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The Important Role of International Law in Maintaining World Security in Human Trafficking

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Abstract. *Trading man is form crime very complex and organized cross- border, so that need handling laws that do not only nature national but also on a large scale international. International law play a role as foundation main in create framework work that is comprehensive, binding, and can be implemented cross- country. The main goal from study This is For understand to what extent the law international play a role in prevent and eradicate trading humans, as well as identify challenges faced in its implementation in the Southeast Asia region. Study This use approach juridical normative with focus on studies bibliography. Writing This refers to various journal scientific, articles, and regulations legislation relevant international For explore role law international in handle problem trading human. The types and sources of data use 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 the role of law international become very important in provide framework global work for prevent, take action, and provide protection towards the victim. Instrument like The Palermo Protocol, the UN Convention, and ACTIP have become base laws adopted by countries such as Thailand, Vietnam, and Cambodia. Although there is progress in formulation policies and approvals Constitution domestic, reality on the ground show that implementation law Still face various obstacles, such as weakness coordination, lack of source power, and lack of awareness apparatus. Therefore that, effectiveness law international relations are highly dependent on the capacity and commitment of government in carry out law in a way comprehensive and fair.*

Keywords: *Global Security; International Law; Trade Man.*

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1. Introduction

Trading humans, who often called human trafficking, is action force someone and take his rights in a way No valid, and including in form crime to right basic human and morality. Trade man is very widespread crime, isn't it? only occurs in one country only, but also across several countries, so that become issue important good at the level national and international trade man occurs in various group age, starting from children to adults. Trade man covers all form abuse humans, starting from the search process power, moving, up to send people with method sell they like goods. Trade man often happens through rude, deceptive, and coercive ways, such as become slave or even selling body organs humans. [1]In 2000, the United States government explain understanding trading man with make Constitution namely The Trafficking Victims Protection Act that trading man made into commercial with western ways or colonizers in exploitation source Power nature and resources Power man.[2] Trading man close relation with action exploitation man.

Exploitation in trading man Can happen in various form, such as work forced, slavery, organ removal in a way illegal, as well as abuse sexual like prostitution forced. Children also often become victims, where are they used For things that are not justified. Need noticed that If perpetrator sex Still under 18 years of age, action the in a way automatic including in category trading humans, even though No There is violence, threats, or fraud that occurred. Trading man Already happen many times since before, even during the colonial period. Trade man is violation of law right basic man in a way heavy and occurs in various parts of the world. Phenomenon This is very much felt in developing countries, especially in Southeast Asia, such as Cambodia, Vietnam, and Thailand. However, this This No means that in Southeast Asian countries other than those that have been mentioned No There is practice trading human. That's it Why law international play a role important as tool main in guard justice and upholding strong law For overcome trading human phenomenon that occurs. trading man No only related with law but also has an impact on aspects social, economic, and humanitarian.

Trading man the more Lots happen in the current era of development this, because That needed understanding and application law international playing role important in overcome problem this. The perpetrators trading man use various method For manipulate and deceive their victims. They often give very attractive lure for victims, such as say that the victim will get

[1] Chika Monika S, Shafa Maulana Dewi K, Sagaralange P, 2022, *ASEAN's Efforts to Handle Trading Humans in Southeast Asia*, Pena Wimaya Journal, Vol.2 No.2, Pg. 2.
[2]Chika Monika S, Shafa Maulana Dewi K, Sagaralange P, 2022, ASEAN's Efforts to Handle Trading Humans in Southeast Asia. Pena Wimaya Journal, Vol.2 No.2, Pg. 2.

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higher salary big, because will paid with foreign currency. Finally, many victims are attracted follow intentions and plans bad from perpetrators. Many stories and tales have method Work similar used by the perpetrator trading humans. Generally the victims are seduced and deceived with various the way by the perpetrator who promises work in a place, very large salary, as well made into as shop assistant or factory. Usually all needs For leave has prepared by the sending agency power Work said. However in the reality faced female victims of practice trading man is very unkind treatment human Where engage in activities prostitution or service forced, slavery and practices similar slavery. More sadly Again is health from the victims of practice trading humans also don't Again noticed even the promise of the perpetrator give that the victim will paid with Enough high, but the salary received by the victim is actually very inadequate worthy with what has been he do it. However, on the other hand, victims also often get persecution so that the victim experiences suffering both physical and spiritual which must be covered in quite a long time.[3]

The perpetrator who has succeed holding style full for the victims and or those who have succeed persuade the victim with using the people closest to the victim where moreover formerly has also been manipulated by the perpetrator. This is Of course just making the victim and those closest to him experience A suffering Good in a way physique and psychic.[4] More carry on again, Human Trafficking activities or trading man This has growing very rapidly, especially matter This prone to to women and also children below age, network crime outside normal outside reason man This is activity crime well organized or not organized and things This valid good in the realm international and realm national. [5]Therefore that, act this crime of Human Trafficking very very necessary get A serious attention and handling from government. As for stakeholder involvement, it is ongoing since very wide coverage narrow moreover past room scope nuclear family, then to be continued with room scope public around, next is room scope Local Government up to The Central Government where here must present something comprehensive and integrated solutions. Such as for example formation something group assignments. [6]In addition the role of International Law here his role very much important that is make A Multilateral Agreement, namely A agreement between countries in the form of in A

[3]Muhammad Kamal, *Human Trafficking: Prevention Action Criminal Trading Humans in Indonesia*, Accessed from https://books.google.co.id/books?id=UJ67DwAAQBAJ&printsec=frontcover#v=onepage&q&f=false

[4] See General Section Explanation under Law No. 21 of 2007

[5]Muhammad Kamal, Lo. Cit.

[6] See the Decree of the President of the Republic of Indonesia Number 88 of 2002 concerning National Action Plan for the Elimination of Trafficking of Women and Children in conjunction with Regulations President of the Republic of Indonesia Number 69 of 2008 concerning the Task Force Prevention and Treatment Action Criminal Human Trafficking

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agreement Work The same international, events This is A solutions that can carried out by the government based on regulation legislation that functions in Indonesia in general national and international.

2. Research Methods

Study This use approach juridical normative with focus on studies bibliography. Writing This refers to various journal scientific, articles, and regulations legislation relevant international For explore role law international in handle problem trading human. The types and sources of data use 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.

Writing This refers to various journal scientific, articles, and regulations legislation relevant international For explore role law international in handle problem trading humans in Cambodia, Vietnam, and Thailand. Sources This Then analyzed in a way deep For give greater understanding Good about current issues discussed. Through analysis this, legal norms international related trading man interpreted and applied to the context of those countries.

3. Results and Discussion

International Law is part provision the laws in force in the countries in which they relate those who make agreement. International law is a set provision applicable law maintained by the community international. So it can concluded that International law is overall the rules and principles that regulate connection issues that cross national borders between:

1. Country to Country

2. Countries with subject other laws are not state/ subject one state law each other

According to Sugeng Istanto, International Law is gathering provision applicable law maintained by the community international. As gathering provision law, law international is part from law. As part from law, law international fulfil elements that determine understanding law, namely gathering provisions governing behavior insider behavior the prevailing society maintained by the “external power” of the community concerned. As part from law in general, objectives law international is also the same with objective law in general. The purpose of law That is create order and justice in public place its validity law the.[7]

[7] Sugeng Istanto, 2014, *International Law Revised Edition*, Atma Jaya Yogyakarta, Yogyakarta, p. 5

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Indonesia as a country based on Pancasila with uphold mark noble sense of humanity, because many case trading humans in Indonesia as well as want to To stop human trafficking throughout the world, Indonesia on March 5, 2009 ratified and ratified Palermo Protocol through Law Number 14 of 2009, with the Declaration (Statement) regarding Article 5 paragraph (2) letter c and the Reservation regarding Article 15 paragraph (2). Meanwhile Since January 12, 2009, Law Number 5 of 2009 concerning Ratification of the United Nations Convention against Transnational Organized Crime (UN Convention Against Transnational Organized Crime) Transnational Organized Crime). And on March 16, 2009, Indonesia enacted Law Number 15 of 2009 concerning Ratification of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime.[8]

Various instrument law international has adopted by Southeast Asian countries in effort eradicate trading humans, especially by Cambodia, Vietnam, and Thailand. In regional context, ASEAN developed five main pillars in anti- trafficking strategies humans, namely prosecution, protection, prevention, coordination, and work The same between countries members. Role of the organization international such as the International Organization for Migration (IOM) is also crucial, especially in Thailand and Cambodia. IOM is involved active in facilitate Work bilateral, training for apparatus enforcer law, and development mechanism references National Referral Mechanism (NRM) for identify and provide help to the victim.

In a way specifically, Vietnam has adopting the ASEAN Convention Against Trafficking in Persons (ACTIP) and developing Anti- Human Trafficking Law (UU TPOM), which includes aspect prevention, victim protection, and prosecution perpetrator in a way comprehensive. Meanwhile Therefore, Thailand adopted the United Nations Convention Against Transnational Organized Crime (UNTOC) through the Anti-Trafficking Act 2008, although effectiveness its implementation Still meet various challenges in the field. Although in a way normative the three countries have ratify and integrate instrument international to in framework law respective national, effectiveness its implementation Still face obstacle structural and institutional. In Cambodia, for example, although there is plan action national and efforts enforcement law, its effectiveness is very limited by the high level corruption and low political will from party authorities. As a result, many perpetrator No touched law, while the victim does not get adequate protection. Thailand shows a number of progress, especially through IOM facilitation in strengthening Work The same cross- border with Cambodia, including

[8] Maslihati Nur Hidayati, *Eradication and Prevention Efforts Human Trafficking Through International Law and Indonesian Positive Law*, Al-Azhar Indonesia Journal, Social Institutions Series, Vol. 1, No. 3, March 2021

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subtraction work visa and training fees skills. However, coordination between institution enforcer law Still not optimal, so that hinder handling case in a way comprehensive.

Trading man is form crime very complex and organized cross- border, so that need handling laws that do not only nature national but also on a large scale international. [9]International law play a role as foundation main in create framework work that is comprehensive, binding, and can be implemented across countries. Through various instrument law international, the global community forms One consensus that trading man is violation Serious to right basic human and must eradicated in a way collective. [10]One of the main pillars in effort international the is The Palermo Protocol of 2000, which is part from UN Convention Against Crime Organized Transnational (United Nations Convention Against Transnational Organized Crime - UNTOC). Protocol This give definition official about trading man as well as oblige states parties For criminalize practice the in law domestic them. In addition, the protocol This also encourages countries to protect and provide help to the victims and increase Work The same between countries in field enforcement law.

Countries such as Cambodia, Vietnam, and Thailand are included in the list of countries that have ratify Palermo Protocol, so that in a way law obliged adapt system legislation with provision international. In Southeast Asia, the role of law international become very relevant Because area This own level high vulnerability to practice trading human beings. This is caused by several factors, including the height number poverty, inequality socio-economic, weak education and access to decent work, and position the strategic geography of these countries as transit route. In condition like this, law international present as guidelines and tools coordinating linking various system law national For together overcome issue This. Thailand is one of the countries in the region this is what shows progress significant in development system anti- trafficking laws man.

Thai government has validate AntiTrafficking in Persons Act BE 2551 (2008), which clarifies definition trading human, determine sanctions serious crimes to perpetrators, and provide framework protection for victims6. Apart from that, Thailand active weave Work The same with various organization international such as the United Nations Office on Drugs and Crime (UNODC) and the International Organization for Migration (IOM) in matter training apparatus, campaign awareness society, and the preparation protocol rescue of victims. The country also formed Multi-Disciplinary Teams (MDTs) to handle cases trading man in a way integrated between police, prosecutors, institutions protection children and workers social. Vietnam also

[9]Afifah Reza, 2003, *Systematics Writing Scientific Papers*, Asy -Syariah, Jakarta, p. 15.
[10]Chairil Anwar, 1992, *Mixed Roar Dust*, PT Gramedia Pustaka Utama, Jakarta, p. 25.

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shows step proactive in countermeasures trading man through ratification of the Law on Human Trafficking Prevention and Control in 2011. Law This No only arrange action criminal trading man in a way detailed, but also sets out procedure victim handling and prevention strategies based on society. The Vietnamese government is working The same with neighboring countries through the ASEAN forum and bilateral agreements for strengthen system monitoring cross- border. This effort is also supported by programs from institution international that focuses on improving awareness public in the regions vulnerable, and expand access to education and work alternative for group at risk. Cambodia has also has had the Law on Suppression of Human Trafficking and Sexual Exploitation since in 2008, however its implementation Still face challenge Serious.

Problems like weakness capacity institutions law, practice widespread corruption, as well as limitations budget become obstacle big in effort enforcement effective law. Although Thus, the Cambodian government continues make an effort build Work The same international and carry out internal reforms to strengthen effort eradication trading human. One of the step positive actions taken is partnership with UNICEF and ECPAT International to support rescue and reintegration programs social for child victims of exploitation sexual commercial. However Thus, the effectiveness law international No only determined by adoption regulations at the level nationally, but also by consistent and measurable implementation in the field.

Still many cases where victims of trafficking man No get adequate protection Because lack of awareness apparatus, procedures complicated laws, as well as the victim's fear of report consequence threat or social stigma. This is show that enforcement just law must accompanied by with approach based right basic human and sensitivity to condition social culture in each work country regional also becomes the same component important in strengthen role law international. In matter This ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) was adopted in 2015. step big in create commitment collective of Southeast Asian countries. Convention This No only covers aspect criminalization and prosecution, but also provide framework Work For victim protection, work The same cross- country, and periodic monitoring mechanisms to implementation policy.

ACTIP encourages member states For form National Coordinating Bodies and aligned Action Plans with standard international. In addition to the ASEAN forum, other institutions international such as UNODC, IOM, UNICEF, and ILO also play a role role important in provide funding, training, assistance technical, as well as independent monitoring to development enforcement law in vulnerable countries to trading human beings. The role of institutions This give encouragement positive so that the law international No only become formal text, but

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rather as tool real For create change social and justice.With see the above conditions, can concluded that law international has been and continues play role important in global efforts against trading humans, especially in the Southeast Asia region. However, the effectiveness of law it really depends on the commitment political national capacity institutional, work The same across countries, as well as an approach that places the victim as center from every policies made. In overall, role law international is very vital in build global response to trading humans, especially in the Southeast Asian region which has vulnerability high. However, in order for regulations and policies international can really bring changes, are needed implementation that is not only formal but also touching reality on the ground. Work The same interstate, commitment politics, and victim protection - oriented approaches become element key For end practice trading man in a way comprehensive and fair.[11]

As far as This Not yet there is agreement international standards that determine right obligation law formal international for individual.[12] However No owned right obligation For litigation before justice international That No reduce position individual as subject law international. After know position Individual in law international so furthermore will study about protection individuals within law international. Protection individual in law international usually based on citizenship individual that. That thing due to Because protection law international among them set in agreement applicable international for the country that promised as well as inhabitant his country and besides That protection law international is also maintained by the country whose citizenship owned the individual concerned Based on law international, bonds between individual with his country basically regarded as A affairs internal affairs of the country concerned. In war you for example, individuals who do not follow as well as in hostility and the loose combat must done human without with existence very detrimental differences based on race, color, religion or belief, sex, birth or riches or other similar sizes. Besides that, now has accepted in a way general that law international also protects right basic individual without take into account his citizenship.

Cultural factors is one of the something special in case trading humans. Some matter important things that need to be done noticed when see culture as one of the driving factors occurrence case trading man is existence current globalization and low level education. Second matter the make culture Indonesian society today This tend more easy accept things that are instant and prioritize results fast in reach objectives. In addition, the lack of Spirit Work hard and low intensity in field innovation make Indonesian society more Like spend money

[11]United Nations Office on Drugs and Crime (UNODC), 2020, *Global Report on Trafficking in Persons 2020*, United Nations, New York, p. 112.

[12] Sugeng Istanto, 2014, *International Law Revised Edition*, Atma Jaya Yogyakarta, Yogyakarta, p. 5

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recklessly excessive. This creates prejudice in society that is usually consider somebody succeed Because own cars, houses and land alone, even though they willing do anything for achieve it. Lack of supervision from public in guard behavior and moral values in the environment also become part from factor culture social who participate influence occurrence case trading man. Cultural factors that result occurrence case Human trafficking is sad and necessary changed with involve all circles community. Work The same from various party like government, figures society, entrepreneurs and youth are very important For form counter culture action human trafficking.

Legal protection for victims of crime criminal human trafficking more Lots accept his rights in connection with ratification of Law No. 21 of 2007 concerning Eradication Action Criminal Human Trafficking (PTPPO). Decree about protection of victims of crime criminal human trafficking is regulated special in Article 43 to Article 53, Article 43 of Law No. 21 of 2007 which regulates regarding “Provisions about protection witnesses and victims in action criminal human trafficking is carried out based on Constitution Number 13 of 2006 concerning protection witnesses and victims except otherwise specified in Constitution This ".[13]

4. Conclusion

International law plays a crucial role in providing a global framework for preventing, responding to, and protecting victims. Instruments such as the Palermo Protocol, the UN Convention, and ACTIP have become the legal basis adopted by countries such as Thailand, Vietnam, and Cambodia. Despite progress in policy formulation and the enactment of domestic legislation, the reality on the ground shows that legal implementation still faces various obstacles, such as weak coordination, limited resources, and lack of awareness among officials. Therefore, the effectiveness of international law depends heavily on the capacity and commitment of governments to implement the law comprehensively and fairly.

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