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Topic: *Strengthening Legal Frameworks for Combating Human Trafficking and Enhancing Protection of Women and Children*

Human Trafficking on Maritime Borders Indonesia in the Regions of East Nusa Tenggara and North Kalimantan

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Abstract. *Human trafficking especially occurred in the border area Indonesian sea, which is a very complex phenomenon and needs to be handled in a way serious. As an archipelagic country, Indonesia has more from 81,000 kilometers of coastline that is challenge big for activity surveillance in border areas The purpose of writing This is for know obstacle tackling human trafficking at the border Indonesian maritime areas in the East Nusa Tenggara and North Kalimantan regions. Study This use approach qualitative descriptive for study phenomenon smuggling and trafficking humans in border areas Indonesian maritime areas, especially in East Nusa Tenggara (NTT) and North Kalimantan (Kaltara). The types and sources of data used are secondary data in the form of material primary law, material law secondary, and legal data tertiary. The data collection method uses literature, and methods analysis qualitative. Research result show that low synergy between government central and regional, minimal infrastructure supervision, as well as limitations source Power human and budget become inhibitor main in overcome problem This in a way effective. In addition, policies that are reactive and not yet touch root problem social precisely make effort countermeasures only nature temporarily. Therefore that, is necessary change paradigm from a purely individualistic approach nature enforcement law going to a more approach comprehensive, humane, and based development sustainable.*

Keywords: *Border; Human; Maritime; Trafficking.*

1. Introduction

Trading man especially happened in the area border Indonesian sea, which is a very complicated and demanding problem serious handling. As an archipelagic country, Indonesia has more from 81,000 kilometers of coastline that makes surveillance in border areas become very difficult. Conditions existing geographical areas, thousand islands and narrow straits, making gaps small that is utilized by the network crime cross- country for do activities that are not legal. East Nusa

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Tenggara and North Kalimantan are two areas that are very easy to access. caught practice East Nusa Tenggara borders with Timor Leste and Australia, so that become track important for migrants who want to going to objective they are in Oceania. The population local must move in a way No official Because condition social and economic which is still left behind as well as lack of opportunity work in the country. On the other hand, North Kalimantan, which borders with Malaysia and Brunei having very different dynamics Because existence similarities in ethnicity and language, as well as activity the economy that is carried out in a way hereditary and informal, so that create pattern almost movement No Can differentiated between what is legitimate and what is not legitimate. Syndicate criminal This No only targeting victims of domestically, but also kidnapping foreign citizens who use Indonesia as a place objective they. They utilise weakness system supervision border, number power human beings who do not sufficient, and condition difficult geography, for Work The same in a way disappeared with inhabitant village local people who know paths and ways Work officer security. Phenomenon like That threaten security national and ultimately expose the victim to exploitation, work forced, and violation right basic man other.

Complicated problem like That demand studies depth and coordination between various stakeholder interest for formulate effective and sustainable strategies for overcome it. Indonesia is an archipelagic country with more of 17,000 islands, so that face challenge big in manage and supervise its border areas, especially border areas sea. East Nusa Tenggara and North Kalimantan are two regions that are geographical strategic and also vulnerable to Lots activity illegal. These two areas bordering with the following countries: Timor Leste, Malaysia and the Philippines making it these two areas as door enter or objective trading humans and human trafficking. This No only endanger state sovereignty, but also give rise to problem serious humanitarian issues. Smuggling and human trafficking are usually occurred in the border area in network criminal organized that utilizes weakness supervision, limitations source Power humans, and conditions social economy public local.¹

Most of the victims came from from group vulnerable, namely women and children. They lured work with wages high abroad, but Then exploited in a way physical and economic. In NTT and Kaltara, many report mention matter This Already happen during years and hard eradicated Because involving local and foreign people cross- border. In addition, efforts the solution is often only some and not yet arranged in something plan. Therefore that, research This observe in a way thorough How system smuggling and trafficking man occurred in the border area Indonesian sea, with focus on the reasons big that makes practice This Keep going continue and

¹ Fitrianto, H, *Preventing Human Trafficking in Indonesia: The Role of Legal Empowerment Programs*, Journal of Law and Justice, 12(2), 2023,189-206.

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check how much Good rules and plans government in stop it I choose topic This Because This phenomenon This is threat real to sovereignty and security national. Indonesia as an archipelagic country the largest in the world with thousand kilometers of coastline own problem alone for guard the security of its border areas is being abused by various network crime scale transnational. The main reason Why problem This No can left alone Because no only problem security ordinary, but also humanity which is also a victim, namely hundreds of victims who were exploited and whose rights the basis violated.²

Entering the era of globalization and digitalization that is moving so massive, dynamic life social as well as order economy world society is experiencing a very significant shift.³ Transformation This has change method man interact, communicate, until method in look for eye livelihood through increasing internet usage dominant. This digital transformation also encourages growth economy very rapid national However bring challenge law new.⁴ Progress technology information and communication, in one side, indeed give convenience accessibility and opportunities broad economy in a competitive market. However, on the other hand, the leap technology This precisely utilized by groups criminal certain for create gaps new for growth action criminal acts of a criminal nature transnational, organized, and borderless.⁵

One of the most worrying phenomenon and becoming world spotlight in a number of year final is the rise action criminal human trafficking which utilizes digital platforms as a means of instrument the main thing.⁶ Human trafficking is not just crime criminal usual, this is form real from modern slavery which is systematic rob freedom individual and destroy dignity as well as dignity man.⁷ Crime This now No Again only depend on paths physique conventional, but rather

²Hidayat, A. N, *Network Transnational Human Trafficking in Southeast Asia: The Case of Indonesia, Malaysia, and Indonesia-Australia*, Journal National Security, 9(1), 2023,34-52

³Everd, O., Daniel, S. R., Mulyana, N., & Wibhawa, B, *Human Trafficking in East Nusa Tenggara*. Social Work Journal, 7(1), 2017), 1–129. <http://www.soroptimist.org/trafficking/faq.html>,

⁴ Ardini, NPAM, Wacika, MW, Sudiarawan, KA, & Hardiyan, S. P, *Disability Rights Violation: failure to provide reasonable accommodation and employment discrimination against the colorblind in indonesia*. journal of indonesian legal development master of law, faculty of Law, 8(1), 2026,1 24.

⁵Astuti, S. A, *Literacy Benefits Technology (convergence of media) against crime transnational organized crime (transnational organized crime) cyber terrorism in the era of disruption with AI (Artificial Intelligence)*. Proceedings Series on Social Sciences & Humanities, 23, 16–27, 2025, <https://doi.org/10.30595/Pssh.V23i.1545>

⁶ Fadillah, A. N., & Mahmud, A, *Organ Trade Body Man as Transnational Crime*, Balobe Law Journal, 3(2), 2023, 55. <https://doi.org/10.47268/balobe.v3i2.1822>

⁷ Fodid, EM, & Peni, M, *Human Trafficking; A Crime Towards Humanity*, Logos: Journal Philosophy-Theology, 22(2), 2025, 234.

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has evolve and expand to in room cyber through fraud mode vacancy online job scams that target force Work prone to.

Pressure the economy in Indonesia experienced an increase significant, so that it encourages public for look for various form utilization source Power economy through diverse activity business. In effort get fast and sustainable profits, some big perpetrator business will rotate brain so that the business is run capable give guarantee economy in the future. However thus, in the middle dynamics said, appears various business practices that are heterogeneous and accompanied with insurance activities and form transaction others who actually can cause crime economy.

A manifestation of evil capable economy develop fast and frequent experience distortion exploitation by unscrupulous individuals authorized is trading man or action criminal human trafficking. Based on Article 1 paragraph (1) of the Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking states that related definition human trafficking, "Human trafficking is action recruitment, transportation, shelter, sending, moving, and/ or reception somebody with threat violence, use violence, kidnapping, fraud or forgery, misuse power or position vulnerable, debt exploration or give payment or benefits, so that get agreement from the person holding control against other people, whether committed within the country or abroad between countries for objective exploitation or resulting in people being exploited. The rule the confirm that every form exploitation man Good in a way physical, economic, and sexual activities carried out in departure behind with law including in category Action Criminal Human Trafficking (TPPO). With Thus, the elements recruitment, transfer, utilization and exploitation become an element main in determine the existence of actions or action criminal.

Human trafficking is qualified as form crime heavy multinational (transnationalcrime) which gets attention Serious in a way global because involving network interregional even between countries. Globally, crime This classified as one of from five threats criminal main, such as case in point with trading narcotics, arms trafficking illegal, money laundering, and violations right riches intellectual.

2. Research Methods

Methods used in study This is method law combined normative with approach juridical and empirical. Approach normative implemented with examine various provision applicable law, especially those listed in Constitution Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking, as well as regulation implementation at the level central and regional

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approaches empirical done with analyze data secondary collected through study library which includes various source scientific like journal research, reports from government and non-government institutions, news, and document official related case human trafficking in NTT. Procedure processing data is done with use method analysis which is qualitative with examine various source law and facts social for get description about role government as well as implementation fulfillment rights of victims of human trafficking. Research This also assess effectiveness implementation policy government area in implement Preventive measures, enforcement, and recovery of the party experience exploitation consequence action criminal trading man

3. Results and discussion

Mature this, in development modern society, practice trade human the more complex Because can done Good in a way organized and No organized, and involving perpetrator from various background social including known individuals near with victims, such as member family, relatives, and party third like recruiter assistant House ladder illegal, pimp, until syndicate online (Sibuea. Tommy, 2018). As for in context social economy, actors action criminal This usually target group vulnerable like children, women, and individuals with condition economy medium to below. Group This made into an “object” transactions “in practice exploitation man. The victims were promised work with income high, but precisely made into slave, assistant House stairs, victims of exploitation sexual relations, sale of body organs, or forced to become perpetrator online fraud (scammers) abroad such as Thailand, Myanmar, and Cambodia. Victims are forced become perpetrator online fraud is given a specific target, and if no fulfilled, they No given eating and being tortured repetitive. From the perspective law criminal acts the has fulfil element Action Criminal Human Trafficking (TPPO) as referred to in Article 2 paragraph (1) of Law Number 21 of 2007, which states that “Everyone who does recruitment, transportation, harboring, sending, transfer, or reception somebody with threat violence, use violence, kidnapping, fraud, abuse power or position vulnerable, debt trap or give payment or benefits, for objective exploiting the person in the territory of the Republic of Indonesia, shall be punished with criminal shortest prison sentence three years and a maximum of fifteen year as well as a fine of at least IDR 120,000,000.00 and a maximum of IDR 600,000,000.00”.⁸

Based on provision said, each actions that fulfill element Constitution is action criminal prosecution accountability law. Understanding element action criminal trafficking of important people For examine cases in Indonesia, especially in East Nusa Tenggara which is vulnerable

⁸ Republic of Indonesia, 2007, *Law Number 21 years 2007 about Eradication Action Criminal Human Trafficking*, Jakarta

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Because factor economy, education low, and weak supervision power work. Many NTT people have become victims of recruitment illegal until exploited outside area and outside country. By Because that 's important For understand that action criminal human trafficking is not solely problem juridical, but also internal problems social, economic, and environmental aspects humanity that must overcome in a way comprehensive. This study furthermore will linking phenomenon general trading man with patterns, causes, and implementation of legal instruments in countermeasures trading humans in NTT, as form realization of Law Number 21 of 2007 in local context of trade man is not crime new in history civilization. In a way historical, practical slavery has ongoing since thousands year past, rooted from expansion the power that gives birth domination and exploitation to group vulnerable. In Indonesia, the practice of This Once occurred during the kingdom era, especially in Java, where women made into object transaction in system social and governmental phenomena historical the become root fiber from practice trading modern humans who continue developing, including in areas such as East Nusa Tenggara which has level vulnerability tall to Human Trafficking ⁹cases.

Referring to article 1 number (1) of the law number 21 of 2007 concerning eradication action criminal human trafficking states that, "Human trafficking is action recruitment, transportation, shelter, sending, moving, and/ or reception somebody with threat violence, use violence, kidnapping, fraud or forgery, misuse power or position vulnerable, debt trap or give payment or benefits, so that get agreement from the person holding control against other people, whether committed within the country or abroad between countries for objective exploitation or resulting in people being exploited. "Trade man based on the United Nations Office on Drugs and Crime(UNODC), defined as a recruitment, transfer, shelter process or reception somebody with use ways violence fraud or in culture that aims For exploit individual in order to obtain profit unilateral.

Based on global estimate, 71 % of survivors trading man is children and women. Form trading the most common person covering exploitation sexual commercial, work force fraud and accompanied by coercion, as well as wedding forced (marriage between adults even wedding child teenagers). In general practice trading peoplebegin with existence visible offer promising and tempting like given chance Work with reward tall or opportunity build life more Good

⁹ Apriliana Savitri, C, 2019, *Sanctions for Perpetrators Trafficking of Women for the Purpose of Prostitution Online According to Constitution Number 21 years 2007 About Eradication Action Criminal Human Trafficking and Islamic Law [Raden Fatah State Islamic University, Palembang].* In Gadjah Mada University. <http://repository.radenfatah.ac.id/id/eprint/16718>

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through marriage. However instead of get What everything that was promised, the victims actually end So object exploitation in network organized and large- scale crime wide.

In a way conceptual, trade man consists of on three (3) elements the main thing, namely action (act), method or means, and purpose. Elements action reflected through actions the perpetrator who committed one of the or some of them like recruit, transport, move, accommodate, receive or give other individuals to made into object transaction. After that, element means or method describe the method used in carry out action the including through threat or use violence, coercion, fraud, abuse domination on position vulnerable, kidnapping, or giving rewards and benefits certain if second element the fulfilled, then element final in the form of objective exploitation become determinant realization action criminal human trafficking where the perpetrator will make an effort get benefit or profit personal from the suffering of the victim.¹⁰

Phenomenon trading humans on the border sea between NTT and North Kalimantan no only affect the victim in a personal, but also detrimental public and the state as a whole overall. Migration Can So method effective for reduce poverty for people who move and their families, and help developments in the country of origin and destination countries. However, insecurity food Can So reason main Why somebody or family decide for move. Paradox This show that although migration Can give benefit economics, practice trading man precisely utilise instability economy communities in border areas. Discussion This show that smuggling and trafficking humans on the border Indonesian seas, especially in the NTT and North Kalimantan regions, are complex and impactful issues Lots aspects, so that need comprehensive and well - managed handling in a way together by various parties so that they can succeed finish it.

Combined from factor structural, network across countries, as well as difficulty in operate law make supportive environment occurrence trading human beings, because That required a comprehensive and sustainable approach for handle problem this. Using Lee's Migration Theory and Social Network Theory approaches, research This identify results analysis that shows How mechanism trading humans on the border The maritime areas of NTT and North Kalimantan are very complex, formed from interaction between factor structural and network dynamic social analysis reason driver show that poverty considered as reason main for Indonesian people who want to working, while worker migrants who do not legitimate become persistent problems in

¹⁰Admin, 2025, "50 million people around the world are trafficked and enslaved.Hagar."
https://hagarusa.org/human-trafficking/?gad_source=1&gad_campaignid=22458081798&gbraid=0AAAAADptnLTZgExucAek7ihLODKAdEzuh&gclid=CjwKCAjwx-zHBhBhEiwA7Kjq66lvazKJOPKqNGLICapeEwJuSHB17nzKe9bSJrb2D322T5fQ0eA-phoCDigQAvD_BwE

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NTT, so that make individual is very easy become a victim of trafficking humans and exploitation, because No own document official or adequate protection. Economic factors This reinforced by aspects social and demographic, where things like age, level education, type gender, access to service more social good job with salary, activities economy, as well as use skills become things that are important and influential to what extent someone prone to to trading human beings. Poverty be one of triggering factors the occurrence of trafficking in situation certain, such as environment growth that is not healthy, corruption that allows trafficking to take place, or disappearance justice law.

This matter show that driving factors the occurrence of trafficking does not only nature economy, but also includes aspect social, cultural, and institutional factors that create condition structural that makes it easier human trafficking practices. Analysis factor puller show difference characteristics between areas in NTT that tend to towards Australia and the more remote areas of North Kalimantan leading to Malaysia. Factors puller This No only in the form of promise opportunity better economy good, but also involves manipulation information as well as hope built by the network smuggling. Existing obstacles precisely become problem in case trading humans, because things that should be prevent people from moving in a way illegal rather utilized or used by the network trading humans. On the other hand, the factors personal like low education, lack of access to information, as well as condition economic and social family precisely exploited by the perpetrator trading man for attract victims.

Analysis discloses that human trafficking network on the border NTT and North Kalimantan maritime operate a “network “model hybrid "which combines the power of strong ties to recruitment and legitimacy social with weak ties to operational cross- border, creating structure resilient and difficult networks detected Because combine trust social local with connection loose transnational. Identification show existence convergence between structural push-pull factors with dynamics network social that creates a “trafficking ecosystem “on the border maritime, where poverty structural and limitations access interact with promises manipulated economy through mechanism network social that utilizes both strong ties and weak ties. Analysis comparative discloses significant regional variations between NTT and North Kalimantan in matter push-pull factors configuration and structure network social, where the differences geographical, economic, and political between both regions create different trafficking patterns, although mechanism base still consistent. Weaknesses systemic in prevention of human trafficking lies in the inability For cut off cycle interaction between factor structural and network social, where efforts prevention that only focus on one dimensions proven No effective Because No address complexity interaction between push-pull factors and dynamics network social approach integrated between Lee's Migration Theory and Social

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Network Theory provides greater understanding comprehensive about human trafficking mechanisms at the border Indonesian maritime, at the same time identify dot, dot, dot more interventions effective For prevention and treatment problem This.

From the corner view law criminal acts the has fulfil element action criminal human trafficking (TPPO) as explained in Article 2 paragraph (1) of the Law Number 21 of 2007, which states that "Everyone who does recruitment, transportation, harboring, sending, transfer, or reception somebody with threat violence, use violence, kidnapping, fraud, abuse power or position vulnerable, debt trap, or give payment or benefits, for objective exploiting the person in the territory of the Republic of Indonesia, shall be punished with criminal shortest prison sentence three years and a maximum of fifteen year as well as a fine of at least IDR 120,000,000.00 and a maximum of IDR 600,000,000.00."

Based on provision said, each action that fulfill element Constitution the is action criminal prosecution accountability law. Understanding element action criminal human trafficking is very important in analyze cases in Indonesia, especially in East Nusa Tenggara which is prone to Because factor bad economy, level low education, and lack of supervision to power work. Many NTT residents have become victims of recruitment in a way No valid and finally exploited in other areas even outside country. Because that important for understand that action criminal human trafficking is not only problem law only, but also related with aspect social, economic and humanitarian needs handled in a way comprehensive research This furthermore will connect phenomenon general trading man with patterns, causes, and implementation instrument law in countermeasures trading humans in NTT, as form implementation Constitution Number 21 of 2007 in context area the.

4. Conclusion

Phenomenon smuggling and trafficking people in the area border Indonesian seas, especially in East Nusa Tenggara and North Kalimantan, show existence condition vulnerability sufficient structural complicated. Problems This No only caused by inadequate supervision in border areas, but also related to with imbalance social and economic, limited access to education and information, as well as ability institutions weak local in handle crime across countries. Vast and difficult waters reachable make both areas become point vulnerable For occurrence activity illegal cross- border. In situation like that, society local often become victims at the same time member from network smuggling Because pressure economy and lack of option decent living. The analysis conducted show that although the Indonesian government has own rules and institutions that regulate effort countermeasures trading humans, its application in the area border Still Not yet Enough good. Low synergy between government central and regional,

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minimal infrastructure supervision, as well as limitations source Power human and budget become inhibitor main in overcome problem This in a way effective. In addition, policies that are reactive and not yet touch root problem social precisely make effort countermeasures only nature temporarily. Therefore that, is necessary change paradigm from a purely individualistic approach nature enforcement law going to a more approach comprehensive, humane, and based development sustainable.

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