


Human Rights In The Case Of The Cage In The House Of The Non-Active Regent Of Langkat Based On The Decision Of The Stabat District Court Number 555/2023/PN STB

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Article Info	ABSTRACT
<p>Keywords: human rights, cage human, torture, modern slavery, verdict Supreme Court, judiciary.</p>	<p>Rights Man related case found cage man or prison man at home regent inactive in Langkat based on Decision Stabat District Court Number 555/2023/ (HAM) PN Stb question Serious about violation right basic human rights, torture and modern slavery, including a number of big victims who experienced treatment No humane in facilities that are not adequate. Research objectives This is analyze human rights violations that occurred in case this and the implementation law criminal in respond to human rights violations. Research use approach descriptive qualitative and type research used is library research. This method use study as well as data collection through studies used libraries is existing ingredients the relation with title, where the ingredients we get through books, legislation, articles, and so on. Focus study This is on the rights victim basis, protection state law, and analysis response judicial to action public. This study also examines not quite enough answer law perpetrator, good from aspect law criminal and also the rights of victims that must be protected as much as possible perhaps by the state. Findings show that although there is effort law in the form of decision Supreme Court, however Still Lots gap in implementation protection right basic man in system Indonesian law that is needed overcome, especially in context implementation harsh sanctions to human rights violators in the sector government area. This study give recommendation important to government and institutions justice For strengthen enforcement law and improve protection right basic humans in Indonesia.</p>
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INTRODUCTION

Rights man is right base obtained from the creator, namely God Almighty, is God's creatures who have high level. Rights man exist and are attached to every self human. Therefore that, its nature is universal, meaning applicable rights Where only and for Who just as well as No can taken taken over by anyone. Every man recognized and respected with Human Rights Man without differentiate color skin, type gender, religion, nationality, views politics, age, regional language, and social status.

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Violation law and human rights violations Man in a way substantial same. He You're welcome violating norms or rules about prohibition do crime to humans, including inside it rights human beings. Theft, robbery, murder, assault, rape, insults, defamation Name good, and fraud is an act of violating norms or the rules that govern about rights human. But violation law and violation right basic man regulated and resolved by state apparatus with ways and rules different laws.

Rights human rights (HAM) in Indonesia have a very important role in guard freedom every human. After independence of Indonesia, this country Already committed For respect, give freedom and protect rights base its citizens based on the 1945 constitution and various type regulation Constitution others, including Law No. 39 of 1999 concerning Human Rights Humans. Although Already set in law, but Still often happen human rights violations in Indonesia such as torture and discrimination. Where are the perpetrators? Still free wandering around even without give punishment to the perpetrator. By the perpetrator and protection towards human rights is very important For form a just and civilized people.

Settlement efforts violation right basic human and state accountability towards perpetrator must seen as part from step promote and protect right basic man in a way whole. As small as whatever step the solution carried out, he still must seen as step concrete oppose impunity appear Because failure of the state in fulfil obligation they investigate, take step appropriate with ensure anybody the perpetrator demanded and brought to court and sentenced, providing step recovery for victims, guarantee the fullest right on truth which is not can revoked belonging to the victim and take step For ensure non-recurrence.

As for one of them example human rights violations, namely tragedy cage man on the step Where in tragedy the a regent non-active step do illegal practices begin from reason make A facility rehabilitation user drugs used For employ as laborer factory palm oil regent inactive. Instead open facility rehabilitation drugs it turns out facility the deviate from statement made by the regent inactive. Based on decision No. 555/2023/ PN.Stb non- active regent Langkat was sentenced free to judge No give a sense of deterrence to the perpetrator who has dozens year do persecution said, and not give right on a sense of justice for the victims of The judge's decision at the Stabat District Court. This is very detrimental to the judicial institution That yourself, injure justice for the victim, to injure justice public and injure justice humanity.

RESEARCH METHODS

Study use approach descriptive qualitative and type research used is library *research* that is data collection or work write scientific purpose with object study or nature of data collection library, or has been implemented For solve a the problem that is basically based on reviewer critical and in-depth to relevant library materials.

In carrying out data collection, author classify as well as collect data accordingly with the type of data taken, namely as following :

1. Literature study

This method use study as well as data collection through studies used libraries is existing ingredients the relation with title, where the ingredients we get through books, legislation, articles, and so on.

2. Material analysis

In research, data analysis is of a quantitative nature. descriptive qualitative can interpreted as procedure breakdown the problem being investigated with describe condition object or subject research at the time Now based on the facts from the visible data that is from the data obtained furthermore connected between One with others to to obtain the solution so that a incident understood with Good.

RESULTS AND DISCUSSION

Rights Human (HAM)

From Indonesia no There is recognized figures in a way international as human rights pioneer. However No means in Indonesia no There is struggle For upholding human rights. Struggle enforcing human rights begins since existence colonization in Indonesia. Struggle This No solely only resistance chase away colonizers, but more Far from it is basically also a struggle For upholding human rights. Indonesia experienced colonization centuries. At that time Lots very human rights violations such as kidnapping, work coercion, massacre, torture, oppression, arbitrariness which is phenomenon common occurrence. There is no freedom, justice, feelings, sense of security, what happens is exploitation massive to Human and Wealth Indonesian nature for interest colonizers.

At time compile constitution, the 1945 Constitution, occurred debate about whether right citizens need listed in articles Constitution ? Soekarno and Supomo proposed opinion that rights citizens do not need listed in articles constitution. On the other hand, Mohammad Hatta and Muhammad Yamin firmly to argue the need to list chapter about independence to associate, gather, and issue thought with oral and writing inside Constitution.

As as it is with law, definition right basic Humans are also varied. John Locke stated that right basic man is the rights granted directly by the almighty god creator as it is natural. Therefore, it is not There is power whatever in the world that can revoke it. This right its very basic nature or (fundamental) for life and living human being who is not Can let go from and in life man.

Rights human rights (HAM) is the most basic rights that must be owned by each man since born, released from background behind race, religion, gender gender, social status or citizenship. This right must in a way experience attached to every man as a precious and dignified creature like right For life, rights on freedom and security, rights on freedom opinion, right on freedom religion, rights on Education, the right on protection law, rights on welfare economic and social, above on equal treatment and citizenship rights. Example case human rights violations in Indonesia can seen in the case Number 555/2023/PN Stb carried out by Terbit Plan Perangin – Wind, Rising Plan Perangin – Wind Where known own prison illegal human or cage humans in the environment his house. Prison case illegal human or cage man

at home Regent Langkat is inactive had time become attention Indonesian society and has investigated by the National Commission

Migrant Care said, two cages in the house Rise War-Wind used as prison for workers palm oil workers working on owned fields ex- Chairman of the Langkat DPRD said. " The cage prison That used For accommodate worker they after they work. Made cage for workers palm oil in his field " .

Anis said, there are two cells in House Issue used For to imprison around 40 workers. The number worker That possibility big more Lots than the current one This has reported. They called Work at least 10 hours every the day. After work, they entered to in cage, so that not own access out. The workers even allegedly only given eat twice a day in a way No worthy, experienced torture, and not given salary. To Komnas HAM, Migrant Care also attached a number of documentation, including Photo workers whose faces battered allegedly consequence torture in a cage.

Based on the Migrant Care report, Komnas HAM immediately send team investigation to The Land of the Rising Sun use do investigation Komnas HAM also coordinates with police concerning existence cage the human being at home Rise Plan The Winds in Langkat. Some information base about existence cage man the has pocketed by Komnas HAM, as well as a number of development other information. Commissioner National Human Rights Commission Muhammad Choirul Anam warns that police should can explain existence at least 40 workers are suspected exploited and confined in cage That.

Cage the human being at home Rise Plan War-Wind Already stand since 10 years then. The police said cage That reported made into place rehabilitation drugs. there are two cages man at home Regent non-active Langkat measuring 6x6 meters. Both cell That filled with 27 people each day working in the garden palm oil. When returning home work, they will entered to in cage again. According to police, 27 people delivered themselves by their respective parents. In fact, the parents and signed letter statement. BNN Langkat in 2017 was said to have Already had time coordinate with Rise Plan Perangin-Wind, if of course made into place rehabilitation must There is its permit. " However, until second This Not yet there is (permission) and when This currently explored by the team " combined," explained Hadi. Head of the BNN Public Relations and Protocol Bureau, Brigadier General (Pol) Sulistyو Pudo Hartono said, the cage is at home Regent non-active The Land of the Rising Sun Rise Plan War-Wind No place rehabilitation. According to Sulistyو, many requirements that must be met filled before A place rehabilitation can formed. He say condition That No a little bit. Starting from condition in aspect licensing, location, owner, and manager place rehabilitation That. Cage man at home Regent non-active The Land of the Rising Sun No fulfil criteria the.

The victim was picked up Sariandi Ginting at the Smart Market of the Regency The Land of the Rising Sun with using 1 (one) Avanza car unit, the victim got out from cars and some officer the push the victim back to in car. The officers push the victim with use hands, and along journey done persecution in the form of beating to Sarianto Ginting and then the victim was taken to orphanage rehabilitation narcotics. The witnesses mention, about persecution towards the victim, seeing you Journalist Surbakti and brothers Rajisman Ginting alias Rajes

Ginting hit (whipped) the victim with using the hose that is on site cage when the victim is new arrive at the location the.

Based on Human Rights Law 39/1999 Article 1 paragraph (6) human rights violations are: every action somebody or group of people including good state apparatus intentional and also No intentional or negligence, limitation, and/ or to deprive someone of their human rights or groups of people guaranteed by law this, and not get, or worrying No will to obtain settlement just and correct law, based on mechanism applicable law.

In the Article 1 of Law No. 39 of 1999 concerning Human Rights Human, Human Rights man is a set rights inherent in the nature and existence man as creatures of God Almighty and are his obligatory gift respected, upheld high and protected by the rule of law, government and every person for the sake of honor as well as protection dignity and honor man.

Prison case man or cage humans carried out by Terbit Plan Perangin – wind depicted as form modern slavery and trafficking human beings. Modern slavery is a prohibited actions, and have been set up in Article 20 paragraphs (1) and (2) of Human Rights Law 39/1999 which reads : "No one may enslaved or enslaved. Slavery or slavery, trade slave, trade women, and everything action in the form of whatever the purpose similar, prohibited ”.

For protect rights basic human rights (HAM) the state must built on the principle of a state of law so that there is an instrument to supervise and judge If happen human rights violations and for put the people as determinant in life state. System politics that is built is a democratic system, such as right For choose, right For elected and rights give opinion.

Manfred Nowak said that principle right basic man There is four namely universal (universality), not indivisibility, mutual interdependent, mutually dependent interrelated. Rhona KM Smith added another principle is equality and non - discrimination. Another important principle is dignity human dignity. Indonesia gives emphasis important to a another principle is responsibility state responsibility.

MPR-RI Decree Number XVII/MPR/1998 Human Rights man is right the basis that is inherent in oneself human nature natural, universal and eternal as the gift of God Almighty that functions For ensure continuity life, freedom, development humans and society that do not may disturbed sued and ignored by anyone. Attitudes and views Indonesian nation regarding human rights in general firm loaded in determination This is for first time in explicit formulated in form charter of human rights. This charter consists of from Opening and Stem The body contains X Chapters and 44 articles. In the opening that the Indonesian nation in essence admit, realize guarantee and respect human rights. In implementation This integrated in obligation basic man as personal, member family society, nation and state as well member public nations of the world.

Legal basis

1. Legal basis correctional

Community is activity For do coaching inhabitant foster socialization based on system institutions, and methods coaching which is part end from system criminalization in the

judicial system criminal. The next correctional institution called LAPAS is place For carry out coaching prisoners and children educate correctional.

In principle, all convict undergo criminal, lost his independence after decided through decision court, which has the power law still furthermore convict placed in the prison as convict For There Back in process in accordance with applicable law so that later can Come back to life in society. This is in accordance with law criminal That Alone that is, to satisfy the sense of justice in public with method implement and enforce rule law criminal law for the sake of creation justice, utilization and certainty law.

Based on provision Article 6 of Law No. 12/1995 states coaching Citizenship foster correctional done institutionalized socialization and guidance inhabitant foster incarceration carried out by BAPAS. While coaching institutionalized correctional done to prisoners and children educate Correctional. Guidance inhabitant foster Correctional services in prisons are carried out :

- a. In general *intramural* (inside the prison) and
- b. In general *extramural* (outside prison)

Coaching intramurally conducted institutionalized correctional called assimilation, namely the process of development inhabitant foster correctional institutions that have been fulfil condition certain with blend they in life community. Development in a way extramural by BAPAS called integration namely the guidance process inhabitant coaching correctional institutions that have been fulfil condition certain For live and be return in the middle public with BAPAS guidance and supervision.

2. Legal basis eradication act criminal human trafficking

Human trafficking or term foreign *Human Trafficking* is a very difficult crime called public international as form modern slavery and abuses to right basic human. Development civilization Humans and Progress technology, information, communication and transportation follow influence development of crime modes human trafficking. The problem act criminal human trafficking has also been confiscate the attention of the UN which is also trying For do prevention and eradication to act criminal human trafficking with emit UN protocol for prevent, eradicate and punish human trafficking in particular women and children.

Based on Republic of Indonesia Law No. 21 of 2007 concerning eradication act criminal human trafficking that everyone as God Almighty's creatures have rights basic in accordance with glory his/her dignity and honor are protected by law law based on Pancasila and the 1945 Constitution of the Republic of Indonesia. desire For prevent and overcome act criminal human trafficking is based on value mark noble, commitment national and international For do effort prevention since early, action to perpetrators, victim protection, and improvement Work The same.

About slavery listed in Law of the Republic of Indonesia Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking which reads : “ Slavery is condition someone below ownership of others. Practice similar slavery is the act of placing somebody in the power of another person so that the person No capable reject a work that is oppose law ordered by the other person to him, even if it is that person No want it ”.

One of alleged weakness as because Still Not yet decrease activity human trafficking is weakness sanctions regulated criminal law in Constitution Number 21 of 2007 Concerning Eradication Action Criminal Human Trafficking. On the other hand, the activities human trafficking can categorized as very evil deeds and many party consider that the crime described above, no Again can categorized as crime normal or crimes in general. Crimes the considered contradictory with rights the most basic human being, or in other words, crime the exceed crime normal or crime in general. So that crime against human rights almost considered equivalent with crime war. Or in other words, human rights violations are crime between crime common and crime war. With thus, many very principle law the crime he committed in justice crime war. For example principle ne bis idem, the principle expired left.

After the birth of Law No. 21 of 2007 concerning eradication act criminal human trafficking (PTPPO), government has more focus self For give protection against victims of human trafficking. As stated in CHAPTER V about protection witnesses and victims of Article 43 to with Article 55, which in articles the to describe about rights from the victims and also the protection model that can be given to victims of crime human trafficking. Basically forms or protection model towards victims of crime can also be given to the victims of the crime criminal human trafficking, for more delve deeper form protection towards victims of crime human trafficking, then there is a number of form or protection models that can be given to the victims, namely :

- 1) Giving Restitution and Compensation.
- 2) Service Counseling and Services / Assistance Medical.
- 3) Legal Aid
- 4) Giving Information

Giving information to the victim or his family related with the investigation and examination process act crimes experienced by the victim. In addition to the protection referred to in Law No.21 of 2007, law it also provides rights to victims of crime human trafficking in the form of :

- a. Right to confidentiality identity of the victim of the crime criminal trafficking in persons and their families until degrees second. (Article 44).
- b. The right to get protection from a dangerous threat self, soul and/ or his property (Article 47).
- c. The right to get restitution (Article 48)
- d. For to obtain rehabilitation health, rehabilitation social, repatriation and reintegration social from government. (Article 51)
- e. Victims who are abroad are eligible protected and repatriated to Indonesia above state costs. (Article 54).

Human rights violations found At home Regent The Land of the Rising Sun like violation to right on justice, rights on work, rights on health, rights For free from torture and ill-treatment No humane. There is Lots other facts found in case prison man or cage man behind House Regent Langkat where there is existence indication human rights violations, including namely 2 cells bars measuring 6 x 6 filled with 27 people, eating 2 times a day in a way No

worthy, not own access go out cell, do work with working hours that exceed the limit, work without given wages, experience torture that is not human so that resulting in death.

Based on fact above and results investigation conducted by Komnas HAM which found a number of things that are not in accordance with right individual acquired in a way nature and violation applicable laws especially Human Rights Law No. 39 of 1999. Therefore that, based on with the 1945 Constitution more carry on set up in Human Rights Law No. 39 of 1999 case prison man or cage the human being inside environment or behind House Regent The Land of the Rising Sun This can charged sanctions or related punishment with A human rights violations. Related with human rights violations especially in cases prison man or cage human, then the way that can done namely enforcement human rights issues in general even, firm, and not to discriminate each person.

Decision Stabat District Court

Decision Panel of Judges of Stabat District Court Number 555/ Pid.Sus /2023/PN Stb Enforcement process law case prison man or cage man At home non- active regent The Land of the Rising Sun is a complex process and need coordination between various institution enforcer law.

Prosecutor general to accuse Rise Plan War - wind with Article 7 paragraph (2) jo. Article 10 Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking. Post - evidence involving more of 50 witnesses. The prosecutor general demand TRP with criminal prison for 14 years and 6 months. Published Plan The wind is also requested For pay restitution amounting to Rp. 2,377,805,493 (two billion rupiah). three hundred and seven tens seven million eight hundred and five thousand four hundred and ninety three rupiah) to expert victim's heirs.

Conclusion general in the charges has mention in a way firm about chronology and involvement Rise Plan War - wind as founder from cage human being used as place rehabilitation. Since its establishment in 2010 until by January 2022, prison This Already accept 665 people for undergo activities that are said to be claimed is rehabilitation narcotics. Four of them has die the world after accept the act of torture carried out during be in cage owned by Rise Plan Perangin – wind the.

Based on decision Panel of Judges of Stabat District Court Number 555/ Pid.Sus /2023/PN Stb that to evidence letter all in all has used in proof other things that have also been powerful law still, because goods proof meant is is document, then is worthy For stated still attached in file case ; Against goods proof in the form of :

1. 1 (one) unit of Toyota Hilux Double Cabin 3.0G 4x4 M/T KUN26R-PRMSYD color white Police Number BK 8888 XL Frame Number : MROFZ29G2A1581946 Number 1KD-7939335 engine with ownership vehicle an. PUBLISHED PLAN FOR WINDING Address Jalan Nilam 3 No. 23 Perumnas M. Tuntungan Medan;
2. 1 (one) unit Toyota Avanza car color black Police Number BK 1626 RE;
3. Land and Building Palm Oil Mill PT. Dewa Rencana The wind turbine located in Hamlet III Raja Tengah Jahe, Raja Tengah Village, Kuala District, Langkat Regency ;

Where to goods proof meant requested by the Public Prosecutor to be confiscated Because PT DRP assessed that tool or means For do crime so that all the form of assets related to PT DRP is legitimate object For confiscated and seized by the State because its relevance in a way direct with act criminal ; Opposite with matter the The Public Prosecutor is also in love his demands also ask that against goods proof the seized for State use ensure fulfillment cost restitution to the victim:

About matter matter said, the Panel of Judges is of the opinion that in matter foreclosure For fulfillment restitution Still too premature to done, because For fulfillment cost restitution as set up in Regulation Supreme Court Number 1 of 2022 is after decision powerful law still, that's all Still wait after past time deadline 14 (four) twelve) days after Defendant No do payment cost restitution ;

Because of the Defendant in case This Already stated released from all indictment Public Prosecutor, then Defendant no charged For pay cost restitution, and more carry on The Panel of Judges is of the view that to goods proof the must viewed as locus of crime or place the occurrence a crime that is not committed by the Defendant so that is fair and just For goods proof meant quick returned to seized that is Defendant ;

Because of the Defendant released, then cost case charged to the State; Pay attention to Article 191 paragraph (1) of the Law Number 8 of 1981 concerning Criminal Procedure Law and Regulations Supreme Court No. 1 of 2022 concerning Settlement Procedures Application and Grant Restitution and Compensation to Victims of Crime Criminal as well as provision other relevant legislation ;

The panel of judges decided punishment criminal to Rise War Wind because of a number of reasons, namely :

1. The indictment First First and Second or Second First and Second which have been considered and already stated No proven and Defendant released from the charges said, then *mutatis mutandis* the indictment third, fourth, fifth and sixth must also each stated No proven in a way valid and convincing and the Defendant must also be stated released from the charges meant
2. Because of all indictment The Public Prosecutor did not proven, then in a way law Defendant must be stated No proven in a way valid and convincing guilty do act the crime charged to him, and therefore released from all indictment (*free speech*);
3. Because of the Defendant has stated No proven in a way valid and convincing guilty do act the crime charged to him and was released from all indictment (*free speech*), then must also be restored rights Defendant in ability, position and dignity as well as his dignity ;
4. Because of the Defendant in case This Already stated free from all indictment prosecutor general so based on provision Regulation Supreme Court Number 1 of 2022 Article 8 number 16 which states " in the matter the judge decides free or off from demands law, application restitution stated No can accepted " then based on matter meant The Panel of Judges stated Application Restitution No can accepted ;

In the decision the Rise Plan War Wind stated proven in a way valid and convincing No do act criminal as following :

1. State Defendant Rise Plan Perangin-Angin, SE alias Pak Terbit alias Cana above, no proven in a way valid and convincing guilty do act criminal as charged in indictment alternative First First and Second, Second First and Second, Third, Fourth, Fifth, and Sixth ; Supreme Court of the Republic of Indonesia
2. Liberate The accused because of That from all indictment Public Prosecutor ;
3. Restore rights Defendant in ability, position and dignity as well as his dignity ;
4. State Application Restitution No can accepted ;
5. Set goods proof

On July 1, 2024, it will be a dark moment in history humanity post verdict free given to ex- Regent Regency Langkat, Published Plan Perangin – Wind. Through decision number : 555/PID/.SUS/2023/PN.STB, TRP declared No guilty on suspicion act criminal human trafficking was discovered in the early last year 2022.

Verdict free in case human trafficking carried out by TRP is actually show failure apparatus enforcer law in see case This in a way structural. This case should capable give message to the public that practice human trafficking can also be arise due to stigma against user narcotics and its strength establishment that all user narcotics must rehabilitated, even though That snatch his freedom. This case should also be able to become blow hard for government For evaluate and take action places detention undercover rehabilitation.

In the decision Panel of Judges of Stabat District Court Number 555/ Pid.Sus /2023/PN Stb Rise Plan Perangin – Wind stated No guilty or free in case cage man or act criminal human trafficking by the Panel of Judges of the Stabat District Court. Following decision said, the prosecutor general submit cassation to Inactive regent Langkat. The Supreme Court (MA) granted the appeal filed prosecutor prosecutor general to ex Regent Langkat, Published Plan Wind-wind, related case cage man.

Previously, the panel of judges at the Stabat District Court, Stabat Regency Langkat, North Sumatra, dropped verdict free to Rise Plan in case act criminal human trafficking (TPPO) of residents cage human. The prosecutor then submit effort law cassation. Because, in his demands, the prosecutor ask the judge to sentence Rise Plan with criminal for 14 years prison and fine amounting to Rp500 million subsidiary six month imprisonment. The prosecutor also demanded that Terbit Plan pay restitution amounting to Rp2.3 billion to the victims or expert inheritance. if He No capable pay restitution the maximum is 14 days after decision court to obtain strength law still, then treasure his wealth can confiscated and auctioned prosecutor For payment restitution In this case. He No have treasure sufficient things For pay restitution said, then replaced with criminal confinement during One year.

With This, Published cancelled sentenced free and sentenced 4 year sentence prison. With Thus, the Supreme Court canceled verdict free Rise Plan Wind in the case cage human. Verdict read by the Judge on Friday, November 15, 2024. " Granting application cassation Public Prosecutor, cancel JF (*judex facti*),"

As for the matter number : 7283 K/ Pid.Sus /2024 examined and tried by the chairman the panel of cassation judges Prim Haryadi with members Yanto and Jupriyadi. Clerk Replacement Adiaty Rovita. " Judge myself, - Proven The indictment Fourth, Article 2 paragraph (2) in conjunction with Article 11 of Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking - Criminal 4 years in prison, 200 million fine subsidiary 2 months imprisonment,"

CONCLUSION

Rights human rights (HAM) is the most basic rights that must be owned by each man since born, released from background behind race, religion, gender gender, social status or citizenship. This right must in a way experience attached to every man as a precious and dignified creature like right For life, rights on freedom and security, rights on freedom opinion, right on freedom religion, education rights, protection rights law, welfare rights economic and social, above on equal treatment and citizenship rights. Based on Republic of Indonesia Law No. 21 of 2007 concerning eradication act criminal human trafficking that everyone as God Almighty's creatures have rights basic in accordance with glory his/her dignity and honor are protected by law law based on Pancasila and the 1945 Constitution of the Republic of Indonesia. desire For prevent and overcome act criminal human trafficking is based on value mark noble, commitment national and international For do effort prevention since early, action to perpetrators, victim protection, and improvement Work The same. In the verdict Decision Panel of Judges of Stabat District Court Number Number 555/ Pid.Sus /2023/PN Stb post verdict free given to ex- Regent Regency Langkat, Published Plan Perangin – Wind. Through decision number : 555/PID/.SUS/2023/PN.STB, TRP declared No guilty on suspicion act criminal human trafficking was discovered in the early last year 2022. Verdict free in case human trafficking carried out by TRP is actually show failure apparatus enforcer law in see case This in a way structural. This case should capable give message to *public* that practice human trafficking can also be arise due to stigma against user narcotics and its strength establishment that all user narcotics must rehabilitated, even though That snatch his freedom. This case should also be able to become blow hard for government For evaluate and take action places detention undercover rehabilitation. After decision on prosecutor prosecutor general submit cassation to Inactive regent Langkat. The Supreme Court (MA) granted the appeal filed prosecutor prosecutor general to ex Regent Langkat, Published Plan Wind-wind, related case cage human. With This, Published cancelled sentenced free and sentenced 4 year sentence prison. With Thus, the Supreme Court canceled verdict free Rise Plan Wind in the case cage man.

REFERENCES

- alim, M. (2001). *Demokrasi dan hak asasi manusia dalam konstitusi Madina dan Undang-Undang Dasar 1945*. Yogyakarta: UII Press.
- Anang Dony Irawan, U. S. (2024). Analisis penegakan hukum dan hak asasi manusia di Indonesia. *Jurnal Citizenship Virtues*.

- Anwar, A. K. (2021). Peranan lembaga pemasyarakatan dalam melakukan pembinaan terhadap narapidana lanjut usia. *Jurnal ilmiah hukum: Al-Ishlah*, Vol. 24 No. 2.
- Effendi, E. (2013). Pemberantasan perdagangan orang dengan sarana hukum pidana. *Jurnal cita hukum*, Vol. 1 No. 1.
- Farid Wajdi, I. (2021). Pelanggaran hak asasi manusia dan tanggung jawab negara terhadap korban kajian putusan nomor 46-K/PM II-1 1/AD/VI/2013. *Jurnal yudisial*, Vol 14, No.2.
- Indonesia, C. (2024, november 26). *MA batalkan vonis bebas eks Langkat dikasus kerangkeng manusia*. Retrieved from <https://www.cnnindonesia.com/nasional/20241126114816-12-1170721/ma-batalkan-vonis-bebas-eks-bupati-langkat-di-kasus-kerangkeng-manusia>
- Indonesia, U.-U. R. (n.d.). *Undang-Undang Republik Indonesia Nomor 12 tahun 1995 tentang permasyarakatan*.
- Lubis, R. (2024, November 26). *Terbit rencana, eks bupati Langkat batal bebas dalam perkara TPPO*. Retrieved from <https://www.halkahalki.com/terbit-rencana-eks-bupati-langkat-batal-bebas-dalam-perkara-tpo/>
- Marzuki, S. (2017). *Hukum hak asasi manusia*. Yogyakarta: PUSHAM UII.
- Marzuki, S. (2017). *Hukum hak asasi manusia*. Yogyakarta: Pusat studi hak asasi manusia universitas islam Indonesia.
- Masyarakat, L. B. (2024, Juli 10). *Majelis Hukum Pengadilan Negeri Stabat Mencederai Prinsip Kemanusiaan*. Retrieved from Lembaga bantuan hukum Masyarakat, Majelis hakim pengadilan negeri Stabat menced <https://lbhmasyarakat.org/majelis-hakim-pengadilan-negeri-stabat-mencederai-prinsip-kemanusiaan/>
- MPR-RI. (n.d.). *Ketetapan MPR-RI Nomor XVII/MPR/1998*.
- Muliadi. (2024). Analisis dan hukum kebijakan dalam penanggulangan perdagangan orang di Indonesia. *Jurnal hukum tata negara dan politik Islam*, Vol. 4 No. 1.
- RI, U.-U. (n.d.). Undang-Undang RI No. 21 Tahun 2007 Tentang pemberantasan tindak pidana perdagangan orang.
- Riyadi, E. (2018). *Hukum asasi manusia perspektif internasional, regional dan nasional*. Depok: PT Raja Grafindo Persada.
- Smith, R. K. (2008). *Hukum hak asasi manusia*. Yogyakarta: PUSHAM UII.
- Suwarto. (2007). Pelaksanaan pidana dengan sistem pemasyarakatan. *Jurnal hukum pro jutisia*, Vol 25 No. 2.
- Wijayanto, D. E. (2014). Perlindungan hukum atas tindak pidana perdagangan orang melalui UU No. 21 Tahun 2007 tentang tindak pidana perdagangan orang. Vol. 2 No. 2.
- Wilujeng, S. R. (n.d.). *Hak asasi manusia: tinjauan dari aspek historis dan yuridis*. Fakultas ilmu budaya universitas diponegoro.