GOVERNMENT POLICY IN PREVENTION OF HUMAN TRAFFICKING IN WEST LOMBOK REGENCY, NUSA TENGGARA BARAT

Idul Adnan

Abstract
Based on data from the Crisis Centre belonging to the National Agency for the Placement and Protection of Indonesian Migrant Workers which is called BNP2TKI, there were 1,759 complaints from workers assigned abroad as of January-March 2019, where 71 cases were confirmed as human trafficking, and 2,430 cases which have indicators of human trafficking and there are 32 cases of trafficking in persons from the province of Nusa Tenggara Barat where as many as 59 victims are from West Lombok Regency. Using normative empirical research or also best known as field research, this paper applied the descriptive analysis method in analysing the data and found the following: forms and models of human trafficking in West Lombok Regency, Nusa Tenggara Barat done by a scalper who approached potential target individually (home-to-home / door-to-door), then offered a job with a big number of salary to the victim, using nonprocedural ways, document falsification and persuading victims to escape from legal corporate. The duties of the West Lombok government are to prevent the occurrence of the criminal act of human trafficking there for socialization in the community and schools in West Lombok about procedurally being legal workers migrants and law enforcement on the criminal offender are crucial to be born in mind.

Keywords: Human Trafficking; Patterns; Prevention.
A. Introduction

Human trafficking in Indonesia is one problem that has occurred since the days of the Javanese kingdoms. It said that women and children place the biggest number who worked as commercial sex workers and helpers. Lately, the trafficking system is more organized and grows rapidly, and even become a business area that brings in huge profits for the perpetrators. As Nuhiddayantin said, women and girls are much more likely to be victims of trafficking in persons than men or boys - male. Specifically, when talking about trafficking in persons for prostitution, other forms of sexual exploitation as well, and also in the exploitation of domestic work which is more likely to the practice of slavery in the modern era.

Based on the annual report of the Child Protection Commission in 2015, officially identified 289 children were suspected of being victims of child trafficking. However, the government did not report whether the identification led to an investigation or the provision of victim protection services. Local NGOs estimate that as many as 80,000 children were exploited for the sex trade in 2017.

Based on data from the Crisis Center belonging to the National Agency for the Placement and Protection of Indonesian Migrant Workers called BNP2TKI received 1,759 complaints from workers assigned abroad as of January-March 2019 including 71 confirmed

---

1 Farhana, Aspek Hukum Perdagangan orang di Indonesia (Jakarta: Sinar Grafika, 2010), 1
4 Farhana, Aspek Hukum Perdagangan orang di Indonesia (Jakarta: Sinar Grafika, 2010), 1
cases of human trafficking and 2,430 cases with indicators of trafficking.\textsuperscript{6}

The Attorney General's Office of the Republic of Indonesia with the support of the Indonesian Embassy in Kuala Lumpur in May 2017 used the form to identify 40\% of Indonesian citizens who were victims of human trafficking\textsuperscript{7}. Based on data UNICEF estimated around 100,000 women and children in Indonesia are trafficked each year for commercial sexual exploitation in Indonesia and abroad. Around 30 percent of female prostitutes in Indonesia are under the age of 18 and 40,000-70,000 children are victims of agency exploitation.\textsuperscript{8}

Based on cases of criminal acts of trafficking in persons that occurred in Indonesia, the most vulnerable and one of the contributors to cases of trafficking in persons is the province of West Nusa Tenggara. Usman as chairman of the Indonesian Migrant Workers Union said human trafficking that occurred in West Lombok in 2019 found 32 cases and in 2020 there were 59 victims by modus operandi of placement of Indonesian workers.\textsuperscript{9}

Cases of criminal acts of trafficking in persons with the modus operandi of sending abroad as Indonesian migrant workers are more common in the West Lombok district. Based on the number of criminal cases of trafficking in persons that occurred in West Lombok, researchers are interested in conducting research with the following research titles: Government Policy in Prevention of Human Trafficking in West Lombok Regency, Nusa Tenggara Barat".


\textsuperscript{9}Ibid...
B. Research Results and Discussion

1. Forms and models of human trafficking in West Lombok Regency, Nusa Tenggara Barat

Based on the results of my research, the forms of criminal acts of trafficking in persons that occur are quite varied in models and practices in West Lombok such as:

a. The victims are used as oil palm plantation workers without being paid

The forms of exploitation of the criminal act of trafficking in persons in Indonesia vary greatly depending on orders from the ordering country. The case of human trafficking occurred in West Lombok also have various exploitation such as a worker in the oil palm plantation wages that are not by the laws and regulations in the destination country.

The victims who were sent to become garden workers were mostly adult men yet women were also involved. They migrate through informal ways or non-procedural where most of them were clueless about their responsibility at work at recruitment process since they entrusted every single thing to the scalper. When they arrived in Malaysia (the destined country). They are forced to become laborers on a palm oil plantation whom paid way less than promised.

b. The victim as personal household assistant

Lots of previous studies have stated that, human trafficking victims are most exploited as domestic workers since working in household does not require much skill. 10

It is proven by data in West Lombok stated that more of human trafficking victims, both in Indonesia and abroad, are being helper in households whom employed inhuman such as excessive working hours, illegal confinement, unpaid or reduced wages, physical or psychological abuse, sexual harassment, being deprived of food or lack

---

10 Suharsimi arikonto, prosedur penelitian suatu pendekatan praktik, (Jakarta : sinar grafika, 2002), 15
of food and not being able to practice one’s religion or being ordered to violate one’s religion.

Based on victim data handled by the West Lombok Social Service in Indonesia called Rumah Perlindungan Trauma Center (RPTC), out of the 75 victims of human trafficking there are approximately 20 victims who have been exploited as personal household assistant. Where the candidate sends them to be domestic helpers, and when they become housemaids, they often face danger because of their works. Those who live in private homes are closed from the public spotlight. When they become as personal household assistant, they also experience sexual violence by their employers or families.

The employer space for them to become as personal household assistant is also limited by being confined to their employer's house.  

\(c\). The Victim as a commercial sex worker

Wahyu Widiastuti stated that in her research, the majority of trafficking victims who were employed as prostitutes were women. Initially recruited by brokers, they are offered to become immigrant workers as nurses, hospital waitresses and even babysitters, restaurant workers, shopkeepers or other jobs, but when they arrive in the destined country they are forced to work in sex industry.

Human trafficking with the aim of exploitation as commercial workers is also an easy target in West Lombok because when they arrive at their destination, not a few of them are used to satisfy gigolo’s lust. Sometimes those who are made into female sex workers know that they will be accepted into the sex industry after being accommodated in the destination country, but they cannot refuse because they are forced to accept and serve seducers.

Recruitment with the aim of exploitation in the commercial sex industry is mostly under the guise of recruiting to

11 Amiruddin, *Pengantar Metode Penelitian Hukum* (Jakarta :PT Raja Grafindo Persada, 2006), 23
12 Interview, Lalu Tajudin, Kepala Bidang Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.
become migrant workers. There are also those who hand over some money to brokers as recruiters to find them jobs abroad or in other areas without knowing the type of work. There are even brokers who use the debt bondage mode to victims because they have already taken care of filing documents to become immigrant workers abroad, so they can easily send victims to the ordering country as workers in the sex industry.  

2. The Operandi Modus of human Trafficking in West Lombok Regency

a. The company agent immediately went to the victim's location

The state has to ensure residents get the best service and protection in every process. It's different with the agent of a human trafficking company who goes directly to the victim's location and is only looking for profit merely by providing free services as a company tool in the management of files into worker immigrants to the outside.

Agent of a human trafficking company finds and recruits people who want to work without paying attention to the procedures determined by law. Agents who recruit labor usually go directly to look for targeted individuals, potential victims curated by the brokers, and meet with victims' relatives to get work permission, but some of them are invited to meet outside the victim's house. Even though the agency recruits by referring to them as Indonesian migrants, behind that the agency's goal is to exploit as garden workers and housemaids.

Then Tajudin more broadly explained, many agents assigned by the Indonesian Manpower Service or their companies to the field in West Lombok recruited people with the mode of being Indonesian migrants but behind that the aim was to exploit the victim's energy and even the victim's organs. Some serve as sex workers and entertainers at karaoke venues.

---

14 Interview, Lalu Tajudin, Kepala Bidang Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.
15 Interview, Lalu Tajudin, Kepala Bidang Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.
b. The perpetrator human trafficking offers a job that pays fantastic number to the victims

Mufida explains occurrence of human trafficking is because of kinds of circumstances that can be summarized into several factors; first, they have lack of basic knowledge related to the job they will enroll and know nothing about the effects. Secondly, poverty has forced many people to look for work anywhere, regardless of the risks involved. Third, a culture that puts women's weak positions and also the position that children should obey the will of parents and early marriage is believed to be one of the triggers of trafficking.\(^{16}\)

Many people in West Lombok are still in an economic condition that is not yet prosperous and are influenced by the habits that children who drop out of school or unmarried women usually migrate abroad to support their parents or family. Thus, brokers take advantage of this moment by offering job offers to those who desperately need a job. They are also very quickly tempted, especially when accompanied by a fairly large salary, of course, they are increasingly convinced and believe in what the brokers or agents say.\(^{17}\)

As mentioned by Lalu Tajudin, brokers who go to the field offer jobs to people who are economically low and also to people who have dropped out of school. Those who are economically incapable when offered a job abroad with a large salary will certainly be quickly tempted, this is what the perpetrators of human trafficking in Lombok take advantage.

As said, brokers will offer jobs with high or fantastic salaries to potential victims in order to make them more tempted to work abroad. Once they are interested, the victim responded quickly and wanted to leave informally. the operandi modus of the criminal act of trafficking

---


\(^{17}\) Interview, Fitri, Sekretaris Bagian Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.
in persons or trafficking that often occurs is carried out by brokers, for example: \(^{18}\)

1) Recruiting prospective female workers aged 16-25 years.
2) Promised to work in restaurants, beauty salons, hotel employees and factories with high salaries.
3) Identity forged.
4) Administration, transportation and accommodation costs are manipulated by the agent.
5) Without a calling visa or working permit or using a short visit visa.

\(c.\) Using the shipping mode as an immigrant worker abroad

Almost every year the regional police handle criminal cases of trafficking in persons and illegal migrant workers which are often referred to as non-procedural (illegal). Where the perpetrators of human trafficking handled by the Police are individuals, namely agents, sponsors, brokers, and field workers who at the time of recruitment were by coercion, document falsification, fraud, and debt bondage. Secretly, the perpetrators sometimes do not disclose the types of jobs offered to victims whose deliveries use the mode of sending workers abroad, such as Malaysia, Syria, and so on.

Most of exploitation forms of human traffickings in Nusa Tenggara Barat such as gardeners, factory workers and housemaids, some of them even become women who are commercialized with the mode of offering to become Indonesian Immigrant Workers abroad who are paid by high salaries to the victims. However, in sending and placing work, Indonesian Migrant mostly uses unofficial channels (unprocedural) where the filing is usually handled by one person (brokers). After the permit was issued, the victims were told to buy their tickets to one place or workplaces whose flights were via Lombok International Airport. \(^{19}\)

---

\(^{18}\) Interview, Fitri, Sekretaris Bagian Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.

\(^{19}\) Abdul Rahman Prakoso Dan Putri Ayu Nuralindia, “Kebijakan Hukum Terhadap Tindak Pidana Perdagangan Orang, Seminar Nasional Hukum” Universitas Negeri Semarang: Jurnal Volume 4 Nomor 1, 2018, 8.
d. Perpetrator falsification of documents and manipulating personal data of victims

Perpetrators often ignore the laws and regulations in recruiting Indonesian migrant candidates and there are even candidates who falsify Indonesia Migrant documents intending to speed up the delivery process and they can earn a lot of money. The easiest thing to falsify documents is that a child who is still underage becomes a child of old age. The operandi modus found in West Lombok at recruitment process, for example, document A which was originally born in 1998 was changed by the Perpetrator to be 1991 so that they are old enough and can manage other data if they want to work abroad. Of course, the Perpetrator cooperates with the village or sub-district staff in making an introduction to the making of certificates, ID cards, and family cards to the Service Citizenship and Civil Registration. Based on certificates, ID cards, and family card numbers then the company of scalper makes the passport work to the immigration office in Mataram.

A similar case occurred in Lombok and was tried at the Mataram District Court were on view in Mataram district court judge's decision on human trafficking with decision number 93 / pid. Sus/2018/PN. mtr. was a victim named JL (pseudonym) a 16-year-old child. The JL document was forged by a scalper who was originally born in 1997 but was changed to 1988 to look older enough in order to meet the requirement to work abroad. The victim was even promised to work in Abu Dabi but was sent to Oman to be traded.

e. The Perpetrator persuaded the victim to run away from their official corporate

There is a habit of immigrant workers, especially those who work in Malaysia, like the gardeners and palm oil workers, when they do not get a salary that does not match with what they are looking for, they usually leave the job unnotify and find other work which is usually persuaded by brokers or their friends. The same thing is also said then Tajudin, ethics victims had to place the work that is in the address but the salary is not by the original contract promised by agents companies then they run off and find a new job
without documents (non-procedural) so that the status becomes a non-procedural Indonesia migrant. After getting a new job, they are arbitrarily treated by irresponsible persons (their employer) and tortured if they do not want to work.

3. The government policy in prevention of human trafficking in West Lombok regency, Nusa Tenggara Barat

Human trafficking in persons is said to be a modern form of human slavery, which is the worst act of violating human dignity. So on that basis, the issue of trafficking has become a serious concern of several countries, including the Indonesian government. Not only the central government of Indonesia but also the provincial and district/city governments are required to tackle the crime of trafficking in persons, including the government of West Lombok Regency. The roles of the government in preventing the crime of trafficking are as follows:

a. The government prevents through sanding of non-procedural Indonesia Migrant

United Nation recommendations on human trafficking asserted, that strategies aimed at preventing trafficking should focus on the main causes of the occurrence of the crime of trafficking in persons. In addition, States and intergovernmental organizations should focus on factors that increase vulnerability to trafficking in persons, including injustice, poverty, and all other forms of discrimination. So in terms of the government's role in preventing the occurrence of criminal acts of human trafficking in West Lombok, there has been cooperation between government agencies to eradicate criminal acts of trafficking by preventing the departure of non-procedural Indonesian migrants. Because a non-procedural Indonesian migrant has the potential to become a victim of the criminal act of trafficking in persons.

Frequency Indonesian citizens working abroad who are victims of the Crime of Trafficking with various modus operandi, one of which became Imigran Indonesia nonprocedural through various motifs such

---

as pilgrimage, a special pilgrimage, internships, special job fairs, family visits, and tours.\textsuperscript{21} The government’s efforts, to tackle the crime of trafficking in West Lombok, West Nusa Tenggara, began with efforts to prevent non-procedural Indonesian migrants. The West Lombok government in reducing the number of Indonesian migrants who departed non-procedurally, a One-Stop Integrated Institution formed. Where these efforts aim to simplify the process of processing files to become Indonesian migrants at home and abroad and reduce the number of trafficking persons by sending immigrant workers with strict and selective data verification.

The Government of the West Lombok Manpower Office has formed a collaboration with other government agencies and institutions called the One-Roof Integrated Institution such as Indonesia called Disdukcapil, BPJS, BNI 46, Sarkes, Police, and BP3TKI. This collaboration is carried out to make it easier for the people of West Lombok, to process documents who want to find work or become an Indonesian migrants, as well as reduce the number of trafficking. In addition, to prevent the perpetrators of the criminal act of trafficking with the mode of sending migrant workers who falsify Indonesian migrant documents. As a result, victims do not dare to complain to the authorities because they are illegal workers whose documents have been falsified, they are afraid of being imprisoned or deported.\textsuperscript{22}

b. Prevention through law enforcement against traffickers

Prevent early on, then the prosecution of offenders and protect victims of national and regional cooperation and universal, and most importantly, legal policy. Peru legal policies are carried out specifically in the prevention and enforcement of laws against the crime of


trafficking so that the law can be run effectively and in line with expectations. 23

Tackling trafficking through legal products in the form of laws is a manifestation of crime prevention policies or part of criminal politics or criminal policies. Criminal law policy is an effort and policy to make good criminal law regulations, which in essence cannot be separated from the purpose of crime prevention.

Police after receiving a report on a human trafficking case from the public, by the current criminal procedural law, the police investigated to search for and find events that were suspected of being trafficking in persons. After the police find events in thought, then the police investigation to find and collect evidence to make light of the crime that occurred and to find the suspect. Ex, trading on trafficking cases to Turkey, where police can be handled when the perpetrators made deliveries abroad to four countries, namely in Damascus, Turkey, Syria, and Iraq. 24 The case of sending people to be trafficked has been handled by the regional police. One has been completed, namely the case in Turkey, the perpetrator has gone to prison. But three other cases are still in process, one of which is the case of trafficking to Syria. As for the trade case through Lombok International Airport to the shelter first area of Jakarta through transit aircraft then again in Batam towards Negara Malaysia. Through agents in Malaysia, the victim was sent to the destination country, namely Syria. 25

c. The government did socialization to students

The police that is often carried out are usually held in collaboration with schools The forms also vary, and can be in the form of legal socialization, seminars, and dialogues. In the concept of criminology, socialization activities for students are categorized as

25 Iqbal, Op Cit.,
preventive efforts. What is meant by preventive efforts are the efforts made by the police to prevent criminal acts from occurring through inculcating good values and norms so that these norms are internalized within themselves. Someone.  

d. Develop an investigation through the statements of the perpetrators

One of the most useful pieces of information is to dig up information from captured syndicate members. This information or information is used as a reference in the police movement to find out the names of syndicate members, and find hiding locations for fugitive syndicate members or locations that have been found. become the target of the crime syndicate. Therefore, the West Lombok government investigated the perpetrators of the criminal act of trafficking to obtain more information regarding the pattern of occurrence.

e. The government conducts legal counseling

Legal counseling is integrated and periodic between all related elements and is carried out thoroughly, taking into account the condition of the community concerned by utilizing existing potential, to suppress the rate of growth. Crime. As for the Regional Police of West Nusa Tenggara in dealing with the Crime of Trafficking in West Lombok, of course, by conducting socialization with related institutions, students, and even students, as well as legal counseling about the importance of completing documents when you want to migrate or become migrant workers abroad. Likewise, the perpetrators or assistants of the perpetrators of perpetrators are given criminal sanctions as a deterrent effect against them and to protect the community so that something similar does not happened.

It is proven that the Regional Police are serious in handling the latest trafficking case in which residents were bought by citizens of Damascus, Turkey, Syria, and Iraq. The case was able to be eradicated.

26 Ibid.,
27 Priyatno Dwija, sistem pelaksanaan pidana penjara di Indonesia, (Bandung refika adita, 2005),34
28 Ibid.,
when the perpetrators made deliveries abroad to four countries, namely Damascus, Turkey, Syria, and Iraq. The case of sending people to be trafficked has been handled by the regional police. One has been completed, namely the case in Turkey, the perpetrator has gone to prison. But the other three cases are still in progress. 29 According to the Head of the Sub-Directorate for the Ditreskrimus of the Police, Ni Made Pujewati, many Indonesian Migrant Workers and female workers are victims of trafficking, so the case of Trafficking is a priority that must be resolved. 30

f. Forming inter-institutional cooperation to prevent new victims

Criminal acts of trafficking in persons and the efforts to prevent the perpetrators who are carried out thoroughly and integrated with other relevant agencies or ministries, such as the Manpower Service which has formed a one-stop integrated agency working with other government institutions including the Social Service, Service Citizenship and Civil Registration, the Police. and health insurance agency. Efforts to prevent and deal with perpetrators through health rehabilitation, social rehabilitation, repatriation and reintegration, and legal assistance for victims. The cooperation is not in the form of an MOU but a kind of mutual agreement with the relevant agencies because before the Trauma Center Safe House operates, it first goes around to the relevant agencies for socialization such as the Koramil, Polres, and even to the village government, to the head of the RT., RW. For socialization about the existence of Trauma Center Safe House for victims with problems, one of which is perpetrators victims. 31

---

29 Ibd.
31 Iqbal, Upaya pencegahan TKI non prosedural, (Jakarta Rajawali Press,2019), 9
C. CONCLUSION

Based on the results of the research that has been described in the previous chapter, there are several forms of exploitation of human trafficking in West Lombok, including workers in oil palm plantations, domestic workers, and sex workers. The processes for the occurrence of criminal acts of trafficking in West Lombok Regency include recruitment by brokers to the field directly to the targeted house (victims) and targets or through their families, employing fraud and seduction with large salaries to victims. The next method used as a mode of trafficking in persons by the perpetrators is by sending immigrant workers abroad, falsifying documents, and manipulating the victim's data. Lastly, the way used as a mode of criminal offense victims by the perpetrators is to carak Orban persuaded to escape from corporate, in which they have been registered as official Indonesian migrants.

Based on the exposure in the chapter preceding discussion, there are several important roles of government Lombok West, Nusa Tenggara Barat in conducting prevention of human trafficking crime is to prevent the crime of trafficking in persons through preventing Indonesian migrant non-procedural, taking repressive measures to the perpetrators of the crime of trafficking the perpetrators by investigation development through the particulars of actors, one information, legal counseling, forming cooperation between institutions

BIBLIOGRAPHY

Abdul Rahman Prakoso Dan Putri Ayu Nurmalinda, “Kebijakan Hukum Terhadap Tindak Pidana Perdagangan Orang, Seminar Nasional Hukum” Universitas Negeri Semarang: Jurnal Volume 4 Nomor 1, 2018

Amiruddin, Pengantar Metode Penelitian Hukum, Jakarta :PT Raja Grafindo Persada, 2006


Farhana, *Aspek Hukum Perdagangan orang di Indonesia* Jakarta :Sinar Grafika,2010


Interview, Fitri , Sekretaris Bagian Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.

Interview, Lalu Tajudin, Kepala Bidang Penempatan Tenaga Kerja Dan Transmigrasi Lombok Barat NTB, pada Tanggal, 22 Agustus 2019.

Iqbal, *Upaya pencegahan TKI non prosedural*, Jakarta Rajawali Press, 2019


Maslihati Nur Hidayati, Upaya Pemberantasan dan Pencegahan Perdagangan Orang Melalui Hukum Internasional dan Hukum Positif Indonesia, Jurnal Al-Azhar Indonesia Seri Pranata Sosial, Vol. 1, No. 2014,

Maswita Djaja, dkk, Telaah Kebijakan Kajian Persepsi Orang Tua Terhadap Tindak Pidana Perdagangan Orang (Tppo) Di Kabupaten Lebak Provinsi Banten, Yayasan Melati Delapan Tiga, Jakarta.2020

Mufidah, Membongkar Kejahatan Trafficking dalam Perspektif Hukum Islam dan Gender, Malang: UIN-Maliki Press, 2011

Priyatno Dwija, sistem pelaksanaan pidana penjara di Indonesia, Bandung refika aditama, 2005

Suharsimi arikonto, prosedur penelitian suatu pendekatan praktik, (Jakarta : sinar grafika, 2002), 15


1adnanaydul@gmail.com (State Institute For Syariah Studies at Darussalam)