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

Law Enforcement of The Criminal Acts of Human Trafficking in The Digital Era

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Abstract. Human trafficking is one of the crime serious threat humanity throughout the world. The phenomenon This involving exploitation man For profit commercial, including exploitation sexual, work coercion, organ trafficking, and other forms of oppression that is not humane. This writing aim For know challenge enforcement law action criminal digital era human trafficking. Study This using approach juridical sociological and type study descriptive. The type and source of data uses primary data in the form of interview and secondary 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 challenge main issues faced by law enforcement law in handle case human trafficking in the cyber environment is high anonymity, complexity digital footprint, limitations law international, use encryption For hide communication, as well as lack of awareness public about cyber trafficking.

Keywords: Digital Age; Human Trafficking; Law Enforcement.

1. Introduction

Human trafficking is one of the crime serious threat humanity throughout the world. The phenomenon This involving exploitation man For profit commercial, including exploitation sexual, work coercion, organ trafficking, and other forms of oppression that is not humane. Although effort has done globally for fighting human trafficking, crime This still become persistent and complicated problems. In a digital era characterized by progress technology information and communication, human trafficking has find a new medium For developing: the virtual world. The internet and online platforms provide means for the perpetrators crime For operate operation they with more hidden and efficient. Dark web sites, online forums, and

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social media become place For recruiting, promoting, and selling victims of human trafficking.¹ Although enforcement law has try For handle human trafficking in cyberspace, the challenges faced by law enforcement law the more complicated. Digital evidence is often difficult For collected and submitted to court with legitimate means. In addition, the perpetrator crime often use advanced tools and techniques For hide their digital footprint, adding difficulty in the process of investigation.

Human trafficking emerges in diverse form, including inter-regional, intra-regional, and domestic. In its implementation, victims often traded until to abroad. This is triggered by pressure economy, minimal education, poverty, and opportunity limited work, which makes it difficult individual For reject temptation kind of that. As a result, they are easy entangled online ignoring human trafficking mark right basic man.² Phenomenon human trafficking inseparable from inequality connection employment, where the position worker often Far more weak rather than giver work. In practice, it appears various form restrictions freedom workers who are implicit potential leading to exploitation, such as foreclosure document personal important owned by workers. Situation This describe that imbalance relation Work can open gap for violation rights, even become door gate for practices that resemble human trafficking, especially when worker lost autonomy in choose his job.³

Everyone has the right on security oneself, family, honor and dignity, as well as freedom from degrading treatment. In matter this, trade man become threat heavy, because the consequences No only befall the victim individual, but also spread to society and the state as a whole overall. Practices That clear violate mark humanity that becomes foundation of the state.

Handling issue This demands a holistic strategy from prevention until handling, including recovery and rehabilitation of victims, through policy national as well as regional and global⁴collaboration. For five years lastly, from 2021 to with In 2025, the TPPO cases showed significant increase. Data from KPPPA noted around 1,200 cases in 2021, which then increase around 1,440 cases in 2022, and increasing more carry on become around 1,800 cases in 2023, with concentration the highest in East Java and NTT. Entering in 2024, the number case

¹ Hermawan, R, 2015, *Readiness Apparatus Government in Facing Cyber Crime in Indonesia* : Exact Factors

²Kereh4, CJILK F.. GO A, 2025, *Legal Protection for Victims of Human Trafficking Crimes Through Social Media* 1 By. 13(3)

³Tina Marlina, ARN (2020). *Legal Protection for Workers Whose Diplomas Are Made Guarantee by the Providing Company Work (Research Study at the Cirebon City Manpower Office)*. 11(1), 35–45.

⁴Kereh4, CJILK F.. GO A, 2025, *Legal Protection for Victims of Human Trafficking Crimes Through Social Media* 1 By. 13(3)



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estimated reach around 2,100, with 698 cases recorded in the middle year according to police data. Meanwhile that, in July 2025, 427 victims were recorded, with about 74% of them is women. This figure Then increase to 538 victims in September, most of whom big is recruited women and children through social media.⁵

2. Research Methods

Study This using approach juridical sociological and types study descriptive. The type and source of data uses primary data in the form of interview and secondary in the form of material primary law, material law secondary, and legal data tertiary.

Data used is secondary data in form material law. furthermore the data that has been obtained will analyzed with use descriptive-qualitative, then concluded in a way method induction and method deduction.

3. Results and Discussion

Enforcement efforts law of course has done, but various constraint Still there is, shows that response the Not yet fully effective. Situation This need more steps integrated and powerful For ensure that crime the handled in a way effective, at the same time ensure adequate protection for the victims. From the perspective law, action This fulfil elements of TPPO as arranged in Law No. 21 of 2007, which includes recruitment, transportation, shelter and destination exploitation. In case in Cirebon, recruitment done through social media with promise work ; the victims then sent without follow proper procedures and 4257 finally face exploitation in the form of work that is not in accordance with agreement beginning. This is show that provision existing laws Actually Enough clear in arrange actions However, the problem mainly No lies in the availability regulation law, but rather in its implementation. In practice, various obstacle Still there is something that prevents enforcement law to trading man functioning optimally.

Romlahayati⁶ state that in system justice criminal, mechanism law often nature formalistic and failed fully ensure protection substantive to right basic human. Situation This highlight gap between law as norms and laws as practice In enforcement law, mechanism like pretrial own function important as means control For ensure protection right basic human beings. Through mechanism this, action apparatus enforcer law can tested so that it does not done in a way

⁵Ridwan, A, 2025, *Indonesian Citizens Become Victims of Trafficking Man until July 2025*. Katadata Media Network

⁶Yanti Romlahayati, 2025, *Pre- Trial As Mechanism For Ensure Protection of Human Rights In System Justice Indonesian Criminal Law*. 2, 221-231.



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arbitrary. In reality, the implementation pretrial Still face various obstacles. Yanti Romlahayati put forward that the process often influenced by the judge's approach which tends to formalistic as well as limitations time examination, so that protection to individual Not yet can given optimally. Conditions This show that system protection law, good for both victims and suspect, still need strengthening in a way comprehensive.⁷

Protection for victims in enforcement law trading man Still Not yet implemented in a way maximum. Legal process tend more focus on proof elements criminal to perpetrator, while recovery victims ' rights have not been become priority main. This picture seen clear in studies case at the Malang District Court. Trial evidence disclose elements trading humans, such as detention documents, placement of victims illegal, and violent physique as well as psychological. However Thus, the rights of victims, in particular about restitution, no fulfilled in the decision that was handed down. The situation This highlight gap between provision existing laws and their implementation in practice. Law Number 21 of 2007 actually arrange protection for victims, including right on restitution. In reality, the implementation provisions This Still not optimal. A number of studies also show that trading man is crime unorganized only cause loss economy but it is also a violation right basic human. Handling No Enough focused on the perpetrator only, but need accompanied by comprehensive attention to victim⁸protection.

Development technology, especially social media, has bring changes in patterns action criminal human trafficking so that become more dynamic and difficult reached by the system enforcement law conventional. Interaction between perpetrators and victims now No Again depends on the meeting directly, but rather ongoing through virtual space that is often not leave easy trail explored. The situation This create a proof process become the more complicated, especially in identify perpetrator as well as prove relatedness between the recruitment process and the goals exploitation.

From the corner view law criminal, condition This can understood through comparison between the old Criminal Code and the new Criminal Code. The provisions in the old Criminal Code still limited in arrange action criminal human trafficking and not yet capable reach various form continued exploitation developing. Change seen in the new Criminal Code through Law Number 1 of 2023, which provides arrangement more wide as well as more

⁷Yanti Romlahayati, 2025, *Pre- Trial As Mechanism For Ensure Protection of Human Rights In System Justice Indonesian Criminal Law*. 2, 221–231

⁸Nugroho, B., & Roesli, M, 2017, *Analysis law action criminal human trafficking*. 2(2). <https://doi.org/10.23920/jbmh.v2n1.7>



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attention big to victim protection. In reality, developments the Not yet fully followed by changes in practice enforcement law in the field. With thus, it can understood that problem main in enforcement law action criminal human trafficking is not only lies in the rules law, but also on how rule the applied. Therefore, it is needed transformation a more approach prioritize protection for victims, so that enforcement law No limited to sanctions for perpetrator, but also capable restore victims' rights in general intact.

In employment, detention document personal can become indication connection exploitative and similar work TPPO patterns, especially moment worker lost control on herself. Tina Marlina emphasized that condition This reflect inequality relation potential work violate human rights if No arranged in a way firm. In addition, the weakness regulations show law Not yet responsive to modern exploitation, so that required strengthening protection, in particular for worker migrants.⁹

Therefore that, handling of TPPO is not can only depend on approach repressive through enforcement law, but also must strengthened with preventive strategies that target root problem. Based on study said, efforts prevention need involving role active family, society, and the state within give education, supervision, and protection since stage beginning recruitment power work. Approach This become important in context worker migrants, because can pressing potential exploitation since early and reduce risk digital- based human trafficking. With Thus, enforcement effective law must combined with policy socially capable repair condition structural background the occurrence of TPPO.¹⁰

Dark web sites or the dark web provides place for human trafficking is more hidden and not publicly visible. Transactions human trafficking, including sale of victims and exchange information sensitive, frequent happening on the dark web. Dark web sites or dark web indeed become place main for human trafficking is more hidden and not detected in a way easy. The dark web is part from the internet that is not can accessible in a way direct through machine seeker conventional or a regular web browser. On the dark web, online activities are often carried out in a way anonymous through an encrypted overlay network user's IP address and create it difficult tracked. In context human trafficking, dark web provide a platform where actors human trafficking can operate without detected by law enforcement law. They can

⁹Tina Marlina, AR N, 2020, *Legal Protection for Workers Whose Diplomas Are Made Guarantee by the Providing Company Work (Research Study at the Cirebon City Manpower Office)*, 11(1), 35–45.

¹⁰ Waluyadi, Fathan Al Farizi1, Sairi2, Tika Fatikhaturrizqiyah3, RH 2024, *Criminological Aspects of Children as Perpetrators in the Crime of Trafficking in Persons (TPPO)*, 1(6), 324–333.



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selling victims, offering service human trafficking or even collaborate with perpetrator crime other without risk revealed.

In addition, the dark web is also often used For trading various types of personal data, including victim data that can be used For facilitate human trafficking. Important For noted that the dark web is not only used For activity criminals, but also used by activists, journalists, and other individuals who need anonymity in communicate. However Thus, the existence of the dark web makes it difficult effort enforcement law in fighting human trafficking, because transactions conducted there are difficult tracked and investigated need skills special and work The same complex cross- country. Therefore that, the increase ability enforcement law For overcome related challenges with the dark web becoming very important in effort fighting insider trading realm cyber crime.¹¹

The perpetrators human trafficking using technique targeted marketing and market segmentation for target vulnerable potential victims. They can using personal data obtained in a way illegal or through social media For identify and approach potential victims. In Indonesia, the Law Number 21 of 2007 concerning Eradication Action Criminal Human Trafficking is runway special laws arrange about human trafficking. Constitution This give base law for enforcement law For overcome case human trafficking, including those that occur in cyber environment.¹²

Besides the Law Number 21 of 2007, still There is other relevant laws that may used as runway law in handle case insider trading cyber environment, such as Constitution Electronic Information and Transactions Law (ITE Law) and the Law Number 11 of 2008 concerning Information and Electronic Transactions Law (ITE Law), which regulates about related crimes with use technology information and transactions electronics, including related violations with human trafficking in cyberspace. However Apparatus Law enforcement has many challenges in handle case human trafficking in this cyber environment. Challenges main issues faced by law enforcement law in handle case human trafficking in the cyber environment includes a number of matter following This:

1. Anonymity and use technology become challenge big for law enforcers law in handle case human trafficking in cyberspace.

¹¹Tiago, MTPMB, & Veríssimo, JM C, 2024, *Digital marketing and social media: Why bother? Business Horizons*, 57(6).

¹²http://repository.lppm.unila.ac.id/52061/1/Monograph_Hukum%20dan%20Era%20Digital.p df



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Perpetrator crime often take advantage of technology For hide identity them and operate in a way secrets on the internet. They can use network virtual private network (VPN), fake IP address, or service concealment identity so as not to detected by the party authorities. Investigation about human trafficking in cyberspace usually need analysis sufficient digital footprint complicated. Electronic data like message text, email, and history transaction finance need studied in a way carefully and analyzed with be careful so you can collected sufficient evidence For submit prosecution. Analyzing electronic data like messages, transactions, and online traces are sufficient complicated, requiring skills certain as well as source enough power to be able to understand and extract evidence required.

2. Limitations law international

3. human trafficking usually involving actors operating in various countries. The lack of harmony in regulation law between countries can obstructing the enforcement process law, slow down investigations, and complicate the extradition process to perpetrator action criminal Because every country has rules and procedures different investigations. Confidentiality and use technology encryption become challenge big in handle case human trafficking in cyberspace, because perpetrator crime often take advantage of feature the For hide activity they. Technology encryption and messages that have been encrypted make difficult for party authorized For access and monitor communication used in activity online human trafficking. Technology encryption used by the perpetrator crime For guard confidentiality and security communication they, so that make things difficult work investigation and monitoring by parties authorized. When ordering protected with encryption, others who do not own key proper encryption No Can read or understand content message said. This is cause difficulty in get required evidence For investigation and prosecution. In addition, the perpetrator human trafficking can also use various application messages that have feature encryption end to end, meaning message only Can read by the person sending and receiving message said, provided that they own key proper encryption. This makes communication they No Can accessed by others, including party authorized.¹³

Because of the existence of confidentiality and encryption in online communication, law enforcement law often face difficulty in get sufficient evidence strong For chase and demand perpetrator human trafficking in the cyber environment. Although they can use tools and techniques certain For try overcome challenge this, use technology increasingly sophisticated encryption advanced often become obstacle main in effort they For fighting online human trafficking. As response to challenge this, some jurisdiction has consider restrictive regulations

¹³ Yasraf Amir Piliang, Public and Public Cyberspace: Public Space in the Information Age.



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use technology encryption or obligatory provider service For give access key encryption to party authorized in case investigation serious crime. However, efforts kind of That often causes debate related with privacy and security of user data. With Thus, handling challenge confidentiality and encryption in case human trafficking in the cyber environment requires careful and balanced approach between security, privacy, and enforcement law.¹⁴

4. Collaboration and Coordination

Significant challenges in handle case human trafficking in the cyber environment is collaboration and coordination between various institution enforcer law, both at the level of national and international. Because human trafficking often crosses national borders and involves extensive network from perpetrator crime, work The same cross- border becomes very important For identify, investigate, and pursue the perpetrators with effective.

5. Lack of Public Awareness

Awareness low society to dangers and signs human trafficking can cause lack of reporting case, difficulty in victim identification, and failure in take action effective preventive measures. In context human trafficking in the cyber environment, lack of awareness public can make things worse problem Because its frequent nature hidden and difficult recognized. Lack of awareness public in context human trafficking in the cyber environment can covers a number of aspects, including:

6. Lack of Understanding about Online Human Trafficking:

Lack of understanding about online human trafficking is becoming one of the challenge main in enforcement law to crime this. General public often less understand method human trafficking can happen via the internet, including through social media, dark web sites, or other online forums. In Lots case, ignorance This can cause lack of awareness will associated risks with human trafficking in cyberspace. The perpetrators human trafficking often utilizing social media and other online platforms For recruit, exploit, and traffic victims. They use technique complex manipulation and deception For interesting attention potential victims and manipulate they become situation exploitation.

Therefore that, approach effective prevention and control need effort For increase understanding public about human trafficking in cyberspace. This can done through campaign

¹⁴ and the Central Statistics Agency (BPS). (2021). " Statistical Report : Cases Human Trafficking in Indonesia." BPS. [Available online at: https://www.bps.go.id/publication/2021/08/27/42ef_ad2e628da2f7c6f463d8/kejahatan-pidanaperdagangan-orang-2020.html]



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education public, training For stakeholders interest key such as teachers, parents, and workers social, as well as through dissemination information through mass media and online platforms. Lack of awareness public in context human trafficking in the cyber environment can covers a number of aspects, including:

a. Ignorance about Signs and Risks

Many people don't recognize signs or suspicious behavior that can indicates existence human trafficking. For example, signs like detention physical, tight control by another person, or use technology For monitor and control the victim perhaps No considered as signs human trafficking if No There is sufficient awareness about issue this. Lack of knowledge about risks and consequences human trafficking can also make public become more prone to to become a victim or become part from chain human trafficking.

b. Limited Access to Information and Education

In some areas, especially in the regions remote or vulnerable, access to information and education about human trafficking possible limited. Lack of effort For provide relevant information and required education about danger human trafficking, victims' rights, and methods report suspicious cases can hinder effort prevention and control.

c. Concerns of Stigma and Barriers Culture

Some victims of human trafficking may reluctant For report or look for help Because the presence of social stigma, shame, or obstacle culture. They may feel Afraid or worried about How public will respond experience they, or worry about consequence social or possible laws they face. Lack of awareness public about problem this and the lack of support social for victims to be able to make things worse isolation and vulnerability they.¹⁵

4. Conclusion

Action criminal trading people who use social media now the more develop become type more crimes complex and structured. Social media now No only functioning as tool For communicate, but also become one method main in looking for victims. The perpetrator using the platform For offer work with promise get big income, so attract potential victims, especially from groups that have income low. After the recruitment process finished, the victim then directed to stage next through the way that is not in accordance with the proper procedure, which ultimately cause various type form exploitation. Findings study show that

¹⁵Nasution, A, 2020, *Cybercrime and Human Trafficking*, Pustaka Pelajar, Jakarta.



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although all element action criminal human trafficking has listed in Constitution Number 21 of 2007, implementation the law Still Not yet Enough Good.

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