



Human Trafficking and the Crisis of Victim Protection in Indonesia

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Original Article

Abstract

Human trafficking is a transnational crime that not only constitutes a serious violation of criminal law but also undermines the fundamental human rights and dignity of its victims. Although Indonesia has enacted Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons, the implementation of victim protection remains constrained by various legal and institutional challenges. This study aims to examine the legal protection mechanisms available to victims of human trafficking and to identify the obstacles and strategies for optimizing such protection. Employing a normative legal research method, the study utilizes statutory, conceptual, and case-based approaches, with data analyzed qualitatively. The findings reveal that legal protection for victims encompasses restitution, rehabilitation, legal assistance, repatriation, and social reintegration. However, the implementation of these measures remains ineffective due to weak enforcement of restitution orders, limited rehabilitation facilities, and inadequate inter-agency coordination. Accordingly, strengthening preventive, repressive, and rehabilitative measures is essential through enhanced public awareness programs, improved cross-sectoral collaboration, expanded victim recovery services, and the utilization of technology-based support systems. These efforts are expected to promote a more effective, equitable, and victim-centered framework for legal protection and recovery.

Keywords: *Human Trafficking, Victim Protection, Legal Assistance, Human Rights, Restitution*

Abstrak

Tindak pidana perdagangan orang (TPPO) merupakan kejahatan transnasional yang tidak hanya melanggar hukum pidana, tetapi juga mengancam hak asasi manusia dan martabat korban. Meskipun Indonesia telah memiliki Undang-Undang Nomor 21 Tahun 2007 tentang Pemberantasan Tindak Pidana Perdagangan Orang, implementasi perlindungan hukum terhadap korban masih menghadapi berbagai kendala. Penelitian ini bertujuan untuk menganalisis mekanisme perlindungan hukum bagi korban TPPO serta mengidentifikasi hambatan dan upaya optimalisasi perlindungan korban. Penelitian menggunakan metode hukum normatif dengan pendekatan perundang-undangan, konseptual, dan kasus, yang dianalisis secara kualitatif. Hasil penelitian menunjukkan bahwa perlindungan hukum telah mencakup restitusi, rehabilitasi, bantuan hukum, pemulangan, dan reintegrasi sosial, namun pelaksanaannya belum optimal akibat lemahnya eksekusi restitusi, keterbatasan fasilitas rehabilitasi, dan kurang efektifnya koordinasi antarlembaga. Oleh karena itu, diperlukan penguatan pendekatan preventif, represif, dan rehabilitatif melalui peningkatan edukasi masyarakat, koordinasi lintas sektor, layanan pemulihan korban, serta pemanfaatan teknologi untuk mewujudkan perlindungan hukum yang efektif, berkeadilan, dan berorientasi pada pemulihan korban.

Kata kunci: *Perdagangan Orang, Perlindungan Hukum, Korban, Hak Asasi Manusia, Restitusi*

1. INTRODUCTION

Human trafficking remains a serious crime that poses a significant threat to the protection of human rights in Indonesia. Beyond constituting a violation of criminal law, human trafficking infringes upon individual freedom, human dignity, and fundamental human rights, and is frequently regarded as a contemporary form of slavery.¹ The rapid advancement of information and communication technologies has further complicated trafficking operations, enabling perpetrators to exploit digital platforms for the recruitment, control, and exploitation of victims. Consequently, human trafficking has evolved into a form of transnational organized crime that requires comprehensive and coordinated responses at both national and international levels.

Human trafficking commonly exploits social and economic vulnerabilities, including poverty, low educational attainment, high unemployment rates, and limited access to information.² Perpetrators frequently employ deceptive tactics, such as promises of employment, educational opportunities, or improved living conditions, to lure potential victims. As a result, victims become trapped in various forms of exploitation, including sexual exploitation, forced labor, modern slavery, and forced marriage. From a criminological perspective, human trafficking is closely associated with structural poverty, irregular migration, gender inequality, and inadequate labor protection mechanisms.³ Therefore, the issue extends beyond criminal law enforcement and encompasses broader concerns related to social development and public welfare.

Indonesia remains particularly vulnerable to human trafficking due to its extensive geographical territory, high population mobility, and persistent socioeconomic disparities across regions. In response to this challenge, the Indonesian government enacted Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons. This legislation not only establishes criminal sanctions for offenders but also provides legal guarantees for victims, including protection of personal security, rehabilitation services, restitution, repatriation, and social reintegration.

Despite this regulatory framework, the implementation of legal protection for trafficking victims continues to face significant challenges. Many victims have limited access to legal assistance, rehabilitation programs, and restitution mechanisms. Moreover, victims often experience prolonged psychological trauma, social stigma, and

¹ Rina Susanti et al., *Tindak Pidana Perdagangan Orang (TPPO): Perspektif Hukum Nasional Dalam Penegakan Undang-Undang Nomor 21 Tahun 2007* JPM, 2, no. 1 (2025): 1–12.

² Ken Adhitya Bagus Pambudi et al., “Analisis Masalah Sosio-Ekonomi Dalam Tindak Pidana Perdagangan Orang: Sebuah Studi Literatur,” *Arus Jurnal Sosial Dan Humaniora* 5, no. 2 (2025): 3290–99, <https://doi.org/10.57250/ajsh.v5i2.1630>.

³ Matheus Paulino Mude Kiok et al., “Tinjauan Kriminologis Tindak Pidana Perdagangan Orang Di Kabupaten Ende,” *Konstitusi: Jurnal Hukum, Administrasi Publik, Dan Ilmu Komunikasi* 1, no. 4 (2024): 178–88, <https://doi.org/10.62383/konstitusi.v1i4.186>.

difficulties in reintegrating into society.⁴ These conditions demonstrate a substantial gap between the normative guarantees provided by law and their practical realization. Against this backdrop, the present study seeks to examine the forms of legal protection available to victims of human trafficking, evaluate the effectiveness of their implementation, identify the obstacles that hinder victim protection, and formulate strategies for optimizing legal protection based on a human rights framework and a victim-centered criminal justice approach.

The issue of legal protection for victims of trafficking in persons has become a central concern in criminal law and human rights scholarship in Indonesia. Human trafficking is no longer viewed merely as a crime causing economic harm to victims; rather, it is recognized as a grave violation of human dignity, individual liberty, and fundamental human rights. Previous studies have explored this issue from various perspectives, including the determinants of human trafficking, the effectiveness of existing legal frameworks, and the implementation of victim protection mechanisms.

Research conducted by Ilmih and Yanti found that human trafficking is influenced by a range of socioeconomic factors, including poverty, low educational attainment, limited employment opportunities, and weak family resilience. Their study emphasized the importance of victim protection through restitution mechanisms as mandated by Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons.⁵ Similarly, Adudu argued that victim protection should encompass physical, psychological, and social dimensions. However, the study also highlighted persistent implementation challenges, including limited resources, inadequate facilities, and insufficient institutional support.⁶

From an international law perspective, the study conducted by Prihanta and Dewi demonstrates that Indonesia has incorporated key victim protection principles enshrined in the Palermo Protocol, including a victim-centered approach, the principle of non-penalization, and victim rehabilitation.⁷ Nevertheless, the implementation of these principles remains constrained by inadequate victim identification mechanisms, limited rehabilitation facilities, and insufficient inter-agency coordination. In the context of rapid technological advancement, Hidayat highlights that social media platforms

⁴ Agus Takariawan and Sherly Ayuna Putri, "Perlindungan Hukum Terhadap Korban Human Trafficking Dalam Perspektif Hak Asasi Manusia," *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (2018): 237–55, <https://doi.org/10.20885/iustum.vol25.iss2.art2>.

⁵ Andi Aina Ilmih and Luvita Yuli Yanti, "Perlindungan Hukum Dalam Kejahatan Perdagangan Manusia Sebagai Kejahatan Lintas Negara," *Media Hukum Indonesia* 2, no. 3 (2024): 580–86.

⁶ Rajwa Raidha Adudu, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang Di Indonesia," *Lex Crimen* 11, no. 3 (2022): 1–13.

⁷ I. Gusti Ayu Prihayani Putri Prihanta and Tjokorda Istri Diah Widyantari Pradnya Dewi, "Analisis Perlindungan Korban Perdagangan Orang Dalam Kerangka Hukum Internasional Dan Nasional Di Indonesia," *Jurnal Media Akademik* 3, no. 12 (2025): 1–14, <https://doi.org/10.62281/q903qh45>.

have emerged as a significant medium for human trafficking activities.⁸ Although various national legal instruments have been established, the protection of victims of technology-facilitated human trafficking continues to encounter challenges related to law enforcement and the adaptation of regulatory frameworks to evolving information technologies.

Research conducted by Putrazta on human trafficking disguised as overseas employment opportunities in Myanmar indicates that victims require comprehensive protection measures, including reparations and guarantees against criminalization.⁹ Similarly, Gunawan examined legal protection for child victims of trafficking subjected to sexual exploitation and found that inadequate rehabilitation facilities constitute one of the primary barriers to effective victim recovery.¹⁰

Furthermore, Muliadi and Adnan identified poverty, gender inequality, and weak law enforcement as the dominant factors contributing to the persistence of human trafficking.¹¹ Likewise, Al Fajri and Deaf Ramadhani emphasized that victim protection should constitute a central priority within the criminal justice system. According to their findings, victim protection should not be limited to the punishment of offenders but must also encompass rehabilitation, economic empowerment, educational support, and social reintegration programs aimed at preventing re-victimization.¹²

A review of the existing literature demonstrates that previous studies have predominantly focused on the normative dimensions of victim protection, the determinants of human trafficking, and the compatibility of national regulations with international legal instruments. However, there remains a limited body of research that comprehensively examines the relationship between the available forms of legal protection and the effectiveness of their implementation in ensuring the fulfillment of victims' rights following trafficking experiences. Accordingly, this study contributes to the existing literature by offering an integrated analysis of the legal protection mechanisms available to victims, the effectiveness of their implementation, the

⁸ Sanseto Eriando Hidayat, "Perlindungan Hukum Bagi Korban Perdagangan Orang Melalui Media Sosial Dalam Perspektif Hak Asasi Manusia," *Jurnal Hukum Lex Generalis* 6, no. 7 (2025): 1–15, <https://doi.org/10.56370/jhlg.v6i7.1771>.

⁹ Satriya Aldi Putrazta, "Perlindungan Hukum Korban Tindak Pidana Perdagangan Orang Lintas Negara Berkedok Lowongan Kerja Digital Di Myanmar," *Majelis: Jurnal Hukum Indonesia* 2, no. 4 (2025): 89–103, <https://doi.org/10.62383/majelis.v2i4.1204>.

¹⁰ Andre Gunawan, "Analisis Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Perdagangan Orang Yang Dijadikan Pekerja Seks Komersial: Studi Kasus Di Kepolisian Resor Kota Bandar Lampung" (Universitas Lampung, 2024), <https://digilib.unila.ac.id/79944/>.

¹¹ Muliadi Muliadi and Idul Adnan, "Analisis Hukum Dan Kebijakan Dalam Penanggulangan Perdagangan Orang Di Indonesia," *Al-Balad: Jurnal Hukum Tata Negara Dan Politik Islam* 4, no. 1 (2024): 22–43, <https://doi.org/10.59259/ab.v4i1.163>.

¹² Al Fajri and Deaf Wahyuni Ramadhani, "Perlindungan Hukum Bagi Korban Tindak Pidana Perdagangan Orang (Human Trafficking) Dalam Perspektif Undang-Undang Nomor 21 Tahun 2007 Tentang Pemberantasan Tindak Pidana Perdagangan Orang," *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 3 (2024): 284–91, <https://doi.org/10.59059/mandub.v2i3.1406>.

challenges encountered in practice, and strategies for optimizing victim protection based on a human rights framework and a victim-oriented criminal justice approach.

This study aims to identify and analyze the legal protection mechanisms available to victims of trafficking in persons and to evaluate their implementation in ensuring the fulfillment of victims' rights under applicable legal frameworks, particularly Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons and other relevant victim protection regulations. Furthermore, the study seeks to examine the various obstacles that hinder the effective implementation of legal protection measures, including normative, institutional, and operational challenges. Finally, it aims to formulate policy and legal recommendations to address these obstacles in order to establish a more effective, equitable, and human rights-oriented system of victim protection that supports comprehensive victim recovery through preventive, repressive, and rehabilitative measures.

2. RESEARCH METHODOLOGY

This study employs a normative legal research method focusing on the analysis of legal norms governing the protection of victims of trafficking in persons (TIP) within the Indonesian legal system. To achieve the research objectives, the study adopts a statutory approach, a conceptual approach, and a case-based approach. The statutory approach involves examining relevant legal instruments governing human trafficking and victim protection, including the 1945 Constitution of the Republic of Indonesia, Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons, Law No. 31 of 2014 on the Protection of Witnesses and Victims, as well as the international legal framework established under the Palermo Protocol of 2000.

The study utilizes primary, secondary, and tertiary legal materials as its sources of data. Primary legal materials consist of legislation and international legal instruments relevant to human trafficking and victim protection. Secondary legal materials include scholarly books, peer-reviewed journal articles, research reports, and expert opinions addressing issues related to trafficking in persons and victims' rights. Tertiary legal materials comprise legal dictionaries, encyclopedias, and other reference sources that support the interpretation and analysis of legal concepts. All legal materials were collected through an extensive library-based research process.¹³

The collected legal materials were analyzed qualitatively using descriptive-analytical and prescriptive methods. The analysis was undertaken to identify the forms of legal protection available to victims of trafficking in persons, assess the effectiveness of their implementation, and examine the legal and practical obstacles encountered in

¹³ Rayhan Fiqi Fansuri dan Juan Matheus, "Enforcement of Human Rights through Criminal Law Against Environmental Destruction Due to Batik Industry Activities," *Indonesian Journal of Criminal Law Studies* 7, no. 2 (2022): 291–316, <https://doi.org/https://doi.org/10.15294/ijcls.v7i2>.

their application. Furthermore, the study formulates recommendations aimed at strengthening legal protection mechanisms that are oriented toward the fulfillment of victims' rights, the promotion of human rights principles, and the implementation of a victim-centered criminal justice system.

3. RESEARCH RESULT AND DISCUSSION

3.1. Legal Protection Mechanisms for Victims of Trafficking in Persons

Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons recognizes victims as legal subjects entitled to protection and remedies. These protections are reflected in provisions guaranteeing victims' rights to restitution, medical and social rehabilitation, repatriation, social reintegration, security protection, and legal assistance throughout the criminal justice process. From the perspective of contemporary criminal law, these provisions signify a paradigm shift from a perpetrator-oriented justice system toward a more victim-centered approach. Furthermore, Law No. 31 of 2014 on the Protection of Witnesses and Victims, together with relevant provisions of the 2023 Indonesian Criminal Code, has further strengthened the legal position of victims within the national criminal justice framework.

The legal protection mechanisms available to victims of trafficking in persons may be classified into three principal categories: repressive, rehabilitative, and preventive protection. Repressive protection is implemented through the prosecution and punishment of offenders, as well as the provision of restitution to compensate victims for the losses they have suffered. Rehabilitative protection encompasses medical treatment, psychological counseling, social assistance, and social reintegration services aimed at restoring victims' well-being. Preventive protection is realized through public awareness campaigns, labor market supervision, community empowerment programs, and other measures designed to reduce vulnerability to trafficking.

Despite the existence of a comprehensive legal framework, a substantial gap remains between the normative guarantees provided by law and their practical implementation. One of the most significant challenges concerns the effectiveness of restitution. In principle, restitution constitutes a critical legal mechanism for compensating victims for the economic losses resulting from trafficking-related crimes. In practice, however, many court decisions ordering restitution are not effectively enforced. Factors such as offenders' inability to pay, weak asset-tracing mechanisms, and the absence of efficient enforcement procedures frequently prevent victims from receiving the compensation to which they are legally entitled.¹⁴ This condition

¹⁴ Indah Damayanti and Radea Respati Paramudhita, "Peran Restitusi Dalam Tindak Pidana Perdagangan Orang," *Unes Law Review* 6, no. 3 (2024): 8585–91, <https://doi.org/10.31933/unesrev.v6i3.1744>.

demonstrates that the existing legal protection framework remains largely formalistic and has yet to ensure meaningful compensation for victims.

These findings are consistent with those of Adudu, who concluded that legal protection for victims of trafficking in persons remains ineffective due to a combination of legal and non-legal constraints.¹⁵ Similarly, the study conducted by Ilmih and Yanti revealed that although restitution is explicitly regulated under anti-trafficking legislation, its implementation remains far from optimal because of weak institutional coordination and limited enforcement capacity.¹⁶ These findings reinforce the argument that the existence of legal norms alone does not automatically guarantee the realization of victims' rights.

In addition to restitution-related issues, the implementation of rehabilitation and psychosocial recovery services remains inadequate. Legally, victims of trafficking are entitled to medical rehabilitation, social rehabilitation, and psychological assistance to facilitate recovery from the physical and psychological consequences of exploitation. Nevertheless, rehabilitation services remain concentrated in certain regions and are not evenly accessible throughout Indonesia. The limited availability of qualified professionals, insufficient shelter facilities, and inadequate service capacity have resulted in many victims being unable to obtain assistance tailored to their specific needs.

In many cases, victims experience secondary victimization arising from lengthy legal proceedings and a lack of sensitivity to their psychological conditions during the justice process.¹⁷ Victims are frequently required to provide repeated testimonies to multiple law enforcement agencies without receiving adequate psychological support. This situation indicates that existing legal protection mechanisms remain more focused on evidentiary requirements and case prosecution than on the recovery and well-being of victims. These findings corroborate the study conducted by Prihanta and Dewi, which identified inadequate victim identification procedures and limited rehabilitation facilities as major obstacles to the effective protection of trafficking victims in Indonesia.¹⁸

The Indonesian criminal justice system continues to be predominantly characterized by a retributive orientation. The effectiveness of efforts to combat trafficking in persons is generally assessed based on the number of offenders

¹⁵ Adudu, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang Di Indonesia."

¹⁶ Ilmih and Yanti, "Perlindungan Hukum Dalam Kejahatan Perdagangan Manusia Sebagai Kejahatan Lintas Negara."

¹⁷ Sabrina Nurfauziah and Erny Herlin Setyorini, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang," *Juris Studia: Jurnal Kajian Hukum* 5, no. 3 (2025): 877–90, <https://doi.org/10.55357/is.v5i3.779>.

¹⁸ Prihanta and Dewi, "Analisis Perlindungan Korban Perdagangan Orang Dalam Kerangka Hukum Internasional Dan Nasional Di Indonesia."

successfully prosecuted and the severity of sanctions imposed by the courts.¹⁹ In contrast, indicators related to victim recovery and the restoration of victims' rights receive considerably less attention. Consequently, victims are frequently treated merely as sources of evidence within criminal proceedings rather than as rights-bearing individuals entitled to comprehensive protection and recovery. This condition suggests that the transition toward a victim-centered criminal justice system has not yet been fully realized in law enforcement practices in Indonesia.

The challenges associated with the protection of trafficking victims are not solely attributable to deficiencies in legal regulations but are also rooted in broader structural conditions. Poverty, limited educational attainment, restricted employment opportunities, and socioeconomic inequality continue to generate vulnerabilities that facilitate human trafficking and impede victims' recovery processes. Accordingly, legal protection should not be interpreted narrowly as the provision of procedural rights within the criminal justice system. Rather, it should be situated within a broader framework of social protection that addresses the underlying structural factors contributing to victimization and re-victimization.

The effectiveness of victim protection is also highly dependent on coordination among relevant institutions. The handling of trafficking cases involves multiple stakeholders, including the Indonesian National Police, the Public Prosecutor's Office, the Witness and Victim Protection Agency (LPSK), the Ministry of Social Affairs, the Ministry of Women's Empowerment and Child Protection, regional governments, and civil society organizations. Nevertheless, inter-agency cooperation remains hindered by overlapping mandates, limited information sharing, fragmented databases, and differing institutional priorities. As a result, services provided to victims are often fragmented, inconsistent, and insufficiently integrated to ensure long-term recovery.

The findings of this study indicate that Indonesia has established a relatively comprehensive legal framework for the protection of victims of trafficking in persons. However, the implementation of these legal mechanisms has not yet fully ensured the realization of victims' rights as mandated by Law No. 21 of 2007 and related legal instruments. Challenges in the enforcement of restitution orders, limited rehabilitation and recovery services, inadequate inter-institutional coordination, and the continued predominance of a perpetrator-oriented justice paradigm remain significant barriers to effective victim protection. Therefore, strengthening restitution enforcement mechanisms, expanding the capacity of trauma-informed rehabilitation services, enhancing cross-sectoral coordination, and promoting a transition toward a more victim-centered law enforcement paradigm are essential to achieving the objectives of legal protection and ensuring the effective restoration of the rights of trafficking victims.

¹⁹ Muhammad Imron and Junifer Dame Panjaitan, "Pemulihan Korban Tindak Pidana Perdagangan Orang Dalam Sistem Peradilan Indonesia," *Causa: Jurnal Hukum Dan Kewarganegaraan* 15, no. 7 (2025), <https://doi.org/10.6679/6dtp7f30>.

3.2. Obstacles to the Implementation of Legal Protection for Victims of Trafficking in Persons

The principal challenge in protecting victims of trafficking in persons does not stem from the absence of legal instruments but rather from deficiencies in implementation, institutional coordination, and the limited adoption of victim-centered policy approaches.²⁰ Normative obstacles arise from the continuing lack of harmonization among regulations governing victim protection, particularly with respect to the implementation of restitution, rehabilitation, and the allocation of authority among relevant institutions. Although Law No. 21 of 2007 provides a comprehensive legal foundation for victim protection, its implementation is frequently hindered by complex administrative procedures and the absence of effective mechanisms to ensure the timely and sustainable fulfillment of victims' rights. In practice, victims often encounter significant difficulties in obtaining court-awarded restitution due to weak enforcement mechanisms and the lack of alternative compensation schemes when offenders fail to comply with restitution orders.

In addition to normative challenges, substantial institutional barriers continue to impede the effective implementation of victim protection measures. The handling of trafficking cases requires the involvement of multiple institutions, including the Indonesian National Police, the Public Prosecutor's Office, the judiciary, the Witness and Victim Protection Agency (LPSK), the Ministry of Social Affairs, the Ministry of Women's Empowerment and Child Protection, regional governments, and civil society organizations. Nevertheless, coordination among these stakeholders remains inadequate. Overlapping mandates, limited data-sharing mechanisms, divergent institutional priorities, and insufficient integration of victim support services often prevent victims from receiving continuous and comprehensive assistance. Consequently, the protection and recovery process remains fragmented, thereby undermining the effectiveness of existing legal protection mechanisms.

From an operational perspective, the facilities and infrastructure necessary to support victim protection remain insufficient. The availability of shelters, psychologists, social workers, legal aid providers, and rehabilitation centers is unevenly distributed across Indonesia. Many regions identified as source, transit, or destination areas for human trafficking lack adequate facilities to support victim recovery. As a result, victims who have been rescued frequently do not receive comprehensive rehabilitation services tailored to their needs. Over the long term, this situation increases the risk of re-victimization, as many survivors lack the social and economic resources necessary to rebuild independent and sustainable livelihoods.

²⁰ Priscilia Putri Embong Rosari et al., "Implementasi Perlindungan Korban Berdasarkan Protokol Palermo Dan Undang-Undang Nomor 21 Tahun 2007: Studi Kasus Putusan 1584 K/Pid.Sus/2021," *Paulus Law Journal* 7, no. 2 (2026): 116–34.

Efforts to optimize the protection of trafficking victims must adopt a multidimensional approach that extends beyond the prosecution and punishment of offenders to encompass prevention and victim recovery. One of the most critical measures is the strengthening of preventive programs through legal education and public awareness initiatives. Limited public understanding of trafficking methods and recruitment strategies remains a major factor contributing to victimization. Traffickers commonly exploit economic vulnerabilities by offering promises of lucrative employment, educational opportunities, or improved living conditions. Accordingly, the government should develop systematic and sustainable legal awareness programs addressing the risks of human trafficking, migrant workers' rights, safe migration procedures, and mechanisms for reporting suspected trafficking activities.

These findings are consistent with the study conducted by Muliadi and Adnan, which identified poverty, low educational attainment, and limited legal literacy as primary factors contributing to human trafficking.²¹ However, the present study extends these findings by demonstrating that legal education functions not only as a preventive measure but also as a means of community empowerment, enhancing the capacity of individuals and communities to identify, prevent, and report trafficking activities at an early stage.

A further strategy that warrants greater attention is the enhancement of community participation in both trafficking prevention and victim protection. Communities occupy a strategic position because they are directly connected to the social environments in which victims live and interact. Therefore, the establishment of community-based monitoring and reporting mechanisms involving religious leaders, traditional leaders, educational institutions, community organizations, and youth groups is essential. Active community engagement can strengthen early detection systems, increase public vigilance, and facilitate more rapid reporting of suspected trafficking activities to the relevant authorities. Such measures would contribute significantly to the development of a more responsive and preventive framework for combating trafficking in persons.

Furthermore, strengthening inter-agency coordination constitutes a fundamental prerequisite for the effective protection of victims of trafficking in persons. The development of an integrated coordination framework is essential to facilitate information sharing, service integration, and policy harmonization among institutions involved in anti-trafficking efforts. Such an integrated approach is necessary to ensure the continuity of victim protection throughout the entire process, including victim identification, rescue operations, legal assistance, rehabilitation, and social reintegration. The findings of this study support those of Prihanta and Tjokorda Istri Dewi, who

²¹ Muliadi and Adnan, "Analisis Hukum Dan Kebijakan Dalam Penanggulangan Perdagangan Orang Di Indonesia."

identified weak inter-agency coordination as one of the principal barriers to the effective implementation of victim protection measures in Indonesia.²²

Another critical strategy involves enhancing the quality of rehabilitation services aimed at achieving comprehensive victim recovery. Victims of trafficking in persons frequently suffer multidimensional consequences, including physical injuries, psychological trauma, social stigmatization, and economic deprivation.²³ Accordingly, rehabilitation programs should extend beyond physical health services and incorporate psychological support, social rehabilitation, educational assistance, and economic empowerment initiatives. The provision of vocational training, educational opportunities, access to microfinance and business capital, and sustainable livelihood programs is particularly important in facilitating victims' social reintegration and reducing the risk of re-trafficking.

The rapid development of digital technologies further necessitates the strengthening of technology-based protection strategies. Human trafficking is increasingly facilitated through social media platforms and other digital channels, enabling traffickers to recruit, exploit, and control victims more efficiently and on a broader scale. Consequently, government agencies and law enforcement authorities must enhance their digital forensic capabilities, strengthen oversight of online recruitment activities, and promote greater public awareness regarding digital safety. The development of technology-driven monitoring and prevention mechanisms is essential given the increasingly sophisticated and covert nature of contemporary trafficking operations, which are often difficult to detect through conventional law enforcement approaches.

The findings of this study suggest that legal protection for victims of trafficking in persons can only be effective when implemented through a comprehensive and integrated framework. Preventive measures should focus on legal education, community empowerment, and the enhancement of digital literacy. Repressive measures should be implemented through effective law enforcement accompanied by accessible and enforceable restitution mechanisms. At the same time, rehabilitative measures should prioritize the sustainable physical, psychological, social, and economic recovery of victims. Within this framework, legal protection serves not merely as a formal mechanism of law enforcement but also as a means of restoring the dignity, rights, and overall quality of life of trafficking victims in accordance with the principles of human rights, victim-centered justice, and substantive fairness.

²² Prihanta and Dewi, "Analisis Perlindungan Korban Perdagangan Orang Dalam Kerangka Hukum Internasional Dan Nasional Di Indonesia."

²³ Damayanti and Paramudhita, "Peran Restitusi Dalam Tindak Pidana Perdagangan Orang."

4. CONCLUSION

This study analyzed the legal protection mechanisms available to victims of trafficking in persons (TIP), identified the major obstacles affecting their implementation, and proposed strategies to strengthen victim protection in Indonesia. The findings reveal that Indonesia has established a relatively comprehensive legal framework through Law No. 21 of 2007 on the Eradication of the Criminal Act of Trafficking in Persons, which guarantees victims' rights to protection, restitution, rehabilitation, legal assistance, repatriation, and social reintegration. Despite this normative framework, the implementation of victim protection remains inadequate due to several persistent challenges, including ineffective restitution enforcement, limited rehabilitation services, weak institutional coordination, and a law enforcement approach that continues to prioritize offender prosecution over victim recovery and rights restoration.

The study highlights the necessity of adopting an integrated and victim-centered protection model that combines preventive, repressive, and rehabilitative measures grounded in human rights principles. Preventive initiatives should emphasize public awareness, legal education, community empowerment, and digital literacy, while repressive measures must ensure effective law enforcement and accessible restitution mechanisms. Rehabilitative efforts should focus on the long-term physical, psychological, social, and economic recovery of victims. Future research should employ empirical and socio-legal approaches to evaluate the effectiveness of victim protection mechanisms and support evidence-based policy reforms aimed at ensuring comprehensive victim recovery and rights fulfillment.

REFERENCES

Journals

- Adudu, Rajwa Raidha. "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang Di Indonesia." *Lex Crimen* 11, no. 3 (2022): 1–13.
- Damayanti, Indah, and Radea Respati Paramudhita. "Peran Restitusi Dalam Tindak Pidana Perdagangan Orang." *Unes Law Review* 6, no. 3 (2024): 8585–91. <https://doi.org/10.31933/unesrev.v6i3.1744>.
- Fajri, Al, and Deaf Wahyuni Ramadhani. "Perlindungan Hukum Bagi Korban Tindak Pidana Perdagangan Orang (Human Trafficking) Dalam Perspektif Undang-Undang Nomor 21 Tahun 2007 Tentang Pemberantasan Tindak Pidana Perdagangan Orang." *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 3 (2024): 284–91. <https://doi.org/10.59059/mandub.v2i3.1406>.

- Fansuri, Rayhan Fiqi, dan Juan Matheus. "Enforcement of Human Rights through Criminal Law Against Environmental Destruction Due to Batik Industry Activities." *Indonesian Journal of Criminal Law Studies* 7, no. 2 (2022): 291–316. <https://doi.org/https://doi.org/10.15294/ijcls.v7i2>.
- Hidayat, Sanseto Eriando. "Perlindungan Hukum Bagi Korban Perdagangan Orang Melalui Media Sosial Dalam Perspektif Hak Asasi Manusia." *Jurnal Hukum Lex Generalis* 6, no. 7 (2025): 1–15. <https://doi.org/10.56370/jhlg.v6i7.1771>.
- Ilmih, Andi Aina, and Luvita Yuli Yanti. "Perlindungan Hukum Dalam Kejahatan Perdagangan Manusia Sebagai Kejahatan Lintas Negara." *Media Hukum Indonesia* 2, no. 3 (2024): 580–86.
- Imron, Muhammad, and Junifer Dame Panjaitan. "Pemulihan Korban Tindak Pidana Perdagangan Orang Dalam Sistem Peradilan Indonesia." *Causa: Jurnal Hukum Dan Kewarganegaraan* 15, no. 7 (2025). <https://doi.org/10.6679/6dtp7f30>.
- Kiok, Matheus Paulino Mude, Thelma S. M. Kadja, and Rosalind Angel Fanggi. "Tinjauan Kriminologis Tindak Pidana Perdagangan Orang Di Kabupaten Ende." *Konstitusi: Jurnal Hukum, Administrasi Publik, Dan Ilmu Komunikasi* 1, no. 4 (2024): 178–88. <https://doi.org/10.62383/konstitusi.v1i4.186>.
- Muliadi, Muliadi, and Idul Adnan. "Analisis Hukum Dan Kebijakan Dalam Penanggulangan Perdagangan Orang Di Indonesia." *Al-Balad: Jurnal Hukum Tata Negara Dan Politik Islam* 4, no. 1 (2024): 22–43. <https://doi.org/10.59259/ab.v4i1.163>.
- Pambudi, Ken Adhitya Bagus, Arief Febrianto, and Budy Mulyawan. "Analisis Masalah Sosio-Ekonomi Dalam Tindak Pidana Perdagangan Orang: Sebuah Studi Literatur." *Arus Jurnal Sosial Dan Humaniora* 5, no. 2 (2025): 3290–99. <https://doi.org/10.57250/ajsh.v5i2.1630>.
- Prihanta, I. Gusti Ayu Prihayani Putri, and Tjokorda Istri Diah Widyantari Pradnya Dewi. "Analisis Perlindungan Korban Perdagangan Orang Dalam Kerangka Hukum Internasional Dan Nasional Di Indonesia." *Jurnal Media Akademik* 3, no. 12 (2025): 1–14. <https://doi.org/10.62281/q903qh45>.
- Putrazta, Satriya Aldi. "Perlindungan Hukum Korban Tindak Pidana Perdagangan Orang Lintas Negara Berkedok Lowongan Kerja Digital Di Myanmar." *Majelis: Jurnal Hukum Indonesia* 2, no. 4 (2025): 89–103. <https://doi.org/10.62383/majelis.v2i4.1204>.
- Rina Susanti, Jayanti Kurnia, and Desi Fuji Lestari. *Tindak Pidana Perdagangan Orang (TPPO): Perspektif Hukum Nasional Dalam Penegakan Undang-Undang Nomor 21 Tahun 2007 JPM*. 2, no. 1 (2025): 1–12.
- Rosari, Priscilia Putri Embong, Gita Kezia Pretty Br Bangun, and Mardian Putra Frans. "Implementasi Perlindungan Korban Berdasarkan Protokol Palermo Dan Undang-Undang Nomor 21 Tahun 2007: Studi Kasus Putusan 1584 K/Pid.Sus/2021." *Paulus Law Journal* 7, no. 2 (2026): 116–34.

Sabrina Nurfauziah and Erny Herlin Setyorini. "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Orang." *Iuris Studia: Jurnal Kajian Hukum* 5, no. 3 (2025): 877–90. <https://doi.org/10.55357/is.v5i3.779>.

Takariawan, Agus, and Sherly Ayuna Putri. "Perlindungan Hukum Terhadap Korban Human Trafficking Dalam Perspektif Hak Asasi Manusia." *Jurnal Hukum Ius Quia Iustum* 25, no. 2 (2018): 237–55. <https://doi.org/10.20885/iustum.vol25.iss2.art2>.

Thesis

Andre Gunawan. "Analisis Perlindungan Hukum Terhadap Anak Korban Tindak Pidana Perdagangan Orang Yang Dijadikan Pekerja Seks Komersial: Studi Kasus Di Kepolisian Resor Kota Bandar Lampung." Universitas Lampung, 2024. <https://digilib.unila.ac.id/79944/>.