

INDONESIAN NATIONAL POLICE PARTNERSHIP IN HANDLING TRAFFICKING IN PERSON

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ABSTRACT

There are 85,613 people who are the victims of trafficking in person or human trafficking cases in 2018. During the pandemic period, there are 36 cases of human trafficking which were recorded. Given the hidden nature of this crime, it can be predicted that there are still more victims whose whereabouts are not identified. The study aims to identify the categories of human trafficking in Indonesia. The author employs the qualitative approach using the field research method. The results of the research show that so far Indonesian government has made various efforts to prevent human trafficking, both integrated and independently. However, the obstacle found in the field is the difficulty in explaining the characteristics of human trafficking in Indonesia. The conclusion is that the prevention of human trafficking in Indonesia is constrained by the inability to identify the various types of human crimes so that the prevention efforts undertaken by the government of Indonesia have not been optimal.

Keywords: *characteristics, human trafficking/trafficking in person, theory of situational crime prevention*

1. INTRODUCTION

The research is motivated by the phenomenon of human trafficking, also known as TIP (trafficking in person) which has become a world problem. Indeed, TIP is arguably one of the oldest trades, but there is not much research on TIP and what occurs out there is not always the most reliable thing as it is nearly impossible to obtain consistent information on the subject. Trafficking in persons is often referred to as slavery in modern times and is the second largest illegal business in the world after arms trafficking (Laczko and Gozdziaak 2005).

Indonesian government has been handling this crime by making public policies stated in Law Number 21/2007 concerning the Eradication of the Crime of Trafficking in Persons, which is used as a legal basis in eradicating TIP through various efforts: prevention, protection, enforcement and community integration. The problem is that the existence of these policies has not been optimal. Therefore, in implementing Law No. 21/2007 through this research it is expected that the author can identify TIP clearly so that TIP can be prevented and eradicated to the root in protecting the community and the State

is able to maintain the safety of the nation from the threats of TIP.

In order to realize some of these expectations, crime prevention measures are needed because the threats of TIP in Indonesia is still not well detected due to the difficulties of law enforcers in identifying the characteristics and various factors causing it. Such situation and condition

cause law enforcers, especially the Criminal Investigation Department of Indonesian National Police has not been optimal in handling and eradicating TIP. As a result, there has been an increase in the number of TIP cases, which can be observed from the records of the Indonesian Ministry of Foreign Affairs, as shown in Table 1.

Table 1
Trafficking in person cases in Indonesia

Year	Number of cases
2016	478
2017	340
2018	164
2019	259

However, given the nature or characteristic of TIP, using covert modes and is difficult to identify, it can be assumed that there are still many TIP cases out there that are not revealed to the public. The similar thing also occurs in the context of the world. It is known that there has been a significant increase in TIP cases at the world level as shown in Table 2.

Table 2
Trafficking in person case

Year	Victim identified	Victim Unidentified
2008	30.961	T/A
2009	49.105	T/A
2010	33.113	12.500
2011	42.291	14.000
2012	46.570	15.500
2013	44.758	17.000
2014	44.462	20.500
2015	77.823	24.000
2016	68.453	24.500
2017	96.960	T/A
2018	85.613	T/A

Source: Ronald Weitzer, 2020

2. LITERATURE REVIEW

2.1 State of the art

This research finds relevance from several research results that have been carried out previously. One of them is the result of a research conducted by Katharine Bryant & Todd Landman (2020). The

research discusses about victims of a modern slavery in the world that is worse than the slavery occurring during the era of Transatlantic Slave Trade. This Katharine's research analysed the evaluation of counter-trafficking programs that has been produced since the

Protocol to draw conclusions about the lessons learned from these interventions and the methods used to monitor and evaluate the counter-trafficking programs. By highlighting the gaps, this article provides a series of suggestions on how to better track the progress of handling TIP and its impact on eradicating a modern slavery. The relevance found in this study is that there are similarities regarding the object to be studied, namely both researching the issue of the war against TIP. The difference is that the research design that will be carried out is more focused on the nature, characteristics, and causes of the transnational crime phenomenon from TIP that is developing and the appropriate policing model for case prevention. The relevance found in this study is that there are similarities regarding the object to be studied, namely both researching the problem of human trafficking. The difference is that the research design that will be carried out is more focused on the right model of policing in preventing TIP in Indonesia, which will focus on exploring the nature, characteristics, and causes of the transnational crime phenomenon of TIP that develops as well as models appropriate policing for the prevention of such cases.

2.2 Characteristic

Characteristic comes from a Greek word ‘*kharakteristikos*’ and means a feature or quality belonging typically to a person, place, or thing and serving to identify it (https://www.google.com/search?q=characteristic&rlz=1C1LENP_enID475ID615&oq=characteristic&aqs=chrome..69i57.22384j0j15&sourceid=chrome&ie=UTF-8). It also means a distinguishing trait, quality

or property (<https://www.merriam-webster.com/dictionary/characteristic>). Another source also states the same meaning of the word, that is, typical of a person, thing, or group: showing the special qualities or traits of a person, thing, or group (<https://www.britannica.com/dictionary/characteristic>). Based on the meanings proposed by the dictionaries, it can be said that characteristic is an essential quality. In other words, it means the most prominent attribute or feature of someone or something

2.3 Trafficking in person

According to United Nations Office on Drug and Crime, also known as UNODC, human trafficking or TIP is the recruitment, transportation, transfer, harbouring or receipt of people through force, fraud or deception, with the aim of exploiting them for profit (<https://www.unodc.org/unodc/en/human-trafficking/human-trafficking.html>). Everybody, including men, women and children of all ages and from all backgrounds, can become the victims of this crime, which occurs in every region of the world. The perpetrators often use violence or fraudulent employment agencies and fake promises of education and job opportunities to trick and coerce their victims. The crime of TIP consists of three core elements: the act, the means, and the purpose. Physical and sexual abuse, blackmail, emotional manipulation, and the removal of official documents are used by traffickers to control their victims. Exploitation can take place in a victim's home country, during migration or in a foreign country. As mentioned in its definition, TIP

has many forms. These include exploitation in the sex, entertainment and hospitality industries, and as domestic workers or in forced marriages. Victims are forced to work in factories (sweatshops), on construction sites or in the agricultural sector without pay or with an inadequate salary, living in fear of violence and often in inhumane conditions. Some victims are tricked or coerced into having their organs removed. Children are forced to serve as soldiers or to commit crimes for the benefit of the criminals. The methods employed by these perpetrators are usually only to prey on the vulnerable, usually children and young women through tricks creatively designed to trick, coerce, and win the trust of potential victims, which may include offering marriage vows, employment or educational opportunities.

Another source (<https://www.dhs.gov/blue-campaign/what-human-trafficking>) states that TIP involves the use of force, fraud, or coercion in order to obtain some types of labour or commercial sex acts. Every year, millions of men, women, and children are trafficked worldwide – including in the United States. It can happen in any community and victims can be any age, race, gender, or nationality. Traffickers might use violence, manipulation, or false promises of well-paying jobs or romantic relationships to lure victims into trafficking situations. Language barriers, fear of their traffickers, and/or fear of law enforcement frequently keep victims from seeking help, making TIP a hidden crime. Traffickers use force, fraud, or coercion to lure their victims and force them into

labour or commercial sexual exploitation. They look for people who are susceptible for a variety of reasons, including psychological or emotional vulnerability, economic hardship, and lack of a social safety net, natural disasters, or political instability. The trauma caused by the traffickers can be so great that many may not identify themselves as victims or ask for help, even in highly public settings. Many myths and misconceptions exist. Recognizing key indicators of TIP is the first step in identifying victims and can help save a life. Not all indicators listed are present in every TIP situation, and the presence or absence of any of the indicators is not necessarily proof of TIP.

Department of Homeland Security of the United States (https://www.dhs.gov/sites/default/files/publications/20_0115_plyc_human-trafficking-forced-labor-child-exploit-strategy.pdf) explains that TIP is an extremely lucrative illicit activity with estimated annual global profits of \$150 billion. Even though TIP, which involves exploiting a person for the purposes of compelled labour or a commercial sex act, can be considered a single crime, there are many different types of human trafficking. Sex trafficking can range from escort services to outdoor solicitation to personal sexual servitude, among other forms. Labour trafficking occurs across many different industries, such as agriculture, domestic work, hospitality, food services, and health and beauty services. It is estimated that TIP victimizes an around 25 million people around the world, of whom 80 percent are victims of forced labour and 20 percent are victims of sex

trafficking.

Article 1 of Law of the Republic of Indonesia Number 21/2007 regarding the Eradication of TIP defines Trafficking in Persons as the act of recruiting, transporting, harbouring, sending, transferring or receiving a person by means of the threat of force, use of force, abduction, confinement, fraud, abuse of power or a position of vulnerability, debt bondage or giving payments or benefits, so as to obtain the consent of the person who has control over the other person, whether carried out within countries or between countries, for the purpose of exploitation or causing people to be exploited.

2.4 Situational crime prevention theory

Situational crime prevention theory is defined as a crime prevention approach that seeks to reduce opportunities for certain categories of crime by increasing the associated risks and difficulties and reducing rewards (Clarke, 1995 in Auzeen and Guerette, 2017). Here, situational crime prevention is further stated as a process of various stages built on a theoretical framework, which seeks to understand where, when, and how crime incidents occur. Furthermore, Clarke (1997 in <https://www.college.police.uk/guidance/neighbourhood-crime/what-situational-crime-prevention>) adds that situational crime prevention focuses on the settings where crime occurs, rather than on those committing specific criminal acts. The emphasis is on managerial and environmental change that reduces opportunities for crimes to occur. Situational crime prevention aims to increase risk and/or minimise reward, thus making either the

commission of a criminal act too difficult, or the reward for committing the act too low to risk being caught.

Increased risk can be achieved by minimising the number of suitable targets or adding 'capable guardians'. Cornish and Clarke (2003 in <https://www.college.police.uk/guidance/neighbourhood-crime/what-situational-crime-prevention>) have produced 25 techniques of situational crime prevention, which detailed various types of interventions to reduce crime. The 25 techniques were split into five specific groups: (1) increasing the effort; (2) increasing the risk (3) reducing the rewards; (4) reducing provocations; and (5) removing excuses. Interventions relating to neighbourhood crime described in this report tend to fall into the 'increasing the effort' and 'increasing the risk' categories.

A similar concept to situational crime prevention is crime prevention through environmental design (CPTED). The CPTED and situational crime prevention are both concerned with changing the environment to reduce opportunities for crimes. The CPTED is associated with design solutions that often focus on architecture and planning, and is also known as 'designing out crime' (Cozens and Love, 2015). Situational crime prevention tends to be broader in nature, referring to any opportunity-reducing measure that has the potential to increase the difficulties or risks of offending (Clarke, 1989). Based on the analysis of the incidence and distribution of specific crime problems, the situational crime prevention approach then identifies risk factors, formulates and

implements appropriate solutions, and evaluates the results.

2.5 Problems and gap analysis

The problem occurring in efforts to prevent TIP that has been experienced by Indonesian Government is the difficulty of explaining the nature and characteristics of TIP even though Indonesia has passed Law Number 21/2007 concerning the Eradication of Trafficking in Persons in order to deal with this crime. Consequently, such efforts to prevent TIP have not been optimally done. Such condition is also similar with the 2008 UN statement which has discussed the types of trafficking that occur globally, where most people tend to think about sexual slavery when they hear 'human trafficking' but there are other reasons why people are trafficked (United Nations 2008). The purposes of this trafficking include reasons, such as forced labour, military service, sexual exploitation, and organ trafficking.

People can be trafficked in one of two ways, either internationally or domestically. International trade includes people who are trafficked across international borders, whereas domestic traffickers are classified as people who are trafficked in their homeland. Although international trade is still the most common form of TIP, the United Nations notes that domestic trade is on the rise. In addition, people are also more often trafficked in their own territory, which shows a shift in the global way of moving TIP from outside to inside the country. The research is focused on explaining the nature and characteristics of TIP committed in Indonesia.

3. METHODS

The researcher conducts the study using the qualitative approach so that researcher can solve problems that exist in the field as well as to overcome the problem of TIP in Indonesia through an appropriate policing model in preventing TIP in Indonesia. Using this type of qualitative analytical descriptive research, the research is expected to be able to describe in depth by prioritizing the quality of information as a supporter of research results obtained from primary and secondary research data. Data is collected using observation and document study techniques. Then, the data is processed using the steps taken through descriptive analysis, including data collection, data reduction and simplification, data presentation, analysis and interpretation, and drawing conclusions.

4. RESULTS AND DISCUSSION

The nature and characteristics of TIP in Indonesia can be seen from the widespread issue of TIP that focuses on the gender of women, which is now considered a serious and important problem. In responding to the TIP problem, the Government of Indonesia in 2007 enacted Law Number 21/2007 on the Elimination of Trafficking in Persons. This is based on the wider scope of the TIP law along with the many discussions about human trafficking that touch on other issues such as migration, changing patterns of prostitution, feminist and gender discourse, human rights, and poverty issues.

It is not a secret anymore that poverty and lack of opportunity have always been cited as the underlying factor in many problems, including human trafficking. Although TIP has often been discussed and has become a priority topic on the discussion agenda in many countries, there are still many

aspects of TIP that have not been fully disclosed due to the lack of information about the magnitude of the problem. Unfortunately, the recorded accurate data on the issue of human trafficking is still lacking or inconsistent with the institutions that issue different and conflicting victim data as a result. This creates difficulties in identifying the trend of increasing or decreasing TIP which can cause problems, thus bringing obstacles in obtaining data on TIP due to a lack of understanding on the definition of TIP itself.

There are different interpretations of TIP which causes some of the manifestations of these actions to be considered reasonable or even accepted by the community, because this is not seen as an act of human trafficking. Another obstacle in obtaining reliable data is also contributed by the nature of criminal operations which are developed in a covert form, therefore TIP cases are not easy to identify.

Another problem related to the data is the difficulty of obtaining complete information on the characteristics of victims. The data available usually only includes general information, such as family background (most of the victims come from poor families or have one or more family members with financial problems), education level and work background (the majority of victims were migrant workers). The victims themselves sometimes do not want their cases to be revealed for fear of retaliation from the TIP syndicate. This often makes victims and their families reluctant to report the TIP case, making it difficult to get a broad picture of this TIP phenomenon. The phenomenon of human trafficking has only reached the 'tip of the iceberg', which means that only a small number of cases can come to the fore. Although there are still many cases of human trafficking that

have not been revealed, it is not easy to track human trafficking activities due to its complex nature and its implementation by a syndicated system, both nationally and internationally.

This is due to several consequences of the mobility of TIP, which includes three aspects of TIP, including: routes, transit areas, and modes of operation. In the case of TIP in Indonesia, border areas are generally used as an exit or entry point for TIP activities. The three aspects of which can be explained in full as follows:

4.1 Mobility Routes

Trafficking in Person IP in Indonesia, based on observations from several reports, is known to be carried out through the same route as cross-border population mobility which helps disguise the TIP activities. Since TIP can be considered as part of population mobility, migration patterns must also be identified, especially mobility pathways to monitor and control human trafficking activities. However, it is difficult to uncover the activities of TIP, especially in land-bordered areas with easy transportation access to neighbouring countries, which in turn facilitates high population mobility in cross-border areas. Border areas are recognized as routes for people to move across countries for a variety of reasons, including "trafficking" people abroad and trafficked people, boarding from land and sea borders (and outer islands).

The areas that become the traffic routes for TIP include: mainland areas, the border of West Kalimantan, especially Entikong, as well as Sabah and Sarawak (Malaysia), which are the main concentration areas for TIP from

Indonesia to Malaysia. Human trafficking occurs by crossing routes along the border area (rat path). Especially among the outermost islands, Rupert Island and the Long Strait in Bengkalis Regency, as well as Kundur and Moro Islands in Tanjung Balai Karimun in Riau Province, which are known as TPPO routes to Malaysia. The breadth of Indonesia's border area also brings its own difficulties in controlling the flow of people in and out of this country. These areas are vulnerable in terms of surveillance and transportation of people from Indonesia to neighbouring countries.

The Director of the Women's Legal Aid Institute (LBH PIK) in Pontianak, the capital of West Kalimantan Province, says that it is not easy to detect TIP activity across the West Kalimantan-Sarawak border due to the lack of control over community movements along the regional border because there are only two cross-border checkpoints (the first checkpoint in Entikong, Sanggau Regency and the second checkpoint in Nanga Badau, Kapuas Hulu Regency) are compared with 50 lines connecting 55 villages in West Kalimantan and 32 villages in Sarawak. Ease of access in terms of good road conditions and relatively short time to reach the border areas play an important role in causing the high incidence of population mobility which includes human trafficking from West Kalimantan to East Malaysia.

4.2 Transit Areas

Victims of human trafficking come from various regions in Indonesia. It is estimated that there are no less than ten

provinces sending human trafficking with border zones that are often used as transit areas in the departure of victims of human trafficking to destination countries. They generally have good transportation access and infrastructure to connect to neighbouring countries. According to Elsam (2005), there are sixteen transit provinces for human trafficking in Indonesia. Among them are West Kalimantan, East Kalimantan, and Riau with their respective transit points are Entikong, Nunukan, and Batam. The area is also a transit point for migrant workers to reach their destination countries.

Data from 2005 from the Manpower and Transmigration Office of Nunukan Regency shows that the number of workers visiting transit areas tends to increase overtime. The data is recorded at around 70,060 people, with South Sulawesi Province as the highest contributor. Moreover, the actual number of people crossing the border may be higher than this figure because it does not include those who are smuggled or trafficked without official documents. It is estimated that around 100,000 people move to Malaysia every year.

4.3 Operation mode

Document falsification is a part of human trafficking activity which is very much needed in transit areas. In these areas, TIP syndicates falsify the documents of (potential) victims, especially ID cards, who will be trafficked abroad as migrant workers. A (fake) identity card is issued by local governments in any transit area to make it easier for them to issue cross-border passes, documents

required by a person to move across borders, or passports issued by immigration offices in any transit area.

A person holding a cross-border pass or passport issued by a transit area officer will be able to move across national borders for social and/or cultural visits. However, at their destination they usually work illegally without a work permit. TIP operations are often discussed in the context of labour migration. Migrants may be vulnerable to exploitative labour because of their illegal status in the destination country. These exploitative labour practices can be considered as manifestations of other forms of trafficking. Data from the Indonesian Migrant Workers Consortium shows that in 2002, as many as 37,508 migrant workers are the victims of violence, torture, sexual harassment, rape, unilateral dismissal, fraud and unpaid wages. Most likely they are the victims of TIP.

These migrant workers are a very vulnerable group of victims of TIP. Debt and poverty often trap Indonesian migrant workers in the practice of human trafficking. In addition, the practice of illegal labour recruitment also makes the conditions of migrant workers very vulnerable and unprotected because there are no official documents that make them easy to exploit. The IOM Indonesia report also shows that migrant workers are vulnerable to being trafficked with developed Asian and Middle Eastern countries, including Malaysia, Saudi Arabia, Singapore, Japan, Kuwait, Syria, and Iraq as destinations (Andrevski, Larsen, & Lyneham, 2013).

The incidence of TIP is increasing over time because the

"trafficking" of people is considered to be more profitable than other illegal businesses. Moreover, the high demand for cheap labour and migrant workers in many destination countries, such as Malaysia still continuous. Trafficking in persons is a racket carried out by a syndicated system to meet the demand for cheap labour. In addition, the large population, coupled with high unemployment rates in the productive population group, and weak labour protection are also prominent factors that contribute to the increasing number of migrant workers trapped in human trafficking practices.

Indonesia is also recognized as a recipient country for human trafficking. As reported by various mass media, in December 2002, 150 foreign sex workers are found in Batam (Riau Archipelago Province) in the border area between Indonesia and Singapore. They come from Thailand, Taiwan, Hong Kong, and several European countries. Meanwhile, there are at least twelve provinces in Indonesia which are also known as recipient areas of human trafficking in addition to the Riau Archipelago Province (Elsam, 2005).

Apart from the elements of the mobility of TIP in Indonesia, the characteristics of TIP in Indonesia can also be explained based on the gender perspective, which can be seen from the gender of the victims of TIP and the gender as seen from the recruiters and the recruitment process described as follows:

a. TIP Victims

The victims of TIP can come from various levels of age, such infants, children,

teenagers, to adults. Based on the TIP cases that have been uncovered, the majority of those trafficked are women. This incident is not only related to the context that occurred in Indonesia, but is also found in almost all regions in the world that deal with the problem of TIP. Although relatively small compared to female victims, there are also men who are victims of human trafficking.

Regarding the International Organization for Migration (IOM) Indonesia Contracted Temporary Migration (CTM) database, the identifiable cases of human trafficking in Indonesia are 3,701 Indonesians trafficked between January 2005 and January 2010 with the majority of trafficked persons being women (90%; n = 3,343). Judging from the socio-demographic situation of trafficked persons, most of them are aged 18 to 24 years (34%; n = 1,256) with more victims aged less than 18 years (24%; n = 887). Half of the sample (50%; n = 1,863) are unmarried, with some married (28%; n = 1,053). In terms of educational background, the largest proportion of those with low education, around 39% (n = 1,445) of whom have primary school education and 27% (n = 1,007) identified as having never attended school. Most of them (30%; n = 1,093) has worked as domestic workers before.

Regarding the type of work, IOM data shows that trafficked Indonesians are involved in a variety of occupations in the destination

country such as domestic help, sex work, shopkeeper, waitress, dancer and factory work. Further analysis conducted by IOM Indonesia shows that the majority of Indonesians trafficked transnationally work in the non-sex industry sector in the destination country (89%; n = 2,696), compared to 11 per cent who are trafficked into the sex industry (n = 319).

In line with the report made by IOM Indonesia, the report made by the Independent Non-Governmental Organization (NGO) on the Implementation of the Convention on the Elimination of All Forms of Discrimination Against Women, or CEDAW in Indonesia also shows that 89% of victims of TIP are women and children with a total of 1,757 Indonesian residents who are the victims of TIP. The majority of victims of TIP come from West Kalimantan, West Java, East Java, North Sumatra and West Nusa Tenggara.

An interesting finding that can also be seen from the IOM data is the case of domestic trade, where based on IOM Indonesia data, about 18 percent (n = 686) of the sample have been traded in Indonesia. There is not much difference in the proportions of men and women in domestic trade (18% and 19%, respectively). More children are identified as being trafficked domestically than adults (53% and 47%). The destinations for TIP in Indonesia vary, but the most common destination is the Riau Archipelago province, followed by North Sumatra and East Java. For those trafficked in

Indonesia, a larger proportion of people are trafficked for the purpose of joining the sex industry (40%; n = 274) compared to people who are trafficked cross-border.

Data from various sources shows that victims of TIP are not only women and children. Although the numbers are small in comparison, men are also vulnerable to becoming the victims of TIP. The placement of Indonesian workers abroad threatens them to be trapped in the practice of TIP. The process includes the manipulation of activities in various forms of action such as falsification of documents and the submission of incorrect and complete information about work, payments and workload. Indonesia's International Catholic Migration Commission stated that the majority of male workers sent to plantations in Malaysia were more likely to be exploited. Moreover, according to the Consortium for the Protection of Indonesian Migrant Workers, around 74,616 Indonesian migrant workers that are the victims of human trafficking and (18,000) are forced to become sex workers. Many of them are also forced to work for low pay, even though they are in detention being locked up while not working and receiving harsh treatment. Based on the TIP concept, the treatment that workers receive clearly shows that they are the victims of TIP. Victims often do jobs that do not match their pay and they also do not have the opportunity to do other activities. Their working conditions have

become even worse with employees often unfairly taking pay cuts of up to 50 percent. These salary cuts are often forced on the workers to pay their debts, as all their transportation costs to Malaysia are considered as debt. However, because they do not know the total amount of debt that must be paid, workers are increasingly trapped in exploitative working conditions. Workers have no control over their pay. Thus, it can be said that workers' lives are handled by many parties, such as recruiters, labour sending agencies and workers.

Another case of TIP in the male gender is related to fishing activities. Data show that in Thailand in 2003, there are about 100 male fishing vessel crew members that are exploited. The majority of them are immigrants and some are under the age of 16 years old. They are not paid for the work and are barred from returning home for a period of three years. In fact, 38 of them never come home because they have died. Some of them are buried on several islands in Indonesia. All of these cases show that men are also at risk of becoming the victims of TIP as is the case with women. However, women are more vulnerable than men because women experience multi-dimensional exploitation.

Stereotypes of gender bias, status subordination and the minimal role of women in social life are prominent factors that affect many aspects, such as economics, politics, and culture that cause women to be

treated as second-class citizens. Poverty and lack of opportunity are also considered to be the underlying factors of the problem. Women tend to have more serious problems and become potential targets for trafficking which often ends in various forms of oppression.

b. Recruiters and their recruitment process

Recruiters as the perpetrators of TIP are not only part of a syndicate or criminal organization, but they can also be the family members of victims, such as husbands, parents (father or mother) or other relatives. They are one of the actors involved in the whole process of TIP. Even officials, whose obligations are to protect members of the community, can also play an active role in protecting the TIP syndicate. Recruiters may have conspired with corrupt police officers, immigration agents and bureaucrats at both, the local and provincial levels or both. This symptom shows the existence of multi-criminal practices in TIP cases and the weak control system of the relevant agencies or bureaucracies.

The input stage in the recruitment process includes two processes, including (1) the victim is kidnapped by the members of a TIP syndicate and (2) victims are recruited by agents who sometimes partner with formal labour recruiters or other parties and act as casual recruiters.

Companies sending employees abroad, also known as PJTKIs, are formal agents in

charge of recruiting and dispatching workers abroad. The recruitment process sometimes involves the victim's relatives or parents to smooth the action. Meanwhile, the TIP process is the same as the mechanism for sending workers abroad. Most are recruited at the village level. In reality, this recruitment mechanism is not carried out properly or according to formal procedures. There are several conditions in the delivery process that make workers trapped in the practice of TIP. Sometimes, their passports are taken by employees or pimps to keep them from escaping. Such situation makes their status illegal and vulnerable at their destination, making it easier for them to be exploited for other illegal purposes, such as being recruited as drug dealers. Syndicates take advantage of their illegal status to assist their criminal practices (Sihite, 2007: 211).

In addition, the victims are sometimes trapped in various conditions related to the place. They are promised high pay to work in hotels or restaurants as waiters or in factories and plantation sites. This of course is not true. Another recruitment process that is often applied in Singkawang, West Kalimantan, is through a marriage contract. The marriage was part of a syndicate because the bride was then forced to become sex workers.

Based on various explanations regarding the nature and characteristics of TIP that have been described

above, it can be seen that the impact of TIP does not only have a negative impact on the psychological, physical or sexual characteristics of victims (male and female) but also destroys social structures. TIP causes victims to lose contact with their families and communities, which makes them even more vulnerable. Children who are victims also have less opportunity to continue their education because they are separated from their parents. These children are forced to work approximately 10 to 18 hours per day which of course has a bad influence on the child's growth and development. TIP also interferes with the process of transferring cultural and moral values from parents to their children and from generation to generation. Children and women are often victims of TIP. Unfortunately, the victims who managed to escape from TIP sometimes do not necessarily get positive support, both from their families and communities. They are often ignored and this situation can lead them back to the crime of TIP again.

Women who are trafficked for sex workers, as mentioned by D'Cunha (2002), experience more serious traumatic conditions than male victims. Unfortunately, the intervention process to help them has not been responsive. They do not get proper treatment, such as protection or special care to cope with their traumatic experience physically or psychologically. They often find it difficult to escape the

trap of TIP. In addition, women victims often have difficulty dealing with immigration officials because they are treated as illegal immigrants due to the fact they do not have the relevant documents or exit permits.

The IOM Indonesia report shows that a large proportion of men report some form of abuse and various violations (i.e., psychological and physical abuse, deprivation of food and water, ideological pressure, forced drug use). In addition, men are often prevented from seeking or receiving help because of the stigma, discrimination or shame associated with being victims of TIP. According to Brunovskis and Surtees (in Lyneham & Larsen, 2013), trafficked men may also refuse any assistance offered to them, or choose not to seek help, for several reasons, such as they do not see themselves as victims; they believe that their exploitative situation is better than other alternatives such as not having a job or the ability to earn a living.

The analysis of the conditions for the occurrence of TIP, poverty and lack of opportunity, is always cited as the underlying factor for the problem. There are about 80 percent of victims of TIP are workers who do not own land, including people who only have small incomes. In order to improve their lives and motivated by the limited opportunities to work in their place of origin, some people decide to migrate and face the high risk of TIP activities. This

makes the perpetrators of TIP really take advantage of this situation by exploiting people who live marginally. The perpetrators of TIP have discovered, designed and developed a social system in which TIP is embedded. Trafficked persons cannot exercise effective control over the processes they follow. The disclosure of job opportunities abroad, on the one hand, encourages TIP activities by taking advantage of the illegal status and poverty conditions of migrant workers. Based on these various conditions, it can be indicated that it is difficult to eradicate TIP in Indonesia.

5. CONCLUSIONS & RECOMMENDATIONS

5.1 Conclusions

Based on the results of the discussion above, it can be seen that the nature and characteristics of TIP in Indonesia can be observed in the TIP case data when published which differs from one institution to another and when published. Such condition further makes it difficult to verify and trace the source of the information.

In order to make it easier to identify TIP occurring in Indonesia, we have to observe the nature of the TIP mobilization which can be seen from the route, transit area, and mode of operation of the TIP. Meanwhile, the characteristics can be distinguished based on a gender perspective, which is identified based on the gender of TIP victims and perpetrators as well as their recruitment process.

5.2 Recommendations

The author, based on the conclusions would like to propose

the following recommendations:

- a. Breaking the chain of TIP practices in several areas, such as the place of origin of the victim, transit area and border area by forming a task force that has the authority to deal with the problems of human trafficking. In addition, a strong bilateral or multilateral commitment and cooperation is needed to eradicate TIP.
- b. Intervention on the elimination of TIP from a gender perspective must be internalized in all aspects as a unified whole by limiting women who want to go abroad and find work, for security reasons, only polluting women's rights and in turn discriminatory forcing women to always depend on men.
- c. Developing an approach that does not stigmatize them as victims of trafficking, thereby preventing them from receiving assistance.
- d. Establishing a support program capable of addressing the needs of all trafficked persons.

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