

Law Enforcement Against the Criminal Act of Human Trafficking with the Purpose of Labor Exploitation

Ferdiansyah Ferdiansyah^{1*}, Timbul Dompok²

^{1,2} Student of Study Program Public Administration, Universitas Putera Batam, Indonesia

*Corresponding author: pb221010002@upbatam.ac.id

Abstract: *The practice of labor exploitation is not new. Labor exploitation has been widespread since the colonial era. Some people use print media, social media, and even word-of-mouth to market. Although this is nothing new, labor exploitation is still happening and is growing more concerning. Due to the fact that it involves both domestic and international offenders, this is the case. between nations. The methods used in human trafficking crimes have become more complex as communication, information technology, and transformation have advanced. The criminals are looking for victims from the lower social classes. It is not unusual for offenders to help victims by giving them debt or company cash. Some even go so far as to give scholarships to those who want to pursue further education overseas. According to the Witness and Victim Protection Agency (LPSK), which has verified this, human trafficking, particularly labor exploitation, does not discriminate. Because human trafficking, particularly labor exploitation, disregards age and gender. age and gender. Labor exploitation affects both men and women, as well as children and adults. Law No. 21/2007 on the Eradication of the Crime of Trafficking in Humans, Law No. 18/2017 on the Protection of Workers, and Law no. 18/2017 on the Protection of Migrant Workers all prohibits the trafficking of humans for the purpose of labor exploitation. Workers who are migrants. This paper addresses several topics, including the criminal law's prohibitions against trafficking in persons for the purpose of labor exploitation, the need for immediate enforcement of these prohibitions, and the elements that contribute to trafficking in persons for the purpose of labor exploitation. labor exploitation, as well as elements that contribute to human trafficking for the prevalence of labor exploitation is increasing. Labor exploitation is becoming more and more common. The descriptive analytical method was employed in the study. method of analytical descriptive research. It is anticipated that this research will offer a complete, methodical, and exhaustive analysis.*

Keywords: *Criminal activity, human trafficking, labor exploitation, and migrant workers.*

1. INTRODUCTION

Case trading man Keep going worrying international community, especially in Indonesia. Although it is not a new thing, these cases trading man Keep going popping up And confiscate attention. Crime This Still Keep going happened in Indonesia, and matter This very worrying. This is because of the crime This involving perpetrator from in parts and from other countries. public sales, which occur both domestically or outside country, is a form of slavery contemporary. Good at level national both global and international (Bainus & Rachman, 2017).

Methods used in crimes Human trafficking will form an increasing formation to form technology information, communication, and transformation. Trade man is not ordinary crime, but operate in a way multinational And organized, making it as crime transnational organized. Nature trading advanced human require use legal instruments that can ensnare the perpetrators. legal apparatus capable of ensnare the perpetrators. Special legal instruments are needed to protect the victims. (Juliani, 2016) .

The low level education And lack of job prospects are a trigger main in Indonesia. One of the country with trafficking victim rate man The highest is Indonesia. The relationship between countries, such as those in the ASEAN region, are increasingly making trade humans become vulnerable to crime happen. Connection between countries, as is the case in the ASEAN region, are developing quickly. Victims of human trafficking are often smuggled by syndicate human trafficking with utilise officer border (Bainus & Rachman, 2017) .

Do As a sovereign state, Indonesia has made upholding and defending human dignity its main goal and foundation. The dedication of this state and nation to respecting human dignity is reaffirmed in the Pancasila, the Constitution of the State, and in the determination of state goals. human values. Rather than describing the actual truth that human dignity is truly respected and protected in our country, this normative formulation is more of an ideal to be achieved.

Table 1. Number of cases trading human in city Batam

No	Year	Number of Cases
1	2017	25 cases
2	2018	35 cases
3	2019	40 cases
4	2020	48 cases

(Source: Batam City Social and Human Trafficking Service, 2020)

Effort law enforcement to arrest perpetrator has experience progress . However, to end human trafficking, an approach is needed consistent creativity with development collaboration cross sectoral . To identify victims, separate victims from the perpetrator , and set regional response to human trafficking , more is needed Lots action . To identify victims, separate victims from perpetrator And determine common regional approach to fulfilling rights and the needs of victims throughout the prevention process human trafficking . meet the needs and victims ' rights throughout the prevention process human trafficking . the need for consultation more more about the requirements And opinion groups certain , such as crew boat and people with disability (Ridwan, 2022) .

Types of violations worst to right basic And dignity human is trade human , which is a contemporary form from slavery man . Types of violations dignity the worst human being is slavery man . mark human . Mutilation of the sale of society with the most by forming a society with women and minors . Not only to engage in prostitution or other types of activities other exploitative (Mokhtar et al., 2021) .

Various indications of prostitution , as well as to enhance other schemes including slavery or behavior that resembles forced labor , forced labor , or servitude force . People who carry out the form of threats to sell the community, add employees , mobilize , send, place , keep secret , and add someone with the intention of deceiving , trapping , and exploiting other

people to take action exploitation with The method of indicating beatings, using threats, hiding, fraud, blackmail, embezzlement of office, giving money, giving a sum of money, and giving benefits, can give rise to acceptance by the community by adhering firmly to the opinions of others . authority over the victim .

The criminal form of selling people (BKPM) is a crime with indications of violence , physical , psychological and economic , which is a contemporary form. from slavery human , according to Budi Prabowo , the party with the minister of protection of women and empowerment of minors (PBM). With the formation of a public constitution with the indication of the most TPPO incidents, the third and highest predicate ; the problem has arisen for the umpteenth time in the country itself in 2012. Indonesia. Anyone can be a victim of TPPO, especially group vulnerable , and can appear in various regions , at any time that has been determined . Those who are poor in a way economy And information , break up school , victims of domestic violence stairs , street children , abandoned children , children in refugee camps , and victims of broken families included in the category prone to (Rumondang et al., 2020) .

Because life is a vital component of life together And dignity as well as freedom life is an aspect important in society , then the government must provide adequate protection in the effort to uphold rights the people with better . Rights base every inhabitant country outlined in Article 28 of the Law 1945 Constitution .

All citizens countries , even those who are poor even though , having the right to receive protection , although in practice right this is not always enforced .

2. THEORITICAL REVIEW

Components of Each Individual

Considering that the term “any person” refers to legal subjects, including citizens and companies involved in criminal activities. law, including individuals and business entities involved in illegal human trafficking activities. human trafficking. This component is used to prevent persona errors when imposing criminal penalties on someone.

Considering that the Defendant Lukas is a legal subject in the Public Prosecutor's indictment, he is suspected of having committed an act that violates the First indictment submitted to the trial and must be held criminally responsible for his actions.

Considering that the defendant has stated his identity in court in accordance with the identity stated in the indictment and supported by witness statements that have been verified by the defendant, the defendant shows that the defendant is in good physical and

mental health and is not proven guilty. both mentally and physically, and the defendant's actions have no defense and justification. explanation and defense that can justify the defendant for his actions. Therefore, this element is also proven if it turns out that the actions in the First Indictment are proven; According to the law, the needs of "Everyone" have been met so that they have been met legally and credibly. legally compelling.

There are several components to bring Indonesian citizens outside the territory of the Republic of Indonesia with the intention of exploiting them there.State of Indonesia.

Considering that the requirements with article 32 with provisions with the theme of stopping the treatment of selling people, with the main requirements with indications of selling people by adding, appointing, providing containers, exporting, differentiating, and recruiting people and indications of beatings, indications of harm, arrest, hiding, falsehood, indications of being deceived, embezzlement of office with a loose position , adding money, giving money or benefits. across countries, with the intention of exploiting or contributing to the exploitation of other individuals. to take advantage.

3. RESEARCH METHODS

With the suggestion of another term used in this theme . Where are the competent legal materials? And related to indications of the crime of selling society will be used to describe it in a way methodical And descriptive.

competent legal material and related and carry out indications of public sales with the aim of increasing the workforce, so that it can understood. human for purpose exploitation workforce, so that it can understood. To what extent Effectiveness of law and application of legal rules in obtaining criminal acts by committing errors by carrying out wrong treatment by employing people for the purpose of exploitation with the intention to be exploited is the focus of this study. the process of offering scholarships abroad (Study of Decision No. Study of Decision No. 20/Pid.Sus/2020/PN. Jkt. Tim); criminal liability of perpetrators of crimes used by irresponsible people by selling society; and this study is also discussed in the context of legal compliance and the function of institutions or institutions in law enforcement. law, the function of institutions or institutions involved in law enforcement, and the impact of law enforcement (Putra, 2018) .

4. RESULTS AND DISCUSSION

Factors that contribute to trading humans for exploitation labor.

a. Aspect Economy

Many are persuaded And supported by urgent need with pressure demands life goes on increased , with pretext persuaded to accept a job that offers a large salary and easy , fast and with method whatever it takes to meet those needs . Labor framework migrant make it easier criminal investigation human trafficking . Worker migrants are workers who come from from outside country . Because more prone to to exploitation , labor migrant considered hold position top . from the time of recruitment to labor those who come to work. The trap system debt , which forces laborer migrant entangled debt to the perpetrator human trafficking , is the first step towards exploitation . being forced into debt with human traffickers, experiencing economic, psychological, and physical violence, or not paying wages according to the employment contract.

b. Aspect Education

In addition , education also plays a role in human trafficking because perpetrator Human trafficking more easily affects educated people low . influence perpetrator human trafficking . By Because That is wrong One how to lead a war oppose human trafficking is through education (Maimun et al., 2023) .

c. Social Aspects

Disadvantaged or low-income families may be more easily persuaded to seek any means to improve their household finances. environments that are usually inhabited by individuals with high levels of socialite and environmental behavior or culture. Environmental behavior or culture encourages people to compete to show their abilities to be recognized by others. Social recognition usually occurs in those who are socially. Recruiters take advantage of the fact that those from lower social (Tribakti & Miftahuddin, 2016) economic backgrounds will be encouraged to compete. Therefore, the more disadvantaged population will have the opportunity to sell people's society because the social influence of society will be great and also because society has little change in making money. not only by making money, with them having less access to social power and, as a result, less access to assistance and justice. access to assistance and compensation (Kurniawan, 2022) .

d. Gender Inequality Factors

One of the causes of human trafficking is gender inequality. individuals. The assumption that only men are more educated and able to work than women is still common in Indonesia. Men have higher education and professional skills than women. women. Given that women are only considered as caregivers of the house and children, it is not surprising that many women and even children suffer from early marriage and low levels of knowledge. with those who are used to financially difficult lives usually do so because of lack of education and skills, the belief that women are less intelligent than men, and the belief that women are less valuable than men (Fathoni, 2016) .

Creatures that are more suited to satisfying lust than humans. Due to unpaid family debts, many end up working as prostitutes and are forced to marry. Debts that can no longer be paid. The role of law enforcement Everyone must be treated equally by law, regardless of their status. Law is a set of regulations with penalties for those who violate them. criminals. Aligning beliefs and attitudes to establish, enforce, and implement the law is the basis of law enforcement. Aligning beliefs and attitudes to build, maintain, and enforce social harmony. preserving the tranquility of society (Nurdiana, 2021) .

e. The role of law enforcement

Everyone must be treated equally by law, regardless of status. Law is a set of rules with penalties for those who break them. criminals. Aligning beliefs and attitudes to establish, enforce, and implement laws is the basis of law enforcement. Aligning beliefs and attitudes to build, maintain, and enforce social harmony. preserving the tranquility of society. Law enforcement in Indonesia is still weak, especially in terms of prosecuting perpetrators of human trafficking - including owners and managers of labor supply companies.

Traffickers have a lucrative opportunity here. People in positions of power are also often involved in human trafficking. Because of their authority and position, human trafficking becomes easy to do (Soedrajat & Zariansah Mohammad, 2020) .

elements related to low levels of education, economy, gender gap, social environment, and law enforcement. variables related to the law enforcement system, social environment, and gender inequality. less strict causes the continuation of human trafficking cases, and those who commit this crime do so without fear. It seems that law enforcement officials ignore or underestimate cases of human trafficking. human trafficking. Ultimately, this crime is committed without fear, and the methods used to

recruit victims of human trafficking have changed so that they are more difficult to identify or even more difficult to catch by law enforcement .

f. Sale of Persons Act

A criminal act includes people, organizations, businesses, and government officials who have vulnerable positions. Including the classification of someone by committing a crime of selling their society by being in a vulnerable position. Sponsors act as door-to-door recruiters to recruit victims of human trafficking. recruiting victims to be traded in the crime of human trafficking. State administrators by relying on important positions and often not being responsible for their authority abuse their positions and use them to their advantage by helping sponsors or recruiters in committing the crime of human trafficking. recruiters or sponsors involved in illegal human trafficking activities (Bakri & Zarina Zairina, 2012) .

g. Types of Human Trafficking

Based on the victims, purposes, and methods of exploitation, human trafficking can be divided into three groups. (three) groups based on victims, methods of exploitation, and purposes. They are Purposes both domestically and abroad. Domestically, it usually occurs in large cities and also in small towns or villages. domestic exploitation methods, forced labor in mining, fisheries, and agriculture, and sexual exploitation. fishing areas. International trafficking, often known as cross-border trafficking, is usually related to immigration issues. Good salaries and benefits are used to attract victims to work abroad. with extraordinary facilities and high compensation. Working abroad is seen as a prestigious and promising job. However, the victims do not receive the benefits promised when they accept the opportunity to work abroad. However, the victims do not receive the benefits promised at the beginning of the job offer abroad. Human rights are violated from the victims.

h. Victim

Girls, boys, and minors are also among the victims of human trafficking. Each utilized in different ways.

i. Types of Abuse

Sexual and non-sexual exploitation are two categories of exploitation. Sexual exploitation includes commercial sex work, contract marriage, and adult film work. Forms of non-sexual exploitation include the sale of organs and forced labor.

Every legal object, both individuals and groups, also applies the idea of having to be responsible for the actions that have been committed, so that if a group commits a legal

action, then a person must also take responsibility for the behavior that has been committed when he commits a crime which causes the community to feel what has been done (large scope) (Muhamad Khairul Hizam Mazzuki et al., 2023) .

The Witness and Victim Protection Agency (LPSK) has received a request for witness and victim protection related to the crime of human trafficking.

Empowerment institutions that see and feel (LPMM) in the treatment of criminal acts that have been committed. Ownership of perpetrators of criminal acts, suspects, defendants, and prisoners is regulated by Indonesian law. perpetrators of criminal acts, suspects, defendants, and prisoners. more in favor of their rights that are regulated. However, in its development, it turned out that there was no one who regulated the rights of victims and witnesses. because these rights are often ignored. The formation of the empowerment institution of caring witnesses (LPSK) triggered a social movement by advocating for the rights, support, and empowerment of those who saw and witnessed. Several laws in Indonesia have not regulated these rights, including the Criminal Code (KUHP) and the Criminal Procedure Code (KUHAP). victims and witnesses. The rights of victims and witnesses have not been regulated in several laws. Meanwhile, this case must be opened to the public by respecting the rights of victims and witnesses (Mokhtar et al., 2021) . and there are several examples that involve can be handled by LPSK: 1. Serious human rights violations; 2. In the form of processes and empowerment and embezzlement; 3. Terrorism Fourth, human trafficking; fifth, torture and serious abuse; sixth, narcotics and psychotropic crimes; seventh, sexual crimes against women and children; and eighth, other crimes that put witnesses or victims in a life-threatening situation.

5. CONCLUSION

After discussing the problem formulation , here are the following: this is a possible conclusion taken : Two (2) criminal law perspectives with provisions on the treatment of community sales are as follows: according to Law No. 21 of 2007, sales for the purpose of adding workers Article 2, Article 3, Article 4, and Article 7 of Law No. 21 of 2007 concerning the Crime of Human Trafficking (prohibition of sales that result in addition) provide guidance. From the perspective of Law No. 18 of 2017 on the empowerment of migrants in their own country, community sales for the purpose of adding employees are regulated in Articles 80, 81, and 82. This includes the placement of migrant workers that are not in accordance with the actual conditions (unfit (unsuitable conditions) are regulated in Articles 80, 81, and 82 (Sugihilmi Putra, 2022) .

BIBLIOGRAPHY

- Bainus, A., & Rachman, JB (2017). International Issues. *Intermestic: Journal of International Studies* , 1 (2).
- Bakri, M., & Zarina Zairina, O. (2012). Basic Implementation Issues and Challenges Regarding Food Security in Malaysia, 1981-2012. *Kinabalu Journal* , 19 (January).
- Department of Social Affairs and Community Empowerment of Batam City. (2020). Profile of the Department of Social Affairs of Batam City .
- Fathoni. (2016). Countering the Myth of the Sustainable Development Paradigm with a Prophetic Environmental Approach. *Nizham Journal of Islamic Studies* , 5 (2).
- Juliani, H. (2016). RESPONSIBILITY OF THE BOARD OF DIRECTORS OF STATE-OWNED ENTERPRISES FOR ACTS RESULTING IN STATE FINANCIAL LOSSES. *Legal Issues* , 45 (4). <https://doi.org/10.14710/mmh.45.4.2016.299-306>
- Kurniawan, D. (2022). WORK CULTURE AND WORK MOTIVATION ON EMPLOYEE PERFORMANCE OF MALAHAYATI ACEH SHIPPING POLYTECHNIC. *CURERE JOURNAL* , 6 (1). <https://doi.org/10.36764/jc.v6i1.717>
- Maimun, Sufyan, Riyan Maulana, & Adi Ahmad. (2023). THE ROLE OF STUDENTS FOR THE COMMUNITY AS A FORMATION OF SERVICE IN THE FIELD OF EDUCATION IN KAJHU VILLAGE, BAITUSSALAM DISTRICT, ACEH BESAR REGENCY. *Journal of National Service* , 3 (1). <https://doi.org/10.61992/jpb.v3i1.99>
- Mokhtar, S. bin, Thia, K., Othman, IW, Moharam, & Al-Hadi, MM (2021). Prospects and Challenges of Implementing Da'wah in Contemporary Media: An Analysis. 5th International Conference on Teacher Learning and Development (ICTLD) 2021 , September .
- Muhamad Khairul Hizam Mazzuki, Ahmad Hafizuddin Mat Nawi, Muhammad Zaid Abdul Karim, & Maisarah Saidin. (2023). The Role of Social Media and the Importance of Digitizing Hadith Today for the Ummah. *E Proceedings of Working Paper: 4th Archipelago Wisdom Convention (ARIF 2023)* .
- Nurdiana, F. (2021). The Disappearance of English Subjects in Elementary School Education (SD). In *Kompasiana.Com* .
- Putra, AP (2018). Uber Motor's Responsibility to Passengers Due to Accidents. *Paper Knowledge . Toward a Media History of Documents* .
- Ridwan, MA (2022). Strategic Issues of Human Resource Development in Islamic Educational Institutions. *Journal of Islamic Studies* , 16 (2).
- Rumondang, R., Ariyanto, D., Manurung, HP, & Paujiah, E. (2020). PPM Increasing Grouper Fish Harvest Production Through Improvement of Water Quality Management in Batubara Regency. *E-Dimas: Journal of Community Service* , 11 (1). <https://doi.org/10.26877/e-dimas.v11i1.5821>

- Soedrajat, & Zariansah Mohammad. (2020). Implications of the Asean-China Free Trade Area (ACFTA) on economic development in Indonesia and Indonesia's relations with the People's Republic of China (PRC). Thesis .
- Sugihilmi Putra, T. (2022). Legal Protection for Indonesian Migrant Workers Abroad. Ministry of Finance of the Republic of Indonesia , 9 (3).
- Tribakti, J., & Miftahuddin, O. : (2016). Revitalization of Social Studies... By: Miftahuddin
REVITALIZATION OF SOCIAL STUDIES IN A GLOBAL PERSPECTIVE.
Tribakti , 27 (02).