

# Humanistic approach in protecting victims of human trafficking crimes

Heni Siswanto\*, Rini Fathonah, Haidir Anam, Andre Gunawan, Nisa Gustiara

Faculty of Law, University of Lampung, Bandar Lampung 35141, Indonesia

\* Corresponding author: Heni Siswanto, [heni.siswanto@fh.unila.ac.id](mailto:heni.siswanto@fh.unila.ac.id)

## CITATION

Siswanto H, Fathonah R, Anam H, et al. (2024). Humanistic approach in protecting victims of human trafficking crimes. *Journal of Infrastructure, Policy and Development*. 8(13): 9339. <https://doi.org/10.24294/jipd9339>

## ARTICLE INFO

Received: 26 September 2024

Accepted: 4 November 2024

Available online: 12 November 2024

## COPYRIGHT



Copyright © 2024 by author(s).

*Journal of Infrastructure, Policy and Development* is published by EnPress Publisher, LLC. This work is licensed under the Creative Commons Attribution (CC BY) license.

<https://creativecommons.org/licenses/by/4.0/>

**Abstract:** Cases of human trafficking are becoming more prevalent and represent grave abuses of human rights. Both locally and internationally, victims of human trafficking run the danger of being exploited, violent, or infected with contagious illnesses. The Indonesian government has not fully complied with the minimal criteria for safeguarding victims of human trafficking, notwithstanding Law Number 21 of 2007 for the Eradication of the Crime of Human Trafficking. Human rights restoration and respect for victims of human trafficking must be given priority in the implementation of legal protection for these individuals. To strengthen and increase the security of victims' rights in the future, this study intends to conduct a thorough analysis of the humanism approach model and policies for safeguarding victims of human trafficking. This research uses an empirical technique to support its normative legal analysis. Primary and secondary legal sources are used in this research. The study's findings show that the protection provided by humanist criminal law for victims of human trafficking is founded on humanitarian principles that derive from the divine principles found in the Pancasila ideology. There are additional requirements for punishment, such as its purpose, its ability to serve as therapy, and its determination to reflect the victim's and society's sense of justice. This criminal law is founded on the principles of legality and balance.

**Keywords:** victims of human trafficking; humanist approach; legal protection

## 1. Introduction

Human conduct in the state and society is becoming more and more complex. While conforming to social standards is not inherently problematic, deviating from them typically results in legal issues and negatively impacts the community. The evolution of law will inevitably follow the advancement of civilization. Analogously, the emergence of legal problems will follow the growth of societal issues. Human trafficking is one example of the many different kinds of crimes that have emerged in society as a result of the advancement of civilization (Khamzin et al., 2022).

One of the most heinous crimes against human dignity and honor is human trafficking, commonly known as human trafficking (Pryimachenko et al., 2021). The long-standing practice of purchasing and vending human beings has resulted in modifications to the victim recruiting pattern and form, which are now more organized and tidier. Cases of human trafficking are rather alarming these days since, in addition to the growing victim count, the mode of operation is also evolving (Countryman-Roswurm et al., 2024).

Human trafficking and human rights concerns are strongly intertwined because human trafficking targets prostitution, pornography, violence or exploitation, forced labor, slavery, or similar behaviors and is carried out by threats, compulsion, kidnapping, fraud, deception, falsehoods, and abuse of authority (Shcherbatiuk et al.,

2024). One of the techniques above can lead to human trafficking, which is classified as a crime that infringes on human rights (Stoyanova, 2020). Therefore, to prevent and end these crimes, efforts must be made on a global, regional, and national level. This may be achieved by safeguarding and rehabilitating victims, who are typically the targets of coercion and fraud, so they are not treated cruelly or abused (Richie-Zavaleta et al., 2021). As an illustration, consider sexual exploitation, slavery, and other practices that profit the people who engage in them.

For a variety of reasons, human trafficking is a kind of human rights crime that is extremely harmful to its victims (Farrell et al., 2019). A United Nations estimate states that around one million youngsters fall victim to human trafficking each year. The majority of victims suffer significant dangers of abuse, exploitation, and contagious illnesses since they are coerced and trafficked both locally and internationally (Franchino-Olsen, 2019). Given the sheer volume of cases and victims of human trafficking, the issue must be addressed right once. To guarantee that the victims' rights are upheld, the victims must receive the required medical attention and legal protection. Policies and appropriate legal measures must be implemented to stop human trafficking, penalize criminals, and offer victims protection and rehabilitation (Rai Yuliantini and Sudika Mangku, 2020).

In the globe at large, but particularly in Indonesia, victims of human trafficking are gravely concerned about their legal protection. Various laws and policies have been enacted by nations all over the world in an attempt to safeguard victims and stop human trafficking. Still, there are a lot of obstacles in the way of putting in place strong legal protection and making sure victims receive justice (Prabandari and Adiputera, 2019). So that it may support the advancement and improvement of victim rights protection in the future, a deeper examination of the humanist approach model is required in the fight to protect victims of human trafficking (Islam, 2024).

One nation that understands the need to give victims of human trafficking legal protection is Indonesia. The Indonesian government has made great efforts to end human trafficking, but it has not yet completely achieved the minimal requirements (Susanti et al., 2020). The Republic of Indonesia Law Number 21 of 2007 concerning the Eradication of Human Trafficking was adopted as a sign of the government's commitment to protecting citizens.

This statute regulates the criminal hazard posed by human traffickers. It also governs other criminal crimes relating to human trafficking. The community can help to prevent and handle victims of human trafficking by providing information and reporting the existence of human trafficking to law enforcement or authorities, as well as helping in the treatment of victims of human trafficking.

Law Number 21 of 2007's empirical evidence demonstrates that women and children are the most susceptible demographics to become victims of human trafficking (Cameron et al., 2023). In addition to being trafficked for sexual purposes, like prostitution, victims also endure other types of exploitation, such as forced labor, forced services, slavery, or acts that are comparable to slavery. Human traffickers engage in a variety of behaviors, including recruiting, moving, transferring, hiding, and receiving individuals to ensnare, seduce, or otherwise take advantage of them (Boerman and Golob, 2021). These behaviors may include using or threatening violence, abduction, forging documents, fraud, abusing positions of

authority or vulnerability, or offering rewards or compensation in exchange for the approval of the person in charge of the victim.

757 complaints were submitted to the Human Trafficking Crime Task Force between 5 June and 14 August 2023. Out of the hundreds of reports, 901 persons were designated as suspects in human trafficking cases by the police, and they were detained. Then, there were 9 cases of victims becoming ship crew (ABK), 219 incidents of victims becoming commercial sex workers (CSW), and 59 cases of victims being kid abused. The paradigm of the criminal justice system, which only considers retaliating against the offenders through the application of current criminal sanctions, further exacerbates this precarious situation. The issue of regaining the rights and conditions of victims of human trafficking has never been given due consideration (InfoPublik, 2023).

One cannot argue that human trafficking is the best way to compensate victims for their psychological and bodily damages (Hopper, 2019). Psychological abuse brought on by human trafficking can indeed have both immediate and long-term effects (Dell et al., 2017). The immediate effects include mental and emotional problems, the breakdown of the family unit, and a threat to the victim's safety. If the victim is still a kid, trauma and the experience of being a victim of human trafficking can also lead individuals to commit violent crimes as adults. The signs of sadness, anxiety, anger, sleeplessness, and low self-esteem all demonstrate this (Evans, 2020).

The Law Number 21 of 2007's provisions for the protection of victims of human trafficking are not perfect. Criminal law is a public law that views criminal acts as acts that threaten the social order in general (Muraszkiewicz, 2019). This is why Article 2 to Article 9 of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking only recognizes criminal sanctions of imprisonment and fines, meaning that the imposition of sanctions only focuses on retaliation for the perpetrator's actions and the restoration of losses to the nation's normative system through payment of fines. One loophole that may contribute to the failure to restore the victims of human trafficking rights through alternative punishment is the existence of Article 50 paragraph 4 of Law Number 21 of 2007 for the Eradication of the Crime of Human Trafficking (Tammone, 2024).

The state is the entity primarily in charge of guaranteeing the protection of human rights, particularly those of victims of human trafficking in Indonesia, by enacting laws that are genuinely founded on justice and oriented toward humanity (Purba, 2020). Both legal issues are an imbalance of regulations (legal gap) that calls for special attention from the state. The issue of the current legal and empirical gaps has undoubtedly extended to the latter, as the explanation of the above-mentioned dynamic rise in human trafficking offenses in Indonesia demonstrates (Netipatalachoochote, 2020).

The First, Second, and Fifth Principles of Pancasila, the Fourth Paragraph of the Opening of the 1945 Constitution of the Republic of Indonesia as the state's goal, and Articles 28D and 28G of the 1945 Constitution of the Republic of Indonesia as the fundamental basis for the human rights of victims of human trafficking and as the ratio legis in law all manifestly contradict such conditions philosophically (Silitonga et al., 2023).

This blatantly goes against the fundamental tenet of the evolution of humanist

criminal law (Gibney and Wyatt, 2021). Together, Pancasila and the Republic of Indonesia's 1945 Constitution require that national and state life be realized by the following principles: the value of humanity as a pattern of recognition, appreciation, and protection of human rights in the life of the nation and state; the value of belief in God Almighty as the cornerstone of Indonesian religiosity; and the social values of society that demonstrate the nation and state's nationalist, democratic, and social justice-based way of life for all segments of Indonesian society. This serves as the cornerstone for accomplishing the goals of criminal law in the formulation of the notion of national criminal law politics. The Fourth Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia concluded that these numerous mandates then revealed various principles to be achieved in people's lives to develop national ideals and state aims. These include the following: the concept of equality before the law; the concept of personal or individual liability; the concept of culpability; the concept of justice based on Almighty God; the concept of social justice; and the concept of a democratic rule of law (Nur and Fauzi, 2023).

This research is unusual because it examines a topic that has never been explored before: the humanist approach to helping victims of human trafficking. This study can add to the body of knowledge on legal and criminological research by elucidating the applicability and efficacy of the humanist approach to crimes including human trafficking. These theoretical ramifications can aid in the development of criminal law theories, particularly when it comes to taking victim healing and protection into account as essential components of the criminal justice system.

The research will look at two issues, namely the national policy for TPPO victim protection and the humanism approach model for victim protection, based on the background description. This study uses an empirical method to support its normative legal findings. Primary and secondary legal sources are consulted in this study.

The Humanist Approach to Protecting Victims of Human Trafficking is crucial to examine because victims of human trafficking are not well-known, and punishment is mostly directed at the criminals (Reynolds, 2021). The law of the perpetrator does not always make the victim feel willing and safe. Many victims still believe they have not received justice or a return to the victim's position in society as a result of the trauma they experienced and the severe psychological damage that makes change difficult. That is why the humanist perspective is so crucial in defending victims of human trafficking. Legal protection for victims of human trafficking will take a humanist approach, with a focus on ensuring their rights to compensation, restitution, and rehabilitation.

This article is divided into two sections that examine the humanist approach to protecting victims of human trafficking. The first section explores the use of a humanist approach in national policies to safeguard victims of human trafficking. This conversation is necessary to identify the implementation and challenges in protecting victims of human trafficking. The second section focuses on the approach model that prioritizes humanism principles in helping victims of human trafficking. The article concludes with a reference submission.

## **2. Research methods**

This study uses a normative legal research method. The study was conducted by studying legal materials in the form of legislation and legal concepts related to legal protection for victims of human trafficking. This study uses a normative legal research method. The study was conducted by studying legal materials in the form of legislation and legal concepts related to legal protection for victims of human trafficking.

## **3. Results and discussion**

### **3.1. Implementation of a humanist approach in national policy to protect victims of human trafficking**

The state is accountable for protecting TPPO victims, and it does so by implementing several regulations and initiatives. According to Article 1 Paragraph 3 of the 1945 Constitution, Indonesia is a nation of laws. All Indonesians respect the constitution as the foundation of their democratic, legal nation. Law enforcement personnel must so uphold human rights and guarantee that all citizens are given equal protection under the law. It is also the state's responsibility to defend these human rights (Muzychuk et al., 2023).

The statement "All people are equal before the law and have the right to equal protection of the law without any discrimination" appears in Article 7 of the Universal Declaration of Human Rights (UDHR) (Mohammad Osmani-Md et al., 2022). Everyone is entitled to legal protection against discrimination and other actions that may be connected to transgressions of the declaration's guiding principles. The same holds for anybody who is trafficked and used for prostitution or other illicit activities, such as exploitation, unlawful labor, or prostitution.

Everyone, but particularly those who have been the victims of crime, requires a legal guarantee to ensure that their protection continues and to stop unintentional violations while human rights protection initiatives are being carried out. There are two facets to legal protection for crime victims (Holder and Robinson, 2021). The first part deals with laws, policies, and regulations that safeguard children's rights; the second part controls how these rules and policies are put into practice.

Human trafficking is classified as a crime that breaches human rights in light of this extremely alarming human trafficking situation (Fouladvand and Ward, 2019). Threats, coercion, abduction, fraud, deceit, lying, and the misuse of authority are all used to conduct violations that target prostitution, pornography, forced labor, brutality or exploitation, slavery, or activities closely associated with slavery. Therefore, to fulfill their rights as victims whose lives have been snatched away by the crime of human trafficking, victims of this crime truly need to receive legal protection (Riyantika and Hafidz, 2021).

Indonesia has a unique narrative to tell from the many stages of human trafficking, which has to be covered in detail in this debate (Khuluq et al., 2022). Beginning with making certain sections of the Criminal Code illegal and ending with ratifying international accords that forbid human trafficking (Clark and Poucki, 2018). Furthermore, it appears that Indonesia is a hot topic in the globe, particularly

for the US, which is interested in sharing its study of Indonesian crime figures.

Indonesia was listed with eighteen other countries, including Burma, Cambodia, Afghanistan, Iran, Bosnia, Russia, Qatar, Lebanon, Turkey, Saudi Arabia, and the United Arab Emirates, in the lowest and worst Tier 3 group of countries in the 2002 human trafficking report released by the US Department of State (US Dept. of State Trafficking in Persons Report 2002) and the Economic and Social Commission on the Asia Pacific (Hidayat et al., 2024).

Tier 3 nations are those with a high victim population whose governments do not adhere to established protocols and do not endeavor to handle victims in a way that satisfies those protocols. As per the Trafficking Victim Protection Act of 2000, the following four items are considered minimal standards:

- a) The government has to outlaw human trafficking and penalize those who engage in it.
- b) The government shall apply punishments equivalent to those for grave offenses that carry the death penalty, such as forced or violent sexual assault or human trafficking in its most heinous form, which involves the use of human beings for rape, kidnapping, or other sexual acts that result in death.
- c) To discourage human trafficking, the government must enact laws that are severe enough to match the horrible nature of the offense.
- d) The government ought to work hard and persistently to end human trafficking.

The government, through national policy, responds to the socioeconomic conditions of human trafficking crimes by offering a humanist-outlined framework of protection for victims of trafficking in persons. In the course of its growth, attempts to abolish human trafficking crimes using a humanistic policy approach were the first to be understood via legal politics (Harnoncourt and Paredes, 2023). These efforts to give protection were subsequently translated into actual policies through laws and regulations.

Sudarto's ideas in the book *Criminal Law* demonstrate the humanistic approach to criminal law policy and reform (Allamah and Masyhar, 2021). According to Sudarto, when it comes to criminal law reform, the focus will always be on people to ensure that those involved in the legal system never lose sight of their humanity, particularly their compassion for others (Syariah IAIN Pekalongan JI Pahlawan and Pekalongan, 2022). Therefore, the purpose of criminal law or other laws is to control issues about social life or the exercise of governance in society (Simon, 2020).

As evidenced by the considerations of Law No. 21 of 2007, the criminal law policy outlined in the law is an attempt to prevent and eradicate the crime of human trafficking (Putu and Aryana, 2021). This goal is supported by high moral standards, national and international commitments to carry out early prevention initiatives, the prosecution of offenders, victim protection, and enhanced regional and global cooperation.

To successfully prosecute a case of human trafficking, the use of criminal penalties must be justified by the following criteria: the offender must have committed a criminal act (of an unlawful nature); be over a certain age, and be capable of being responsible; have made a mistake in intent or negligence; and have no defense that would satisfy the requirement that the act be unlawful. Specific elements of the crime of human trafficking, individuals or entities classified as

perpetrators of the crime, and the possibility of criminal penalties for individuals or entities that violate Articles 2 through 18 are all outlined in Law No. 21 of 2007 (Pajón and Walsh, 2020).

Government efforts to offer protection for victims, witnesses, and informants are encouraged under Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking (Negash, 2019). Human rights-based reviews of the legal protections offered to victims of human trafficking include restitution, compensation, and rehabilitation (Mars and Setiyono, 2023). Restitution is the amount of money that the state requires the defendant to contribute or pay to the victims of human trafficking as a result of a court ruling (Kaye et al., 2020). As a communal group that has to be protected by the state, victims are entitled to legal protection in the form of compensation. If the offender or prisoner is unable to provide reparation to the victim, the state will also be responsible for providing this protection (Subekti et al., 2020). Furthermore, victims of human trafficking frequently suffer from extreme trauma as a result of the crime, necessitating rehabilitation to return the victim's psychological condition to its pre-trafficked one.

Aside from the government, police, prosecutors, and courts, some factors that become barriers to providing effective protection for victims of human trafficking are the victims themselves, who occasionally allow it to occur for three reasons: first, they are powerless to respond to deviations; second, they or other control bodies may fear that there will be more serious consequences as a result of the conflict; and third, this culture of apathy has become entrenched in society due to the lack of a widespread response (Farrell et al., 2019).

Other problems in the rehabilitation and restitution of victims of human trafficking are victims who are unable to describe the amount of losses suffered and are unable to provide complete documents for restitution applications, investigators who have obstacles in the process of collecting documents for restitution applications, public prosecutors who do not seize the perpetrator's assets because they believe that confiscation is the task of the police, and judges who Furthermore, the restitution application process is cumbersome and time-consuming, efforts to compel compensation from victims of human trafficking are ineffectual, and legal punishments against perpetrators who fail to pay restitution fees to victims remain lenient.

From the government's point of view, there are additional considerations besides the monopoly model the procedural rights model that the government employs to protect victims. Under this concept, victims can meddle in the legal system. Nearby, other models have not been fully implemented, such as The Services Model, which has the potential to facilitate the realization of the integrity of the institutionalized trust system.

Part of the reason for the continued perceived deficiency in protection from the government is that the internal party has not yet discovered a workable framework for its ultimate resolution. Because the two countries whose trade circuits cross will have more freedom to choose the legal instrument that is the center of the problem, the government's use of the mutual legal system in the context of transnational crimes can still be maximized if the government specifically uses the concept of bilateral agreement. The two nations that are often trading routes will have more

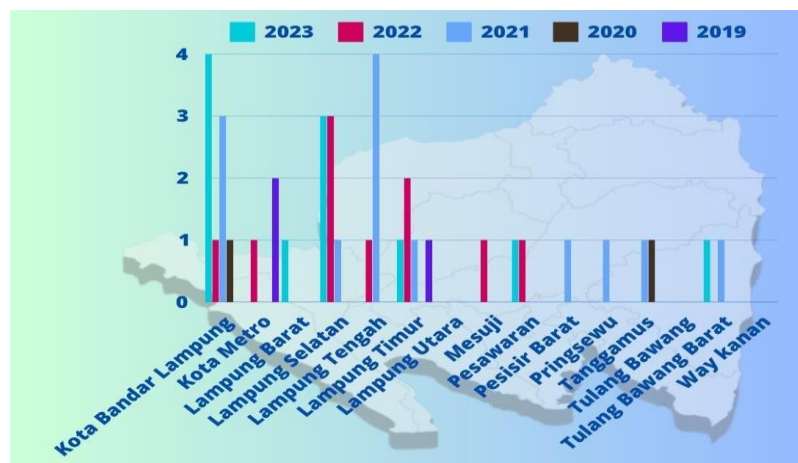
time to handle it.

### 3.2. Humanist approach model in protecting victims of human trafficking crimes

Human trafficking has been recognized as a criminal offense and a human rights violation. Human trafficking encompasses and frequently intersects with other criminal activities including forced labor, child sex trafficking, or unlawful organ harvesting (Noval et al., 2022).

In 2023, there were 252 adult victims of human trafficking (TPPO), according to statistics from the Online Information System for the Protection of Women and Children (SIMFONI PPA). In the meantime, there were 206 victims who were children. A major crime against humanity is TPPO. Over time, this crime has developed a number of various forms of operation, and transnational crimes involve networks from multiple nations, allowing a gang of criminals to originate from different nations. According to the PA Minister, new instances involving online gambling or online fraud, internship programs, and Indonesian Migrant Workers (PMI) employed as Household Assistants (ART) account for the bulk of TPPO cases in Indonesia. Since women and children are frequently the primary targets of human trafficking syndicates, TPPO has a significant impact on them and calls for more attention from all parties involved (Biro Humas, 2024).

The term “modern slavery” is frequently used to describe human trafficking, which impacts millions of individuals worldwide. The humanist approach to TPPO victim protection places a strong emphasis on the value of treating victims with compassion, upholding their human rights, and providing them with various forms of rehabilitation help. This humanistic perspective views victims as unique people with rights and dignity that should be upheld, in addition to being objects of protection (Adler, 2020). **Figure 1** is he following data on human trafficking that took place in the Lampung region between 2019 and 2023 was made public by the Lampung Police:



**Figure 1.** Statistics of Human Trafficking in the Lampung Region During the Period 2019–2023.

Data source: Sub-Directorate V of the Criminal Investigation Directorate of the Lampung Regional Police.



Protection against human trafficking crimes is stated in Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking. As stipulated in Article 43 paragraph (1) Compensation and medical and social rehabilitation as well as reintegration must be carried out by the state, especially for victims who experience physical, psychological, and social suffering due to the crime of human trafficking. Then the next article from articles 44, article 47, article 48, and article 51 to article 54 of Law number 21 of 2007 which successively regulates the confidentiality of the victim's identity, the right to receive restitution or compensation, both related to property rights, costs during the legal process, both domestically and abroad, and the restitution must be included at the same time in the court's decision.

The state should grant special access to counseling services and medical assistance in certain institutions so that individuals feel safe and confident in uncovering real crimes and feel equal to humans in general without discrimination (Walters et al., 2017). This is in addition to what is specified in the articles of the relevant laws and regulations. It is also necessary to explain definitively, imitatively, and terminologically to the related narrative. The assumption that the community will become a partner with the police is tied to the second, which is the dissemination of information in the hopes that it will enable the community's control role over police performance to function effectively.

Restitution for victims is one of the most important factors supporting their rehabilitation process, even while law enforcement pursues criminals (Martin and Fowle, 2020). The right to restitution is governed by several laws in Indonesia, most notably Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. According to this legal definition, restitution is the payment made to victims in exchange for their losses whether they be financial, psychological, or bodily. Restitution is intended to put the victim back in the same situation as before they became a victim or the status quo ante (Hendriana et al., 2024). Restitution further seeks to provide victims with a feeling of justice for what they have gone through (Murhula and Tolla, 2020).

Restitution may also be provided in the form of asset recovery or as compensation for both major and immaterial losses. The Decree of the Minister of Law and Human Rights Number: M.HH-04.PK.01.04 of 2012 about Technical Instructions for the Provision of Restitution to Victims of Human Trafficking lays out the execution of restitution for victims of human trafficking in Indonesia. The technical instructions stress that compensation for losses incurred by victims of human trafficking must be made in a way that fairly and effectively accounts for their losses (Narminio, 2023). The Indonesian government has also worked with international organizations like the UN, ASEAN, and the European Union to improve the protection and rights of victims of human trafficking, including the right to restitution, and to strengthen legal regulations regarding this right (LANNIER, 2023).

In the meanwhile, there are still several barriers to the awarding of reparation rights in Indonesia. Among these is the lack of a defined process for figuring out how much compensation is due. This frequently gives victims the impression that their compensation is insufficient. Furthermore, victims frequently do not receive

enough information about their rights since law enforcement officials, such as the police and prosecutors, do not socialize or comprehend this reparation entitlement (Saef et al., 2023). Then, victims frequently experience fatigue and hopelessness because of the drawn-out legal process and intricate bureaucracy (Sandvik, 2023). The absence of psychosocial help provided to victims during the judicial procedure exacerbates this. Therefore, even if the right to reparation has been acknowledged by law, there is still a need for considerable improvement in its actual use. Nevertheless, the government has undertaken several initiatives to enhance victim compensation rights' comprehension and application (Jubany et al., 2022). One way to do this is by providing training for law enforcement personnel and enhancing inter-agency collaboration, which includes the police, prosecutors, and non-governmental groups that deal with human trafficking.

The international community is aware that effective international coordination is required to prevent and combat human trafficking. Numerous national and international agreements have been created in response to this requirement (Demeke, 2024). A single legal system and a single legal connection between one nation and the signatory nations are features of international agreements with national accords. In actuality, it is not unusual for a country to emerge from the ground up without the assistance of other nations, either directly or indirectly, by physical means or diplomatic channels (Bryant and Landman, 2020). Furthermore, one need for a country's formation is its recognition by other nations. In essence, international agreements are species of the general agreement genus (Madah et al., 2024).

The Palermo Protocol urges all signatory nations to enact laws and take other appropriate action to stop, investigate, and punish human trafficking, with a focus on women and children (Scrittore, 2023). Before adopting the Palermo Protocol, Indonesia passed Law Number 21 of 2007 for the abolition of the Criminal Act of Trafficking in Persons on April 19, 2007 (UU PTPPO). This law's approach is focused on the "criminal" side of human trafficking, as implied by its title (Faulkner, 2023).

About putting these legal restrictions into effect and ratifying the international conversation on human trafficking as outlined in the Palermo Protocol, Indonesia must act with good intentions to safeguard and protect every Indonesian citizen and collaborate with other nations to establish a safe environment in each nation. The laws and regulations of Indonesia comply with the provisions of the 2000 Palermo Protocol on Human Trafficking (Sulistiyowati, 2021). As a result, nations and countries that fight human trafficking can use these regulations to control offenders and prevent them from engaging in such activities. However, prevention of human trafficking does not only begin with the state; it also begins with the family, society, and residential environment, as awareness of lessons and effective societal adaptation can prevent human trafficking (Arifin et al., 2021).

At every stage of the inquiry, humanistic principles for safeguarding victims of human trafficking can be implemented (Visser et al., 2019). Humanistic ideals take the form of protecting human trafficking victims from coercion and educating them about their legal rights so they may defend themselves (Salami' et al., 2021). Humanistic principles are demonstrated throughout the prosecution phase by defending the rights of human trafficking victims and placing an emphasis on

rehabilitation rather than revenge. Humanistic qualities are demonstrated throughout the trial phase by giving victims of human trafficking a specific place to stay and shielding them from the negative connotations associated with the criminal justice system (Salami' et al., 2021). The humanistic approach, which challenges the legitimacy and functions as a check and balance on the judge's conscience, is not a novel factor that is used beyond the framework of the criminal judicial system (Haynes, 2023).

The Criminal Code is the most significant and fundamental tool that the government may employ to carry out the legal component of legal protection (KUHP). There are at least a few articles that offer a provision relating to victim protection, particularly in Article 14c paragraph 1 of the Criminal Code addressing civil recompense, even if the interests of victims rather than offenders have not been taken into consideration in this legal product. This is how the article is written: "In the order referred to in Article 14c, except in the case of a fine being imposed, then together with the general condition that the person being punished will not commit a crime, the judge may make a special condition that the person being punished will compensate for the losses incurred due to the crime, all or part of it, which will be determined in the order determined in the order as well, which is less than the probationary period."

The aforementioned article presents the argument that victims have not received much specific consideration in the Criminal Code's text. Barda Nawawi claims that victim protection under positive criminal law is more akin to abstract or indirect protection, meaning that since different criminal acts have been defined in laws and regulations thus far, victims have essentially had legal protection and human rights protection.

Therefore, neither the type of restitution (compensation) for victims and their families at the same time nor the precise and firmly specified rules that directly or concretely provide legal protection for victims are outlined in the Criminal Code. Judges are just presented with an optional offer, meaning that the requirements do not have to be mandatory to protect by the Criminal Code's articles (Supriyanto, 2020).

Law Number 13 of 2006 concerning the Protection of Witnesses and Victims provides victims with additional legal protection beyond that provided by the Criminal Code. In particular, paragraph (1) of Article 5 gives validity to the protection of one's family, property, and personal safety from threats about testimony that has been or will be provided. Take part in the process of selecting and deciding on the type of security support and protection that is needed; give information freely; obtain an interpreter; avoid entangling inquiries; obtain information about case developments and court rulings; obtain a new identity and place of residence; receive reimbursement for necessary transportation expenses; obtain legal counsel; and receive temporary living expenses assistance until the protection period expires.

After the bill was enacted, the government genuinely provided significant information regarding the bottom-up orientation of the law. This is distinct from other laws that are more centralized and shaped by the interests of the ruling class, which are typified by formalities that impede the pursuit of justice. The positivistic

legalistic school of thinking maintains that the process is followed precisely, leading many to believe that the law is the legal process itself.

Specifics regarding protection against human trafficking crimes are stated in Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking. Specifically in Article 43 paragraph (1) Compensation and medical and social rehabilitation as well as reintegration must be carried out by the state, especially for victims who experience physical, psychological, and social suffering due to the crime of human trafficking. Then the next article from Article 44, Article 47, Article 48, and Article 51 to Article 54 of Law Number 21 of 2007 which successively regulates the confidentiality of the victim's identity, the right to receive restitution or compensation, both related to property rights, costs during the legal process, both domestically and abroad, and the restitution must be included at the same time in the court's decision.

The state should grant special access to counseling services and medical assistance in certain institutions so that individuals feel safe and confident in uncovering real crimes and feel equal to humans in general without discrimination (Varghese et al., 2019). This is in addition to what is specified in the articles of the relevant laws and regulations. It is also necessary to explain definitively, imitatively, and terminologically to the related narrative. The assumption that the community will become a partner with the police is tied to the second, which is the dissemination of information in the hopes that it will enable the community's control role over police performance to function effectively (Underhill, 2020).

The Pancasila ideals are given priority in the humanist approach to safeguarding victims of human trafficking (Husin et al., 2024). The ideals of Pancasila as the philosophical underpinning of the Indonesian state are fundamentally a source of all sources of legislation in the Indonesian state. It is an objective vision of life, awareness, legal principles, and high moral standards that include the national character and mentality of Indonesia and serve as the foundation of all other sources of law (Li-Ann, 2021).

According to Kaelan's explanation of Pancasila as a fundamental philosophy, which was previously discussed, it is evident that the values contained in Pancasila are ideals that should be achieved, or what Kaelan refers to as *das sollen*. As a result, Pancasila serves as the foundation for legislation that establishes the nobles' ideals in the real world, or what Kaelan refers to as *das sein*. Thus, it is evident that Indonesian law originates from Pancasila (Hastangka et al., 2019).

The protection and rehabilitation of victims of human trafficking must also be in line with the national ideals and state objectives, which are enshrined in Pancasila and the fourth paragraph of the Preamble to the 1945 Constitution. These include respect for the human rights of all groups, including both the victims of human trafficking and the traffickers themselves, as previously mentioned (Mansar, 2022). This is intended to create a balance of criminal law so that criminal sanctions are not only able to provide retribution but also able to provide education and awareness in society, so that society is not only afraid of the law but also aware of the law so that harmony will be achieved between the certainty of the textual mandate of legal norms with legal justice for all related groups, so in this case SPP or criminal law or punishment or criminal sanctions are not only demanded as the last resort in

overcoming human trafficking but criminal law politics must be able to prevent the occurrence of human trafficking crimes including human trafficking with a humanitarian approach while also being able to realize legal justice for victims and perpetrators of human trafficking (Kunarti et al., 2023).

Sri Endah made the following suggestions regarding the creation of criminal law policy regarding sanctions for the implementation of protection and recovery for victims of human trafficking (Iannone et al., 2024): “If the Pancasila legal system is what national law aspires to, then it is appropriate to study and develop criminal law that contains the values of Pancasila, meaning criminal law that is oriented towards the values of the Almighty God, criminal law that is oriented towards the values of Just and Civilized Humanity, criminal law that is based on the values of Unity, and criminal law that is inspired by the values of Democracy Led by the Wisdom of Deliberation/Representation and the values of Social Justice for All Indonesians.”

According to Ahmad Hanafi, the use of criminal law is simply a last choice when it comes to combating crime; it is not the sole way to do so. Helbert L. Packer said that criminal law can occasionally be a safeguard and other times it might pose a threat to people’s rights. Criminal law can be a safeguard if applied judiciously, compassionately, and with caution; if applied hastily and coercively, however, it will pose a threat. According to Packer, the application of criminal law may both benefit and endanger people if done so. Including in terms of putting into practice the defense and rehabilitation of trafficking victims. Thus, a humanist/humanitarian perspective is required to protect victims of human trafficking.

Barda Nawawi Arief asserts that the application of criminal sanctions must take a humanistic approach. This means that in addition to requiring that the penalties meted out to violators be in line with civilized humanitarian values, the penalties must also have the capacity to educate violators about the significance of social and humanitarian values in society. Barda Nawawi Arif’s perspective demonstrates that implementing restitution, compensation, and rehabilitation is a more effective means of protecting and assisting victims of human trafficking than relying exclusively on revenge (Muhyidin et al., 2022).

The aforementioned points of view aim to actualize the development of criminal law, which includes the implementation of fair protection and recovery for victims of human trafficking. This involves considering humanitarian values in addition to the severity of criminal penalties and the efficacy of criminal law efforts in raising awareness among offenders and restoring the rights of trafficking victims (Matos et al., 2018). Consequently, judges must create laws that are grounded in social values and laws that address sexual violence against victims of trafficking.

To realize the reconstruction of values in the criminal law policy on human trafficking, it is necessary to regulate it in Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking related to the principles of the objectives of criminal law, considering that so far Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking is oriented towards the principles of criminal law in the Criminal Code which only focus on the perpetrators and actions, while the position of victim protection is neglected. The fundamental principles that need to be included in the provisions of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking are the

principles of recognition and protection of Human Rights. The Republic of Indonesia recognizes and upholds human rights and basic human freedoms as rights that are inherently inherent in and inseparable from humans, which must be protected, respected, and upheld for the sake of increasing human dignity, welfare, happiness, intelligence, and justice. Then the principle of freedom from slavery and torture.

The next reconstruction involves retraining judges to use reasoning that is not just based on absolute textual reasoning, but also legal education. The main goal of judges' reasoning education is to develop progressive judges by applying Cardozo's teleological-sociological reasoning. Cardozo observes that judges' application of the law is dependent on more than just statutes and rules. According to Cardozo, judges also take into account the social psychology of the society that emerges in a particular location and at a specific period, in addition to values, norms, and conventions. According to Cardozo's perspective, judges' ability to evaluate and provide decisions based on a variety of social factors may be attributed to their moral and spiritual principles. According to Cardozo, legislation must be altered to reflect societal shifts, and lawmakers must learn about these changes through experience and research into life and reflection.

Bambang Tri Bawono claims that courts in Indonesian instances involving human trafficking essentially have the authority to impose criminal penalties meant to make up for the losses suffered by the victim, namely by applying Article 10 of the Criminal Code, which deals with extra penalties. When the offender claims he is unable to recompense the victim of human trafficking, one of the extra penalties may be the confiscation of the offender's property. This might be done to make up for the victim's losses. To prevent victims from having to pursue reparations through a different judicial process, as stated in Article 48 of Law Number 21 of 2007 About the Eradication of the Crime of Human Trafficking. This is also able to prevent perpetrators from avoiding their obligations due to the existence of substitute penalties as regulated in Article 50 paragraph (4) of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking.

The concept in dispute is victim protection, and it represents a reconstruction of values in the form of unambiguous legal principles in rules for the elimination of human trafficking. To enhance human dignity, welfare, happiness, intelligence, and justice including, in particular, the right to recovery for victims of human trafficking the Republic of Indonesia essentially recognizes and upholds human rights and basic human freedoms as rights that are intrinsically inherent in and inseparable from humans. Freedom from slavery and torture as a means of defending human values is fundamentally linked to the right to rehabilitation for victims of crime, particularly those who are the targets of human trafficking.

#### **4. Conclusion**

The national policy of the Indonesian government to safeguard victims of human trafficking incorporates a humanist perspective. The legislative structure, particularly Law No. 21 of 2007, which places a strong emphasis on victim protection, prevention, and law enforcement, reflects this strategy. This strategy seeks to strike a balance between full support for victims, including legal, financial,

and psychological help, and severe actions against offenders. This humanist approach is being put into practice by changing the criminal justice system, instilling humanitarian principles in law enforcement, and offering victims protection in the form of reparations, compensation, and rehabilitation. As a result, Indonesia aims to uphold its legal obligations as a nation-state by protecting the rights of all of its people, particularly those who are the victims of human trafficking.

Indonesia's humanism approach to safeguarding victims of human trafficking (TPPO) has advanced significantly, as evidenced by the adoption of the Palermo Protocol and the establishment of a comprehensive legal framework via Law No. 21 of 2007. Both legal and non-legal elements of this protection are included, such as the information, medical support, and counseling services that are offered. Although there have been initiatives to uphold victims' rights, particularly about restitution, there are still obstacles in the way of its implementation, including a murky process for calculating reparation amounts and a lack of awareness on the part of law enforcement. To address the TPPO, Indonesia has also adopted an integrated approach to international cooperation. However, additional efforts are still required to increase the efficacy of victim protection, including enhancing coordination between relevant institutions and providing law enforcement officers with training to guarantee better application of current policies.

**Author contributions:** Conceptualization, HS and RF; methodology, HS, RF and HA; formal analysis, RF and NG; data curation, NG and AG; writing—original draft preparation, RF, and AG; writing—review and editing, AG and HS; supervision, RF. All authors have read and approved the published version of the manuscript.

**Acknowledgments:** Our gratitude goes to the Institute for Research and Community Service (LPPM) of the University of Lampung. Without their help, this research would not have been possible. We also realize that there are still shortcomings and limitations in analyzing the data in this study. We expect input and suggestions from all parties to improve this research.

**Conflict of interest:** The authors declare no conflict of interest.

## References

- Adler, J. (2020). The Genealogy of 'Human Dignity': A New Perspective. *Publications of the English Goethe Society*, 89(1), 17–59. <https://doi.org/10.1080/09593683.2020.1723314>
- Allamah, G. N., & Masyhar, A. (2021). Indonesian Penal Reform: Concept and Direction of Thought. *Journal of Law and Legal Reform*, 2(2), 295–310. <https://doi.org/10.15294/JLLR.V2I2.46628>
- Arifin, R., Lemuel, Y., & Daniel Nte, N. (2021). International Legal Instruments in Responding to Human Trafficking. *Lentera Hukum*, 8(3), 417–446. <https://doi.org/10.19184/EJLH.V8I3.22137>
- Biro Humas. (2024). Hari Dunia Anti Perdagangan Orang 2024, Menteri PPPA: Lawan dan Akhiri Segala Bentuk Perdagangan Orang. Ministry Of Women's Empowerment And Child Protection.
- Boerman, T., & Golob, A. (2021). Gangs and Modern-Day Slavery in El Salvador, Honduras and Guatemala: A Non-Traditional Model of Human Trafficking. *Journal of Human Trafficking*, 7(3), 241–257. <https://doi.org/10.1080/23322705.2020.1719343>
- Bryant, K., & Landman, T. (2020). Combatting Human Trafficking since Palermo: What Do We Know about What Works? *Journal of Human Trafficking*, 6(2), 119–140. <https://doi.org/10.1080/23322705.2020.1690097>
- Cameron, E. C., Cunningham, F. J., Hemingway, S. L., Tschida, S. L., & Jacquin, K. M. (2023). Indicators of Gender Inequality

- and Violence against Women Predict Number of Reported Human Trafficking Legal Cases across Countries. *Journal of Human Trafficking*, 9(1), 79–93. <https://doi.org/10.1080/23322705.2020.1852000>
- Ch Sabrina Marchetti Co-Supervisor Ch Letizia Palumbo Graduand Naomi Scrittori, S. (2023). Human Trafficking and its Gender Dimension in the International Protection System: The Legal and Policy Framework for the Protection of Victims, and the Limits of the Italian Asylum System. <http://dspace.unive.it/handle/10579/23405>
- Clark, J. Bryson., & Poucki, Sasha. (2018). *The SAGE Handbook of Human Trafficking and Modern Day Slavery*. 1–584.
- Countryman-Roswurm, K. I. R. E. N. E., Cheyney, K., Nicole, K., & Farres, A. (2024). Criminalized for Surviving: A Call for Legal Relief for Survivors of Human Trafficking. *Journal of Human Trafficking*. <https://doi.org/10.1080/23322705.2024.2354040>
- Dell, N. A., Maynard, B. R., Born, K. R., Wagner, E., Atkins, B., & House, W. (2017). Helping Survivors of Human Trafficking: A Systematic Review of Exit and Postexit Interventions. <https://doi.org/10.1177/1524838017692553>, 20(2), 183–196. <https://doi.org/10.1177/1524838017692553>
- Demeke, S. (2024). A human rights-based approach for effective criminal justice response to human trafficking. *Journal of International Humanitarian Action* 2024 9:1, 9(1), 1–13. <https://doi.org/10.1186/S41018-023-00143-4>
- Evans, H. (2020). The integral role of relationships in experiences of complex trauma in sex trafficking survivors. *International Journal of Human Rights in Healthcare*, 13(2), 109–123. <https://doi.org/10.1108/IJHRH-07-2019-0054/FULL/XML>
- Farrell, A., Bouché, V., & Wolfe, D. (2019). Assessing the Impact of State Human Trafficking Legislation on Criminal Justice System Outcomes. *Law & Policy*, 41(2), 174–197. <https://doi.org/10.1111/LAPO.12124>
- Farrell, A., Dank, M., de Vries, I., Kafafian, M., Hughes, A., & Lockwood, S. (2019). Failing victims? Challenges of the police response to human trafficking. *Criminology & Public Policy*, 18(3), 649–673. <https://doi.org/10.1111/1745-9133.12456>
- Faulkner, E. A. (2023). *Child Trafficking: Contemporary Action in the Twenty-First Century*. 205–245. [https://doi.org/10.1007/978-3-031-23566-5\\_5](https://doi.org/10.1007/978-3-031-23566-5_5)
- Fouladvand, S., & Ward, T. (2019). Human Trafficking, Vulnerability and the State. <https://doi.org/10.1177/0022018318814373>, 83(1), 39–54. <https://doi.org/10.1177/0022018318814373>
- Franchino-Olsen, H. (2019). Vulnerabilities Relevant for Commercial Sexual Exploitation of Children/Domestic Minor Sex Trafficking: A Systematic Review of Risk Factors. <https://doi.org/10.1177/1524838018821956>, 22(1), 99–111. <https://doi.org/10.1177/1524838018821956>
- Gibney, E., & Wyatt, T. (2021). Rebuilding the Harm Principle: Using an Evolutionary Perspective to Provide a New Foundation for Justice. 349–376. [https://doi.org/10.1007/978-3-030-72408-5\\_14](https://doi.org/10.1007/978-3-030-72408-5_14)
- Harnoncourt, J., & Paredes, M. (2023). Theorizing Human Trafficking and Unfree Labor. *Journal of Global South Studies*, 40(1), 173–212. <https://doi.org/10.1353/GSS.2023.0012>
- Hastangka, H., Armawi, A., & Kaelan, K. (2019). Philosophical Review on the Meaning of the Term “Four Pillars” of MPR RI. *Humaniora*, 31(1), 81–91. <https://doi.org/10.22146/JH.34789>
- Haynes, J. (2023). The Functions of the Principle of Human Dignity in Anti-Trafficking Adjudication. *Law & Justice: The Christian Law Review*, 190. <https://research.birmingham.ac.uk/en/publications/the-functions-of-the-principle-of-human-dignity-in-anti-trafficki>
- Hendriana, R., Raharjo, A., Prayitno, K. P., Wahyudi, S., & Retnaningrum, D. H. (2024). Development of a Restitution Model Based on Justice and Legal Certainty for Crime Victims in Indonesia. *Pakistan Journal of Criminology*, 16(3), 1409. <https://doi.org/10.62271/PJC.16.3.1409.1425>
- Hidayat, R., Irawan, N., & Aryani, L. (2024). A scoping analysis of collaborative governance in preventing and dealing with the crime of human trafficking in Indonesia. *Journal of Infrastructure, Policy and Development*, 8(8), 4614. <https://doi.org/10.24294/JIPD.V8I8.4614>
- Holder, R. L., & Robinson, A. L. (2021). Claiming justice: Victims of crime and their perspectives of justice. <https://doi.org/10.1177/0269758020987803>, 27(2), 129–137. <https://doi.org/10.1177/0269758020987803>
- Hopper, E. K. (2019). Trauma-Informed Psychological Assessment of Human Trafficking Survivors. A Feminist Perspective on Human Trafficking of Women and Girls, 6–24. <https://doi.org/10.4324/9781315203904-2>
- Husin, N. C., Shabilla, N., & Husin, C. (2024). Plea Bargaining as a Reform in Criminal Procedure Law: An Analysis of Article 199 of the Draft Criminal Procedure Code. *Ius Poenale*, 5(1), 31–42. <https://doi.org/10.25041/IP.V5I1.3486>
- Iannone, A., Kinasih, S. E., & Wahyudi, I. (2024). Challenges for Anti-Trafficking NGOs in Indonesia. *Journal of Southeast Asian Human Rights*, 8(1), 1–36. <https://doi.org/10.19184/JSEAHR.V8I1.41379>



- InfoPublik. (2023, August 15). Satgas TPPO Tetapkan 901 Tersangka Kasus Perdagangan Orang. InfoPublik.
- Islam, F. (2024). Human Trafficking Law Enforcement Over the Victims and Offenders: The Perspective of Anti-Trafficking Stakeholders. *Victims & Offenders*. <https://doi.org/10.1080/15564886.2023.2227964>
- Jubany, O., Klett-Davies, M., & Roiha, M. (2022). Problematising the Victims' Rights Directive From the Ground: The Implementation of Victim Support Services in Greece, Italy, Bulgaria, Cyprus, and Spain. *European Journal of Crime, Criminal Law and Criminal Justice*, 30(3–4), 266–287. <https://doi.org/10.1163/15718174-BJA10035>
- Kaye, J., Millar, H., & O'Doherty, T. (2020). Exploring Human Rights in the Context of Enforcement-Based Anti-trafficking in Persons Responses. *The Palgrave International Handbook of Human Trafficking*, 1, 601–621. [https://doi.org/10.1007/978-3-319-63058-8\\_36](https://doi.org/10.1007/978-3-319-63058-8_36)
- Khamzin, A., Buribayev, Y., & Sartayeva, K. (2022). Prevention of Human Trafficking Crime: A View from Kazakhstan and Central Asian Countries. *International Journal of Criminal Justice Sciences*, 17(1), 34–53. <https://doi.org/10.5281/zenodo.4756088/IJCJS>
- Khuluq, L., Sriharini, S., Izudin, A., & Abdullah, I. (2022). The Manipulation of Power and the Trafficking of Women during the COVID-19 Pandemic: Narratives from Indonesia. *Journal of Human Trafficking*. <https://doi.org/10.1080/23322705.2022.2133876>
- Kunarti, S., Afwa, U., & Hartini, S. (2023). Strengthening Migrant CARE: A Comprehensive Approach to Ensure Worker Protection and Safeguard the Rights of Indonesian Migrants. *Journal of Law and Sustainable Development*, 11(12), e1454. <https://doi.org/10.55908/sdgs.v11i12.1454>
- LANNIER, S. P. S. U. of L. > F. of L. E. and F. (FDEF) > D. of L. (DL). (2023). Using US Artificial Intelligence to Fight Human Trafficking in Europe : Potential Impacts on European Sovereignties. *Eucrim*, 1/2023. <https://doi.org/10.30709/EUCRIM-2023-002>
- Li-Ann, T. (2021). Varieties of Constitutionalism in Asia. *Asian Journal of Comparative Law*, 16(2), 285–310. <https://doi.org/10.1017/ASJCL.2021.23>
- Madah, R., Harsya, K., & Sadat Zuwanda, Z. (2024). The Legal Framework in Addressing Modern Slavery and Human Trafficking a Focus on Indonesia. *The Easta Journal Law and Human Rights*, 2(02), 68–79. <https://doi.org/10.58812/ESLHR.V2I02.208>
- Mansar, A. (2022). The Effectiveness of Criminal Law Jurisdiction on Children in Indonesia. *Randwick International of Social Science Journal*, 3(4), 891–901. <https://doi.org/10.47175/RISSJ.V3I4.549>
- Mars, I. A., & Setiyono, J. (2023). Legal Protection of Human Rights Against Victims of Trafficking in Persons. *Jurnal Multidisiplin Madani*, 3(3), 496–503. <https://doi.org/10.55927/MUDIMA.V3I3.2464>
- Martin, K. D., & Fowle, M. Z. (2020). Restitution without Restoration? Exploring the Gap between the Perception and Implementation of Restitution. <https://doi.org/10.1177/0731121420970599>, 63(6), 1015–1037. <https://doi.org/10.1177/0731121420970599>
- Matos, M., Gonçalves, M., & Maia, Â. (2018). Human trafficking and criminal proceedings in Portugal: discourses of professionals in the justice system. *Trends in Organized Crime*, 21(4), 370–400. <https://doi.org/10.1007/S12117-017-9317-4/METRICS>
- Mohammad Osmani-Md, N., Uddin, F., & Osmani, N. M. (2022). The “Right to Equality” in Universal Declaration of Human Rights (UDHR): a Qur’anic Analysis. *Al-Risalah: Journal of Islamic Revealed Knowledge and Human Sciences (ARJIHS)*, 6(2), 459–477. <https://doi.org/10.31436/ALRISALAH.V6I2.406>
- Muhyidin, M., Adhi, Y. P., & Triyono, T. (2022). Contribution of Islamic Law Concerning The Death Penalty to the Renewal of Indonesian Criminal Law. *Indonesian Journal of Advocacy and Legal Services*, 4(1), 73–90. <https://doi.org/10.15294/IJALS.V4I1.55226>
- Muraszkiewicz, J. (2019). Protecting Victims of Human Trafficking from Liability: An Evaluation of Section 45 of the Modern Slavery Act. <https://doi.org/10.1177/0022018319857497>, 83(5), 394–405. <https://doi.org/10.1177/0022018319857497>
- Murhula, P. B. B., & Tolla, A. D. (2020). The effectiveness of restorative justice practices on victims of crime: Evidence from South Africa. *International Journal for Crime, Justice and Social Democracy*, 9(3), 1–13. <https://doi.org/10.5204/IJCJSD.1511>
- Muzychuk, O., Salmanova, O., Khromov, A., & Seliukov, V. (2023). Law enforcement agencies in the system of subjects of human rights protection and defence. *Revista de Gestão e Secretariado*, 14(9), 15004–15019. <https://doi.org/10.7769/gesec.v14i9.2764>

- Narminio, E. [0000-0002-2036-1319]. (2023). Chapter 3 The apparatus of child protection. *The Fight Against Child Trafficking*, 103–142. <https://doi.org/10.4324/9781003309031-6>
- Negash, A. M. (2019). The Law of Criminal Informant in Ethiopia. *Mizan Law Review*, 13(3), 442–471. <https://doi.org/10.4314/MLR.V13I3.5>
- Netipatalachoochote, S. (2020). The human rights protection system in Southeast Asia and ASEAN: towards a regional human rights court. <https://doi.org/10.33612/DISS.126344358>
- Nur, M., & Fauzi, K. (2023). Reflection of Political Law in the Development of State Constitution in Indonesia. *Constitutionale*, 4(1), 71–84. <https://doi.org/10.25041/CONSTITUTIONALE.V4I1.2949>
- Pajón, L., & Walsh, D. (2020). Proposing a Theoretical Framework for the Criminal Investigation of Human Trafficking Crimes. *Policing: A Journal of Policy and Practice*, 14(2), 493–511. <https://doi.org/10.1093/POLICE/PAY031>
- Prabandari, A., & Adiputera, Y. (2019). Alternative paths to refugee and asylum seeker protection in Malaysia and Indonesia. <https://doi.org/10.1177/0117196819850946>, 28(2), 132–154. <https://doi.org/10.1177/0117196819850946>
- Pryimachenko, D., Ivanskyi, A., Lipynskiy, V., Matvieiev, O., & Povoroznik, A. (2021). Counteracting illegal border crossing and human trafficking: comparative analysis. *Amazonia Investiga*, 10(42), 196–205. <https://doi.org/10.34069/AI/2021.42.06.18>
- Purba, M. (2020). Implementation Of Asean Human Rights Declaration In The Protection Of Women And Children's Rights. *International Journal on Social Science, Economics and Art* , 9(4), 173–189. <https://doi.org/10.35335/IJOSEA.V9I4.38>
- Putu, W., & Aryana, S. (2021). Human Trafficking in Woman and Children Perspective; Protocol to Prevent, Suppress and Punish in Persons. *Substantive Justice International Journal of Law*, 4(1), 77–96. <https://doi.org/10.33096/SUBSTANTIVEJUSTICE.V4I1.124>
- Rai Yuliantini, N. P., & Sudika Mangku, D. G. (2020). Legal Protection for Women Victims of Trafficking in Indonesia in an International Human Rights Perspective. *International Journal of Criminology and Sociology*, 9, 1397–1404. <https://doi.org/10.6000/1929-4409.2020.09.160>
- Reynolds, C. (2021). “Craigslist is Nothing More than an Internet Brothel”: Sex Work and Sex Trafficking in U.S. Newspaper Coverage of Craigslist Sex Forums. *The Journal of Sex Research*, 1–13. <https://doi.org/10.1080/00224499.2020.1786662>
- Richie-Zavaleta, A. C., Baranik, S., Mersch, S., Ataiants, J., & Rhodes, S. M. (2021). From Victimization to Restoration: Multi-Disciplinary Collaborative Approaches to Care and Support Victims and Survivors of Human Trafficking. *Journal of Human Trafficking*, 7(3), 291–307. <https://doi.org/10.1080/23322705.2020.1730132>
- Riyantika, S. A., & Hafidz, J. (2021). The Victims Rights & Conditions Protection On Trafficking Crime Through The Implementation Of Restitutions. *Law Development Journal*, 3(2), 298–306. <https://doi.org/10.30659/LDJ.3.2.298-306>
- Saef, M., Islam, E., & Juaningsih, I. (2023). Victim Impact Statement As The Restoration Of The Rights Of Victims In Law Number 12 Of 2022 On Sexual Violence. *Pancasakti Law Journal (PLJ)*, 1(2), 419–432. <https://doi.org/10.24905/PLJ.V1I2.43>
- Salami, T., Gordon, M., Babu, J., Coverdale, J., & Nguyen, P. T. (2021). Treatment considerations for foreign-born victims of human trafficking: Practical applications of an ecological framework. <https://doi.org/10.1177/1363461520983950>, 58(2), 293–306. <https://doi.org/10.1177/1363461520983950>
- Sandvik, K. B. (2023). Transitional Justice in Post-terror Contexts: The Norwegian 22 July Memorial and the Ambiguity of Litigation. *International Journal of Transitional Justice*, 17(2), 286–302. <https://doi.org/10.1093/IJTJ/IJAD012>
- Sayid Muhammad Rifki Noval, Soeipto, & Ahmad Jamaludin. (2022). Modus Operandi dan Strategi Pencegahan Kejahatan Perdagangan Seksual Anak Secara Daring. *Undang: Jurnal Hukum*, 05(02), 419–451.
- Shcherbatiuk, V., Kuras, D., & Sokur, Y. (2024). The problem of slavery and human trafficking: International law and scientific discourse. *Naukovij Visnik Nacional'noi Akademii Vnutrišnih Sprav*, 29(1), 43–54. <https://doi.org/10.56215/NAIA-HERALD/1.2024.43>
- Silitonga, M. P., Pieris, J., Tehuperiory, A., & Terrace, N. (2023). The Role of the State in Maintaining the Relationship Between the Church and Society based on Pancasila and the 1945 Constitution of the Republic of Indonesia. *International Journal of Social Service and Research*, 3(4), 983–989. <https://doi.org/10.46799/IJSSR.V3I4.345>
- Simon, J. (2020). Governing Through Crime. *Crime, Inequality and the State*, 589–595. <https://doi.org/10.4324/9781003060581-47>
- Stoyanova, V. (2020). The Right to Life Under the EU Charter and Cooperation with Third States to Combat Human Smuggling. *German Law Journal*, 21(3), 436–458. <https://doi.org/10.1017/GLJ.2020.22>

- Subekti, N., Utami, B., & Prabowo, I. (2020). LEGAL PROTECTION FOR CHILDREN AS VICTIMS OF SEXUAL VIOLENCE IN FULFILLMENT RESTITUTION RIGHTS. *Yustisia*, 9(2), 262–286.  
<https://doi.org/10.20961/YUSTISIA.V9I2.35208>
- Sulistiyowati, S. (2021). THE IMPLEMENTATION OF HUMAN RIGHTS IN LABOUR AND HUMAN TRAFFICKING LAW ON WOMEN. *International Journal of Law Reconstruction*, 5(1), 163–185. <https://doi.org/10.26532/IJLR.V5I1.11295>
- Supriyanto, H. (2020). Legal Protection Policy For Witnesses in The Criminal Jurisdiction Process. *Gerechtheid Law Journal*, 1(2), 28–51. <https://doi.org/10.35326/GERECHTIHEID.V1I2.821>
- Susanti, V., Kosandi, M., Subono, N. I., & Kartini, E. (2020). Criminological Study on Criminal Activities Human Trafficking in the Nusa Tenggara Timur Region (NTT), Indonesia. *International Journal of Criminology and Sociology*, 9, 182–191.  
<https://doi.org/10.6000/1929-4409.2020.09.16>
- Syariah IAIN Pekalongan Jl Pahlawan, F. K., & Pekalongan, K. (2022). Restoration of Pancasila Values Against Criminal Law Reform Strategy in Indonesia Political Perspective of Islamic Law. *Syariah: Jurnal Hukum Dan Pemikiran*, 22(1), 31–47.  
<https://doi.org/10.18592/SJHP.V22I1.4637>
- Tammone, F. (2024). Challenging Externalization by Means of Article 4 ECHR: Towards New Avenues of Litigation for Victims of Human Trafficking? *Netherlands International Law Review*, 71(1), 89–117. <https://doi.org/10.1007/S40802-024-00254-8/METRICS>
- Underhill, K. (2020). Perceptions of Protection under Nondiscrimination Law. *American Journal of Law & Medicine*, 46(1), 21–54. <https://doi.org/10.1177/0098858820919551>
- Varghese, F. P., Israel, T., Seymour, G., Becker Herbst, R., Suarez, L. G., & Hargons, C. (2019). Injustice in the Justice System: Reforming Inequities for True “Justice for All.” <https://doi.org/10.1177/0011000019892329>, 47(5), 682–740.  
<https://doi.org/10.1177/0011000019892329>
- Visser, A., du Preez, P., & Simmonds, S. (2019). Reflections on Life Design Narrative Inquiry as a Methodology for Research With Child Sex Trafficking Survivors. *International Journal of Qualitative Methods*, 18.  
[https://doi.org/10.1177/1609406919857553/ASSET/IMAGES/LARGE/10.1177\\_1609406919857553-FIG1.JPEG](https://doi.org/10.1177/1609406919857553/ASSET/IMAGES/LARGE/10.1177_1609406919857553-FIG1.JPEG)
- Walters, M. A., Paterson, J., Brown, R., & McDonnell, L. (2017). Hate Crimes Against Trans People: Assessing Emotions, Behaviors, and Attitudes Toward Criminal Justice Agencies. <https://doi.org/10.1177/0886260517715026>, 35(21–22), 4583–4613. <https://doi.org/10.1177/0886260517715026>