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

Law Enforcement by Indonesian National Police Investigators in Handling the Crimes of Human Trafficking and Human Organ Trafficking Involving Women and Children

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Abstract. *The Crime of Human Trafficking (TPPO), accompanied by the crime of human organ trafficking, constitutes one of the most fundamental violations of human rights and is categorized as an extremely heinous form of transnational organized crime. In practice, vulnerable groups such as women and children consistently occupy the position of primary victims due to social structural inequalities, extreme poverty, and limited legal literacy. These criminal syndicates operate systematically with constantly evolving modus operandi, ranging from debt bondage, fraudulent job offers, to forced exploitation within underground medical networks for the illegal harvesting of human organs. The complexity of this crime demands the absolute presence of the state through its law enforcement instruments to break the chain of modern slavery and ensure the safety of citizens from physical and psychological exploitation that undermines human dignity. This study aims to comprehensively examine how law enforcement is carried out by investigators of the Indonesian National Police (Polri) in handling cases of human trafficking and organ trafficking, with a primary focus on fulfilling the rights and protection of women and child victims. Using a normative-juridical approach with statutory and conceptual approaches, the analysis focuses on three essential dimensions: investigators' authority in dismantling criminal networks, the implementation of victim-centered protection within the pro justitia process, and the identification of obstacles along with optimization strategies. The findings indicate that although legal instruments granting extraordinary authority to Polri investigators are already available, implementation in the field still faces serious challenges, including difficulties in medical-forensic evidence collection, cybercrime occurring on the dark web, and cultural barriers within society. The Women and Children Service Unit (UPPA) of Polri has sought to implement victim-centered justice through a trauma-informed care approach; however, its institutional capacity requires significant enhancement.*

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Optimal law enforcement requires strong inter-agency synergy, the utilization of digital forensic technology, the implementation of financial tracking strategies (follow the money) to financially cripple criminal syndicates, and integrated protection involving medical and psychological institutions so that women and children who become victims can have their rights comprehensively restored.

Keywords: *Crime; Investigator; Human; Organs; Trafficking.*

1. Introduction

The development of global civilization in the 21st century has not only brought major advances in technology and cross-border economic integration but has also generated a dark negative consequence in the form of the transformation of transnational organized crime. One of the most horrifying forms of crime and a major concern of the international community is Human Trafficking (TPPO), which increasingly intersects with the crime of human organ trafficking. Fundamentally, this crime reduces human beings to mere economic commodities that can be bought and sold, exploited for labor, or even mutilated for financial gain. This phenomenon is universally recognized as a form of modern slavery that directly violates the principles of human rights enshrined in the Universal Declaration of Human Rights.

Within the anatomy of human and organ trafficking crimes, women and children statistically and empirically remain the primary targets and the most vulnerable victim groups. Their vulnerability does not arise in a vacuum but is constructed through layered structural conditions such as extreme poverty, lack of access to decent employment opportunities, low levels of education, and patriarchal cultural constraints that place women in subordinate positions. Organized criminal syndicates are highly adept at identifying these vulnerabilities and exploiting them as entry points through persuasion, false promises of a better life, emotional manipulation, and debt bondage that ultimately strips victims of their freedom.

The modus operandi used by human traffickers continues to evolve, making these crimes increasingly difficult to detect using conventional law enforcement methods. Recruitment no longer relies solely on middlemen visiting impoverished villages but has aggressively migrated into digital spaces. Women and children are often trapped through fictitious job vacancies on social media, fake scholarship offers, or online romance scams. Once isolated from their environments, victims are deprived of their identity documents and forced into commercial sexual exploitation, unpaid domestic labor, or compelled to act as couriers for criminal activities.

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Even more alarming is when human trafficking escalates into human organ trafficking, an underground criminal practice that exploits victims' desperation and the high medical demand within black markets. Syndicates frequently deceive victims with promises of free medical procedures, jobs requiring comprehensive health examinations that ultimately lead to organ extraction, or forcibly abduct underage children for the removal of vital organs such as kidneys or corneas. This crime involves high-level conspiracies, requiring medical facilities, the involvement of healthcare professionals who violate their professional oaths, and refrigerated logistics networks capable of transporting human organs across national borders within short periods.

In facing such a massive threat that damages the foundations of civilization, the Republic of Indonesia has an absolute constitutional obligation to protect all its people and territory, as explicitly mandated in the Fourth Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia. This protective mandate embodies the doctrine of *Parens Patriae*, whereby the state must always be present as the highest guardian and protector of its most vulnerable citizens, including women and children. The state must not display any weakness, let alone be defeated by international criminal syndicates that systematically steal lives and destroy the future of the nation's next generation.

As a legislative response to this recurring humanitarian crisis, Indonesia's positive legal instruments have been continually strengthened, including through the enactment of Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. This law serves as a special regulation (*lex specialis*) designed not only to impose the heaviest possible criminal sanctions on perpetrators but also to establish a strong framework for victim recovery and protection. Regarding physical exploitation resulting in mutilation, this instrument operates alongside the Health Law, which explicitly prohibits the commercialization of human cells, tissues, and organs for any reason.

Within the architecture of Indonesia's criminal justice system, the Indonesian National Police (Polri) occupies a highly central and crucial position. Based on Law Number 2 of 2002 concerning the Indonesian National Police, the institution bears the noble mandate of maintaining public security and order, enforcing the law, and providing protection, guidance, and services to the community. In the context of human trafficking and organ trafficking crimes, Polri investigators serve as the spearhead (*avant-garde*) in determining the success of uncovering secret criminal networks and as the first actors responsible for ensuring the safety of victims who are being held captive.

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Although legal instruments are normatively available, the reality of law enforcement against these clandestine crimes remains highly complex. Polri investigators face technical difficulties in dismantling fragmented criminal cells, where intellectual masterminds and financiers often take refuge in countries with weak legal jurisdictions. Furthermore, proving organ trafficking cases requires advanced medical-forensic expertise that investigators at district police offices in remote regions often do not possess, resulting in vital evidence being lost or expiring before comprehensive laboratory analysis can be conducted.

Beyond the technical challenges of investigation, handling exploitation cases involving women and children demands a cultural paradigm shift within law enforcement institutions. Law enforcement must no longer be trapped in a dry retributive approach focused solely on punishing offenders. Investigators are required to possess a restorative justice perspective and strong gender sensitivity, ensuring that interrogation and evidence-gathering processes do not become forms of secondary victimization for victims who have already suffered severe psychological trauma and loss of bodily integrity.

Based on the urgency of the issues outlined above, this article is systematically prepared to examine in depth the dynamics and challenges of law enforcement by Polri investigators in combating human trafficking and human organ trafficking. The article explores how investigators' authority is applied in dismantling criminal syndicates, the extent to which victim protection perspectives are accommodated within investigative processes, and the formulation of essential optimization strategies to ensure that Indonesia's legal instruments truly function as a strong shield protecting women and children from these inhumane crimes.

2. Research Methods

This study is a normative or doctrinal legal research project that positions law as a structured system of norms, principles, and written positive regulations. The approaches used to analyze this law enforcement issue are the statutory approach and the conceptual approach. The legal materials utilized are focused on binding primary legal materials, including: The 1945 Constitution of the Republic of Indonesia. Law Number 8 of 1981 concerning Criminal Procedure Law (KUHP). Law Number 2 of 2002 concerning the Indonesian National Police. Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. Law Number 17 of 2023 concerning Health (related to regulations prohibiting the commercialization of human organs). Regulations of the Chief of the Indonesian National Police concerning investigation management and the protection of women and children.

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3. Results and Discussion

3.1. The Authority and Strategic Role of Indonesian National Police Investigators in Uncovering Human Trafficking and Organ Trafficking Networks

Within the framework of Indonesia's criminal justice system, the police hold the exclusive legal authority as the primary investigators and inquiry officers for criminal offenses, firmly regulated through the Criminal Procedure Code (KUHP) and the Police Law. Investigators represent the state's coercive power, authorized to carry out legal actions that restrict an individual's liberty—such as arrest, detention, search, and seizure—in order to clarify a criminal act. In handling complex cases such as Human Trafficking Crimes (TPPO) and organ trafficking, prompt, measured, and precise initial legal actions by police investigators constitute the thin line between successfully saving the lives of detained women and children or losing track of syndicates that are about to transport victims abroad.

Recognizing the sophistication of such syndicates, the Human Trafficking Law grants extraordinary investigative powers to police investigators, exceeding those available in ordinary criminal investigations. Investigators possess a legitimate legal basis to intercept communications suspected of being used for syndicate coordination, conduct undercover operations, and implement controlled delivery techniques. Specifically in uncovering human trafficking transactions, investigators are also authorized to penetrate banking secrecy in order to trace financial flows that serve as the lifeblood of these organized criminal networks.

Regarding crimes involving human organ trafficking, investigators' authority intersects with the Health Law, which expressly prohibits the buying and selling of organs. Addressing such crimes requires intensive collaboration between police investigators and medical forensic experts (Pusdokes Polri) to establish scientific evidence at the crime scene. Crime scenes in these cases are often not ordinary rooms but illegal clinics or clandestine operating theaters. Investigators are therefore required to exercise a high degree of precision in securing evidence such as falsified medical records, blood type records, surgical equipment, organ storage containers, and biological samples that are highly susceptible to degradation if not handled under strict chain-of-custody protocols.

Transnational crimes that transcend national borders compel police investigators to operate beyond traditional jurisdictional paradigms through the optimization of security intelligence cooperation. The International Relations Division of the Indonesian National Police and Interpol play vital roles in tracing victims' travel routes and the movements of organ couriers who frequently use international commercial flights. Issuing Red Notices to pursue international

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fugitives and submitting Mutual Legal Assistance (MLA) requests to countries suspected of being organ recipient destinations or exploitation destinations are essential judicial measures that must be executed by central-level investigators to restore justice for victims at home.

One of the most effective strategies that investigators must now employ is the follow-the-money approach in coordination with the Financial Transaction Reports and Analysis Center (PPATK). Syndicates involved in trafficking women for prostitution or trafficking kidneys operate purely for substantial financial gain. By applying provisions of the Anti-Money Laundering Law (TPPU), police investigators do not merely target field operatives but seek to confiscate properties, large bank accounts, and illegal business investments owned by the syndicate's principal financiers. Impoverishing the intellectual masterminds is the only way to cripple the regeneration of these criminal networks.

During the initial phase of case disclosure, victim management at the crime scene serves as a benchmark for police professionalism. In TPPO cases, when police raid illegal shelters, women and children are often found in conditions of extreme fear, dehydration, starvation, and psychological manipulation. Investigators are strictly prohibited from treating them as immigration offenders; instead, they must immediately implement emergency humanitarian evacuation protocols. Isolating victims from all communication with external parties is crucial to sever the psychological control still exerted by pimps or recruiters.

Furthermore, police investigators face the challenge of constructing legal arguments that establish corporate involvement. Human trafficking syndicates often disguise themselves behind fictitious Indonesian Migrant Worker Placement Companies (P3MI), while organ trafficking syndicates hide behind health-related charitable foundations. Investigators must be capable of proving the mens rea (criminal intent) of the company's board of directors so that corporations cannot evade responsibility for the actions of their field agents. Through corporate criminal liability mechanisms, investigators can freeze corporate operations and permanently revoke business licenses.

Comprehensively, the authority vested in police investigators constitutes a highly powerful double-edged sword when exercised in a structured, large-scale, and integrated manner using various specialized legal instruments. The success or failure of case disclosure largely depends on investigators' individual competence in combining conventional interrogation techniques, digital financial intelligence analysis, and advanced forensic management. When this strategic role is carried out without compromise, the Indonesian National Police will stand not merely as an instrument of state coercion but as a shield of justice capable of dismantling the most heinous crimes to protect the lives of Indonesian women and children.

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3.2. Implementation of a Protection-Oriented Perspective for Women and Children as Victims During the Investigation Process

Progressive criminal law requires a transformation from an offender-oriented approach to a victim-oriented system that prioritizes victim recovery. In the context of handling TPPO and organ theft crimes involving women and children, implementing protective measures during the investigation stage is not merely an ethical recommendation but a mandatory legal obligation. From the moment victims are rescued by the police, they are entitled to special treatment that respects their dignity, confidentiality, and traumatic condition, considering that the crimes committed against them have deprived them of autonomy over their own bodies.

The frontline institution implementing this protective perspective is the Women and Children Service Unit (UPPA), specifically established within the Criminal Investigation Agency of the Indonesian National Police. Interview rooms in UPPA are designed not to resemble cold and intimidating criminal interrogation rooms but to be child-friendly and comfortable for women. The predominance of female investigators (Policewomen/Polwan) in this unit aims to eliminate the discomfort, fear, and shame often experienced by victims of sexual violence or organ mutilation when recounting highly degrading experiences.

The process of preparing Investigation Reports (BAP) within UPPA must apply trauma-informed care principles. Police investigators are trained to understand that when a child victim of human trafficking remains silent, cries hysterically, or provides fragmented testimony, this is not a sign of legal non-cooperation but rather a physiological consequence of acute trauma that disrupts memory function. Therefore, investigators are required to avoid accusatory questions, refrain from using a harsh tone, and provide sufficient breaks so that information gathering does not result in secondary victimization that further damages the victim's mental health.

In carrying out their duties, UPPA investigators are not permitted to work in isolation. Comprehensive handling requires investigators to be consistently accompanied by independent clinical psychologists, social workers, or professional medical personnel throughout the examination process. This multidisciplinary assistance is crucial to ensure that questioning is tailored to a child's cognitive capacity and to monitor signs of psychological decompensation among women victims of exploitation. If a psychologist determines that a victim is not mentally prepared, investigators must postpone the examination and prioritize psychological recovery over case-processing targets.

Physical protection and identity security are other fundamental rights facilitated by investigators during the early stages. Human trafficking syndicates often possess sufficient

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financial resources to hire thugs to intimidate victims into withdrawing police reports. In response, investigators have an operational obligation to immediately request emergency protection from the Witness and Victim Protection Agency (LPSK). This institutional synergy ensures that victims are relocated to confidential safe houses and that their identities are concealed in police media releases and public court documents.

One of the most vital legal principles that investigators must uphold is the principle of non-criminalization of victims. Many women and child victims of TPPO are forced to commit administrative offenses, such as falsifying birth dates on passports, crossing borders illegally, or working in prostitution establishments. Police investigators are expected to exercise moral and legal discernment to distinguish coercion (*overmacht*) from criminal intent. These victims must never be treated as suspects for violations resulting from control, threats, and physical coercion exerted by members of trafficking syndicates.

Moreover, police investigators play a decisive role in facilitating victims' rights to compensation or restitution from perpetrators. Under the Human Trafficking Law, victims are entitled to seek restitution for both material and immaterial losses. Investigators are responsible for documenting, calculating, and incorporating restitution claims—such as medical expenses, lost income, and psychological suffering—into case files submitted to prosecutors. Failure to facilitate restitution administration during the investigation stage may result in victims losing their lawful right to financial compensation when a court decision is eventually issued.

For victims of organ trafficking specifically, a protection-oriented approach requires prioritizing long-term medical rehabilitation. Victims who lose a kidney or other organs suffer not only psychological trauma but also permanent and potentially life-threatening physical impairments. In coordination with the Ministry of Health and local governments, investigators must facilitate access to health insurance and medical services as quickly as possible. Ultimately, the success of law enforcement is measured not solely by the number of syndicates imprisoned but by the extent to which the state restores the dignity, health, and future of women and children whose lives have been devastated by such crimes.

3.3. Challenges in Law Enforcement and Strategies for Optimizing Police Investigators' Performance

Although legal instruments provide a strong foundation of authority, the reality of enforcing laws against TPPO and organ trafficking is highly challenging. The most fundamental obstacle is the complexity of proving material facts in court. The clandestine nature of these crimes often results in the absence of independent eyewitnesses. Employment contracts are frequently

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destroyed, and surgical scars from organ removal may be concealed or only discovered years later abroad. Consequently, investigation files are often returned repeatedly (P-19) by public prosecutors due to insufficient evidence linking intellectual masterminds to the crime.

A second major challenge is the evolution of trafficking into cyber-enabled crime. Syndicates no longer operate openly but instead utilize anonymous forums, fake social media accounts, and even the dark web to advertise international demand for human organs. Payments for exploitation are often made through difficult-to-trace cryptocurrency transactions. Many investigators at regional police levels (Polres) struggle with technological limitations in conducting independent cyber-forensic patrols, resulting in critical digital evidence being automatically deleted before it can be legally seized.

From an institutional perspective, limitations in logistical resources and personnel remain significant barriers. The number of female investigators (Polwan) within Women and Children Protection Units, particularly in regional police offices located in poverty-prone areas that supply many victims, remains far below ideal levels. Operational budgets for handling inter-provincial and international cases are substantial and often inadequate, considering the costs of victim evacuation, expensive forensic DNA testing in organ trafficking cases, and maintaining victims in safe houses throughout investigations. These constraints slow police response times in the field.

Beyond technical challenges, cultural and social factors further complicate investigators' work. Patriarchal attitudes and victim-blaming remain deeply rooted. Women deceived into prostitution are often ostracized by their own families and hesitate to report crimes due to shame. At the same time, the practice of providing recruitment advances or loans by labor brokers is often viewed as socially acceptable in rural communities. Residents may conceal the identities of local recruiters because they are perceived as job creators, thereby severing critical information channels needed by law enforcement.

To address these empirical challenges, the first optimization strategy is radical and continuous capacity building for criminal investigators. Police education and professional training must focus on cyber investigation techniques, financial intelligence (financial tracing), and big data analysis. Investigators should no longer merely wait for victim reports but proactively utilize intelligent algorithms to monitor suspicious job advertisements and anomalies in banking transactions linked to organ trafficking, enabling preventive intervention before women and children are sent abroad.

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The second strategy involves strengthening the institutional structure of the Women and Children Service Unit (UPPA). Given the escalating complexity of these crimes, UPPA at both National Police Headquarters and Regional Police levels should be elevated to autonomous directorate status. Such a transformation would provide independent budget allocations, greater tactical decision-making authority, and the ability to recruit and deploy more investigators certified in psychology and medicine throughout the country, ensuring faster responses to public reports.

The third strategy focuses on cross-sector collaboration through an Integrated Task Force for Human Trafficking Eradication. The police cannot bear this burden alone. Sectoral barriers must be eliminated by integrating population, immigration, banking, and health-record databases into a centralized command dashboard accessible to investigators in real time. Such synergy would also facilitate Mutual Legal Assistance operations among ASEAN countries to apprehend trafficking kingpins and medical mafias operating behind jurisdictional boundaries.

The final strategy, and the cornerstone of predictive law enforcement, is strengthening community policing through the optimization of village-level Bhabinkamtibmas officers. Effective law enforcement must be balanced by grounded preventive measures. Village police officers should actively conduct legal literacy programs, educate residents about the latest syndicate modus operandi, and establish early warning systems in collaboration with local authorities. By building culturally rooted resilience through legal awareness, the Indonesian National Police can not only dismantle existing networks but also permanently close the vulnerabilities that enable the exploitation of Indonesian women and children.

4. Conclusion

Human Trafficking Crimes (TPPO), particularly those intersecting with human organ trafficking, constitute a grave threat that tears apart human dignity, with women and children tragically positioned as the most vulnerable commodities for exploitation. Amid the increasing sophistication of international criminal syndicates, police investigators serve as the state's final line of defense, mandated by the Constitution and legislation to dismantle these heinous networks. Although confronted with challenges involving cyber evidence, bureaucracy, and cultural resistance, law enforcement efforts must not retreat. The success of investigations should not be measured solely by the effectiveness of coercive actions against masterminds and the confiscation of criminal assets, but philosophically by the extent to which investigators implement a victim-centered justice perspective. Through strengthening the Women and Children Service Unit (UPPA), utilizing digital forensics, and fostering strong inter-institutional cooperation, the Indonesian National Police can transform written law into a tangible shield of

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protection, restore the lives of victims who have been deprived of their rights, and ensure that Indonesia is free from the dark grip of modern slavery.

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