


## Implementation of Sanctions Against Perpetrators of Child Trafficking Crimes at the Argamakmur District Court

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Article Info	ABSTRACT
<p><b>Keywords:</b> Criminal Sanctions, Child Trafficking, Child Protection</p>	<p>The problem of child trafficking has complex ethical, social and legal dimensions, making it one of the most serious human rights violations. Forced labor, sexual exploitation and other forms of exploitation that undermine children's futures are all too common, and children are the most vulnerable victims. The purpose of this study was to understand the application of criminal sanctions for perpetrators of child trafficking in the Argamakmur District Court and to identify obstacles faced in the process. The method used was the empirical law type (socio-legal) juridical-sociological approach. Data were obtained through direct interviews with judges, perpetrators, and victims, as well as studies of court decision documentation. This study resulted in the implementation of penalties for those who commit this crime based on the provisions of the law that have been enacted, especially Law Number 35 of 2014 concerning Child Protection. However, the sanctions imposed are still relatively light and do not fully reflect substantive justice, because they only use one article of the law, even though the perpetrators carry out economic and sexual exploitation. Obstacles in the application of sanctions include the lack of understanding of law enforcement officers regarding the relevant articles, limited evidence, minimal reporting, and social factors such as pressure on victims. This study recommends the need for special training for the part that enforces the rules and strengthens each agency in handling child trafficking cases.</p>
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### INTRODUCTION

Children are a miracle from God created as a trust in humans to serve as the nation's next generation. Having a role is considered important and is specifically able to guarantee the popularity of a country in the future (Ketut Sudarsana, 2021).

Child protection is an activity carried out to provide guarantees and protection for children from their various rights to continue to live, experience development, growth and be able to carry out activities well based on human personality. Obtaining protection from violence and exclusion in humans. Based on its history, children are components for the successors of the nation to be used as potential human resources and continue their dreams for the future. Having a real role and coming from a special category requires guidance and protection. Human Rights (HAM) are real rights that exist in every human being because of their existence since birth (Karsa et al., 2024).

Based on the rampant cases of children being traded, the government must prioritize resolving this problem. By eradicating cases by making regulations for those who trade children. The efforts carried out are not only the legal part (law enforcement) but also restoring children who are victims of trafficking (child trafficking). If after the completion of this punishment stage, the aim is to provide recovery for children in the future. With protected children, all methods are carried out to create a situation where children carry out their rights and obligations. The aim of this punishment stage is to provide improvements for children in the future. All efforts carried out present a situation where children develop and grow naturally, both mentally and socially (Hidayaturrahmi et al., 2024).

Not all countries prioritize punishment based on their assessment. Indonesia has actually made regulations related to child protection. For this regulation, it is in Law Number 35 of 2014 concerning Child Protection. According to Article 9 Paragraph 1, it is stated "Children in this country who are undergoing education should receive protection from various environmental crimes that are implemented by law enforcers who have been given a mandate" (Palenewen, 2021).

Human trafficking that occurs mostly in children is an impact of the multidimensional crisis that occurred in Indonesia. Every year there have been around 2 (two) million people who are traded, mostly women and children. Then in 2009, many people who traded children according to their gender and age, precisely in March 2005 to 2009, there were 845 children, and 2,269 at the age of adulthood. According to information obtained by the Criminal Investigation Police, the number of people who traded in Indonesia was 607 cases, precisely in 2010 there were 857 perpetrators involved, the victims in question were 1,570 people (76.4%) and 485 children (23.6%). There are many problems with the occurrence of this human trafficking punishment. For example, the increasing number of poor people, for example, cannot match the increase in the price of basic necessities (Kusumaningrum & Wibawa, 2024). This is forced to be able to send everyone to families who work to provide victims of exploitation. For education figures are considered to be low and understanding of the limitations of children about rights is often used for child trafficking who are lied to by every victim who is under the guise of looking for work. Then they will be used in the economic and sexual fields for the importance and profit of running the trade. For the description of this trade is implemented, namely used in sexual, taking care of the household, begging and busking and other types of work are considered far from decent. This is considered very sad related to children who protect all rights before the law based on the provisions of the laws and regulations that have been passed.

In this incident in Indonesia began to be highlighted internationally considering the presence of all countries originating from the incident of human trading activities. Basically this problem is present because of the problem of the material field that is given. The number of victims who began to emerge were women and children. With this buying and selling, the problem is considered to have a special study in Indonesia even in Asia and the whole world. This buying and selling is not related to Indonesia alone but each island trades in other countries. This incident began to be carried out by buying and selling which began by increasing the work of all people who moved to other areas to abroad with the aim of getting

work(Wardani & Yustitianoingtyas, 2021).

Child trafficking is part of an act that violates human rights and is considered to have the most severe impact, thus involving all areas of law, social, and morals. Children, considered to have vulnerability, are often used for exploitation, either for the purpose of forced labor, sexual use, or crimes that include destroying their future. The high number of cases of child trafficking shows that there are gaps in the legal system and the lack of deterrent effects from the sanctions applied to the perpetrators.(Agnestika, 2025).

In the research of writing the thesis, the author chose one of the cases of child trafficking in the Argamakmur District Court involving brother Heliansyah alias Herli alias Mak Herli Bin Almarhum Basirudin, where this brother had traded children who were at a young age with the method of Employing, and exploiting children in economic and sexual aspects for those threatened with Article 88 related to the rules that were changed to Law number 23 of 2002 which sentenced Mak Herli to imprisonment for 1 (one) year and 2 (two) months of detention with a fine of Rp200,000,000.00, this provision if unable to pay it will be replaced for 3 (three) months in prison.

The author chose this topic to study in depth how to apply punishment for those who do buying and selling in Indonesia. The focus of this study is to evaluate whether the current sanctions have no longer been implemented, provide justice for victims, and fulfill legal principles, such as legal certainty, justice, and benefit.

In addition, the research conducted aims to identify incidents starting to face law enforcement officers in implementing the sanctions, including in the process of investigation, prosecution, and execution of the verdict. The author also wants to explore the extent of coordination between related institutions, such as the police, courts, courts, and child protection agencies, in handling child trafficking cases.

Through this research, it is hoped that concrete recommendations can be found to improve the law enforcement system, increase the effectiveness of the application of criminal sanctions, and protect children.(Viranti et al., 2025). This research is also expected to contribute to the development of more comprehensive policies starting from prevention and settlement of punishment for those who do child trafficking in the future. Based on the description that has been submitted, it is intended to conduct in-depth research with the title Application of Sanctions Against Perpetrators of Child Trafficking Crimes at the Argamakmur District Court.

## METHODS

The research conducted used socio-legal research, which is a method that studies law in its context in society, with an emphasis on the interaction between legal norms and social behavior. In this approach, law is viewed not only as a normative text, but also as a social phenomenon that works in the practice of community life. This study aims to understand how law, especially in the context of handling child trafficking cases, is implemented and accepted by society and related legal actors. For this purpose, a socio-legal approach is used which is based on an analysis of the role of judicial institutions and the community's response to the validity of the law.(Afandi, 2022).

The research method used is qualitative, with judicial case resolution techniques. This case study was conducted at the Argamakmur District Court, Bengkulu Province, as the location that is the center for handling child trafficking cases studied. Information was obtained from primary and secondary data. For primary data, this was done from questions and answers to informants. Additional data was obtained from documents related to the research. then the sample in this study is: 1 (one) Judge at the Argamakmur District Court, 1 (one) Child Victim of Trafficking, and 1 (one) Child Trafficker

How to collect data with structured and semi-structured questions and answers using question guides that are tailored to the position and experience of each respondent.(Nashrullah et al., 2023). In addition, a literature study was also conducted to support and enrich the analysis. Information was obtained through the editing and coding process. Editing was done to ensure the clarity, completeness, and consistency of the respondents' answers, while coding was done to provide a mark or code on the respondents' answers to facilitate the analysis process. The processed data was analyzed qualitatively, by presenting the findings in a systematic descriptive form.(Safrudin et al., 2023). This approach allows researchers to comprehensively describe how the law functions in society and how the judicial process influences law enforcement in cases of child trafficking.

## RESULTS AND DISCUSSION

Based on an interview with Judge Mrs. Rika Rizki Hairani, SH Argamakmur District Court on May 9, 2025, it is explained that Child Trafficking is an act of selecting, sheltering and accepting children aged 18 years with the aim of being used without a legal basis. For example, through kidnapping to get the desired target.

In accordance with the questions and answers conducted by Judge at the Argamakmur District Court, Mrs. Rika Rizki Hairani, SH on May 9, 2025, it was explained that the sanctions against the perpetrators had been applied as stipulated in the Child Protection Law and had been implemented based on the Law's procedures.

In his explanation, the perpetrator violated Article 88 of the Child Law, for those who commit violations that have been explained in Article 761, the sentence will be imposed for a minimum of 5 years and a maximum of 15 years and the amount of costs incurred is Rp5,000,000,000.00 (five billion rupiah). So if both of these will provide convenience, namely by being sentenced to 1 (one) year 4 (four) months, the amount paid is Rp15,000.00 (fifteen thousand rupiah). This is due to the presence of the new Criminal Code, then multiplied by Rp10,000.00 (ten thousand rupiah) this is due to various obstacles of Rp15,000,000.00 for the third charge, namely Article 506, namely someone who deliberately takes advantage of the incident by molesting will be given a sentence of 1 (one) year.

Based on an interview with Judge Mrs. Rika Rizki Hairani, SH on May 9, 2025, as one of the Judges at the Argamakmur District Court, she stated that this case not only indicts and sanctions the perpetrators, but the people who received the child's services must also be tried and charged because according to her, all actions that harm a child's future must be punished as severely as possible.

In the Decision letter numbered 188/Pid.Sus/2023/PN Agm, it is explained that the

suspect on Wednesday, June 21, 2023, at exactly 22.00 WIB was located in Rama Agung Village. Arga Makmur District, North Bengkulu Regency or the location has been determined to be located in each of its areas, so it is mandatory to take action. Intentionally making this incident of indecent assault is stated to be a habit. So the suspect will be given the following method:

That on Wednesday, June 21, 2023 at around 20.00 WIB the Witness came to the Defendant's house. Then the Witness said "I Want to Rent a Girl, Mak" to the Defendant then the Defendant replied "how much money do you have? I'll take care of it" and the Witness said "five hundred thousand". The witness named Mechy handed over the money to the Defendant. After that the suspect immediately took the Witness to the Victim's Child's boarding house, the suspect was in the Victim's Child's boarding room, Witness 2, Witness 3 who were members of the operational unit at the North Bengkulu Police came and found the Victim's Child Relin not wearing clothes then Witness 2, and Witness 3 immediately secured the Defendant That the Defendant in terms of placing in carrying out improper use of the economy and sex sector got a profit of around IDR 50,000.00 to IDR 200,000.00. So with this, the rules were made to be included in Article 296 of the Criminal Code.

According to the opinion of Mrs. Rika Rizki Hairani, SH as a Judge at the Argamakmur District Court, she is of the opinion that child exploitation is a form of serious violation of children's rights, which can occur in various forms, such as forced child labor, exploiting children for economic interests, to making children objects of sexual gratification. In the case that is the focus of this study, the perpetrator was charged with working on bad economic and sexual benefits.

However, in practice, law enforcement officers only charge perpetrators with articles of Law No. 35 of 2014 concerning protected children without explicitly specifying the separation between economic and sexual exploitation. In court decisions, perpetrators are only charged with one article or a single article in the Child Protection Law, even though the crime committed contains two different elements: economic Normatively, this law has provided a comprehensive legal basis for various forms of crimes against children. However, in its application, law enforcement officers sometimes do not accommodate all the crimes committed by the perpetrators, resulting in inequality in the application of punishment. Decisions that are only based on one form of exploitation, for example only using articles on sexual exploitation, result in other aspects of the crime not being accommodated, namely economic exploitation. This gives the impression that the protection provided by the law is not comprehensive and overlaps between norms in the same law. and sexual.

In the case that is the object of this research, the perpetrator exploited a child by employing her as a servant for a lecherous man. The motive of the perpetrator was that someone who was a prospective customer came to him with five hundred thousand rupiah and the prospective customer was taken by the perpetrator to the victim's boarding house.

#### **Obstacles in the Implementation of Sanctions Against Perpetrators of Child Trafficking Crimes at the Argamakmur District Court.**

After conducting a Q&A with Judge Mrs. Rika Rizki Hairani, SH on May 9, 2025 then it is explained that the obstacles in implementing punishment for perpetrators are in accordance

with Law Number 35 of 2014 concerning Child Protection. Although the regulation has provided a clear legal basis, in practice there are still various obstacles that affect the effectiveness of the application of sanctions against perpetrators. The following is an explanation of the obstacles experienced, namely:

1. Obstacles in Proof

The process of proving in child trafficking cases often experiences difficulties. This is because the crime is carried out in secret and involves an organized network. In addition, victims who are still children tend to experience psychological trauma, fear, and an inability to provide detailed and consistent information before investigators or in court. As a result, prosecutors have difficulty compiling strong charges, and judges experience limitations in digging up material truth.

2. Limited Law Enforcement Capacity

At the regional level such as Arga Makmur, there is still limited understanding from law enforcement officers regarding the legal substance in the Law on the Crime of Human Trafficking (TPPO). Several officers have not received special training on child-friendly approaches or handling cases with child victims. This has an impact on the judicial process which is not optimal and has the potential to harm victims.

3. Ineffective Inter-Agency Coordination

Handling child trafficking cases ideally involves cross-sector coordination, including the police, prosecutors, courts, social services, and child protection agencies. However, in Arga Makmur, this coordination has not been running optimally. The lack of synergy between agencies has caused delays in the handling process, from the investigation stage to the execution of the verdict.

4. Social and Cultural Constraints of Society

Socio-cultural factors also become obstacles in eradicating child trafficking. In some communities, the exploitation of children for work is considered commonplace in order to help the family economy. In addition, people tend to be reluctant to report cases that occur because of shame, pressure from the perpetrators, or assuming that these internal problems are not important to be brought to the legal realm.

5. Limitations of Victim Protection and Recovery

Part of having a judicial process is to protect victims, especially children. Unfortunately, facilities such as safe houses (shelters), psychological services, and legal assistance for children are still very limited in the Arga Makmur area. Without such support, victims cannot undergo the legal process optimally, and often withdraw or are reluctant to continue the trial process.

6. Implementation of Sanctions is Less Than Optimal

In some cases, judges impose relatively light sentences on child traffickers. This can be caused by weak evidence, a request for peace from the victim's family, or other considerations that do not fully favor justice for children as victims. This situation causes the deterrent effect not to be achieved optimally and gives a weak signal to law enforcement efforts.

## Implementation of Sanctions for Perpetrators of Child Trafficking Crimes Has Been Implemented in Accordance with the Provisions Stipulated in the Argamakmur District Court

From the results of the Argamakmur District Court's decision, the Prosecutor's Office charged the perpetrator with the Human Trafficking Law, but because the victim was a child, the court determined the decision using Law Number 23 of 2002 which sentenced Mak Herli to 1 (one) year and 2 (two) months of detention with a fine of Rp200,000,000.00. This provision, if unable to pay, will be replaced by 3 (three) months in prison. The case that befell the perpetrator is a case related to Child Trafficking where the perpetrator peddles, allows, and exploits the economic and sexual fields, but because the victim is 15 years old, she is categorized as underage.

Child exploitation is a form that is considered a serious violation, which can occur in various forms, such as forced child labor, using children for economic interests, to making children objects of sexual gratification. In the case that is the focus of this study, the perpetrator was charged because of improper use.

In North Bengkulu itself, Child Trafficking Cases are quite rare cases and only a few have ever been tried in the Argamakmur District Court due to the lack of supervision and knowledge of local residents about child trafficking that they unknowingly sell their sons and daughters to work under other people by exploiting the child. In the area where the author's research was conducted, it is a fairly safe area and the children here seem freer than other children, but cases like this really need to be monitored, especially those who are still teenagers, such as the case that the author is currently studying, a case involving a teenager where the perpetrator and victim are even acquaintances and have been friends and have the heart to sell their own friends to lecherous men where the victim of child trafficking is still a minor.

One of the relevant regulations is North Bengkulu Regional Regulation Number 4 of 2015 concerning Protection, Prevention, and Handling of Violence against Women and Children. This regulation focuses on efforts to prevent and overcome violent forms against children, which in substance can be a legal basis for handling child trafficking cases even though it is not explicitly stated. Not only that, one of the districts has stipulated regulation Number 5 of 2018 concerning the Implementation of Child Protection. This regulation regulates children's rights and the role of all parties in efforts that are not used properly, including implicit child trafficking.

Child trafficking is a crime that violates human rights and is complex. The impact of this crime is not only felt by the victim individually, but also has an impact on the family, society, and even the country. In general, the impact of child trafficking can be divided into several aspects, namely physical, psychological, social, economic, and violations of children's rights.

First, physically, child victims of trafficking often experience severe violence, including beatings, torture, sexual harassment, and forced labor in inhumane conditions. They are vulnerable to various diseases, including sexually transmitted diseases, infections, and health disorders due to lack of access to medical services. These physical injuries often cause permanent disabilities and limit the physical development of victims in the future.

Second, from a psychological perspective, the impact of child trafficking is devastating.

Children who experience exploitation in human trafficking often suffer from long-term psychological trauma. They can experience post-traumatic stress disorder (PTSD), depression, anxiety, and an inability to trust others. These disorders often lead to behavioral disorders, including aggression, withdrawal, and even suicide attempts. The loss of a sense of security, self-confidence, and the loss of a sense of worth as a human being is a heavy burden that they must carry throughout their lives.

Third, from a social perspective, child trafficking causes victims to be isolated from their social environment. These children lose the opportunity to go to school, interact with peers, and develop normal social skills. After being rescued, many victims have difficulty reintegrating into society due to stigma, discrimination, and deep shame. This further worsens the psychosocial condition of the victims and hinders their social rehabilitation process.

Fourth, from an economic perspective, child trafficking traps victims in a cycle of poverty. Without adequate education and skills, they have difficulty finding decent jobs as adults. As a result, many of them are at risk of being exploited again or entering into inhumane forms of labor in order to survive.

Fifth, child trafficking is a real form of rights violation. For every person as a vulnerable individual is required to obtain what can provide maximum protection, for example the right to live life, development and growth so as to get an education, and hard. The practice of child trafficking directly ignores and robs these rights, placing children in a condition full of threats without adequate choice or protection.

However, in practice, law enforcement officers only charge perpetrators with Law No. 35 of 2014 concerning Child Protection without explicitly specifying the separation between types of economic and sexual exploitation. In court decisions, perpetrators are only charged with one article or a single article in the Child Protection Law, even though the crime committed contains two different elements: economic Normatively, this law has provided a comprehensive legal basis for various forms of crimes against children. However, in its application, law enforcement officers sometimes do not accommodate all the punishments that will be faced by the perpetrators, resulting in an imbalance in the application of punishment. Decisions that are only based on one form of exploitation, for example only using the article on sexual exploitation, cause other aspects of the crime to not be accommodated, namely economic exploitation. This gives the impression that the protection provided by the law is not comprehensive and overlaps between norms in the same law. and sexual.

In the case that is the object of this research, carrying out exploitation for a child who works beyond her age by employing her as a servant for a lecherous man. The motive of the perpetrator was approached by someone who was a prospective customer with five hundred thousand rupiah and by the perpetrator this prospective customer was taken by the perpetrator to the victim's boarding house. In the trial process, the perpetrator was only charged with Law No. 35 of 2014 concerning Child Protection, without being charged with articles of Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking. This case reflects a situation where the child experiences double exploitation, namely economic exploitation (by employing illegally) and sexual exploitation, but the legal process only accommodates part of the perpetrator's actions.

Article 76I states that a person is not allowed to exploit a child in economic and sexual terms, in accordance with Article 88, which provides criminal sanctions for a person who intentionally exploits a child. Exploitation in this context includes actions that harm a child for the benefit of another party, either in the form of forced labor or sexual harassment. Article 1 number 1 and Article 2 paragraph (1) explain that human trafficking includes the act of selecting, transporting, housing, including children, for the purpose of exploitation, either economic or sexual. No element of coercion or consent is required if the victim is a child. The punishment regulated in the TPPO Law is heavier, especially if the perpetrator is part of a network or involves economic gain.

Normatively, the Child Protection Law and the TPPO Law can run in parallel and complement each other. The Child Protection Law by providing comprehensive protection for children guarantees their rights to various acts of violence and exploitation, while the TPPO Law provides greater focus on the transactional and commercial aspects of exploitation, as well as the existence of third parties such as intermediaries and service users.

Economic and sexual exploitation in this case clearly contains elements of human trafficking, because there are elements of recruitment, placement, and exploitation of children for the benefit of other parties. Therefore, law enforcement officers should not only use the Child Protection Law, but also construct charges based on the TPPO Law in order to provide a deterrent effect and complete justice. The Child Protection Law and the TPPO Law are not mutually exclusive, but rather complementary. The Child Protection Law emphasizes the protection of victims, while the TPPO Law emphasizes the structure of the crime of trafficking and severe penalties for perpetrators. In this case, even though the facts show elements of child trafficking and sexual exploitation, the perpetrator was only charged with the sexual exploitation article of the Child Protection Law. This creates legal inequality, because the element of trafficking is not processed by law, even though there is evidence of a transaction. The rights of victims such as recovery and restitution are not maximally accommodated. The perpetrator is spared from the threat of a heavier sentence that should be imposed by the TPPO Law (a maximum of 15 years or more, depending on the conditions). Criminalization only with the Child Protection Law has several impacts:

1. Reduction of Legal Liability  
The perpetrator is only responsible for exploitation, not for the crime of child trafficking itself.
2. Substantive Justice Not Fulfilled  
Victims experience the double suffering of being sold and exploited, but the law only recognizes one side of their suffering.
3. Weaknesses in Deterrence.  
The perpetrator may receive action that is considered to be more lenient than if processed using the TPPO Law.

Indonesia has two main legal instruments to handle the crime, namely Law No. 35 of 2014 concerning protection of Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking (TPPO). Normatively, this rule can be used as a complement in handling child trafficking cases. However, in practice, many incidents that link sexual

exploitation of children through trafficking mechanisms are actually punished only using the Child Protection Law, without touching on the trafficking element in the TPPO Law.

Therefore, it is important to examine in depth the relationship between these two laws and understand the legal and practical reasons that cause the dominant use of the Child Protection Law in cases that should also involve the TPPO Law. This study aims to analyze the legal construction, law enforcement practices, and their implications for child protection as a whole.

### **Obstacles in the Implementation of Sanctions Against Perpetrators of Child Trafficking Crimes at the Argamakmur District Court**

Obstacles to implementing punishment for those who commit child trafficking crimes in the Argamakmur District Court do not only come from weaknesses in the legal structure, but also include technical, social, institutional, and local cultural aspects that affect the course of the judicial process. The complexity of this problem requires a more comprehensive understanding so that law enforcement policies can truly run effectively and fairly, especially to protect the rights of children as victims.

From a legal perspective, the most fundamental obstacle is the lack of synchronization of various regulations according to the law that explains the punishment for those who buy and sell children. The related legal provisions are spread across several laws, including Law No. 35 of 2014 concerning Child Protection, Law No. 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking, and the Criminal Code. As a result, the application of sanctions that should be maximized becomes weak because prosecutors or judges choose articles that are lighter and easier to prove.

From a technical and procedural perspective, the main obstacle that is being faced is the limited human resources in law enforcement institutions, including investigators, prosecutors, and judges in the Argamakmur area. Not all law enforcement officers have special training for actions considered to be child trafficking. This has an impact on the low quality of investigations, indictments, and legal considerations in court decisions. The inability to construct a strong legal construction has the potential to cause perpetrators to escape the clutches of the law or only be given light sentences.

The lack of supporting facilities and infrastructure is also a serious obstacle. The absence of permanent shelters for child victims forces them to live in unsafe environments or even return to families involved in trafficking. The lack of psychosocial facilities and legal assistance causes victims to not receive adequate recovery and have difficulty in actively participating in the legal process. The absence of integrated services makes coordination between institutions weak, which ultimately slows down the legal process and affects the final outcome in court.

Social and cultural barriers cannot be ignored in a local context like Argamakmur. Victims of child trafficking often face stigma from society. They are considered to have committed shameful acts or disgrace to the family. As a result, many victims are reluctant to report or are even hidden by their families so that the case does not become public. Many people still think that it is normal for children to work to help the family economy, without realizing that this condition is often used by perpetrators to exploit children in a covert

manner.

In some cases, the perpetrators of this trade are based on their daily activities, for example, their closest family. This creates a dilemma for law enforcement because victims often refuse to report or testify against the perpetrators. Law enforcement becomes more complicated because of the social and psychological pressures experienced by victims and witnesses.

The Argamakmur District Court itself faces specific institutional obstacles, including the limited number of judges who have a deep understanding of child protection issues and human trafficking crimes. In some cases, the trial process does not provide a safe space for children to testify comfortably, for example through an audio-visual system or a special room for children. The lack of cooperation with agencies such as the Social Service, LPSK, the Regional Indonesian Child Protection Commission (KPAID), and local NGOs also worsens the situation because there is no ongoing assistance mechanism.

To overcome these obstacles, a comprehensive approach is needed. Local governments and judicial institutions must work together to build a holistic child trafficking case handling system. This includes training law enforcement officers, establishing safe houses and victim rehabilitation centers, providing legal and psychological services, and building a child-friendly witness and victim protection system. Increasing legal education for the community is essential to raise awareness about the dangers of child trafficking and the importance of the active role of citizens in reporting and preventing this crime.

## CONCLUSION

That the implementation of committing a crime against children in the Argamakmur District Court has been implemented based on the provisions of Case Number 188 / Pid.Sus / 2023 / PN Agm The Convict was sentenced to imprisonment for 1 (one) year and 2 (two) months and was detained with a fine of Rp. 200,000,000.00. This provision, if unable to pay, will be replaced for 3 (three) months in prison as regulated in Article 88 in conjunction with Article 76 I of Law No. 35 of 2014 Regarding the amendment to Law No. 23 of 2002 concerning Child Protection. By implementing this punishment, the Argamakmur District Court faces various obstacles, such as the difficulty of proving due to victim trauma, limited capacity of law enforcement officers, and ineffective coordination between institutions. In addition, socio-cultural factors that consider this issue taboo hinder reporting, coupled with limited protection for victims and legal sanctions that have not provided a maximum deterrent effect. Based on the findings above, then there are several suggestions related to the Implementation of Sanctions Against Perpetrators of Child Trafficking Crimes, namely: Increase the capacity of law enforcement officers, such as investigators, prosecutors, and judges through special training on child trafficking crimes and child protection, so that they can apply the right and maximum articles in the judicial process. Strengthen coordination between related institutions, including the police, prosecutors, courts, social services, and child protection institutions, in order to create an integrated and sustainable case handling system. Provide supporting facilities and infrastructure, such as safe houses, legal aid services, and psychological assistance for victims, so that they feel protected and can provide information

optimally in the legal process. Increase supervision of the implementation of sanctions in court so that the judge's decision truly reflects justice, provides a deterrent effect on the perpetrators, and fulfills the rights of the victims. Conduct legal socialization to the community to increase awareness of the dangers of child trafficking and encourage active participation in prevention and reporting of cases.

## REFERENCES

- Arief, Barda Nawawi. *Problems of Law Enforcement and Crime Prevention Policy*. Jakarta: Kencana, 2010
- Faculty of Law, Prof. Dr. Hazairin University, SH. Bengkulu City, n.d.
- Hamza, Andi. *Indonesian Criminal Law*. Jakarta: Sinar Grafika, 2008
- Harkrisnowo, Harkristuti. *Human Trafficking: Perspectives and Challenges of Law Enforcement in Indonesia*. Jakarta: UI Press, 2011
- Marlina. *Legal Protection for Children in Indonesia*. Bandung: Refika Aditama, 2009
- Machmud, Syahrul. *Indonesian Child Protection Law*. Bandung: Mandar Maju, 2007
- Mulia, Siti Musdah. *Children's Rights in an Islamic Perspective*. Jakarta: National Commission on Violence Against Women, 2005
- Parthiana, I Wayan. *Human Trafficking: Problems and Law Enforcement*. Bandung: Mandar Maju, 2012
- Teguh Prasetyo. *Criminal Law*. Jakarta: Rajawali Pers, 2015.
- Viswandro. *Dictionary of Legal Terms*. Yogyakarta: Medpress Digital, 2014.
- 2007, law number 21 of the year. "ERADICATION OF THE CRIMINAL ACT OF TRAFFICKING IN PERSONS" *by* 12y, no. 235 (2007): 245. [http://digilib.unila.ac.id/4949/15/BAB II.pdf](http://digilib.unila.ac.id/4949/15/BAB%20II.pdf).
- 2002, Law Number 23. "ON CHILD PROTECTION"
- 2014, Law Number 35, "ON CHILD PROTECTION"
- 1997, Law Number 23, "ON ENVIRONMENTAL MANAGEMENT"
- Adi, Tegar, and E Wicaksono. "Legal Analysis of the Crime of Child Trafficking (Study of Decision Number 132/Pid. b/Sus/2014/Pn. Im)." *Recidive* 4, no. 2 (2015): 139–148.
- Aisyah, Sukirno Sitti, Kara Jumadi, Pascasarjana Uin, and Alauddin Makassar. "Child Trafficking Sanctions System According to Islamic Law." *Jurnal Discourse Islam* 06 (2020): 302–325.
- Children, Workers, and Legal Protection. "Understanding of Protection of Victims of Child Trafficking (" 6, no. 3 (2017): 245–249.
- Angelina, Rica Zakia, I Gusti Bagus, and Ni Made Sukaryati Karma. "Criminal Liability of Perpetrators of Protected Animal Trafficking." *Journal of Legal Analogy* 1, no. 1 (2019): 125–129.
- Language Development and Fostering Agency, Ministry of Education and Culture of the Republic of Indonesia. *Implementation*, 2016. <https://kbbi.kemdikbud.go.id/entri/Implementasi>.
- Baehaqi, Eki Sirojul. "Participation in Criminal Acts." *An-Nahdliyyah Journal of Islamic Studies* 1, no. 1 (2022): 12–26. <http://ojs.stainu-tasikmalaya.ac.id/index.php/annahdliyah/article/view/13>.

- Fadilla, Nelsa. "Legal Protection Efforts for Children as Victims of Human Trafficking." *Journal of Law and Justice* 5, no. 2 (2016): 181.
- Fahlevi, Reza. "Legal Aspects of Child Protection in the Perspective of National Law." *Lex Junalica* 12, no. 3 (2015): 177–191.
- Kansil, Fernando. "Criminal Sanctions in the Criminal Code and Outside the Criminal Code." *Lex Crimen* 3, no. 3 (2014): 26–34.
- Mange . Yusuf. "The Influence of Counselor Perceptions as School Police." *Journal of Guidance and Counseling* 6, no. April (2019): 62–68.
- Novianti, Rita, and Muhammad Sahrul. "Implementation of Child Protection Policy." *Journal of Social Work and Social Service* 1, no. 2 (2020): 139–147. <https://jurnal.umj.ac.id/index.php/khidmatsosial/article/download/8604/5059>.
- Salam, Nur Firas Sabila, Abdul Manap Rifai, and Hapzi Ali. "Factors in Implementing Work Discipline: Self-Awareness, Motivation, Environment (A Study of Educational Management and Social Science Literature)." *Journal of Educational Management and Social Science* 2, no. 1 (2021): 487–508.
- Sukawantara, Gede Agus, Anak Agung Sagung Laksmi Dewi, and Luh Putu Suryani. "Children as Victims of Human Trafficking According to Law No. 35 of 2014." *Journal of Legal Construction* 1, no. 1 (2020): 220–226.
- Roji wangsa, Thesis: EFFORTS TO ENFORCE CRIMINAL LAW AGAINST ENVIRONMENTAL DAMAGE IN KAUR DISTRICT. Bengkulu City: Prof. Dr. Hazairin University, SH, 2023.