

Policy Updates In Efforts To Prevent And Handle Criminal Acts Of Human Trafficking To Increase Protection For Women And Children From Exploitation

Ahmad Haikal

Universitas Borobudur

Email: a.haikal16@yahoo.com

Evita Isretno Israhadi

Universitas Borobudur

Email: evita_isretno@borobudur.ac.id

*Korespondensi penulis: *a.haikal16@yahoo.com*

Abstract: Human Trafficking (TPPO) is a transnational crime that is increasingly worrying, especially because women and children are the groups most vulnerable to exploitation. Gender-based TPPO often involves sexual exploitation, forced labor, and modern slavery, which are influenced by economic, and social factors, and weaknesses in the legal system. Gender discrimination, poverty, and unequal access to education and employment are the main factors that push women and children into human trafficking networks. In addition, patriarchal culture and social norms that place women in subordinate positions further exacerbate their vulnerability to exploitation. This study aims to analyze patterns of exploitation of women and children in TPPO and identify the main causal factors that contribute to the high number of victims from this group. This study uses a qualitative method with a descriptive-analytical approach. The data used comes from secondary sources, such as official reports from international organizations (ILO, UNODC, UNICEF), academic journals, and national policies related to TPPO. Data analysis was carried out using a thematic approach to identify patterns of gender-based exploitation, main causal factors, and policy responses that have been implemented by various parties in dealing with and preventing human trafficking. This study also refers to feminist theory to understand how social structures and gender norms contribute to the vulnerability of women and children in cases of TPPO. By understanding the dynamics of this exploitation, it is expected that this study can provide more effective recommendations in efforts to prevent and protect victims of TPPO, as well as encourage policies that are more inclusive and responsive to gender issues.

Keywords: Criminal acts of human trafficking, exploitation of women and children, human trafficking

INTRODUCTIONS

Human Trafficking (TPPO) is a complex and growing form of transnational crime. TPPO involves human exploitation for various purposes, such as forced labor, modern slavery, sexual exploitation, and organ trafficking. In the context of gender, women and children are the most vulnerable groups to human trafficking (Gaut, 2017). Social, economic, and cultural factors often place them in subordinate positions, making them easier targets for exploitation. Women, in particular, often experience trafficking for sexual exploitation and labor with inhumane conditions, while children are often victims of labor exploitation, illegal adoption, and sexual violence (Ismail, 2021).

Global statistics show that women and children are the majority of victims of TPPO. Reports from the International Labor Organization (ILO) and the United Nations Office on Drugs and Crime (UNODC) state that around 71% of the total victims of human trafficking worldwide are women and children (Komnas HAM Republik Indonesia, 2023). In Indonesia, data from the Ministry of Women's Empowerment and Child Protection (KPPPA) shows that

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*Ahmad Haikal, a.haikal16@yahoo.com

the majority of victims of TPPO come from groups of women who are recruited through fraud, such as promises of work abroad, but are instead exploited physically and economically (Kemenpppa Republic of Indonesia, 2024). In border areas, child trafficking is also increasingly common due to weak supervision, poverty, and low public awareness of the dangers of human trafficking.

The main factors causing the high number of gender-based TPPO cases include poverty, limited access to education, gender inequality, and weak legal protection for vulnerable groups. The patriarchal system that is still strong in various countries, including Indonesia, often worsens this situation by limiting the role of women in economic and social life (Prasetia, 2021). In addition, global economic imbalances create gaps that encourage illegal migration, which is often a gateway for human trafficking syndicates to carry out their actions. The lack of strict law enforcement and minimal support for victims are also factors that exacerbate this condition (Abdullah, 2019).

Seeing this phenomenon, research on TPPO from a gender perspective is important to reveal the exploitation patterns that occur. By understanding how women and children become the main targets of human trafficking, this study aims to identify the main causal factors, analyze exploitation patterns, and evaluate policies that have been implemented in preventing and handling TPPO cases. The results of this study are expected to provide concrete recommendations for the government, non-governmental organizations, and the general public in increasing the effectiveness of prevention and protection of gender-based TPPO victims.

RESEARCH METHODS

This research method uses a qualitative method with a descriptive-analytical approach to understand gender-based exploitation patterns in human trafficking crimes against women and children. The qualitative method was chosen because it allows for in-depth analysis of the social, cultural, and structural phenomena that underlie human trafficking. The data in this study comes from secondary data, such as official reports from related organizations such as Komnas HAM, national policies related to TPPO, academic journals, and news from credible media that discuss cases of human trafficking. The data collection technique was carried out through a literature study by reviewing various relevant literature to understand the causal factors, modus operandi, and impacts of exploitation on women and children. In analyzing the data, this study uses a thematic approach, namely identifying patterns of exploitation that appear in various cases of TPPO. Several main themes analyzed include forms of exploitation (sexual, forced labor, modern slavery), causal factors (economic, social, legal, and cultural), as well as policies and prevention efforts that have been carried out by various parties. In addition, this study also refers to feminist theory to explain how gender inequality and discriminatory social norms contribute to the high vulnerability of women and children to TPPO. This approach helps in understanding how social and economic systems influence human trafficking practices while highlighting weaknesses in existing protection policies. With this method, the study is expected to provide a more comprehensive picture of gender-based exploitation in TPPO and offer strategic recommendations for prevention and handling efforts.

RESULTS AND DISCUSSION

Identification of Exploitation Patterns and Determinants of Criminality in the Crime of Human Trafficking of Women and Children

Human trafficking of women and children is manifested in various forms of exploitation, which are primarily driven by the pursuit of economic gain through human rights

violations (Irianto, Meij, Purwanti, & Widiastuti, 2006). One of the most common forms of exploitation is sexual exploitation, in which victims are forced or tricked into engaging in commercial sex work, often accompanied by threats and violence (Yuniantoro, 2018). Furthermore, labor exploitation or forced labor is another common mode used, especially targeting women who are promised jobs abroad as domestic workers but then face inhumane working conditions, wage exploitation, and physical and mental violence. Modern slavery also includes forced labor in factories, plantations, or as domestic workers who do not have the freedom to leave their workplace (Nuraeny, 2015). In addition, other forms of exploitation involve child trafficking for illegal adoption purposes, forced criminal activity, or organ exploitation (Alfarissa, 2022).

Human traffickers use various methods to ensnare their victims, one of which is by using fraudulent tactics in recruiting workers. The victims are lured with tempting job offers, both domestically and abroad (Shabrina'Ishmah, 2023). In addition, forced marriage practices are also often carried out, especially against women from poor families who are then married to people known to be caught in human trafficking networks (Syamsuddin, 2020). Kidnapping is also one of the most common modes of exploitation, which often involves the kidnapping of children who are then sold for various forms of exploitation (Hambali, 2019). In addition, technological advances have also contributed to the rise of digital-based human trafficking, by utilizing social media and online platforms to find victims with the lure of work or romantic relationships (Salsa, 2020). All forms of exploitation are violations of both national and international laws, including Law Number 21 of 2007 which regulates criminal sanctions for perpetrators of human trafficking with a maximum prison sentence of 15 years and a maximum fine of IDR 600 million.

Poverty is the leading factor that makes women and children vulnerable to becoming victims of TPPO. Difficult economic conditions often force individuals to accept job offers without further verification, so that they are easily trapped in human trafficking. High unemployment rates and lack of access to education also worsen the situation, especially for women who often have limitations in getting decent jobs. Economic imbalances between regions, both on a national and international scale, are also driving factors that cause many people to migrate illegally, which ultimately increases the risk of becoming victims of TPPO (Wulandari, 2014). In a legal context, this condition is related to Article 34 paragraph (1) of the 1945 Constitution, which states that the poor and neglected children are cared for by the state so the government is obliged to secure protection for this vulnerable group.

Patriarchal social and cultural norms are also the cause of the high rate of gender-based human trafficking. In many societies, women continue to be marginalized and denied equal rights, especially in the economic, social, and political spheres. As a result, they are more vulnerable to exploitation, especially in the form of sex trafficking and forced labor. Gender discrimination also hinders women's access to well-paid employment opportunities, making them more vulnerable to accepting unclear job offers (Munasaroh, 2022). Furthermore, the prevalence of child marriage in various regions exacerbates the risk of human trafficking. Child marriage is often driven by economic or cultural factors, but in many cases, girls who marry at a young age find themselves in exploitative situations or human trafficking (Annaafi, 2020). This phenomenon contradicts Law Number 16 of 2019, which amends Law Number 1 of 1974 concerning Marriage to raise the minimum age of marriage to 19 years for men and women. This law aims to prevent child marriage and exploitation.

Weak law enforcement and lack of coordination between related institutions are also factors that exacerbate human trafficking. Although Indonesia has Law Number 21 of 2007

concerning the Eradication of TPPO, the implementation of the law often still faces many obstacles, including weak monitoring of labor agencies, lack of protection for victims, and low public awareness of human trafficking modes. Many cases of TPPO are not revealed or not processed properly due to limited resources and the lack of courage of victims to report (Nurfauziah, 2024). In addition, weak cooperation between countries in dealing with cross-border human trafficking is also a major challenge. Article 5 of Law Number 21 of 2007 states that anyone who recruits, transports, shelters, or receives someone for exploitation can be subject to criminal penalties. However, in practice, many cases do not receive a fair legal resolution for victims, especially when involving international trafficking networks (Puspawati, 2025).

Legal and Social Implications of Exploitation of Victims of Human Trafficking and Strategies for Overcoming It

Exploitation experienced by victims of human trafficking, especially women and children, has serious impacts, both psychologically and health-wise. From a psychological perspective, victims often experience deep trauma due to physical and sexual violence, threats, and mental pressure that they experience while in a human trafficking network. Many victims experience post-traumatic stress disorder (PTSD), depression, anxiety, loss of self-confidence, and fear of returning to social life. In many cases, victims also experience loss of identity and social alienation because they feel ostracized after successfully escaping the exploitation situation (Lewoleba, 2020). In addition, the health impacts are also very significant, especially for victims of sexual exploitation who are vulnerable to sexually transmitted infections (STIs), HIV/AIDS, and reproductive health disorders (Khairunnisa, 2020). For those forced to work in inhumane conditions, health problems such as malnutrition, chronic fatigue, and injuries due to physical violence are common impacts (Fadillah, 2022).

From a social and economic perspective, exploitation in TPPO not only affects the victim individually but also has a broad impact on the family and society. Many victims who have experienced TPPO have difficulty returning to normal life due to the social stigma attached to it, especially those who are victims of sexual exploitation (Puanandini, 2024). In some communities, victims are often considered a "family disgrace" so they experience ostracization and difficulty finding work. From an economic perspective, many victims return to poverty because they do not get their rights during the exploitation period, some are even trapped in debt due to fraud costs committed by human traffickers. The victim's family also experiences a major financial impact, especially if the victim is the backbone of the family who is expected to help the household economy. Loss of income and the psychological burden borne by the victim's family are some of the long-term impacts that need more attention in efforts to restore TPPO victims (Syamsuddin, 2020).

On an international scale, various policies have been made to address TPPO, one of which is the Palermo Protocol (2000), which is part of the UN Convention on Transnational Organized Crime. This protocol is a reference for many countries, including Indonesia, in formulating national policies for prevention, law enforcement, and protection for victims of human trafficking (Ayupratiwi, 2022). At the national level, Indonesia has implemented Law Number 21 of 2007 concerning the Eradication of TPPO, which regulates criminal sanctions for perpetrators of human trafficking and protection mechanisms for victims. In addition, the government has also issued Presidential Regulation Number 22 of 2021 concerning the Task Force for the Prevention and Handling of TPPO, which is tasked with improving coordination between institutions in handling human trafficking more effectively. Although this policy has been implemented, there are still many challenges in its implementation, including weak law

enforcement, limited resources, and a lack of public understanding of the dangers of human trafficking.

One important aspect of handling TPPO is the victim rehabilitation and protection program, which aims to help them recover physically, psychologically, and socially. The government together with various non-governmental organizations (NGOs) has established rehabilitation centers that provide counseling services, skills training, and legal support for victims who want to get justice. Institutions such as the Witness and Victim Protection Agency (LPSK) also play a role in protecting victims who are willing to provide testimony in the legal process against perpetrators of human trafficking. Besides, several NGOs, such as the International Organization for Migration (IOM) and the Indonesian Child Welfare Foundation (YKAI) are also active in helping victims by providing recovery and social reintegration programs (Silalahi, 2025).

In prevention efforts, the role of government institutions and NGOs is very important in educating the public about the dangers of human trafficking and providing socialization on how to avoid the trap of human trafficking. The government, through the Ministry of Women's Empowerment and Child Protection (KPPPA) and the National Agency for the Placement and Protection of Indonesian Migrant Workers (BP2MI), has increased supervision of labor agencies and provided training for prospective migrant workers to be more aware of human trafficking practices. In addition, various NGOs are also active in conducting anti-human trafficking campaigns, both through social media, educational programs in schools, and training law enforcement officers to increase capacity in handling human trafficking cases (Nurhaliza, 2024). With the synergy between the government, society, and international organizations, it is envisioned that efforts to prevent and overcome TPPO can be more effective in protecting women and children from increasingly complex and organized human trafficking practices.

CONCLUSION

Gender-based exploitation in TPPO shows that women and children are the most vulnerable groups to human trafficking, whether for sexual exploitation, forced labor, or other forms of modern slavery. The main factors causing the high rate of TPPO against women and children are a combination of economic, socio-cultural, and structural factors. Poverty, gender inequality, and lack of access to education and decent work make women and children more susceptible to human trafficking. In addition, weak law enforcement and the lack of public understanding of the modus operandi of TPPO further exacerbate this situation. Although there have been various national and international policies aimed at combating TPPO, weak implementation, and limitations in efforts to protect victims are challenges that need to be addressed immediately.

The relationship between gender, poverty, and human trafficking is very close, where women and children from low-income groups are at higher risk of becoming victims of TPPO. The social structure that is still patriarchal and discriminatory against women also strengthens the pattern of exploitation in human trafficking. Therefore, efforts to combat TPPO must include a more holistic approach, starting from increasing access to education and economic opportunities for women, strengthening the legal system and enforcement of justice, to rehabilitation and social reintegration for victims. In addition, cooperation between the government, international organizations, and civil society must continue to be strengthened to ensure that women and children can be protected from the crime of human trafficking and obtain their rights as individuals who are free from all forms of exploitation.

REFERENCES

- Abdullah, R. H. (2019). Tinjauan viktimologis terhadap tindak pidana perdagangan orang (human trafficking). *Jurnal Yustika: Media Hukum dan Keadilan*, 22(01), 55-63.
- Alfarissa, T. &. (2022). Urgensi Pengawasan Pasca Adopsi Guna Mencegah Motif Adopsi Sebagai Modus Operandi Tindak Pidana Penjualan Anak. *Jurnal Esensi Hukum*, 4(1), 79-87.
- Annaafi, K. Z. (2020). Kasus Perdagangan Manusia di Indonesia Ditinjau dari Undang-Undang Nomor 21 Tahun 2007 Tentang Tindak Pidana Perdagangan Orang. *Kosmik Hukum*, 19(2), 119-122.
- Ayupratiwi, N. L. (2022). Peran hukum internasional dalam upaya pencegahan dan pemberantasan human trafficking di indonesia. *Jurnal Pendidikan Kewarganegaraan Undiksha*, 10(3), 235-252.
- Fadillah, A. N. (2022). Perdagangan Orang (Human Trafficking): Aspek Kekerasan terhadap Perempuan di Indonesia. *SANISA: Jurnal Kreativitas Mahasiswa Hukum*, 2(2), 81-91.
- Gaut, W. (2017). FEMINISASI PERDAGANGAN MANUSIA (Masalah Perdagangan Manusia dalam Konteks Kekerasan terhadap Perempuan). *Jurnal Ledalero*, 13(1), 65-78.
- Hambali, B. (2019). Penanganan Tindak Pidana Perdagangan Orang. *Jurnal Litbang Polri*, 22(4), 34-47.
- Irianto, S., Meij, L. S., Purwanti, F., & Widiastuti, L. (2006). *Perdagangan perempuan dalam jaringan pengedaran narkoba*. Jakarta: Yayasan Obor Indonesia.
- Ismail, Z. &. (2021). Pertanggungjawaban Pidana Pelaku Tindak Pidana Eksploitasi Seksual Anak: Tinjauan Terhadap Peraturan Perundangan. *Krtha Bhayangkara*, 15(2).
- Kemenpppa Republik Indonesia. (2. Agustus 2024). Dostupné na Internet: Kementerian Pemberdayaan Perempuan dan Perlindungan Anak Republik Indonesia: https://kemenpppa.go.id/page/view/NTMzOQ%3D%3D?utm_source=chatgpt.com
- Khairunnisa, M. F. (2020). Sistem Dukungan Sosial Bagi Korban Eksploitasi Seksual Komersial Anak (Eska). *Share Social Work Journal*, 10(2), 119-126.
- Komnas HAM Republik Indonesia. (18. Oktober 2023). Dostupné na Internet: Komnas HAM Republik Indonesia: https://www.komnasham.go.id/index.php/news/2023/10/18/2434/kasus-tppo-makin-marak-komnas-ham-fokus-pencegahan-dan-penanganan-berbasis-ham.html?utm_source=chatgpt.com

- Lewoleba, K. K. (2020). Studi faktor-faktor terjadinya tindak kekerasan seksual pada anak-anak. *Jurnal Esensi Hukum*, 2(1), 27-48.
- Munasaroh, A. (2022). Problematika kekerasan berbasis Gender dan Pencapaian Gender equality dalam Sustainable development Goals di Indonesia. *IJouGS: Indonesian Journal of Gender Studies*, 3(1), 1-20.
- Nuraeny, H. (2015). Pengiriman Tenaga Kerja Migran Sebagai Salah Satu Bentuk Perbudakan Modern dari Tindak Pidana Perdagangan Orang. *Jurnal Hukum dan Peradilan*, 4(3), 501-518.
- Nurfauziah, S. &. (2024). Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang. *Iuris Studia: Jurnal Kajian Hukum*, 5(3), 877-890.
- Nurhaliza, R. I. (2024). Kampanye Anti-Perdagangan Orang Melalui Kerja Sama International Organization For Migration Dan Kementerian Pemberdayaan Perempuan Dan Perlindungan Anak Di Indonesia. *Jurnal Ilmiah Wahana Pendidikan*, 10(15), 614-629.
- Prasetia, Y. (2021). Perdagangan Perempuan dan Anak Sebagai Kejahatan Transnasional. *Yustitia*, 7(2), 185-195.
- Puanandini, D. A. (2024). Peran Lembaga Penegak Hukum Dalam Pemberantasan Tindak Pidana Perdagangan Orang di Indonesia. *Public Sphere: Jurnal Sosial Politik, Pemerintahan dan Hukum*, 3(3).
- Puspawati, N. K. (2025). Implementasi Kebijakan Pemberantasan Perdagangan Orang dalam Perspektif Hukum Internasional dan Nasional. *Indonesian Journal of Law and Justice*, 2(3), 10-10.
- Salsa, S. N. (2020). Mutual Legal Assistance dalam Penyidikan Tindak Pidana Perdagangan Manusia Melalui Media Sosial sebagai Kejahatan Terorganisasi Transnasional. *National Conference on Law Studies (NCOLS)*, 2(1), 1126-1146.
- Shabrina'Ishmah, D. A. (2023). Perlindungan Tenaga Kerja Wanita Indonesia dalam Kasus Perdagangan Manusia di Kamboja. *Jurnal Riset Ilmu Hukum*, 17-20.
- Silalahi, A. M. (2025). Peran Lembaga Perlindungan Saksi dan Korban dalam Putusan Pengadilan Terhadap Anak yang Menjadi Korban Kejahatan Seksual. *Ranah Research: Journal of Multidisciplinary Research and Development*, 7(2), 937-945.
- Syamsuddin, S. (2020). Bentuk-Bentuk Perdagangan Manusia dan Masalah Psikososial Korban. *Sosio Informa*, 6(1).
- Wulandari, C. &. (2014). Tindak pidana perdagangan orang (human trafficking) khususnya terhadap perempuan dan anak: Suatu permasalahan dan penanganannya di Kota Semarang. *Yustisia*, 3(3), 15-26.

Yuniantoro, F. (2018). Eksploitasi Seksual Sebagai Bentuk Kejahatan Kesusilaan Dalam Peraturan Perundang-Undangan. *Justitia Jurnal Hukum*, 2(1).