



## BOGUS BREAKTHROUGH IN THE COMBAT AGAINST HUMAN TRAFFICKING IN INDONESIA

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### ABSTRACT

*This paper discusses the challenges in the fight against human trafficking in Indonesia. Despite Indonesian central government's commitment and international assistance to eradicating human trafficking since 2000s, the number of cases of human trafficking remains significantly high. Field research was conducted on the anti-trafficking enforcement in three provinces in Indonesia, i.e. West Java, West Kalimantan, and East Nusa Tenggara, through depth interviews and archive studies. After series policies in a few decades since 2000s, the crime still persistently recurring and inflicted more than 8,000 victims. The arguments of this paper are centred on three key propositions. First, victims of trafficking in persons from Indonesia were mostly involved voluntarily in the initially illegal international migration as workers. Most cases of human trafficking in Indonesia are part of the excess of international migration flow, particularly in Asia where pull and push factors apply. Second, social awareness of the crime and its dangers is low and undermined for the potential financial gain from the migration. Third, government's policy focused mainly on intercepting illegal migration to cope with human trafficking, which proven to be less than effective so far. A more comprehensive policy that includes institutional control and collaboration, and community-based development is thus needed.*

**KEYWORDS:** *illegal labor migration, sex trafficking, transnational crime, anti-trafficking policy, multidisciplinary approach.*

### INTRODUCTION

This paper discusses the problems in combating human trafficking in Indonesia. Based on US Embassy report on human trafficking in 2018, Indonesia belongs to the top countries with the highest number of cases of human trafficking (US Department of State, 2018). According to the report, Indonesian government identified 5,801 trafficking victims in 2017. A local non-government organization (NGO) estimates the number of child trafficking in 2017 was around 80,000 victims. The fight against human trafficking has been improving, whereas the government reported 123 new investigations in 2017, compared to 110 cases in 2016. The number of victims in the cases resolved and reported in 2017 increased dramatically if compared to previous years as presented in the table 1 below.

**Table 1.**  
**Trafficking Cases in Indonesia 2013 - 2017**

Year	Victims	Cases
2013	427	188
2014	434	141
2015	288	103
2016	332	110
2017	1451	123

The dramatic increase of victims rescued from the crime was an effect of government's more proactive effort in identifying and preventing the crime on set. The increasing number of trafficking victims tends to show law enforcement improvement, however modest, but does not necessarily means that the crime is increasing. On the contrary, the ratio between cases resolved by the

court and estimates by the local NGO of the actual number of victims, (1,451:80,000, or 1.8%) shows that there is still some room for improvement in the combat against trafficking in Indonesia.

This research identifies the problems of combating human trafficking in Indonesia. Using qualitative method, we elaborated the cases of human trafficking in three provinces with the most occurrence of the crime. The three provinces are West Jawa, West Kalimantan, and East Nusa Tenggara. Multidisciplinary approach was employed in order to comprehend the problem, analyzing anti-trafficking practice in Indonesia in three dimensions, i.e. institutional, socio-cultural, and the criminal operation. In-depth interviews were conducted with government officials, local police, victims and traffickers convicted.

Following this introduction, we divided our discussion into five sections. The first section will discuss the multidisciplinary approach towards understanding human trafficking in Indonesia. The second section will present the complexity of human trafficking practice in Indonesia, both in rarity of data and clarity of identification tools. The third section explores the development of Indonesian anti-trafficking policy up until 2018. The role of institutions, both in the government and society, will be discussed in the fourth section. The last section before conclusion, we will explain the social and cultural contexts of the social phenomenon, human trafficking.

### **THEORETICAL FRAMEWORK: MULTIDISCIPLINARY ANALYSIS ON HUMAN TRAFFICKING**

In this paper, we refer the definition of human trafficking to UN Protocol on Human Trafficking. According to the protocol, human trafficking can be defined as “The recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.” (UN Protocol on Human Trafficking, 2000).

Although human trafficking as a form of modern slavery has long history since the end of colonialism and imperialism following the end of World War II in 1945, it was only in 1990s there has been a new development in the study on human trafficking where the crime started to be seen as a problem of human rights violation. The so-called “victim-centred” approach views human trafficking not merely as a criminal act, but more as a human rights problem as a function of social injustice.

The problem with the pre-existing approach to human trafficking lies in the tendency to seek solution through law enforcement, by which the effectiveness of reducing and preventing the crime is lacking. Based on the global data on trafficking in persons report from International Organization of Migration (IOM, 2018), in 2017 there were over 80,000 trafficked persons from over 171 countries that were exploited in 170 countries. The crime is still vast and massive. Law enforcement approach tends to be less than effective for the transnational and organized character of the crime.

Analysing human trafficking practices and anti-trafficking policies from human rights perspective or victim-centred approach took the focus larger than merely combating the organized crime but demanded a comprehensive solution from law enforcement to victims’ rehabilitation. Influenced by the growing feminist studies in the 1990s, many among scholars in this field agreed on the importance of taking into account the human rights of the victims or people in general in protecting them against trafficking (see Dragiewicz, 2015; Laczko and Gozdzia, 2005; Morehouse, 2009; and Gozdzia, 2015). Many among victims can not recover from trauma and develop difficulties to return to society when government intervention was only done through law enforcement on the crime. In the Trafficking in Person Report 2018, the IOM emphasizes the importance of victim-centred, human rights based, and gender sensitive approach to ensure victim protection and identification.

A victim centred approach requires multidisciplinary analysis and policy measures to deal with the challenge comprehensively (Morehouse, 2009; Aronowitz, 2009; Wylie, 2016; Di Nicola 2009; Holmes, 2010; Suchland, 2015; Zheng, 2010). Cameron and Newman (2008) emphasize social, cultural, and political dimensions of researching human trafficking. Palmiotto (2015) suggests the importance of multidisciplinary analysis on human trafficking, particularly in dealing with complex issues such as major social, criminal, and human rights issues. Territo and Matteson’s study on the International Trafficking of Human Organs (2012) collected researches from various disciplinary, i.e. criminal justice perspective, economic/business perspective, medical, ethical, philosophical, and theological perspectives.

In doing research on Indonesian case as a supply side in the trafficking chain in East and Southeast Asia, there are several factors affecting the pattern of the crime and anti-trafficking policies. These factors affected the importance of some dimensions and not the others for as long as the factors apply. The **first** is the minimum effect of regional and international cooperation in anti-trafficking policy. ASEAN Convention on Trafficking in Persons (ACTIP) was signed in 2015 agreeing on strengthening national policies and regional coordination and information sharing, but its

effectiveness has been minimum so far as the agreement leaves law making and enforcement to each member states. The agreement does not give the regional organization the authority to intervene in the presence of transnational human trafficking. Another issue about ACTIP is the lack of concern over prevention. The agreement only focused on prosecution and criminalisation (Myanmar Times, 18 October 2017). **Second**, the structure of human trafficking in Indonesia which is dominated by illegal labor migration and internal sex trafficking makes domestic measures of anti-trafficking policy more important and immediate than regional cooperation.

In this regard, we examine anti-trafficking policy in Indonesia by multidisciplinary approach that include the following dimensions and aspects. The first is **institutional dimension**. In this dimension, there are three aspects to be examined:

1. Regulation (set of regulations on human trafficking and smuggling),
2. The role of government institutions (ministries, local government, agencies, police, and courts),
3. The role of societal institutions (civil society organizations, communities, family, and leaders).

The second is **socio-cultural dimension**. This dimension includes:

1. Socio-economic structure (victims' economic strata, access to jobs and capital),
2. Cultural values of society (orientation to modernity, knowledge on human trafficking, and collectiveness),
3. Anti-trafficking socialization (by the government, mass media, communities, school and family).

The third is **process dimension**. This dimension includes the following aspects:

1. Characteristics of traffickers (organization, network, and socio-economic strata),
2. Recruitment method (inducement, threat, deception, family and debt bondage),
3. Pre-trafficking shelters (transportation, paperwork, job information and training),
4. Exploitation (type of jobs, contract, payment, and work facilities),
5. Liberation, protection, and justice (liberation process, protection from threats, advocating rights, and rehabilitation)

The three dimensions are equally important to be analysed in multidisciplinary approach from victim centred or human rights perspective.

## THE NON-TYPICAL HUMAN TRAFFICKING IN INDONESIA

The feature of human trafficking in Indonesia is rather untypical. The transnational and organized character of human trafficking in Indonesia is lacking. Unlike trafficking in Eastern Europe or in Thailand, Cambodia, or Vietnam, most cases of trafficking in Indonesia are not sex trafficking, or trafficking for prostitution. In Thailand, Cambodia, and Vietnam, most cases fall into forced labor and sex trafficking (Cameron, 2007; David, 2007; Kranrattanasuit, 2015: 98). The growth of tourism and sex industry in Vietnam and Thailand enabled the two countries to become destination countries for sex trafficking that has the characteristics of transnational and organized crime.

In Indonesia, however, the cases investigated by the local police are dominated by illegal labor migration, with minor cases of underaged employment (child trafficking) and sex trafficking for domestic prostitution (internal trafficking). This characteristics of human trafficking in Indonesia correlated with the development of anti-trafficking policy by the government. The difficulties in identifying and preventing human trafficking on the crime scene and increasing demand for improvement in dealing with the issue, has made the government institutions more assertive and proactive in dealing with human trafficking.

A Chief of local police in Entikong, Indonesian borderland near Sarawak, Malaysia, told us during our visit in 2017, human trafficking cases are difficult to identify and prosecute for its specific characteristic as non-organized crime. The cases in the previous years were unfolded due to reports submitted by the victims or family of the victims to the police about the occurrence of the crime against humanity. In all those cases, the crime was done, and exploitations and misfortunes were suffered, except for the cases of underaged labor or child trafficking. Without the reports, there was almost no case to investigate and prosecute. Child trafficking was easier to identify physically during trafficking and thus easier to prevent.

The problems of identification are related to the following factors. **First**, recruiters are family, relatives, or friends. The tendency of reporting his/her own relatives and close friends among victims appears to be low. **Second**, the vehicles used for transporting victims across the border are commonly used among people. The traffickers used public transportations and/or paratransit that were not distinguishable from the common transportation. It is difficult for the police or immigration office to identify which vehicles are used for human trafficking. **Third**, the temporary transit shelters that are commonly used by traffickers in other countries are no longer found near the border area. Trafficked victims happen to spend their time during transit are common accommodation for travellers. The local police had no reason to suspect any traveller or

tourist as victim of trafficking crime, especially that most travellers were well documented. On the one side, this indicates that there are corrupt officers among immigration office responsible for travellers' documentation, pointing a place to start reform. But on the other hand, it has contributed to make identification of trafficking more difficult for the authorities so far. **Fourth**, trafficking tends to be conducted with loose network of traffickers without strong ties such as an organization. The traffickers were just some ordinary people who happens to know each other and functionally work in different service sectors, i.e. transportation, and accommodation.

Based on provincial police report in West Kalimantan, there has been an increase in prevention of human trafficking crime in the last two years since 2017. In the first semester of 2018, the local police handled 31 cases of trafficking crime, with 42 traffickers and 127 victims. All the 31 cases were labor trafficking cases, mostly transporting labors from other provinces in Indonesia to Malaysia through West Kalimantan. In those cases, according to the police explanation, the police successfully identified the on-going crime since the victims left Supadio Airport in Pontianak and waiting for the traffickers to pick them up and transport to shelters.

The report from the national police differs largely from the provincial report. According to the Head of General Crime division, among 1083 trafficked victims rescued from trafficking crime abroad in 2017, 1078 were women and 5 were children. The police identified 6 networks of organized crime, namely Egyptian, Saudi Arabian, Syrian, Abu Dhabi, Malaysian, and Chinese network. The police were able to rescue the victims through collaboration with local police at foreign countries and Indonesian Ministry of Foreign Affairs. The traffickers seem to develop new *modus operandi* by using border entries other than Jakarta, including through Pontianak in West Kalimantan. According to the national police officer, Jakarta appears to be seen as high risk with tight security checking by the authorities.

The differing general feature of human trafficking at national and local levels confirm that government institutions have become more proactive in preventing human trafficking and protecting victims. At local level (province), the police assumed initiative to prevent trafficking by interfering the process during transit. At national level, the reports indicate that the police had become more assertive in rescuing victims abroad and capturing traffickers in collaboration with foreign countries' authorities.

Although the anti-trafficking combat outlook at the national level combat seems promising, a closer look at the trafficking cases at the border area shows law violations that does not necessarily represent human trafficking as a transnational and organized crime. From 12 remaining convicts of human trafficking cases

interviewed at local prisons, 8 of them are family or friends to the victims. Two of them were teenage souteurs offering their teenager friends as prostitutes to local consumers and visitors from other regions. Their fellow prostitutes were under 17<sup>th</sup> years old, working primarily as waitresses at local coffee shops. The 2 convicts were charged with child trafficking article. The convicts regretted that bigger syndicate of prostitution and sex trafficking (internal trafficking) were not pursued by the police, making them scape goats or fall guys for the syndicate.

What happens is that the anti-trafficking law provided basis for the local police to deal with pre-existing social issues, i.e. illegal labor migration and child trafficking, including child prostitution. It could be the case that the transnational organized crime has not been found and the domestic prostitution syndicate is still difficult to deal with, but reducing hundreds of illegal migrant labors vulnerable to exploitation by bad employers has a chance, however small, to reduce trafficking exploitation.

Apart from the superficial positive result of the combat against trafficking, the fact that the combat mostly dealing with illegal labor migration and most of the human trafficking misconduct remains problems shows that government institutions are still facing problems in implementing the law. Illegal labor migration does not necessarily fall into human trafficking category, but the illegal or undocumented labors are vulnerable to become victims of the transnational organized crime. Even so, not all of the illegal migrant labor are victims of human trafficking criminal organization. The number of illegal migrant labor are much larger than trafficking victims. Based on estimation of the Minister of Labor, Hanif Dakhiri, the number of illegal migrant labor from Indonesia reached 2.5 million people (Jawa Pos, 29 December 2017). Estimates from the National Migrant Labor Placement and Protection Institution (BNP2TKI), every year there are 30,000 new illegal migrant labors add up to the number (detik.com, 15 September 2017).

It is true that in Indonesian case, the unmonitored and uncontrolled illegal migration is a key entry point of human trafficking from Indonesia to other countries, such as Malaysia, Saudi Arabia, and China. Their status as illegal and undocumented migrant has made them vulnerable to trafficking crime for the absence of protection by the state. Legality and proper documentation would enable the state to monitor and protect the migrant workers, and the workers would be less vulnerable to the misconduct by employers. However, according to the Head of General Crime of Indonesian police, there are three modus of trafficking operation through legal migration, i.e. pilgrimage visa, religious visa, and tourist visa. This has made the issue of human trafficking reduced into labor migration problem, apart from the child trafficking and internal sex

trafficking. The problem with this orientation in tackling human trafficking is that most victims are still difficult to identify during transport and transit, and the crime is still largely hard to prevent. The second big problem is that rehabilitation of victims is still lacking. This leads us to the need of analyzing government policy and institutional role in the next section.

### ANTI-TRAFFICKING POLICY

Indonesian government has been positively responding to the international and regional convention on anti-trafficking. As soon as 2007, the government under Soesilo Bambang Yudhoyono presidency issued Law No. 21 of 2007 on Human Trafficking Eradication. Under the law, anyone involved in human trafficking by providing transportation, shelter, recruiting, and exploitation is punishable by 3-15 years imprisonment and US\$ 8,000-40,000 fine. The government further formulated the National Action Plan on Eradicating Human Trafficking and Child Sexual Exploitation 2009-2014. The national action plan was issued by Minister Policy No. 25 Year 2009.

Under Joko Widodo administration, the government continued the commitment to combat trafficking by issuing the National Action Plan on Eradicating Human Trafficking 2015-2019. In accordance to the Action Plan, the government formed the Task Force of Prevention and Management of Human Trafficking (*Gugus Tugas Pencegahan dan Penanganan Tindak Pidana Perdagangan Orang*). The Task Force has the following duties:

1. Coordinating prevention and tackling effort against human trafficking
2. Conducting advocacy, socialization, training, and cooperation
3. Monitoring the progress of victim protection, including health rehabilitation, social rehabilitation, returning to home town/village, and social reintegration
4. Monitoring the progress of law enforcement
5. Writing reports and evaluation

The Task Force consists of related government institutions at national level and maintains coordinating structure from the national to local levels. It is led by the Coordinating Minister of Human and Culture Development. The Minister of Women Empowerment and Child Protection is assigned as managing coordinator of the Task Force. Other than the two ministries, the institution also include the National Police, Ministry of Health, Ministry of Education and Culture, Ministry of Social Affairs, Ministry of Justice and Human Rights, and the Ministry of Labor.

Two features of the Task Force have been promising; (1) the structure and service in the local level; and (2) performance in building cooperation with local people, Non-Governmental Organization

(NGO) and international NGO. The structure and service of the Task Force at the local level are vast and specialized. The Task Force managed to organize cooperation with local government institutions and NGOs to develop Integrated Service Centers (*Pusat Pelayanan Terpadu*, PPT) for the purpose of victim protection and rehabilitation. The Task Force established 123 PPT in hospitals, 34 PPT at provincial government institutions, 247 PPT at city/regency government institutions, and 24 citizen services at Indonesian embassies abroad.

The Task Force also succeeded in developing collaboration with international NGO in other activities, such as publishing manuals about the fight against trafficking. In 2015, for instance, the Task Force collaborated with Save the Children, an international NGO, in developing the manual for combating human trafficking and child abuse.

In practice, the Task Force has not been operating properly in accordance to its duty at local level. Like the membership at the national level, similar institutions are also included in the Task Force's membership. The member institutions are Social Affairs Division, Division of Women Empowerment and Child Protection, and the Institute of Service, Placement, and Protection (BP3TKI). The Task Force has not been effective in fighting against human trafficking. Service provided by the Social Affairs Division and Women Empowerment and Child Protection Division for building shelters, rehabilitation, and deportation were constrained by the lack of funding. The Task Force at the local level that were formed by the government for inter-institutional coordination, were not accompanied with central government funding. The Task Force at the provincial level only meet once in a year.

Regardless to the Task Force at the local level, local government institutions' role and functions have been operational so far. The functions are:

- a. Monitoring and Controlling Illegal Labor Migration

The local government organized monitoring and controlling illegal migrant workers in the border area. The responsible institution was BP3TKI which succeeded in identifying many cases of child trafficking with false age in their documents. Based on the Law No. 21 Year 2007, age fraud is the common method of child trafficking to get pass through immigration.

Other than age fraud identification, it is hard for BP3TKI to identify and cease on-going trafficking before the victims reached the destination country and exploited by the traffickers. Even migrant workers with proper documentation can become victim of human trafficking. Migrant workers without proper documentation can even pass through the border without immigration checking, particularly through tens of entry

points in the border area that are not guarded by Indonesian authority and immigration office. Many among the trafficking victims went to the destination country with tourist visa while intended to work at plantations, factories, construction companies, and at residence as domestic helpers.

It happens that many among the people seeking jobs in foreign countries avoid applying formally for jobs to legal agencies. Besides the high cost of documents, accommodation, transportation, and consumption during training, the job seekers often have to deal with considerably high salary cuts. Most of the employing companies cut the migrant workers salary by 50% in average for the recruitment cost they paid to the agencies from Indonesia and the host country. On the contrary, traveling directly to the destination countries with tourist visa, living with their family, relatives, or friends, and then work there, tend to be easier, plus without salary cuts. This type of illegal migration is difficult to monitor and protect by Indonesian authorities from exploitation by traffickers.

b. Law Enforcement

In the last two years (2017-2018), the law enforcers, namely the police and prosecutor agency, have become more proactive in investigating trafficking while happening on set, and cease them before the workers become victims and experience the exploitation. Based on information from the local police, it was difficult previously to identify and take actions on the on-going human trafficking, because the victims mostly participate in it voluntarily to get a decent job and income. The recruitment, transporting, and transit processes were normal and unsuspecting. The police can only take actions based on reports of the victims, only after the crime happened, and it is too late to prevent the losses and sufferings. In the case of exploitation and violence occurred outside of Indonesia, the police can not ensure that justice on the traffickers, such as capture, detain and trial. The police also cannot help the victims in demanding foreign employers to pay the victims' salary in the case of exploitations, due to jurisdiction issue and the limit of cooperation between countries.

Protection against traffickers usually provided by the local police to the victims during investigation and transit before they were sent home. When the investigation and prosecution were done, successful or not, the victims can be sent

back home due to the cost of providing shelters. In many cases, when investigation and prosecution take a lot of time, the investigation or prosecution has to be conducted without the victims as witness because the victims were sent home. In this kind of situation, the state often lost the case.

c. Transit and Returning the Victims Home

The institution responsible for providing shelters for deported victims from abroad and return them home is Social Affairs Division. In the case of too many deported victims, other offices provide some shelters too, such as Women Empowerment and Child Protection Division of the local government. A few local NGOs also provide shelters with counseling, training, and rehabilitation facility for victims, especially for those who experienced violence and exploitation during trafficking. The local government office admitted that the lack of funding has been an institutional weakness for them to deal with human trafficking. The local government often do not have enough funding to provide food and finance activities such as training, or counseling, to all victims under government shelters. There were also times when the local government had to return the victims home, neglecting the investigation and prosecution process by the police and local prosecutor.

The office of Women Empowerment was well aware of the importance of socialization to the society about the danger of human trafficking and the importance of developing resilience and social support to prevent human trafficking from happening. However, the lack of funding has made it difficult.

## THE ROLE OF SOCIAL INSTITUTIONS

The role of social institutions in combating human trafficking is still modest. A few local NGOs have been playing important part in advocacy at foreign countries, providing shelters for deported victims, counselling, and rehabilitating traumatic victims. Some other NGOs provide additional shelters complementary to the government's shelters in case of emergency, such as too much victims to serve at one time, until their case in the police or court closed. Some other NGOs are specialized in community empowerment to reduce the 'push factor' for the people to seek employment out of the country. However, at this stage, the role of civil society organizations in tackling and preventing the transnational organized crime has been limited, especially noting that the frequency of occurrence of human trafficking cases is still very high and tend to increase.

Family and community institutions have not been helping in reducing the rate of human trafficking. The family of victims mostly play important role in filing reports to the police about the trafficking cases involving their member. But ironically, family also played important role in pushing their youngsters in the family to seek job across border. The interesting thing to note is that the recruiter in the trafficking networks are family member.

Local communities by and large have not involved much in helping to socialize the danger of trafficking and seeking employment through illegal way. Local communities in the rural area generally value the effort to sojourn for jobs, especially to foreign countries. The effort to improve education and vertical mobility among the people tend to be low among the poor villagers. School activities, life skill training, and youth activities in poor provinces are very limited. People tend to let their youngsters travel abroad for jobs rather than continuing education. The annual rural development fund tends to be distributed directly in cash to families for consumption and house repairs instead of for economic growth stimulus.

Between the three social institutions, i.e. civil society organizations (CSOs), family, and community, only CSOs that so far has been playing important part in providing assistance and protection to the victims of human trafficking. They do this by providing shelters, counselling, training, and rehabilitation. In some cases, CSOs help the victims negotiating freedom from the employer, or salary payment of those whose salary was not paid by the employer.

### **SOCIAL CONTEXT**

People in the regions supplying unskilled migrant workers generally belongs to the low socio-economic stratum. The average income of farmers in South Sulawesi is IDR 2.8 million (USD 200) annually, or IDR 230 thousand (USD 16) per month. Employment as farmers at palm oil plantation in Malaysia offers salary ranging between IDR 3 million (USD 214) and IDR 7 million (USD 500) per month, literally 13 to 31 times bigger than their monthly income in their home village. To the local farmers in the poor villages, the offer from job market in Malaysia is very appealing. From the income in Malaysia, they can save in average IDR 2 million (USD 142) per month for remittance to their family in their home villages.

Job seekers in urban areas are also facing similar challenge. People in urban areas in Pontianak, Sambas, and Singkawang who are interested in seeking jobs in construction sector and plantation in Malaysia are generally work previously with lower income. Their average income is IDR 900 thousand (USD 64) per month. Income offers from Malaysian construction and plantation companies are still three times bigger.

Aside from limited access to working and

business opportunities as push factors to become migrant workers, education problem became an issue affecting the aspiration to work abroad. The problem is that many among families in the villages see education is not an important factor to seek jobs and generate income in their children's future, especially for seeking jobs in Malaysia. In turn, many among children at school age are not continuing education to high schools and higher education, and chose to immediately join their relatives in Malaysia to work with 'huge' income. Ironically, the income rate is actually very cheap to Malaysian plantation companies. This is why the companies encourage their Indonesian workers to persuade their family and relatives to come working for them at the same plantation.

The central government in Jakarta has been promoting the 'rural development fund' as much as IDR 700 million (USD 50,000) per village annually since 2015 to be utilized by rural people as means to transform their villages into modern and prosperous villages. Unfortunately, this policy did not work effectively in most villages of migrant labor supplier in Indonesia. According to the trafficking victims interviewed in West Kalimantan, most of the rural development fund were distributed directly in cash to the families in the village for home repairs. The fund all these years were not invested for economic development that would give benefit to village transformation in the long run.

In West Kalimantan, economic development is being promoted in the regencies and cities with most significant number of victims. The outcome of the economic development which prioritizing natural tourism has not shown any significant growth so far in the last few years. The region has high potentials to grow fast as tourist destination, noting that tourist destination in the region is rare, while the market can reach Malaysia, Singapore, Brunei, aside from large domestic tourists.

### **CONCLUSION**

The research findings so far have shown interesting developments in the three dimension, institutional, socio-cultural, and crime process. In institutional dimension, the local police shown the tendency towards more proactive attitude in cutting the flow of trafficking process. In West Kalimantan, the cases of human trafficking can be divided into three types. The first is under-age labor migration that are often found by the immigration post in the border. The second type is trafficking victims deported by the host countries. And the third type of cases is the illegal labor migration aborted by the police during transit or transporting process to the border outpost.

Other than that, there is a new modus of trafficking cases found in West Jawa and West Kalimantan, that is trafficking through marriage with a foreigner, particularly with Chinese citizens. The women were transported to China after marriage, but soon after arrival, they were trafficked and sold to

new employer or directly to consumers as prostitutes or traded wives.

Regarding the characteristics of traffickers, it is interesting to note that most of traffickers convicted in trafficking trials claimed that they were not guilty of what were charged against them during trials. On the contrary, the convicts felt that they were misjudged while doing favor to fellow countrymen job seekers to get decent jobs with higher income abroad. The convicts claimed that they were only trying to help their family and friends to get a job in Malaysia without formal recruitment procedures that would take time, energy and more expensive financial costs. This tendency seems to be affected by the following factors. First, there were believes that formal recruitment procedure caused the employer company cut off half of the victims' salary for covering the recruitment service costs that were charged by Indonesian recruitment agency. According to the convicts, the salary cuts usually continuously done by the employing company for the two years of their tenure so that they can only get half of the salary of other workers. Second, it appears that the victims' and traffickers' awareness of the prohibition against seeking jobs through other ways other than the formal agency was low. This indicates the ineffectiveness of government's socialization program on the foreign job seeking procedure, the danger of human trafficking, and the threat of vulnerability if one seeks jobs through illegal procedure.

A study on government's anti-trafficking policy and its implementation shows that some issues remains important problem in combating human trafficking. **First**, the range of actions to do by Indonesian government to protect the its people from human trafficking its limited. The difficulty of identifying trafficking, traffickers, and victims have been the main factors, beside the lack of funding and political will to intervene. The limited actions in combating human trafficking include: (1) return deported victims to their home town/village; (2) investigate and prosecute reported cases of human trafficking within Indonesia's jurisdiction; and (3) stop identifiable trafficking in progress, such as child trafficking and illegal labor migration. **Second**, government's understanding of human trafficking and manifestation into policies tend to be constrained within the so-called 'law enforcement' paradigm. There is a need for paradigm shift in the policies towards 'victim-centred' paradigm, to include local communities' participation in building social awareness and resilience against trafficking.

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