



LICS 2026

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 Crime of Human Trafficking in The Framework of Protection Against Crimes Targeting Women and Children

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Abstract. *The Crime of Human Trafficking (TPPO) is a form of organized transnational crime that fundamentally violates human dignity and worth, in which women and children consistently occupy the position of the most vulnerable victim groups. This modern form of slavery operates through syndicate networks that exploit economic vulnerability, limited education, and socio-cultural structural inequalities within society. This abstract highlights the urgency of law enforcement that is not only oriented toward punishing perpetrators but must also emphasize integrated victim protection. The Indonesian National Police (Polri), as the frontline institution of the criminal justice system, bears a significant constitutional responsibility to dismantle these criminal networks while ensuring the restoration of the rights of women and children who become victims. This research aims to comprehensively examine and analyze the role, authority, and law enforcement strategies of Polri investigators in handling human trafficking cases, particularly within the framework of protecting women and children. In addition, this research identifies various structural, cultural, and instrumental obstacles faced by investigators in the field and formulates optimization measures that can be implemented. The research method used is normative legal research with a statutory approach and a conceptual approach. The research findings indicate that Polri investigators, particularly through the Women and Children Service Unit (UPPA), have sought to integrate restorative justice and victim protection approaches into the investigation process. Nevertheless, law enforcement still faces challenges related to complex evidentiary requirements, syndicate operating methods that have shifted into the digital sphere, and psychological barriers among victims suffering from severe trauma. Therefore, optimization is required through enhancing investigators' capacity in cyber investigations, strengthening*



LICS 2026

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

synergy with the Witness and Victim Protection Agency (LPSK), and implementing asset-tracing strategies (follow the money) to financially cripple syndicates. Progressive and gender-sensitive law enforcement is absolutely necessary so that legal instruments can truly serve as protective shields for women and children against the threat of human trafficking.

Keywords: *Human Trafficking Crime; Law Enforcement; Polri Investigators; Protection of Women and Children.*

1. Introduction

The development of global civilization in the 21st century has not only brought progress in technology and economic integration but has also generated negative consequences in the form of increasingly sophisticated and organized transnational crime. One of the most heinous forms of crime and a major concern of the international community is the Crime of Human Trafficking (TPPO). This crime essentially reduces human beings to mere economic commodities that can be bought, sold, exploited, and discarded like scrap goods. This phenomenon is universally recognized as a form of modern slavery that directly violates the fundamental principles of human rights as set forth in the Universal Declaration of Human Rights.

Conceptually and empirically, the Crime of Human Trafficking has a highly specific criminal anatomy in which women and children consistently become both the primary targets and the majority victim group. The vulnerability of women and children does not emerge in a vacuum but is constructed by structural conditions within society, such as extreme poverty, lack of employment opportunities, low educational attainment, and patriarchal cultural systems that place women in subordinate positions. Human trafficking syndicates are highly adept at identifying these vulnerabilities and exploiting them through persuasion, false promises of high-paying jobs, and debt bondage that restricts individual freedom.

The methods employed by human traffickers continue to evolve over time, making them increasingly difficult to detect using conventional law enforcement methods. In the past, recruitment may have been conducted face-to-face through brokers in villages; however, syndicates now utilize advanced information technology and social media platforms to ensnare their victims. Women and children are often recruited through fictitious online job vacancies, online matchmaking services, or fraudulent scholarship offers. Once trapped,



LICS 2026

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

victims are isolated, deprived of their identity documents, and forced into commercial sexual exploitation, domestic servitude, or cheap labor exploitation in factories and plantations. In the face of such a massive threat that damages the foundations of humanity, the Republic of Indonesia has an absolute constitutional obligation to protect all its citizens and the entire homeland, as mandated in the Fourth Paragraph of the Preamble to the 1945 Constitution of the Republic of Indonesia. This protective mandate reflects the doctrine of *Parens Patriae*, under which the state must be present as the ultimate guardian of its most vulnerable citizens, including women and children who become victims of crime. The state cannot remain absent or be defeated by criminal syndicate networks that systematically exploit the lives of future generations.

As a legislative response to this humanitarian crisis, the Indonesian government enacted Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking. This law serves as a *lex specialis* legal instrument designed not only to impose maximum criminal sanctions on perpetrators but also to embody a strong victim-protection paradigm. Through this regulation, the state adopts a comprehensive definition of human trafficking in accordance with the Palermo Protocol, encompassing recruitment, transportation, harboring, methods involving threats, violence, abduction, fraud, and the ultimate purpose of exploitation.

Within Indonesia's criminal law enforcement architecture, the Indonesian National Police (Polri) occupies a central position as a vital instrument in operating the criminal justice system. Based on Law Number 5 of 2006 concerning the Third Amendment to Law Number 2 of 2002 on the Indonesian National Police, the police institution is tasked with maintaining public security and order, enforcing the law, and providing protection, guidance, and services to the public. In the context of human trafficking, Polri investigators serve as the primary gateway or spearhead (*avant-garde*) whose effectiveness determines whether syndicate networks are successfully uncovered and whether victims are rescued from confinement or exploitation.

Although legal instruments are available and law enforcement institutions have been mandated, the reality of combating human trafficking presents extraordinary complexity. Polri investigators frequently encounter difficulties in dismantling fragmented criminal networks (cell systems), where intellectual masterminds and financiers often hide behind the shield of cross-border jurisdictions. Furthermore, proving human trafficking offenses relies heavily on victim testimony. Yet victims, most of whom are women and children, often suffer from severe psychological trauma, fear retaliation from syndicates, and

LICS 2026

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

sometimes experience Stockholm syndrome, making them unwilling or unable to provide coherent testimony.

Handling human trafficking cases requires a cultural paradigm shift within law enforcement institutions themselves. Historically, criminal law enforcement has often been dominated by a retributive approach focused solely on “how to punish perpetrators,” while the fate of victims has been neglected. In addressing crimes against women and children, investigators must understand victims’ rights and protections. The state is obligated to provide protection including the right to restitution (compensation) from perpetrators, physical, psychological, and social rehabilitation, legal assistance, confidentiality of identity, repatriation, and social reintegration. The investigation process must no longer become a venue for secondary victimization, where victims who have already suffered are once again humiliated, blamed, or subjected to intimidating interrogation by state officials.

Based on the complexity of these issues, academic examination of the dynamics of law enforcement by Polri investigators is highly urgent. Evaluation of investigators’ authority, capacity, and operational strategies is necessary to ensure that the Human Trafficking Law does not merely become a “paper tiger” that appears formidable in legal norms but proves ineffective in implementation. Strengthening police investigative functions is key to dismantling recruitment networks, cutting off criminal financial flows, and ensuring that protection for women and children becomes not merely political rhetoric but a legal reality they can genuinely experience.

Based on the foregoing background, this article is specifically designed to comprehensively examine the strategic role of Polri in combating this crime against humanity. It analyzes three primary dimensions: first, the role and authority of Polri investigators in uncovering human trafficking cases; second, how investigators implement a victim-protection perspective (for women and children) during the investigation process; and third, the empirical obstacles hindering investigators’ performance and the optimization strategies required. Through this analysis, it is hoped that a constructive framework can be developed for improving the enforcement of human trafficking laws in Indonesia.

2. Research Methods

This research was designed using a normative (doctrinal) legal research method, which views law as an integrated system of norms, principles, and regulations. The study focuses on the systematic analysis of regulations concerning law enforcement and the protection of vulnerable groups, as well as the harmonization of statutory regulations within Indonesia’s criminal justice system.



LICS 2026

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

3. Results and Discussion

3.1. The Role and Authority of Polri Investigators in Uncovering Human Trafficking Crimes

Within the constellation of Indonesia's criminal justice system, the police are granted an exclusive mandate as the primary investigative institution authorized to investigate all criminal offenses, both those regulated under and outside the Criminal Code. This fundamental authority derives from the Criminal Procedure Code (KUHP) and is reinforced by Law Number 5 of 2026 concerning the Third Amendment to Law Number 2 of 2002 on the Indonesian National Police. Polri investigators represent the state's legal authority empowered to undertake coercive measures such as arrest, detention, search, and seizure to clarify criminal events. In the context of human trafficking, swift and precise action by investigators can determine the difference between successfully saving victims and losing track of syndicates that transport victims beyond national jurisdiction.

Law Number 21 of 2007 concerning the Eradication of Human Trafficking specifically expands and strengthens the investigative powers of Polri as a *lex specialis*. Unlike ordinary crimes, uncovering human trafficking requires extraordinary investigative measures. Investigators are authorized to intercept communications of individuals strongly suspected of involvement in trafficking networks, examine banking transactions without being constrained by strict banking secrecy provisions, and conduct covert investigative operations. These enhanced authorities are designed to enable Polri to match and dismantle the sophisticated methods employed by organized criminal syndicates.

Human trafficking investigations often begin with handling highly specific crime scenes, such as illegal shelters, unauthorized ports, or brothels. The investigator's role at this stage is crucial; they must not only collect physical evidence such as forged passports, travel tickets, or transaction records but must also immediately secure victims. Rapid isolation and evacuation of victims from the influence of perpetrators constitute the first essential investigative step to sever communication between syndicates and victims, thereby preventing intimidation or the destruction of evidence elsewhere.

The nature of human trafficking, involving numerous actors ranging from village recruiters (brokers), identity document forgers, labor agents, to ultimate exploiters, requires investigators to adopt a network-analysis approach. Investigators must not stop at arresting field-level actors but must develop evidence to implicate intellectual masterminds and labor-placement corporations that often hide behind official licenses. This requires meticulous



LICS 2026

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

legal construction, linking victim testimony with digital communications, financial transactions, and administrative documents manipulated by perpetrators.

To expose the financial anatomy of syndicates, Polri investigators are required to integrate human trafficking enforcement with Anti-Money Laundering (AML) laws. Investigators are strongly encouraged to adopt a follow-the-money approach. By coordinating closely with the Financial Transaction Reports and Analysis Center (PPATK), investigators can map the flow of profits generated from the exploitation of women and children. Asset tracing serves not only as powerful evidentiary support in court but also aims to impoverish syndicates by confiscating criminal proceeds, which can later be used to compensate victims through restitution.

Furthermore, because human trafficking often transcends national borders, Polri investigators also undertake cross-jurisdictional law enforcement diplomacy. Through the National Central Bureau (NCB) Interpol Indonesia and the International Relations Division of Polri, investigators may request the issuance of Red Notices to pursue perpetrators who flee abroad. Cooperation with foreign law enforcement agencies, such as the Royal Malaysia Police and law enforcement agencies in Middle Eastern countries, is essential for repatriating victims safely and securing evidence located outside Indonesian territory.

Organizationally, Polri has responded to the urgency of addressing human trafficking by establishing the Women and Children Protection and Human Trafficking Directorate (PPA-PPO) at National Police Headquarters (Bareskrim Polri), 11 PPA-PPO Directorates at the provincial police level, and 22 PPA-PPO Criminal Investigation Units at district police jurisdictions throughout Indonesia. In addition, because not all regional police and district police offices have established these units, Polri continues to optimize the role of the Women and Children Service Unit (UPPA) at all levels. UPPA is specifically designed by placing female police officers (Polwan) at the forefront to create a more comfortable and empathetic investigative environment for women and child victims. UPPA serves as a bridge between the demands of law enforcement and the psychological needs of victims. These units are responsible for conducting interviews in a non-traumatic manner, gradually eliciting information from victims who have endured severe exploitation.

Overall, it can be evaluated that, normatively, the authority of Polri investigators to uncover human trafficking crimes is already extensive and comprehensive. Polri possesses a strong mandate to employ various proactive investigative instruments. The success of investigations depends largely on how effectively



LICS 2026

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

investigators combine interrogation tactics, digital evidence collection, financial intelligence analysis, and inter-agency cooperation. When all these authorities are exercised optimally and synergistically, Polri functions not merely as an instrument of punishment but transforms into a primary protective force rescuing women and children from the abyss of slavery.

3.2. Victim Protection Perspective (Women and Children) in the Polri Investigation Process

The shift in modern criminal law paradigms requires law enforcement processes to move beyond being offender-oriented and strongly embrace a victim-oriented approach. In cases of human trafficking involving women and children, this shift is not merely an administrative option but a binding moral and legal obligation for every Polri investigator. The law mandates that from the very first moment women or children are rescued and come into contact with the police, they must be treated as victims possessing constitutional rights to protection of their dignity, safety, and psychological well-being.

The implementation of victim protection is most clearly manifested through the existence and function of the Women and Children Service Unit (UPPA). Unlike ordinary criminal investigation rooms, which may appear rigid and intimidating, UPPA interview rooms are specially designed to be child-friendly and comfortable for women. The physical design of the facilities, the availability of psychological support services, and the predominance of female investigators constitute concrete efforts to dismantle victims' fear. A trauma-informed care approach has become the operational standard; investigators are trained to understand that confusion, withdrawal, or fragmented memories are not signs of non-cooperation but clinical manifestations of trauma resulting from confinement or repeated sexual violence.

In preparing official examination reports (BAP), investigators are required to avoid secondary victimization. Such victimization often occurs when law enforcement officers ask accusatory questions, impose moral judgments, or repeatedly force victims to recount traumatic experiences without empathy. To prevent this, UPPA investigators apply specialized investigative interviewing techniques for children and vulnerable women. During these interviews, investigators are often accompanied by clinical psychologists or social workers who closely monitor the victim's psychological condition and can halt the interview if signs of panic attacks or mental exhaustion emerge.

Protecting the identity and physical safety of victims is also a critical priority during investigations. Human trafficking syndicates are organized criminal groups with extensive networks and resources capable of intimidating victims and their



LICS 2026

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

families into withdrawing complaints. Therefore, Polri investigators are obligated to maintain confidentiality regarding victims' identities in public releases and administrative documents that may be leaked. Furthermore, the police are required to establish close operational cooperation with the Witness and Victim Protection Agency (LPSK). Once a victim is identified, investigators should recommend emergency protection measures to LPSK, which can then place victims in safe houses beyond the reach of syndicates.

Another important principle within this protection framework is the principle of non-criminalization of victims. In many trafficking cases, women and children are forced to engage in unlawful conduct, such as falsifying their age in passports, violating immigration regulations, or engaging in prostitution under threats of extreme violence. Polri investigators must possess the cognitive clarity and sensitivity to understand the coercive circumstances behind such actions. Victims must not be prosecuted for immigration or prostitution-related offenses arising from their exploitation; rather, they must be recognized solely as victims whose free will has been deprived.

Polri investigators also play a key role in initiating victims' right to restitution. Law Number 21 of 2007 explicitly grants victims the right to receive compensation for material and immaterial losses from perpetrators. Investigators have a strategic responsibility to inform victims of this right from the outset, assist in calculating losses—including loss of property, physical suffering, medical expenses, and psychological harm—and integrate restitution claims into case files. The thoroughness of investigators in preparing restitution documentation significantly influences whether prosecutors and judges can later execute perpetrators' assets to restore victims' lives.

In addition to restitution, victim-centered investigations must ensure access to medical and social rehabilitation services. The police cannot operate in isolation; investigators must act as case managers during the initial stages by referring victims to Integrated Service Centers for Women and Children Empowerment (P2TP2A) or relevant government agencies. If victims suffer from sexually transmitted diseases, physical injuries resulting from abuse, or severe psychological trauma, medical referrals should be made long before the investigation progresses to prosecution. Victim recovery must be prioritized above the speed of administrative case processing.

Ultimately, a victim-protection perspective during investigations reflects the face of a state governed by dignified justice. The presence of responsive, empathetic, and professional Polri investigators sends a powerful psychological message to women and children that their suffering is acknowledged by the state and that



LICS 2026

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

the state stands as their protector. If the investigative phase succeeds in providing a sense of security and gradually restoring victims' dignity, the resulting testimony will be far more reliable and compelling, thereby facilitating the prosecution's efforts to dismantle trafficking syndicates before the court.

3.3. Obstacles and Optimization of Human Trafficking Law Enforcement by Polri Investigators

Although authority and victim-protection frameworks have been established normatively, the empirical reality demonstrates that Polri investigators still face a series of complex structural, cultural, and instrumental obstacles in addressing human trafficking. The most significant instrumental challenge lies in evidentiary difficulties. Unlike murder or robbery cases, where the crime scene is usually identifiable, human trafficking is highly concealed and sophisticated. Recruitment transactions are often conducted verbally without written documentation, and exploitation typically occurs in private spaces such as employers' homes abroad or closed entertainment venues. The absence of independent witnesses beyond victims and perpetrators often results in cases being returned for further investigation (P-19) by prosecutors due to insufficient evidence.

Another challenge arises from the transformation of syndicate methods, which increasingly rely on cyber technology. The recruitment of women and child victims no longer depends on physical meetings but instead occurs through cyber-enabled trafficking using anonymous social media accounts, encrypted messaging groups, and cryptocurrencies to evade conventional banking surveillance. Limited digital forensic capabilities and cyber literacy among investigators at district police levels, especially in migrant-worker source regions, constitute a major obstacle. Frequently, digital evidence is deleted or hosted on servers located outside Indonesian jurisdiction before investigators can legally secure it.

From a structural and institutional perspective, specialized units such as UPPA often face resource constraints. The limited number of female investigators with specialized qualifications in forensic psychology results in unfavorable case-handling ratios. Operational budgets for transnational crime investigations requiring interprovincial movement, psychiatric forensic examinations, and victim support in safe houses often strain district-level police resources. These limitations can slow investigations and provide opportunities for syndicate masterminds to escape or destroy evidence.

Cultural obstacles within society also contribute significantly. The persistence of victim-blaming attitudes causes women and child victims of sexual exploitation to feel ashamed and stigmatized, leading them to avoid reporting crimes. In

LICS 2026

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

some migrant-worker source areas, recruitment through illegal brokers involving advance payments or debt arrangements has become normalized as part of local economic culture. Communities often protect recruiters because they are perceived as benefactors providing employment opportunities, without recognizing that these practices represent the first stage of modern slavery. Such permissive attitudes make it difficult for investigators to obtain information and community support.

Addressing these complexities requires systematic optimization strategies. First, continuous capacity building for investigators is essential. Police investigative training should emphasize advanced digital forensic investigation, financial tracing techniques, and trauma-informed interrogation psychology. Investigators must be equipped not only with conventional instincts but also with big data analysis capabilities to identify online recruitment patterns and intervene before victims are sent abroad.

Second, institutional synergy must be strengthened. Human trafficking cannot be eradicated through a sectoral approach. The Human Trafficking Task Force (Satgas TPPO) at national and regional levels should be optimized through real-time collaboration involving Immigration, the Ministry of Foreign Affairs, the Ministry of Manpower, PPATK, and LPSK. Integration of population and immigration databases is urgently needed to enable immediate detection of age falsification involving children. Such cooperation also strengthens Indonesia's diplomatic leverage when pursuing corporate perpetrators sheltered in neighboring countries through Mutual Legal Assistance mechanisms.

Third, restructuring and strengthening the organizational posture of the Women and Children Service Unit (UPPA) should become a policy priority at National Police Headquarters. Although the PPA-PPO Directorate has already been established at the national level and in several regional and district police jurisdictions, UPPA's status should be elevated into full PPA-PPO Directorates at all regional police offices and PPA-PPO Criminal Investigation Units at all district police offices. This would ensure independent and adequate operational budgets to support forensic examinations, victim evacuation, and protection. The recruitment of female police officers should also be increased to ensure the availability of gender-sensitive investigators down to the subdistrict police level. Additional child-friendly facilities and teleconference systems for remote testimony would significantly help protect victims from having to confront perpetrators directly in court.

Finally, and perhaps most fundamentally, community policing must be strengthened through the role of Bhabinkamtibmas officers at the grassroots



LICS 2026

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

level. Law enforcement strategies must be balanced by aggressive preventive measures. Bhabinkamtibmas officers should provide extensive legal literacy programs in villages regarding the dangers of recruitment brokers, online fraud schemes, and citizens' rights to state protection. Through such cultural education, collective resilience at the grassroots level can be fostered. Ultimately, the combination of sophisticated cyber investigations, strengthened UPPA structures, inter-agency collaboration, and public education will create a robust law enforcement ecosystem, enabling Polri investigators to serve as genuine protectors against humanitarian tragedies affecting women and children throughout Indonesia.

4. Conclusion

The Crime of Human Trafficking (TPPO) is a complex, organized crime against humanity that systematically targets vulnerable groups, particularly women and children. Law enforcement in such cases is not merely a routine criminal justice process but a test of the state's commitment to safeguarding the dignity and lives of its citizens. Polri investigators, as the gatekeepers of the criminal justice system, have been granted constitutional mandates and broad authority through the Human Trafficking Law to dismantle trafficking syndicates. However, the success of law enforcement should not be measured solely by the number of perpetrators imprisoned but also by the extent to which a victim-oriented paradigm is implemented through sensitive work carried out by the Women and Children Service Unit (UPPA). Despite facing challenges related to evidentiary requirements, evolving cyber-based trafficking methods, and sociocultural barriers, Polri must continue to adapt proactively. Through optimizing technology-based investigations (digital forensics), tracing financial assets to impoverish syndicates, strengthening inter-agency cooperation, adopting trauma-informed care approaches that prevent secondary victimization, and implementing investigative methods that integrate legal procedures with empirical scientific disciplines (scientific crime investigation), Polri investigators can solidify their role as true protectors. Ultimately, justice for women and children who become victims of human trafficking will only be fully realized when criminal law is administered by law enforcement officials who are professional, deeply empathetic, and uncompromising in breaking the chains of modern slavery.



LICS 2026

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

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LICS 2026

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

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