 2025. At 5:18 PM WITA.

<sup>18</sup>MUHAMMAD HIJRATUL AZMI, INVESTIGATION CRIMINAL ACT OF HUMAN TRAFFICKING CASE STUDY POLDA NTB (2023). Jurnal FHISIP UNRAM Vol (1). Pg. 14.

Human trafficking is carried out with pattern network disconnected. This is what makes it difficult in handling or prevention occurrence trading people. Network disconnected start from recruitment, transportation, shelter. Relationship between sponsor and agent in cities and villages until the victim is limited to the relationship transactional. Police had difficulty during the investigation when the crime scene ( violence and abuse ) was abroad which requires police must Work The same with other agencies abroad in conducting investigations into TPPO cases.

### External Barriers

External obstacles relate to the implementation of the investigative function by Sub-Directorate IV of the Criminal Investigation Directorate of the NTB Regional Police, the jurisdiction of the researcher, in handling human trafficking crimes. Based on the research results, obstacles were found in legal regulations, law enforcement, supporting facilities and the community. Further details are as follows:<sup>[19]</sup>

The legal obstacles are the Indonesian National Police Law, which regulates the main duties, functions, and authority of the Indonesian National Police in law enforcement. The Anti-Human Trafficking Law is a law that specifically regulates the crime of human trafficking and its various formal provisions. However, investigators Still relying on the Criminal Procedure Code, whereas in the TPPO Law there are provision handling action criminal Human trafficking during the investigation process. There are no specific SOPs in the investigation, and the procedure remains based on the Criminal Procedure Code and Regulation of the Chief of Police Number 6 of 2019, which regulates investigations. Legal factors are important factors that serve as both drivers and obstacles to optimizing the implementation of the functions of the Indonesian National Police (Polri). in Standard Operational Standard Operating Procedure (SOP) for handling case Action Criminal Trafficking in Persons (TPPO) in the police often happen Because various factors, especially related with characteristic complex and organized human trafficking crimes, as well as limitations in system enforcement law That Alone. As base countermeasures action criminal human trafficking, regulations legislation give strengthening to actions material through addition qualification as well as strengthening function institutional in implementation his duties. However in implementation technically, still there is obstacles that affect implementation task innocence, among others as described above, still there is The implementation of SOPs has not been optimally implemented in handling human trafficking cases since the reporting of human trafficking to the police. The SOP issue is a major problem faced by police throughout Indonesia. Due to the lack of a specific SOP for human trafficking, the police are often perceived by the public as not serious about handling human trafficking.

Obstacle Law Enforcement of Human Trafficking Crimes by the Police.

There are many cases in society where people suspected of being victims of human trafficking (TPPO) feel they are not

victims and therefore refuse to report the alleged TIP to the authorities. This certainly complicates police investigations. Furthermore, victims' administrative documents before departure are often lost, making it difficult for investigators to gather primary evidence, and victims do not know who or from whom sent them abroad.<sup>[20]</sup>

When an arrest is made, when the suspect is abroad, it will be difficult to make an arrest because the legal process for arresting an Indonesian citizen abroad cannot be carried out directly by the Indonesian National Police (Polri). It must first coordinate with Interpol, which of course takes quite a long time. The action taken by the Indonesian National Police to handle this is to issue a Wanted Persons List (DPO) for the suspect and send it to the embassy. where the suspect is located. In nature catch Inhabitant Indonesian citizens ( WNI ) who are abroad require procedure certain with do coordination moreover formerly with Interpol ( *International Criminal Police Organization* ), namely organization which was formed For coordinate Work The same between police around the world.<sup>[21]</sup>

Facilities and Barriers Facility Police Support in Handling Human Trafficking Crimes.

Without existence means or facility certain, then No Possible enforcement law will ongoing with smooth. Means or facility including, among other things, power educated people and skilled, good organization, adequate equipment, sufficient finances, and other related matters. Barriers police including tool support HR linkages to programmer or expert internet network, so need tracked For initial data collection before request expert explain. Good quality human resources That from number, education, mental, skills or skills that must be sharpened as one of the support enforcement law as well as mastery personnel Directorate of Criminal Investigation related substance law, duties and functions as well as the authority of the Police in handling TPPO.<sup>[22]</sup>

In some human trafficking cases, if agents outside the country of the suspect are traced, the police's reach is limited to those in Indonesia. Sometimes Indonesians are also abroad. The police can only attempt to issue a wanted list (DPO) first. Supporting facilities and infrastructure, such as data and information support equipment and vehicles, need further development to strengthen the police's internal defenses in handling human trafficking cases. Based on this, the police have not yet.. pointing to a tool supporting data and information or tool measuring digital in optimize Police performance in handling human trafficking crimes.

Database and Data Center Constraints That Are Still Combined.

Police human trafficking case data is not disaggregated by age, and data from immigration, the International Organization for Migration (IOM), and government and foreign ministry data is often mixed together. Consequently, the data presented by each agency varies. This exacerbates the calculation of human trafficking cases, from reporting to investigation, prosecution, and sentencing to court decisions. This makes it difficult for the police to calculate the percentage of human trafficking cases resolved each year.

<sup>19</sup>NI MADE SRI DWI ATI. POLICE EFFORTS IN COMBATING THE CRIMINAL ACTS OF HUMAN TRAFFICKING AGAINST WOMEN AND CHILDREN AS INDONESIAN MIGRANT WORKERS (Study at the NTB Regional Police). FHISIP UNRAM Journal Vol (1). (2021). Pg. 12.

<sup>20</sup> *Ibid.*,

<sup>21</sup>Hamana, AD, Eskandar, E., & Suka, RH (2023). Eradicating Human Trafficking Through Social Media: The Case of Exploitation of Indonesian Citizens in Cambodia. *Aufklarung : Journal of Education, Social and Humanities*, 3(1), pp. 79-80.

<sup>22</sup> *Ibid.*,

This is because many human trafficking cases are still ongoing, some are closed midway, and some are even stalled during the police investigation process. This impacts the calculation of the percentage of human trafficking cases resolved by the police, including those that have reached court decisions.

**Obstacles to the Timeframe in a Quite Long Investigation.**

The challenges encountered in handling human trafficking (TPPO) cases include the lengthy time required to gather the identities of perpetrators and victims, who are located outside the city or even across countries, and to gather evidence. Furthermore, victims' administrative documents prior to departure are often lost.<sup>[23]</sup>

**Barriers From Society.**

Public compliance with the law and lack of public legal awareness are crucial obstacles, as crime prevention efforts will not be optimal without public awareness and the community's collaborative efforts with the National Police to maintain security and order. This relates to the willingness of the public to report crimes, often unaware of their potential as victims. Village governments should be proactive in this regard. Lack of public knowledge and awareness significantly hamper law enforcement, making the implementation of the Directorate of General Crimes' (Ditreskrim) functions increasingly difficult if the community does not participate in efforts to address human trafficking.

**Obstacles to the Police Budget for Handling Human Trafficking Cases.**

*preventive* efforts have not been implemented properly by conducting legal counseling, socialization and appeals to the community directly by the police because the work programs that will be implemented require preparation in terms of time and a large enough budget to be able to be conveyed to the community down to the village level.

### **Obstacles to the Implementation of Prosecution by Public Prosecutors in Human Trafficking Crime Cases.**

In the prosecution process, there are obstacles related to handling TPPO, namely when completing the files at the police, there are repeated rejections and requests to ensure that the files are correct. complete until declared P-21. Related implementation article, description witness, statement suspect, statement experts and equipment evidence. No seldom to In TPPO cases, the obstacle faced by the prosecutor is the passage of the time determined by the Prosecutor for investigator in complete and perfect the BAP for TIP cases. In the enforcement process law carried out by the Prosecutor's Office to perpetrator action criminal human trafficking is not always walk smooth and without obstacles. Obstacles that become base is related elements contained in the article Constitution action criminal human trafficking. In the pre-trial *process* prosecution, investigator send file case to The next prosecutor file the investigated For taken attitude in accordance with applicable rules. If any file case action criminal trafficking of persons sent investigator to

prosecutor's office it turns out after investigated Not yet complete (P-18) or Not yet fulfil elements from action criminal as articles listed in the file case the so Not yet can categorized as action criminal human trafficking. If *the* file case submitted investigator to the prosecutor 's office has done research by the Prosecutor's Office and against file case the has fulfil all elements, then file case the can it is said as action criminal human trafficking and can enforced Constitution Number 21 of 2007 Concerning Action Criminal Human Trafficking.<sup>[24]</sup>

Obstacles experienced by the Prosecutor's Office in enforcement law to perpetrator action criminal human trafficking, namely as following :<sup>[25]</sup>

Incomplete case files go back and forth.

Case files sent by investigators to prosecutors often become a problem because it takes a long time for the case files to be declared complete and the case files are usually passed back and forth from investigators to prosecutors more than once. The lack of communication between investigators and prosecutors at the pre -prosecution stage results in prosecutors giving instructions to complete the case files sent by investigators, and investigators are always unable to fulfill the instructions given. Based on Article 139 of the Criminal Procedure Code, it is stated that after the public prosecutor receives or receives back complete investigation results from investigators, he will immediately determine whether the case files have met the requirements to be submitted to the court or not. In administration at the Prosecutor's Office known the term P-21, namely file stated Already complete. Calculation of restitution.

According to Law No. 21 of 2007 concerning Human Trafficking, restitution is losses incurred to perpetrator consequence decision courts that have strength law still on loss material and/ or non- material losses suffered by the victim or expert his/her heirs.<sup>[26]</sup> Restitution is a victim's right that must be conveyed by investigators and public prosecutors at the investigation level and at the time of prosecution. The calculation of restitution is carried out by the Witness and Victim Protection Agency (LPSK) based on Law Number 13 of 2006, but the LPSK is not present in all districts/cities, resulting in the calculation of restitution being ineffective and often complicating matters for prosecutors in terms of restitution. Compensation for victims of human trafficking must be provided by the perpetrator of the crime in the form of providing restitution to the victim according to the mechanism stipulated in Article 48 of the Law on Human Trafficking. However, in general empirical fulfillment restitution No walk as should be caused by Because No effectiveness confiscation asset for perpetrators of human trafficking, and restitution for victims of human trafficking. Often restitution No can paid by the perpetrator, and replaced with criminal confinement substitute. B banyak problems and obstacles empirical in implementation protection law restitution and rehabilitation. The amount received by the victim as compensation part from compensation is a process of recognition responsibility and mistakes perpetrator on

<sup>23</sup> *Ibid.*,

<sup>24</sup> The Role of the Prosecutor's Office In the Crime of Human Trafficking. <https://kejadi-jatim.go.id/peran-kejaksaan-dalam-tindak-pidana-perdagangan-orang/>. Accessed on January 10, 2026. At 15.01 WITA.

<sup>25</sup> Nuruk Aysah, THE ROLE OF THE PROSECUTOR IN LAW ENFORCEMENT AGAINST PERPETRATORS OF HUMAN TRAFFICKING (Case Study of the Decision) Number 213/ Pid.Sus /2021/ PN.Tar ). Thesis Manuscript, UNIVERSITY OF BORNEO TARAKAN FACULTY OF LAW 2022. Pg. 116.

<sup>26</sup> Supriadin, Legal Protection for Victims (Jakarta: Esa Unggul University, 2020). P. 13.

actions taken towards their victims. Likewise with imprison perpetrator No as well as immediately bring happiness or heal the pain experienced victims, but only profitable the perpetrator who has neglect not quite enough the answer For pay victims ' rights. Mechanism submission refund as per explained in Article 48 paragraph (1) of the TPPPO Law, and the refund is made since the victim reported the incident he experienced to police local. Prosecutor general to inform to the victim regarding right For demand restitution and then communicate demands the along with amount losses suffered by the victim due to action criminal human trafficking.

Fulfillment victims' rights to restitution only can achieved through enforcement optimal and necessary laws support apparatus enforcer competent law. How good something law, if enforced by the authorities enforcer good law, then aspect justice, benefit and certainty No only wishful thinking mere. Therefore that, source Power man enforcer law, in particular prosecutor's office have role important in optimize effort eradication action criminal protecting human trafficking victims ' rights.<sup>[27]</sup>

Presenting witnesses.

During the trial, the public prosecutor faces obstacles in bringing in or presenting witnesses, including victim witnesses and other witnesses included in the human trafficking case file, due to fear and shame over the incident and potential threats to their safety from unknown persons. In this case, the prosecutor has difficulty presenting witnesses, which will affect the prosecution of the human trafficking case.

### **Misinterpretation of Law Enforcement Officials in the Criminal Justice System Regarding the Crime of Human Trafficking.**

There is 2 ( two ) problem main, namely formulation definition and implementation, especially understanding apparatus enforcer law related definition action criminal human trafficking. There is no uniform perception among law enforcement officials regarding the legal elements that constitute the crime of human trafficking, especially when the act intersects with issues of employment and labor immigration. overlap arrangement between a number of regulation Relevant legislation with issue TPPO also complicates the enforcement process laws that result in different interpretations, both at level investigation, prosecution, and justice.

Non-uniformity perception between apparatus enforcer law about Action Criminal Human Trafficking (TPPO) has an impact significant to effectiveness enforcement law, victim protection, and coordination between institutions. In Internationally, Indonesia received criticism in The US Department of State's 2023 *Trafficking in Persons Report* placed Indonesia at level 2 *on its Watch List*. The main criticism highlight weakness enforcement law by the Indonesian criminal justice system, including low level

criminalization against perpetrators of human trafficking leading to the implementation of the Human Trafficking Act. This show impact systemic from disparity criminal to Indonesia's reputation in the eyes of international. Inhibiting factors effectiveness criminalization of TPPO is of a nature multidimensional. From the aspect law, lack of understanding apparatus, namely the lack of uniform understanding enforcer law to The TPPO law causes trend use articles in the Criminal Code that are more light and articles in other laws if the TPPO case is related to employment and immigration. institutional, limitations source power and lack of training special for investigator in the area border weaken handling human trafficking cases by the criminal justice system.<sup>[28]</sup>

### **There is no special guidance in correctional institutions for convicts, even though the crime of human trafficking is an extraordinary crime. Crime.**

In context coaching prisoners Human Trafficking role socialization is very strategic in countermeasures *extra ordinary crime*, namely foster prisoners so that at the time free No repeat action the crime and become well -behaved citizens according to norms and regulations as well as become inhabitant responsible society responsible and reduce the number of recidivists.<sup>[29]</sup> Standard Operations and supervision that need to be applied to the development of prisoners in correctional institutions are:

*Profiling* and *a sesmen* is the Use System Evaluation Coaching Prisoners (SPPN) for monitor change behavior in a way objective. Officer do *profiling* For see the extent of involvement the prisoner in TPPO syndicates and networks connected to them because human trafficking is not an ordinary crime but a crime that always intersects with *transnational crime*, which means that many people were involved and it cannot be said to be successful because only one of the perpetrators could be caught.

security integrated for perpetrator level high risk, placement can done in Prison with security strict in order to decide communication permanently with network trading people who are still connected outside prison.

Conditional rights restrictions, although Law No. 22 of 2022 provides the same rights, the granting of remission or Conditional Release (PB) for perpetrators of extraordinary crimes remains closely monitored through assessments of significant developments in rehabilitation, especially for perpetrators of human trafficking who tend to be more recidivists.

### **Not Yet Integrated Coordination between the Government and Law Enforcement Agencies Eradication of TPPO in Indonesia.**

The Anti-Trafficking Law requires the central and regional governments to eradicate trafficking by developing policies, programs, activities, allocating budgets, and establishing a Trafficking Task Force. However, its implementation has encountered several obstacles, including:<sup>[30]</sup>

<sup>27</sup> *Ibid.*,

<sup>28</sup> Finiel Handani Tumulona Sihombing, Tofik Yanuar Chandra, Basuki. Legal Protection Against Victims of Trafficking Crimes: Persons Under Criminal Law. Scientific Research Journal <https://manggalajournal.org/index.php/SINERGI>. Master of Law Study Program, Postgraduate Program, Jayabaya University. Pg. 3900.

<sup>29</sup> <https://www.ditjenpas.go.id/dirjen-pas-pemasyarakatan-berperan-strategis-dalam-penanggulangan-extraordinary-crime>. Accessed on January 5, 2025, at 10:18 WITA.

<sup>30</sup> Technical Guidelines for the Anti-TPPO Task Force.

1. Lack of coordination in the division of tasks and authority among related ministries/institutions
2. Coordination and supervision between the central government and regional governments is currently not optimal.
3. Lack of budget availability for the implementation of prevention and handling of TPPO
4. Not all regions have a commitment to creating policies, programs, or allocating budgets for TPPO.

Therefore, to overcome these obstacles, strong coordination between the central and regional governments is needed, by creating an effective and efficient coordination and division of tasks scheme. Article 58 of the Anti-Trafficking Law mandates the establishment of a TIP Task Force to eradicate TIP at both the central and regional levels. However, in its implementation, the TIP Task Force has encountered several obstacles, including:<sup>[31]</sup>

1. The existence of sectoral egos in the TPPO Task Force.
2. The coordination pattern is only in the form of submitting reports.
3. Not all ministries/institutions are able to carry out the division of tasks.
4. Not all ministries/institutions have a special budget for TPPO.
5. Not all regions have formed a TPPO Task Force.
6. There has never been any coordination between the TPPO Task Force in the regions.
7. Ministry of PPPA as leading The TPPO Task Force sector does not have the authority to coordinate law enforcement agencies in law enforcement.

Due to the obstacles to the implementation of the TIP Task Force, several institutions have proposed the formation of a special TIP agency whose duties would range from prevention and eradication to the restoration of victims' rights. Currently, this is the case. only Indonesia does n't own institution specifically TPPO among ASEAN countries. Thus, cooperation international in handling of TPPO is still very minimal and has not yet been implemented with good. Therefore that, the proposal the formation of a special anti-TPPO agency is expected can strengthen cooperation international to combat TPPO.

### **Obstacles to Evidence in Court Hearings by Judges in Human Trafficking Crime Cases.**

Human trafficking cases are always related to immigration and labor. In the evidentiary process in court, judges use subsidiary charges, requiring them to consider the primary charge first. If the primary charge is not proven, the subsidiary charge must be proven, and so on. In other words, the panel of judges must consider Constitution TPPO with other laws in the decision. This method can made into effort For avoid existence error implementation law in the case intersection of TPPO and action criminal human trafficking

related to labor and migration and other cases related to the crime of human trafficking.

Consequence from failure recognize action criminal human trafficking can result in proportionality criminalization for perpetrators and hinder the restitution process for the victims. In addition, failure recognize human trafficking can also hinder government in data collection action criminal human trafficking that can help in effort prevent and recognize human trafficking methods.<sup>[32]</sup> Non-uniformity in implementation law Actually can started from notice form letter the Public Prosecutor's indictment. The Public Prosecutor in second case the use form indictment alternative between the PTPPO Law and the PPMI Law and other laws. Consequence logically from matter the is form proper accusation should is single. Apart from that, there also needs to be One understanding about draft in offense human trafficking and crime in protection worker Indonesian migrants between enforcer law in order to be able to give certainty law Good for both victims and The defendant.

Constitution Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking has arrange offense action criminal human trafficking consisting from three element elements, namely element action, element methods and elements exploitation of each element load forms actions and methods of use become reference in proof something action criminal human trafficking. Although thus, one of the challenge in enforcement law action criminal human trafficking is consistency from implementation law That alone. Like for example, research This find that in One action criminal with prosecution of two defendants carried out in a way separate, namely Decision No. 924/ Pid.Sus /2019/PN Ptk and Decision No. 919/ Pid.Sus /2019/PN Ptk, the panel of judges in each case give different considerations related When fulfillment element exploitation in One case the.<sup>33</sup> The panel of judges differed in their views on whether the element of exploitation is fulfilled when the defendant's aim is to exploit another person, or when the defendant's actions have resulted in another person being exploited. view This lead to consequences proven or whether or not defendant when charged with Article 2 paragraph (1) of the TPPO Law which is offense formal or Article 2 paragraph (2) of the TPPO Law which is offense material.<sup>[34]</sup>

Issues in consistency implementation law is also found in the judge's view in differentiate action the defendant who direct exploit someone outside the territory of Indonesia, with action the defendant who made Indonesia a transit country before exploiting other people outside the territory of Indonesia. Inconsistent application of the law within substance law can cause legal No walk optimal in uphold law as should be. Series similar actions in practice cause difference in use Article 310 and Article 411 of the PTPPO Law are mutually exclusive. intersecting related *locus delicti* from something action criminal human trafficking. I risan between chapter in the PTPPO Law it is still cause existence inconsistency in use chapter in the

[https://indonesia.iom.int/sites/g/files/tmzbd11491/files/documents/02%20Pedoman%20Teknis%20Untuk%20Gugus%20Tugas%20TPPO\\_Bahasa%20Indonesia.pdf](https://indonesia.iom.int/sites/g/files/tmzbd11491/files/documents/02%20Pedoman%20Teknis%20Untuk%20Gugus%20Tugas%20TPPO_Bahasa%20Indonesia.pdf). Pp. 39-45.

<sup>31</sup> *Ibid.*,

<sup>32</sup>State Newswire. 2021. Trafficking in Persons Report: Cambodia. The Federal Newswire. <https://thefederalnewswire.com/stories/626577909-2021-trafficking-in-persons-reportcambodia>. Accessed January 11, 2025, at 4:34 PM WITA.

<sup>33</sup>Callista, N., Sawitri, A., Roshanti, RA, Rahmawati, P., Loso, L., & Noor, GV (2025). Urgency Handling Action Criminal Trading Humans in Cambodia According to International Law Review. *Journal of Law, Public Administration and State*, 2(3). Pp. 01-11.

<sup>34</sup> *Ibid.*,

TPPO Law, both in chapter indictment and in judge's considerations in decision. Action criminal human trafficking loading aspect across national borders, which means that required method the judge's view is more wide to crime across national borders in matter consideration more deep from losses that are not only experienced in a way national, but also international. The loss from action criminal human trafficking is also closely related relation with aspect recovery of victims who are in matter This can filled through mechanism restitution. This matter must given with consider proportionality by the judge between losses experienced by the victim with ability defendant For pay restitution in order to achieve fulfillment victim's rights.<sup>[35]</sup>

### **Involvement of Government Officials and Law Enforcement Officials in Handling Human Trafficking Cases.**

involvement of government officials, including law enforcement officers and government employees, in cases of human trafficking (TPPO) in Indonesia. role in facilitate, protect, or do obstacles investigation. Form Involvement Individuals The government is to provide protection and facilitation. Individuals apparatus law enforcers usually provide " backing " or protection to TPPO syndicate so that it can operating and not disrupting the syndicate's operations. Police officers once ordered human trafficking suspects to turn off their phones, change their numbers, and move locations to avoid arrest. Several documents were also falsified as evidence of the involvement of officials from the Population and Civil Registration Service ( Disdukcapil ) in the baby trafficking case to facilitate document production.<sup>[36]</sup> The involvement of government officials and law enforcement officers is not without reason. Human trafficking in Indonesia is not only viewed as a crime, but also as a major and highly profitable business for some who profit from it.

In recent TPPO cases crowded get highlight public namely the sales mode kidney in Cambodia. The handling carried out apparatus enforcer law in TPPO cases reap criticism from circles public civil Because during This only target perpetrator field, not actor intellectual. Director Executive *Institute for Criminal Justice Reform* (ICJR) Erasmus AT Napitupulu, noted in case sell kidney to Cambodia Polda Metro Jaya officers have named 12 suspects. Consisting of 9 syndicate members domestic role recruiting, accommodating, and managing the victim's journey. Then 1 suspect play a role as connecting the victim with the Hospital (RS) in Cambodia and the remaining 2 is individual agency Police and Immigration. There is a suspect known perpetrator under the name Miss Huang, plays the role as coordinator of 12 suspects said, which at the moment This Still in the wanted list (DPO) status. Based on research that has been done conducted by ICJR regarding evaluation framework TPPO law and forms exploitation other, often in case enforcement TPPO law includes DPO but No ever clear follow-up to the DPO.<sup>[37]</sup> Investigator should be active respond statement

another suspect who said No know the DPO named Miss Huang and the Prosecutor must ensure action carry on against the DPO. Like Lots case other human trafficking, ICJR note on the case This apparatus police only succeed ensnare perpetrator field in human trafficking syndicate. Meanwhile that, the figure of Miss Huang as coordinator on 12 suspects said, not yet successfully uncovered. This provides strong evidence that the involvement of government officials and law enforcement officials can undermine the legal system, undermine the law enforcement process, and disrupt the judicial process.<sup>[38]</sup> The involvement of these individuals seems to have become a part of Indonesian judicial practice, as it is commonplace and exacerbated by the lack of a deterrent effect on the perpetrators involved.

### **Lack of Understanding Draft Consent of Victims of Human Trafficking (Article 26 and Article 30 ) of the Human Trafficking Law.**

Lawmakers understand that in conditions of unequal relations between victims as workers and perpetrators as recruiters/employers, or victims and perpetrators who are still related by kinship, the situation of the victim giving consent is almost unavoidable, so that the victim's consent is not required to ensnare perpetrators of human trafficking. However, in practice, it is often found that victims of human trafficking are reluctant to report because they are trapped in dependence on the work they are doing, and this continues to occur. Furthermore, the low level of public knowledge and awareness of exploitation and its impacts causes victims not to feel they are victims of human trafficking. This condition has weakened law enforcement by both the Police, Prosecutors, Judges, and Correctional Institutions because the reluctance of victims to provide testimony as victims will hinder the law enforcement process due to the loss of a key piece of evidence. This continues to occur and has become a legal culture for law enforcement officials who cannot understand the concepts of human trafficking victim consent.

### **Not yet guaranteed Confidentiality Legal Identity of Witnesses and/ or Victims of TPPO (Article 44 ) of the TPPO Law.**

Confidentiality identity done For provide a sense of security to witnesses and/ or victims in give description of each process the trial that was carried out as arranged in Article 44 of the TPPO Law. Apart from parties witnesses and/ or victims, rights confidentiality identity is also given to family witnesses and/ or victims until with degrees second. Although arrangement about giving right confidentiality identity witnesses and/ or victims have arranged with Good in the TIP Act, however in its implementation Still found a number of obstacles that occur in the field. Obstacles the is lack of APH's understanding in protect identity witnesses and/ or victims of TPPO, less understand public about importance guard confidentiality identity witnesses and/ or victims, and often occurrence violation confidentiality identity carried out

<sup>35</sup><https://repository.uinjkt.ac.id/dspace/bitstream/123456789/87107/1/SHAFANA%20HANA%20SHALIAH%2011210454000084.pdf>. Accessed on January 11, 2025. At 16.33 WITA.

<sup>36</sup>The Minister of Home Affairs Conducts an Inspection of the Involvement of Government Officials and Law Enforcement Officials in Human Trafficking Cases. <https://www.youtube.com/watch?v=5Ktr9xpulwo>. Accessed on January 21, 2026, at 14:54 WITA.

<sup>37</sup>Institute for Criminal Justice Reform. <https://id.linkedin.com/company/icjrid>. Accessed on January 21, 2026, at 3:09 PM WITA.

<sup>38</sup> <https://www.hukumonline.com/berita/a/mendorong- aparat-penegak-hukum-jerat-aktor-intelektual-tpo-lt64c3b28502e56/?page=2>. Accessed on January 21, 2026. At 15.06. WITA.

by the mass media.<sup>[39]</sup>

### **Lack of Community Participation in Assisting in the Prevention and Handling of TPPO.**

In frame carry out effort prevention and handling of TPPO in Indonesia, the community also has a very important role as arranged in Article 60 of the TPPO Law. In addition, Article 33 of the TPPO Law also provides protection law for public For give information and/ or report the existence of TPPO which is given to APH and guarantee protection the law. Article 61 of the Anti- TPPO Law also states that government must open access as wide as possible for role as well as public Good national and international in accordance with provision regulation legislation, laws, and customs applicable international law. In<sup>[40]</sup> its implementation, problems still occur. The main problem, most frequently raised by central and regional stakeholders, is that the provisions in the Human Trafficking Law are still not fully understood by all levels of society, resulting in low public participation in efforts to eradicate human trafficking in Indonesia. This is exacerbated by the fact that human trafficking issues are still not an important issue for them. The cause is the lack of socialization regarding human trafficking down to the grassroots level.

The existence of this legal obstacle is not only in the regulatory aspect, but in the aspect of implementation and implementation of legal rules by the criminal justice system will be disrupted if it continues to be allowed and continues to be rooted in the legal culture in society and in the environment of law enforcement. Based on the *Due Process Model* (DPM) theory, it places great emphasis on eliminating errors in the judicial administration mechanism which aims to uncover the perpetrators of a crime in this case is human trafficking, which the police have only succeeded in targeting perpetrators in the field and the main perpetrators and perpetrators in the form of corporations are often not prosecuted and the issuance of DPO status on the perpetrators does not have legal clarity until it expires because based on *the Crime The Control Model* (CCM) of the Police, Prosecutors, Judges, and Correctional Institutions must prioritize time efficiency, namely speed, accuracy, and administrative efficiency in processing perpetrators of criminal acts. The police are expected to be able to uncover perpetrators of human trafficking crimes, and the prosecutors and judges are expected to be able to provide fair and appropriate legal demands and considerations. This is not merely a matter of chasing time to simply resolve criminal cases, but the crime rate will continue to increase every day if other perpetrators are left unpunished and not brought to justice, especially the crime of human trafficking, because the trend of human trafficking continues to increase and harms many victims every year. The division of duties and authorities of law enforcement officers provides limits for each institution to carry out their duties and functions in

accordance with applicable legal regulations, to prevent one party from acting arbitrarily or interfering with each other's authority, especially in human trafficking cases that often involve law enforcement officers who violate their duties and authorities to obstruct human trafficking cases and become the masterminds of unilateral dismissals of human trafficking cases. This is very detrimental to victims and creates injustice for victims and the community because the criminal justice system will be considered not to be functioning as it should.

### **Efforts to Optimize the Performance of the Criminal Justice System in Handling Crimes of Trafficking in Persons ( TPPO )**

Optimization aim to improve the criminal justice system in enforcing the law against human trafficking, because Indonesia's position in report trading man International which put forward right basic humanity and justice substantive for victims has not reached the expected international standards. The law enforcement process against human trafficking by the police, prosecutors, judges, and correctional institutions within the criminal justice system still encounters several legal loopholes, structural weaknesses, and inappropriate implementation of legal regulations. Optimization efforts include improvements to the substance of the law, its structure, and legal culture to support the optimal performance of the criminal justice system in handling human trafficking crimes.

### **Reform of Criminal Procedure Law in Handling Human Trafficking Cases.**

According to UNODC Global Report *on Trafficking in Persons Year (2022)*, many developing countries including Indonesia, not yet own system integrated procedural law principles *victim-centered approach*. In fact, the Palermo Protocol, which Indonesia ratified in 2009, requires For adopt procedure law that guarantees comfort, security and rights of victims during the legal process ongoing. *ASEAN Convention Against Trafficking in Persons, Especially Women and Children* (ACTIP) has become references in system reform the laws of member countries including Indonesia. Convention This push formation protocol special procedural law, both in stage investigation, prosecution, and court proceedings. The implementation of ACTIP in Indonesia is still Not yet integrated to in system national procedural law, so that need formulated approach *lex specialis* in form regulation implementer from the U of the TPPO law which is more technical and operational or arrange criminal procedure law special for TPPO.<sup>[41]</sup>

colonial Criminal Procedure Code, namely Constitution Number 8 of 1981, no designed For face form modern crimes such as human trafficking. Weaknesses main provisions of the Criminal Procedure Code in the context of TPPO is No existence approach explicit victim - centered *approach* in every stages of the criminal process. For example, in the investigation and examination process witness /victim ( articles 112 and 117 of the Criminal

<sup>39</sup> Commemorating World Anti- Human Trafficking Day, LPSK Focuses Recover Victims Through Restitution until Rehabilitation Psychosocial, (2025). <https://www.lpsk.go.id/detail/cmdwtdhxf000713hhnhyrfgnd>. Accessed on January 21, 2026. At 15.39 WITA.

<sup>40</sup> Indonesia. Law No. 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (TPPO). Article 61.

<sup>41</sup> [https://liputan4.com/reformasi-hukum-acara-pilar-krusial-dalam-pemberantasan-tpo-di-indonesia/#google\\_vignette](https://liputan4.com/reformasi-hukum-acara-pilar-krusial-dalam-pemberantasan-tpo-di-indonesia/#google_vignette). Accessed on January 12, 2026. At 08.54 WITA.

Procedure Code), no arranged mechanism protection special for victims who have experienced severe trauma or who is in position vulnerable, such as women and children. As a result, people are often victims of human trafficking experience *revictimization* moment checked in a way repeatedly, without mentoring psychology and law.<sup>[42]</sup>

must learn from countries like the Philippines to update its laws to address human trafficking. *Republic Act No.9208 (Anti-Trafficking in Persons Act of 2003)* and the *Expanded Anti-Trafficking in Persons Act (RA 10364 of 2012)* of the Philippines require the investigator certified, requiring protection victim identity, use *video conference*, as well as support legal and psychological as a priority in handling TPPO<sup>[43]</sup>. United States, through *Trafficking Victims Protection Act (TVPA) of 2000* and various the amendment, stipulates protocol special, such as examination by *forensic interviewer*, order protection and services free law, which is integrated with service social approach This nature Restorative and human rights- based approaches to addressing human trafficking crimes.<sup>[44]</sup> The revision of the National Criminal Procedure Code, namely Law Number 20 of 2025 concerning the Criminal Procedure Code which has been in effect since January 2, 2026, is a new beginning for the renewal of procedural law which replaces law inheritance Dutch colonialism with law a more modern, just and appropriate Indonesian nation with development j safe as well as need justice in Indonesia. The important points of the revision of the Criminal Procedure Code in handling TPPO in the National Criminal Procedure Code are as follows:<sup>[45]</sup>

1. Prevention and coercive measures (CHAPTER V coercive measures, Article 89 letter (i) and (Article 7 letter (f)), investigators have faster and more urgent authority to prevent suspects from leaving the country and strengthen coercive measures to prevent the escape of TPPO suspects.
2. Protection of witnesses and victims (Article 236 paragraph (2)), the National Criminal Procedure Code accommodates victims' rights more, including the examination of witnesses or victims remotely via communication tools. *audiovisual*.
3. Scientific evidence (article 55, article 56), handling of TPPO cases now requires a *scientific approach. crime investigation* to ensure strong evidence, especially in complex and structured human trafficking modes.
4. Trial *in absentia* (Article 249 paragraph (1)), TPPO cases can be examined and decided without the presence of the defendant if he has been legally and properly summoned but does not appear in order to speed up legal certainty and avoid the case dragging on.
5. Restitution and victims' rights (Article 178, Article 179), emphasis on the victim's right to claim compensation

which is the perpetrator's responsibility, especially in cases of human trafficking that target vulnerable groups such as children.

### **Revision of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (TPPO).**

Para expert law, organization civil such as ICJR, and the government from 2025 to early 2026, continue to push revision of Law no. 21 of 2007 concerning Eradication of Crime Criminal Trade Person For close gap frequent laws utilized Human trafficking perpetrators. Revisions or improvements to the laws governing human trafficking will not only improve the legal system, but will also bring about changes for Indonesia in the future, increasing the effectiveness of law enforcement and the rule of law in prosecuting perpetrators of human trafficking. Indonesia still ranks second in the world in terms of the effectiveness of legal regulations and law enforcement against human trafficking. This is due to the weakness of the criminal justice system in handling human trafficking and the lack of deterrent effect of criminal penalties on perpetrators of human trafficking. This is the basis for Indonesia's need to rise to the world's top in the effectiveness of legal regulations and law enforcement against human trafficking. Several articles and substances are considered urge For corrected as follows:<sup>[46]</sup>

Mechanism Settings Restitution ( Compensation ) for Victims.

Articles related to restitution (such as Articles 48–50) were the primary focus of revisions in 2025–2026 because they were deemed ineffective in guaranteeing victims' economic rights. Under the current Anti-Trafficking Law, if a perpetrator is unable to pay restitution, the sentence is replaced with a short prison sentence (usually a maximum of one year), so perpetrators often choose to go to prison rather than pay. Improvements to these articles are needed, including the introduction of a Victim Trust Fund or " *perpetual fund*" to pay restitution to victims if the perpetrator's assets are insufficient.

Digital Platform Accountability.

TIP Law of 2007 not yet in a way specific arrange technology - facilitated crimes information ( *online recruitment* ). There is no articles that are explicit arrange not quite enough answer law ( *strict liability*) for digital platform provider that becomes receptacle recruitment or exploitation Human trafficking. Improvements are needed, including provisions regarding corporate responsibility, technology, and progressive sanctions for platforms involved in human trafficking monitoring activities, and the providers or owners of these platforms must be prosecuted. To date, the parties operating these platforms have never been investigated,

<sup>42</sup> *Ibid.*,

<sup>43</sup> REPUBLIC ACT No. 10364. AN EXPANDING REPUBLIC ACT NO. 9208, ENTITLED "AN ACT TO INSTITUTE POLICIES TO ELIMINATE TRAFFICKING IN PERSONS ESPECIALLY WOMEN AND CHILDREN, ESTABLISHING THE NECESSARY INSTITUTIONAL MECHANISMS FOR THE PROTECTION AND SUPPORT OF TRAFFICKED PERSONS, PROVIDING PENALTIES FOR ITS VIOLATIONS AND FOR OTHER PURPOSES". [https://lawphil.net/statutes/repacts/A/ra\\_10364\\_2013.html](https://lawphil.net/statutes/repacts/A/ra_10364_2013.html). Accessed on January 12 2026. At 09.00 WITA.

<sup>44</sup> HR3244 - Victims of Trafficking and Violence Protection Act of 2000. <https://www.congress.gov/bill/106th-congress/house-bill/3244>. Accessed January 12, 2026, at 9:10 a.m. WITA.

<sup>45</sup> Law No. 20 of 2025 concerning the Criminal Procedure Code.

<sup>46</sup> <https://www.tempo.co/video/arsip/pemerintah-kaji-revisi-undang-undang-tentang-retitusi-korban-tpo-2053424>. Accessed on Tuesday, December 30, 2025. At 11:40 WITA.

prosecuted, or located, because at the time of the report, the platforms were still operating as usual.

1. Formulation "exploitation" indicator for determine proof quite a start in human trafficking offense.
2. Formulation re-examine Article 3 and Article 4 of the TPPO Law with add element clear manner in accordance with *the Protocol Palermo*.
3. Formulation of Definition and Elements Exploitation (Article 1 and Article 2).

There is challenge in proof the element "how" (such as fraud or threats) which often abort TPPO charges in court. In case children, the TIP law still exists often demand proof there is a "way" of violence / fraud, even though according to standard international, for child Enough proven the existence of "action" and "purpose" exploitation "only. There needs to be p improvements to s synchronization definition with standard international (Palermo Protocol) for protection to children and groups prone to more strong without hampered complicated "how to" proof.

1. Formulation re-enact Article 6 of the Anti -TPPO Law with change offense material become offense formal sanctions the penalty imposed to perpetrator right and wrong There is problems that can be implications for the decision court.
2. Smuggling Integration Humans (*People Smuggling*).

The revision also examines the consolidation of human trafficking regulations, currently scattered throughout the Immigration Law, into a single framework for the Anti-Trafficking Law, to ensure more comprehensive handling and eliminate overlapping regulations that are inconsistent with the cases. This is a major source of weakening law enforcement against human trafficking in the criminal justice system and often presents a major problem for the police, prosecutors, and judges when uncovering human trafficking cases intersecting with other crimes.

1. Addition formulation mechanism formal blocking asset for suspect or TPPO defendants in the TPPO Law which is an obstacle to providing restitution to TPPO victims.
2. Addition of strengthening norms enforcement law to perpetrator corporation as perpetrator main TPPO.

### **Comprehensive Implementation of Implementing Regulations in Handling Human Trafficking.**

governmental organizations tasked with implementing efforts to prevent and handle cases of Human Trafficking (TPPO) in Indonesia, from the central to regional levels. handling of all TPPO must firm and do efforts systematically which is likely can carried out by each agency. This effort represents a step to accommodate all aspects, both government and law enforcement, in handling human trafficking. Without coordination and strengthened implementation of implementing regulations, the effectiveness of legal regulations and the performance of law enforcement officers in combating human trafficking will be impacted. The Ministry of Communication and Information

Technology has implemented several efforts to prevent human trafficking, including:<sup>[47]</sup>

1. utilization *surveillances* and eradication of sites in the digital realm that offer vacancy Work false for Worker Indonesian Migrants (PMI);
2. utilization of the Temporary National Data Center which has capacity big and can used by every Ministry/Institution;
3. Socialization and advocacy through all over corner channels, in particular maximize use *Government Public Relations* (GPR) on an ongoing basis active ; and
4. Coordination and collaboration across Ministries/Institutions.

At the National Coordination Meeting of Senior and Secondary Officials of the Ministry of Women's Empowerment and Child Protection, the Chair of the Provincial Human Trafficking Prevention and Handling Task Force, the Head of the Office Supervising Women's Empowerment and Child Protection Affairs, and several related parties, the 2022<sup>[48]</sup> National Coordination Meeting aimed to produce the following commitments:

Strengthening the institutional function of GT PP TPPO through:

Increasing the commitment of all members of the GT PP TPPO both at the central and regional levels to be actively involved in preventing and handling TPPO in accordance with the duties and functions of each K/L and Region, which include regulatory, institutional, budgetary, facilities and infrastructure aspects;

Preparation of action plans for the prevention and handling of human trafficking that are measurable and implemented sustainably by involving other stakeholders ;

Strengthening Human Resources in each K/L and Region so that they have a comprehensive understanding of TPPO through various training, technical guidance, and others;

Development and management of data and information systems through the single data TPPO mechanism.

Implementing massive *promotional* and *preventive efforts against human trafficking in the community by involving all relevant stakeholders*, starting from families, by using easy-to-understand communication strategies, using a local wisdom approach and paying attention to the characteristics of the community that is the target of human trafficking prevention actions.

Strengthening efforts to handle cases of human trafficking and other related crimes and the recovery of human trafficking victims through:

response in handling TPPO cases by connecting to regional devices that have the authority to handle cases;

Providing accessibility and information to the public regarding services owned by GT PP TPPO to respond to TPPO cases that occur;

Identifying empowerment opportunities that can be accessed and provided to victims of human trafficking;

Synergize members of the GT PP TPPO regarding the provision of services and recovery for TPPO victims.

<sup>47</sup> <https://www.kemenpppa.go.id/index.php/siaran-pers/rapat-koordinasi-tingkat-menteri-gt-pp-tpo-bahas-urgensi-pencegahan-dan-penanganan-tindak-pidana-perdagangan-orang#:~:text=%E2%80%99CLPSK%20terlibat%20aktif%20dalam%20GT,fungsi%20dan%20kewenangan%20yang%20dimiliki>. Accessed on January 11, 2025. At 15.44 WITA.

<sup>48</sup> <https://www.kemenpppa.go.id/index.php/siaran-pers/menteri-pppa-tegaskan-pentingnya-penguatan-kelembagaan-gugus-tugas-tpo>. Accessed on January 21, 2026. At 17.11 WITA.

1. Strengthening law enforcement efforts for perpetrators of human trafficking in accordance with applicable laws and regulations/Law Number 21 of 2007 concerning the eradication of human trafficking.
2. Improve the performance of the Anti-TPPO Task Force by providing budget support, infrastructure, competent human resources, and regulatory instruments owned by Task Force members both at the central and regional levels.
3. Encourage the GT PP TPPO to periodically and regularly carry out coordination involving the Sub GT PP TPPO as a monitoring and evaluation medium for the performance of the GT PP TPPO, conducting joint joint monitoring, especially for handling cases of human trafficking that occur.
4. Ensuring that all action plans prepared by the GT PP TPPO both at the central and regional levels can be implemented effectively.
5. Ensure all regulations operations that have been published as implementation of the law Number 21 of 2007, both in the form of PP, Perpres, Ministerial Regulations, Regional Regulations and Village Regulations are in effect with good and become reference GT PP TPPO work.

A number of implementing regulations need to be implemented and supervised in handling human trafficking, such as the Regulation of the Minister of Women's Empowerment and Child Protection ( Permen PPPA) regarding the role of the community and training on preventing TPPO must be implemented as well as possible, Regulation Presidential Decree ( Perpres ) Number 19 of 2023 Arrange National Action Plan (RAN) for the Prevention and Handling of Human Trafficking (RAN PPTPPO) 2020-2024 and Regulation of the Minister of Social Affairs ( Permensos ) Number 8 of 2023 Arrange handling and repatriation of victims of human trafficking and workers Indonesian Migrants (PMI) are having problems.

#### **Strengthening National and International Cooperation in Handling the Crime of Human Trafficking (TPPO).**

Ability network human trafficking crimes in adapt with fast. Network trading People in Indonesia are often very organized and capable utilise gap in system law For launch activity they. They use various modus operandi, such as smuggling through paths remote and use document increasingly fake sophisticated. In matter this, cooperation international and cross institutions are very important, however often hampered by differences regulations and policies among the countries involved. <sup>[49]</sup> Unit duties in Indonesia are also mandated by the Trade Humans, namely Law No. 21 of 2007. What the AICHR ( *ASEAN Intergovernmental Commission on Human Rights* ) does is stage meeting or coordinate with

each Ministry or Institution because they own authority full in problem trading humans in Indonesia. <sup>[50]</sup> ASEAN takes step First in fighting problem trading humans in the Southeast Asian region, which is visible clear in ASEAN Declaration Against Trading Human Rights, Especially Women and Children, which was implemented in 2004. This step done with objective as form ASEAN's commitment to prevent trading man. <sup>[51]</sup>

AICHR Collaboration with the Indonesian government provides a very important platform in eradicate problem trading people in Indonesia through channel Work the same as can developed in ASEAN as effort For repair the condition of the country. AICHR also frequently give training related effort prevention trading man as implementation ASEAN Convention on countermeasures crime trading human beings. This is conducted by AICHR as form For minimize and eliminate room for perpetrator crime trading Human trafficking in Indonesia. Ratification of ACTIP ( *ASEAN Convention Against Trafficking in Persons, Especially Women and Children* ) is also a form effort the Indonesian government to strengthen legislation national and strive for progress in eradication trading human and protection the victim with ensure fair punishment for the perpetrators trading human, with considering the target you want achieved with ratification of ACTIP by the Indonesian government through Work The same with AICHR, namely protection, prevention, prosecution, and establishment Work The same. Face challenges this, authority immigration in Indonesia is necessary adopt a more approach holistic and integrated in effort prevention human trafficking. This includes improvement capacity training for officer immigration, development infrastructure technology more information good, and more cooperation close with institution international and community civil. Only with a comprehensive and collaborative approach this, Indonesia can create system supervision effective and responsive borders in prevent human trafficking in the era of globalization. <sup>[52]</sup>

Trading man is frequent crimes done cross- border and therefore That need Work same and coordinated between Member States as well as with organization international and regional. Member States often No own capacity For prevent, investigate, prosecute and punish crime transnational Because Work The same international No There is or No adequate. In addition, the mechanism or structure international must There is For increase coordination effort organization international and regional. For increase Work same and coordinated international, steps following required

1. Create runway law For Work The same international, including push agreement Work cooperate and enforce the law in cooperation agreements that have been made.
2. Develop or strengthen capacity national in extradition, assistance law of reciprocity, the transfer of people who

<sup>49</sup> Nuraeny, H. (2011). Action criminal human trafficking policy law Crime and its prevention. Jakarta: Sinar Grafika. Page 90.

<sup>50</sup> Agung Budi Prastyo, Hendra Maujana Saragih Department of International Relations, Faculty of Knowledge Social and Political Sciences of the National University. COOPERATION BETWEEN INDONESIA AND THE ASEAN INTER-GOVERNMENTAL COMMISSION ON HUMAN RIGHTS IN ADDRESSING HUMAN RIGHTS TRAFFICKING IN INDONESIA. JSPS Vol. 3, No. 4, November 2022. Pg. 17.

<sup>51</sup> Indasari, Karina Putri. (2015). Analysis of the Implementation of the ASEAN Human Rights Declaration Regarding Human Rights Violations Against Activists and Human Rights Defenders in Papua and West Papua Provinces in 2015. Global Transformation Journal Vol.( 02) No.( 02). Pg 68.

<sup>52</sup> Nathania Felicia. STRATEGY FOR PREVENTIVE EFFORTS TO FIGHT THE CRIMINAL ACT OF HUMAN TRAFFICKING IN STRENGTHENING IMMIGRATION SUPERVISION TO FACE CHALLENGES IN THE ERA OF GLOBALIZATION. JLPB <https://10.0.205.137/jlpb.v7i1.695>. 2025. Pp. 137.

- have sentenced punishment, investigation together, work  
The same international For objective confiscation.
3. Develop or strengthen capacity national For identification, repatriation, assessment risks, and reintegration of trafficking victims human, with consideration specifically for the benefit of best children, and build Work The same between destination, transit and origin countries.
  4. Push Work both formal and informal, such as set procedure communication, as well as exchange information and data.
  5. Ensure existence harmony in recommendation policies and assistance technical assistance provided by the organization international and regional.
  6. Ensure distribution Work based on mandate and core competencies of the organization For avoid duplication efforts that are not necessary and rationalize activities to become economical cost.
  7. Push Work same and programming together between organization international and regional for development and implementation of joint strategies and programs.

### **Increasing Public Awareness More Systematically by Mobilizing the Role of Communities and Village Governments as the Upstream of Human Trafficking.**

Eradication action criminal human trafficking is not can fully depend on the authority's enforcer law. Effective prevention efforts need involvement active from all over element society, especially at the community level village. Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking provides base strong law for role as well as public in prevention, as listed in Article 18 which confirms obligation public for participate in effort prevention and handling of TPPO.<sup>[53]</sup>

Participation public in prevention of human trafficking is still Not yet walk optimally. The low-level literacy law causes public Not yet capable recognize forms practice human trafficking, as well as Not yet understand steps correct reporting. Conditions This exacerbated by the lack of activity socialization and education law at the level local. Improvement capacity public village become it is very important for them No only play a role as object protection, but also as subject active in create environment a safe and just social environment. Awareness strong law can become foundation for creation system resilient social to crime human trafficking. Understanding about rights and obligations law will push public for more alert to practice frequent exploitation and fraud become a mode of human trafficking. In addition, people who have awareness law tall will more easy build togetherness and mechanism protection together, like formation of a citizens' forum or group care about TPPO at the level village.<sup>[54]</sup>

### **Counseling and Socialization to Law Enforcement Officials, Mass Media and the Community Regarding the Importance of Maintaining the Confidentiality of the Identities of Witnesses and/or Victims of Human Trafficking.**

the identities of witnesses and/or victims of Human Trafficking (TPPO) is a crucial step in protecting victims and enforcing fair law. Based on Law No. 21 of 2007 and Law No. 13 of 2006 (as amended ) with Law No. 31 of 2014), victims of TPPO have the right on protection identity, security physical, and rehabilitation. Protection law for victims of human trafficking is very important For ensure that they No only get justice but also rehabilitation and reintegration to in society. However, the implementation protection law This often face various obstacles, good from aspect juridical and practical, namely the lack of understanding about victims ' rights, social stigma, and limitations source Power from apparatus enforcer law become a number of inhibiting factors effectiveness protection law.<sup>[55]</sup>

### **Socialization and Education for the Community Regarding Human Trafficking and the Role of the Community in Preventing and Handling Human Trafficking in Indonesia.**

Socialization and education on TPPO for the people in Indonesia focuses on increasing public awareness about the crime mode, strengthening the active role of citizens in prevention (early detection, reporting), and multi -party synergy (government, law enforcement, NGOs, community leaders) through various media ( social media, villages, schools) to break the perpetrator's network, targeting vulnerable areas such as Java, NTT, NTB, and Sumatra as the largest provinces contributing the most TPPO victims to eradicate new modes such as online scams, and involving survivors as educational resources. Public awareness must be continuously strengthened through a proper understanding of human trafficking. This is crucial to prevent the public from being easily trapped in illegal recruitment, which can lead to exploitation. Encourage collaboration between various parties in preventing and addressing human trafficking, including central and regional governments, law enforcement, protection agencies, and the community. Collaboration between various parties is key to preventing and addressing human trafficking.<sup>[56]</sup> Systematic community involvement supports the criminal justice system in addressing human trafficking and in the case handling process, as a knowledgeable public will facilitate preliminary investigations and inquiries by the police, which support the

<sup>53</sup> Indonesia. Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking. Article 18.

<sup>54</sup> Fristia Berdian Tamza. OPTIMIZING THE ROLE OF THE COMMUNITY IN EFFORTS TO PREVENT THE CRIMINAL ACTS OF HUMAN TRAFFICKING IN MERAK BATIN VILLAGE, NATAR DISTRICT. J urnal Devotion to the Community Vol 5, No. 2, ( 2025 ). ISSN 2685-0427 (online). Pg. 2.

<sup>55</sup> Josiah Arga Sihotang. Legal Protection for Victims of Human Trafficking as Online Gambling Admins. Journal Social Humanities and Education Volume 5 Number 1 January 2026 Pages 2-3.

<sup>56</sup> <https://dpppapmd.purworejokab.go.id/sosialisasi-pencegahan-dan-penanganan-kekerasan-terhadap-perempuan-anak-dan-tindak-pidana-perdagangan-orang-tppo#:~:text=By%20karenanya%20kewaspadaan%20pada%20masyarakat,cepat%20apabila%20muncul%20kasus%20TPPO.> Accessed on January 21, 2026. At 20.43 WITA.

performance of the criminal justice system in addressing human trafficking.

### Conclusion

Legal obstacles in the criminal justice system in handling the crime of human trafficking include the difficulty of proving the elements of the crime. Criminal Act of Human Trafficking in Law No. 21 of 2007 concerning Eradication Action Criminal Trading People (TPPO) contained in the proof of the means element *in* the formulation of Article 4, Article 2 and proof of the victim's consent, investigation by the police does not have a SOP for TPPO, prosecution by the prosecutor in the form of incomplete files, restitution and presenting witnesses for TPPO, the implementation of implementing regulations has not been integrated, misinterpretation by law enforcement officers, the absence of special guidance for correctional institutions for TPPO convicts, low understanding of law enforcement officers as the main resource in handling TPPO cases, not yet its effectiveness coordination between government, the evidence by the Judge must consider the TPPO Law with other laws, the involvement of government officials and law enforcement officers, the lack of understanding of the concept of consent of TPPO victims, the lack of guarantee of the confidentiality of the legal identity of witnesses and/or victims of TPPO and the lack of community role in helping to prevent and handle TPPO.

Efforts to optimize the performance of the criminal justice system in handling human trafficking crimes include reforms to the Criminal Procedure Code in TPPO, revisions to Law Number 21 of 2007, strengthening the implementation of implementing regulations for TPPO, improving the criminal justice system based on the UNODC mandate with a database approach to meet international comparative standards, strengthening coordination between governments and law enforcement officials, strengthening national and international cooperation, prioritizing ordinary and extraordinary legal efforts carried out by prosecutors and advocates, increasing public awareness more systematically by mobilizing the role of the community and village government, counseling and outreach to law enforcement officials, mass media and the public regarding the importance of maintaining the confidentiality of the identity of witnesses and/or victims of human trafficking, outreach and providing education to the public regarding TPPO and the role of the public in preventing and handling TPPO in Indonesia.

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