

Legal Review of Criminal Acts of Human Trafficking (Tppo) Study of Decision Number 1049/Pid.Sus/2024/PN.Mdn

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Human trafficking is a serious crime that violates human rights and human dignity. This study aims to analyze law enforcement and the judge's considerations in Decision Number 1049/Pid.Sus/2024/PN.Mdn regarding the crime of human trafficking, with a focus on the application of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. The research method used is a qualitative case study approach, reviewing court decision documents, legal literature, and other secondary sources. The results of the study indicate that law enforcement against perpetrators of human trafficking in this decision has fulfilled the elements of the crime, namely recruitment, transportation, and exploitation, with the modus operandi being the abuse of the victim's vulnerable position. The judge's considerations are based on valid evidence, including witness statements, transaction documents, and expert analysis. The criminal sanctions imposed, namely 7 years imprisonment and a fine of Rp200,000,000, are considered proportional and in accordance with the provisions of the law. However, the study also identifies challenges in proving the elements of exploitation and protecting victims. In conclusion, this ruling reflects a serious effort to enforce the law against human trafficking, although capacity building of law enforcement officers and inter-agency coordination are needed to address the complexity of similar cases in the future. This study provides recommendations for officer training, optimizing the role of the Witness and Victim Protection Agency, and community outreach for human trafficking prevention.

Keywords: Human Trafficking Crime, Law Enforcement, Judicial Considerations, Court Decisions, Victim Protection

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1. Introduction

Human trafficking remains a major challenge in law enforcement to this day. This problem continues to evolve and spread, not only domestically but also internationally. Advances in technology, information, communication, and transportation have created opportunities for perpetrators to develop new ways to carry out their actions. Traffickers have now transformed into organized criminal networks that operate across national borders. Human trafficking has become one of the most alarming forms of transnational crime in the era of globalization.

Human trafficking is a crime that is still relatively new in the Indonesian legal system, even though the practice has existed for a long time. This is because regulations governing the eradication of TPPO have only recently been introduced and passed by the government, namely through Law Number 21 of 2007 concerning the Eradication of Human Trafficking, which was promulgated on April 19, 2007, in State Gazette Number 58 of 2007. Poverty is a major factor driving the prevalence of human trafficking cases in Indonesia. Based on data from the Central Statistics Agency (BPS), as of September 2023, the number of poor people in Indonesia reached 25.9 million or around 9.36% of the total population [1].

The majority of victims of human trafficking are women and children. Victims of human trafficking are individuals who suffer psychological, mental, physical, sexual, economic, and/or social abuse as a result of human trafficking crimes [2]. Data from the Ministry of Women's Empowerment and Child Protection (KPPPA) shows that 70% of human trafficking victims in Indonesia are women and children who are trafficked for the purposes of sexual exploitation and domestic work [3]. Human trafficking has been going on for a long time and is an act that violates human rights and human dignity[4]. Victims are often deceived into believing that the agreements offered are legal, when in fact they are a form of deprivation of liberty by economically powerful groups against the weak. To overcome this problem, comprehensive and integrated prevention efforts are needed at various levels, ranging from the formulation of criminal policies and their implementation to the judicial process [5].

Based on Article 1 Paragraph (1) of the Law on Trafficking in Persons (TPPO), trafficking in persons is defined as the recruitment, transportation, harboring, transfer, or receipt of a person by means of threats of violence, use of violence, abduction, confinement, fraud, deception, abuse of power or position of vulnerability, debt bondage, or the giving of payments or benefits to obtain the consent of a person having control over another person, whether within the country or between countries, for the purpose of exploitation or causing exploitation to occur [6].

Law No. 21 of 2007 was enacted to prevent and address the rampant cases of human trafficking in Indonesia. The uniqueness of this law lies in its attention to victims, both direct and indirect, such as heirs or families of victims who are entitled to restitution as compensation for the suffering they have endured. The phenomenon of human trafficking continues to increase due to the large profits it generates. According to UN data, this criminal activity ranks third in the world in terms of annual tax revenue, reaching USD 9.5 million. This crime is highly profitable due to its close links to money laundering [7]. Although normatively, this law includes appropriate provisions regarding sanctions for perpetrators and protection of victims' rights, its effectiveness in tackling human trafficking cases is still not optimal. Therefore, a political-legal approach is needed to strengthen the implementation of this law [8].

Criminal responsibility is a fundamental concept in criminal law that serves as a parameter for determining

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when and how a person can be subject to criminal sanctions for their actions. Criminal responsibility acts as a legal instrument that establishes the criteria and requirements that must be met in order for a person to be legally subject to criminal sanctions, including an evaluation of a person's mental condition, consciousness, and capacity to understand the consequences of their actions [9]. The cruelty of this crime lies in its modus operandi, whereby the perpetrator carries out a series of exploitative acts against the victim, ranging from transfer, concealment, to acceptance of a person using coercion or deception for personal gain. Given the complexity of this issue, a comprehensive approach is needed that involves synergy between various stakeholders, including the central government, local governments, the community, and the smallest unit in the social structure, namely the family.

Victims of human trafficking suffer complex losses, not only in terms of money and property but also non-physical losses, including psychological and mental trauma, as well as loss of time and energy. As a crime, human trafficking is an act that goes against human nature and dignity. This crime is one of the five most serious crimes in the world that must be addressed because its impact is not only economic but also political, cultural, and humanitarian[10]. They are often subjected to physical and mental violence and forced into sexual exploitation or forced labor. These negative impacts extend to various aspects of life, including social and health dimensions, where victims experience exclusion from society, health problems, and loss of access to education and employment opportunities that could determine their future[11].

Efforts to combat human trafficking cannot rely solely on law enforcement agencies. The community has a crucial role to play in tackling human trafficking, particularly by reporting and providing information to the authorities when they encounter indications of human trafficking. High school graduates entering the workforce, in particular, need a deep understanding of the dangers of trafficking and strategies to prevent it. This knowledge is not only to protect themselves, but also to help identify and prevent human trafficking practices in their surroundings. Many victims of human trafficking do not identify themselves as victims due to a lack of understanding of their rights, shame, fear of social stigmatization, or threats from perpetrators. In many cases, victims are treated as perpetrators of criminal acts, especially in cases related to prostitution or immigration violations, thereby hindering their access to the protection and assistance they should receive.

Trafficking victims require comprehensive assistance, including psychological support for trauma recovery and material assistance to rebuild their lives. The government pays special attention to cases of child trafficking as a particularly vulnerable group. In the context of child protection, various efforts are being made to create a conducive environment in which every child can obtain their rights and fulfill their obligations. The goal is to ensure that children can grow and develop optimally, physically, mentally, and socially, without the threat of exploitation or human trafficking[12].

To tackle human trafficking, we cannot just focus on handling cases that have already occurred. More importantly, we must find ways to prevent it in the first place, so that cases like this can be reduced. Prevention is crucial because it can stop human trafficking crimes before there are new victims. So, by implementing the right preventive measures, we can protect many people from the dangers of human trafficking. In an effort to prevent and handle human trafficking crimes, a number of regulations have been issued, including Presidential Regulation (PERPRES) Number 19 of 2023 concerning the National Action Plan for the Prevention and Handling of Human Trafficking Crimes for 2020-2024.

2. Literature Review and Problem Statement

The term criminal offense comes from a term known in criminal law, namely strafbaarfeit. Strafbaarfeit is known in criminal law and is defined as a crime, criminal act, and criminal offense. Strafbaarfeit consists of three words, namely straf, baar, and feit. Straf is defined as criminal and legal, while baar is defined as possible and permissible. Meanwhile, "feit" is interpreted as an act, event, violation, and deed. The English equivalent is "delict." This means an act whose perpetrator can be punished (criminal)[13].

Criminal liability can be defined as criminal responsibility, known as toerekenbaarheid in Dutch and criminal responsibility or criminalliability in English. Criminal liability is the imposition of punishment on the perpetrator for acts that violate prohibitions or cause prohibited circumstances. Criminal liability therefore concerns the process of transferring the punishment for a criminal act to the perpetrator.

According to Law 21 of 2007, human trafficking is defined as the act of soliciting, transporting, harboring, sending, transferring, or receiving a person through threats of violence, use of violence, kidnapping, confinement, fraud, abuse of power or vulnerability, debt bondage, or the giving of payments or benefits, in order to obtain the purchase of a person who has control over another person, whether within the country or between countries, for the purpose of exploitation or causing the person to be exploited[14]. Human Trafficking (TPPO) is an organized crime involving the trafficking of human beings, where the victims are treated as commodities that can be bought and sold [15].

3. Method

This study uses qualitative research methods to comprehensively analyze how criminal law is applied in handling human trafficking cases, particularly in the aforementioned ruling, taking into account human rights aspects. This study will collect data through in-depth interviews with law enforcement officials, human rights activists, and relevant stakeholders, as well as analyze legal documents and court rulings that are the subject of the study. This study aims to analyze and gain a deep understanding of the application of criminal law to human trafficking crimes, particularly in Decision Number 1049/Pid.Sus/2024/PN.Mdn., as well as to evaluate the legal considerations used by the judge in deciding the case. Through a qualitative approach, this study will examine the effectiveness of the application of criminal sanctions, identify the factors considered by the judge, and analyze the conformity of the verdict with applicable laws and regulations and human rights principles. The results of this study are expected to contribute recommendations for improving the quality of law enforcement in handling human trafficking cases in the future.

4. Results and Discussion

Law Enforcement Against Perpetrators of Human Trafficking in Decision Number 1049/Pid.Sus/2024/PN.Mdn

In general, law enforcement against human trafficking in Indonesia involves various law enforcement agencies, ranging from the police, prosecutors, to the courts. The Human Trafficking Law provides a strong legal basis for prosecuting perpetrators of this crime, focusing on the elements of recruitment, transportation, harboring, transfer, or receipt of a person by certain means for the purpose of exploitation. The purpose of this law is not only to punish perpetrators, but also to protect victims and prevent the recurrence of similar crimes[8].

The importance of enforcing TPPO laws is also reflected in the ratification of international conventions, such as the Palermo Protocol, which emphasizes cross-border cooperation in combating this transnational crime. This confirms that TPPO is not only considered a local crime, but also a global issue that requires serious and integrated handling.

Identity of the defendant, victim, time and place of the incident in decision number 1049/Pid.Sus/2024/PN.Mdn

Identity of the Defendant

The defendant in this case is Uzi Saputra alias Liozy, a 26-year-old man (born on June 11, 1998) residing at Jalan Bantan Gang Musholah Lik. III No. 9, Kelurahan Tanjung Gusta, Kecamatan Medan Helvetia, Kota Medan. Based on the decision, the defendant's full identity

Is as follows:

Place of Birth : Medan

Gender : Male

Nationality : Indonesian

Religion : Islam

Occupation: Not working (but in the trial it was revealed that he worked as a pimp arranging commercial sex services).

Victim's Identity

The victim in this case is Sri Wahyuni alias Chan, a woman who worked as a commercial sex worker at the defendant's invitation. Based on the testimony at the trial, the victim had the following characteristics:

WhatsApp Number : 0821 6704 4778

Residence : Boarding House at Emerald Residence, Jalan Sei Kuala No. 25, Medan
Economic Conditions: Do not have a permanent job and are in need of money to return to their hometown to Rantauprapat.

Recruitment Mode: The defendant contacted the victim via WhatsApp and offered to pay IDR 2,500,000 for one short time (ST) service.

The victim admitted that he had been invited twice by the Defendant to serve his client:

Law enforcement in this case specifically focused on the actions of the defendant, UZI SAPUTRA alias LIOZY. The defendant's identity as an individual who did not have a permanent job but was actively involved in recruiting and managing commercial sex services was the starting point for understanding the economic motive behind his actions. This situation shows that the Defendant is not a victim, but rather a perpetrator who profits from the exploitation of others.

The time and location of the incident (TKP) are also significant in law enforcement.

The crime occurred on Thursday, February 29, 2024, at around 11:00 p.m. Western Indonesian Time, at the Fave Hotel in Medan. The specificity of the time and location is very important for the validity of the evidence. The arrest of the defendant at the scene of the crime, namely in front of the Fave Hotel Medan, shortly after the victim served a customer, is concrete evidence of the crime in progress. Clear details of the time and place help authorities in compiling a chronology of events and gathering relevant evidence, such as hotel CCTV footage, if available, or witness statements that corroborate the presence of the defendant and victim at the location at that time.

Chronology of Events Based on the Public Prosecutor's Indictment Verified in Court

The chronology of events compiled by the Public Prosecutor and verified during the trial forms a strong basis for law enforcement. The Public Prosecutor's indictment details how the Defendant, UZI SAPUTRA alias LIOZY, in February 2024, actively offered commercial sex services (ST) through the Instagram account "Liozy" and a WhatsApp number. This indicates planning and systematization in the crime. On February 29, 2024, the Defendant received a message from a potential customer and immediately offered Witness Sri Wahyuni. This process involved the "recruitment" of Witness Sri Wahyuni, who agreed to it because she was in a "vulnerable position" due to being unemployed and needing money to return to her hometown. This condition, which was verified through Witness Sri Wahyuni's testimony at the trial, became the core of the element of abuse of a vulnerable position in TPPO.

The defendant then picked up Witness Sri Wahyuni at her boarding house at Emerald Residence, Jl. Sei Kuala Medan, using his personal car, a Honda HRV BK 1188 ZY, and took her to Fave Hotel Medan, room 1203 on the 12th floor, where the customer (Vikram Bhatti) was already waiting. This action constitutes the element of "transportation" under the Trafficking in Persons Prevention Act (TPPO). All details of this chronology, from the initial communication to the transportation to the exploitation site, have been supported by witness testimony and evidence.

Consequences of the Defendant's Actions and the Evidence The direct consequences of the Defendant's actions were the sexual exploitation of Witness Sri Wahyuni and the financial gain obtained by the Defendant. Witness Sri Wahyuni, as the victim, was forced into commercial sex due to economic pressures, which impacted her dignity and freedom. This impact is strongly evidenced by the significant difference between the money received by the Defendant from customers (Rp5,550,000.00) and what was promised to Witness Sri Wahyuni (Rp2,500,000.00). The Defendant's profit of IDR 3,050,000.00 from this one transaction is concrete evidence of financial exploitation. This pattern is also reinforced by a similar transaction that occurred previously in November 2023, in which the Defendant also profited from

Witness Sri Wahyuni's services. The confiscated cash, the Defendant's cell phone used for transactions, and the account statements of Witness Sri Wahyuni showing transfers from the Defendant, all serve as evidence that strengthens the case against the Defendant.

Law Enforcement Process

The law enforcement process in this case was systematic and involved inter-agency coordination.

Analysis of the Investigation, Prosecution, and Trial Stages in the TPPO Case:

1. Investigation Stage: The process began with the arrest of the defendant UZI SAPUTRA alias LIOZY on March 1, 2024, by the North Sumatra Regional Police team at the Fave Hotel in Medan. This arrest marked the beginning of the investigation, in which the police immediately secured the Defendant, Witness Sri Wahyuni (the victim), and Vikram Bhatti (the customer). At this stage, investigators actively collected evidence, such as the Defendant's cell phone, the car used for transportation, cash from the transaction, and Witness Sri Wahyuni's account statements. The detention period by investigators lasted from March 1, 2024, to March 20, 2024, which was extended by the public prosecutor until April 29, 2024. This duration indicates that investigators needed sufficient time to compile case files and prove the alleged criminal acts.
2. Prosecution Stage: Once the case file was declared complete, the Public Prosecutor took over the case. The Public Prosecutor prepared alternative charges, namely Article 2 paragraph (1) of Law No. 21 of 2007 concerning TPPO as the primary charge, and Article 296 of the Criminal Code as the secondary charge. The defendant's detention was continued by the public prosecutor from June 25, 2024, to July 14, 2024. This prosecution stage is crucial in formulating the legal charges to be brought to trial, ensuring that all criminal elements are fulfilled in the indictment.
3. Trial Stage: The case was then transferred to the Medan District Court. The district court judge continued the defendant's detention, which was even extended by the Chief Justice of the High Court (October 6, 2024 to November 4, 2024), indicating the complexity and time required for a thorough examination of the case. At the trial, the Public Prosecutor presented evidence, called witnesses (including Witness Sri Wahyuni and police witnesses), and heard expert testimony (Prof. Dr. HENNY NURAENY, S.H., M.H.). The defense from the Defendant's Legal Counsel was also presented, demonstrating the *audi et alteram partem* process (hearing both sides) in the criminal justice system.

Compliance Of The Verdict With The Elements Of Tppo In Articles 1 And 2 Of Law No. 21 Of 2007

This decision, based on the prosecutor's indictment and the facts of the trial, clearly shows that the elements of TPPO have been fulfilled.

Process Elements (Recruitment, Transportation, Reception):

- a. Recruitment: It was proven that the defendant actively offered sex services through Instagram and WhatsApp, then contacted Witness Sri Wahyuni to serve customers. This is supported by communications on the Defendant's cell phone and the testimony of Witness Sri Wahyuni.
 - b. Transportation: The Defendant physically picked up Witness Sri Wahyuni from her boarding house and took her to the Fave Hotel in Medan using a Honda HRV BK 1188 ZY car. This is clear evidence of transportation for the purpose of exploitation.
 - c. Acceptance: Although the verdict does not explicitly discuss the element of "acceptance of a person" in the context of the Defendant accepting the victim, the Defendant "accepted" the benefits of exploiting the victim whom he recruited and transported.
2. Element of Method (Abuse of Vulnerable Position): This element is one of the main pillars of the evidence. Witness Sri Wahyuni was proven to be in a "vulnerable position" because she did not have a job and desperately needed

money to return to her hometown. The Defendant took full advantage of this situation to persuade the Witness to provide commercial sexual services. The absence of direct physical violence does not eliminate the element of TPPO, because abuse of a vulnerable position is a form of indirect coercion that deprives the victim of their freedom of will. 3. Element of Purpose (Sexual Exploitation): The Defendant's main purpose was sexual exploitation and financial gain. The fact that the Defendant received Rp5,550,000.00 from customers and only promised Rp2,500,000.00 to Witness Sri Wahyuni is strong evidence of the motive of exploitation. This price difference shows that the Defendant took significant advantage of the victim's body and sexual services. The testimony of expert Prof. Dr. HENNY NURAENY, S.H., M.H., who stated that TPPO is a formal offense and that the Defendant's actions fulfill the element of exploitation, further strengthens this evidence.

Effectiveness of Criminal Sanctions

The effectiveness of criminal sanctions in this case is assessed based on their compliance with the law and their potential to provide a deterrent effect.

- a. Compliance of Sanctions with Criminal Threats in Law No. 21 of 2007: The Public Prosecutor charged the Defendant with imprisonment for 7 (seven) years and a fine of Rp200,000,000.00. Based on Article 2 paragraph (1) of Law No. 21 of 2007, any person who commits human trafficking shall be punished with a minimum imprisonment of 3 (three) years and a maximum of 15 (fifteen) years and a minimum fine of IDR 120,000,000.00 (one hundred twenty million rupiah) and a maximum of IDR 600,000,000.00 (six hundred million rupiah). The demand for 7 years imprisonment and a fine of IDR 200,000,000 is within the range of criminal penalties stipulated by law. This shows that the prosecutor's demand is appropriate and proportional to the severity of the crime of human trafficking.
- b. Impact of Sanctions on the Deterrent Effect on Perpetrators and Prevention of TPPO: The criminal sanction of 7 years imprisonment and a fine of Rp200,000,000.00 is expected to have a significant deterrent effect on the defendant UZSAPUTRA alias LIOZYI.

Judge's Considerations In Deciding Cases Against Perpetrators Of Human Trafficking In Decision Number 1049/Pid.Sus/2024/Pn.Mdn

The judge's considerations are a complex legal process, in which the judge must examine the legal facts revealed at trial against the applicable legal norms. In this TPPO case, the judge has a dual responsibility to uphold the law and protect the human rights of the victims. The dual responsibility of judges in TPPO cases reflects the modern legal paradigm that focuses not only on punishing perpetrators, but also on the recovery and protection of victims. On the one hand, judges must uphold the law by imposing appropriate sanctions on perpetrators in accordance with the provisions of Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Trafficking in Persons and its amendments. These sanctions are not only in the form of imprisonment and fines, but can also include the revocation of certain rights and the return of assets obtained through crime. On the other hand, judges have a moral and legal obligation to protect the human rights of victims through the establishment of restitution, protection of the victim's identity, and ensuring that the judicial process does not cause secondary victimization that could worsen the victim's psychological condition[16].

Judge's Considerations on the Proof of TPPO Elements

The judge will carefully examine whether the elements of Article 2 paragraph (1) of the PTPPO Law have been proven legally and convincingly. Each element of the indictment must be supported by strong evidence:

- a. Recruitment, Transportation, and Reception: The judge will consider the testimony of Witness Sri Wahyuni, who explained how the Defendant contacted her, offered her a job, and then picked her up to take her to the Fave Hotel. Witness Sri Wahyuni's consistent testimony, supported by evidence of communication via WhatsApp from the Defendant's cell phone, will strengthen the judge's belief that the elements of recruitment and transportation have been fulfilled.
- b. Abuse of Vulnerable Position: This is a crucial point in the judge's consideration. The judge will assess the testimony of Witness Sri 74 Wahyuni regarding her economic condition, namely that she did not have a job and desperately needed money to return to her hometown, as strong evidence of a "vulnerable position" that was exploited by the Defendant. The judge will conclude that Witness Sri Wahyuni's agreement to serve customers was not a free consent, but rather a result of the exploitation of her vulnerability. The testimony of expert Prof. Dr. HENNY NURAENY, S.H., M.H., who explains the concept of formal offense and the fulfillment of the element of abuse of vulnerable position, will be a guideline for the judge in interpreting and applying the law.
- c. Purpose of Exploitation: The judge will focus on the Defendant's motive, which is to profit from sexual exploitation. The key evidence is the significant difference between the money the Defendant received from customers (Rp5,550,000.00) and what was promised to the victim (Rp2,500,000.00). This difference clearly shows that the Defendant personally profited from the act. The account transfers and cash seized will be material evidence supporting the judge's conclusion regarding the purpose of financial exploitation.

5. Conclusion

Based on a legal analysis of human trafficking in Decision Number 1049/Pid.Sus/2024/PN.Mdn, several key conclusions can be drawn. Law enforcement against perpetrators of TPPO, in this case the defendant UZI SAPUTRA alias LIOZY, has been carried out systematically through the stages of investigation, prosecution, and trial involving coordination between the police and the prosecutor's office. The process of arresting the Defendant at the Fave Hotel in Medan on March 1, 2024, the collection of evidence (cell phones, cars, cash, account transfers), and the description of the chronology of events by the Public Prosecutor, which was verified in court, demonstrate serious efforts in handling this case. The judge's comprehensive decision in this case was based on the fulfillment of the elements of human trafficking as stipulated in Articles 1 and 2 of Law Number 21 of 2007 concerning the Eradication of Human Trafficking (PTPPO Law). The elements of the process, including recruitment (via Instagram and WhatsApp), transportation (picking up the victims and taking them to the location of exploitation), and receipt (financial gain from exploitation), were clearly proven. In addition, the element of method, particularly the abuse of the "vulnerable position" of victims who are unemployed and in need of money, is a key pillar in proving that the Defendant took advantage of the victims' economic circumstances. This ruling is in line with the objectives of the PTPPO Law to eradicate human trafficking and protect its victims, although challenges in proving sophisticated modus operandi and protecting victim witnesses remain obstacles. It is recommended to improve the effectiveness of TPPO handling in Indonesia, including increasing the capacity of law enforcement through continuous training to deal with increasingly complex and technology-based modus operandi, such as the ability to track digital traces and a deep understanding of non-physical exploitation, including the abuse of vulnerable positions. In addition, the role of the Witness and Victim Protection Agency (LPSK) must be optimized and proactively integrated into every stage of case handling, from investigation to post-trial, in order to ensure comprehensive physical and psychological protection and rehabilitation for victims, while encouraging them to testify without fear of secondary victimization. The government and various related parties also need to actively educate and raise awareness among the public, especially in vulnerable areas, about the dangers of TPPO, various

modus operandi, and the rights of victims, which is expected to prevent people from becoming victims and encourage active participation in reporting indications of TPPO. Furthermore, it is important to strengthen synergy and coordination between ministries/institutions such as the Ministry of Women's Empowerment and Child Protection, the Ministry of Social Affairs, the Ministry of Foreign Affairs, and law enforcement agencies in efforts to prevent and handle TPPO, in order to create an integrated and comprehensive approach. Finally, although Law No. 21 of 2007 has become a strong legal basis, periodic evaluations of its implementation need to be carried out, and if necessary, regulatory updates can be considered to address new challenges that arise along with the development of TPPO modus operandi, as well as to strengthen criminal sanctions in order to provide a more optimal deterrent effect.

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