

SUB TASK FORCE OF
PREVENTION

SUB TASK FORCE OF
HANDLING

SUB TASK FORCE OF
LAW ENFORCEMENT

SUB TASK FORCE OF
LEGAL NORM
DEVELOPMENT

SUB TASK FORCE OF
COORDINATION AND
COOPERATION

2015 2019

PERFORMANCE REPORT ANTI TRAFFICKING TASK FORCE



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KEYNOTE FROM THE NATIONAL CHAIRMAN OF ATTF

The crime of trafficking in persons (TIP) is the heaviest crime against humanity that occurs in the world, with a total of 24.9 million victims. In Indonesia, there were thousands of victims of TIP in the 2015-2019 period. The majority of them were adult women (around 77%).

The government has made combating the crime of trafficking in persons an important focus, because it is a form of transnational crime against the dignity of humanity and violates human rights. The seriousness of the government is manifested by issuing Act Number 21 of 2007 concerning the Eradication of TIP.

Through the Presidential Regulation Number 69 of 2008, to strengthen efforts to eradicate TIP, the government established Anti-Trafficking Task Force (ATTF) led by the Coordinating Minister for Human Development and Culture (previously the Coordinating Minister for People's Welfare). The Daily Chairman is the Minister for Women's Empowerment and Child Protection (previously the State Minister for Women's Empowerment), with 19 Ministers and Heads of Institutions as members. The government also published a National Action Plan for ATTF as a guide for the Task Force in carrying out it and as a reference for local governments in preparing a Sub-national Action Plan for TIP.

During the period of 2015-2019, a number of achievements of the Task Force can be noted. The establishment of 32 Provincial Task Forces and 245 Sub-Province Task Forces is one of them. In addition, Community Watch (CW) has been established in 31 provinces, covering 320 villages and 1,681 agents of change. CW is a model of TIP prevention at the grassroots level by involving community participation, including traditional leaders, religious leaders, community leaders, village/ village heads, PKK (Family Welfare Development), Youth Organization, NGOs, educators, students, and others.

Comprehensive and sustainable socialization and advocacy are also carried out to build understanding and awareness of all stakeholders down to the grassroots level.

The government has 27 units of Trauma Center Safe House (RPTC) that provide integrated services, both as crisis centers and traumatic centers for victims of violence. It also provided social guidance for TIP victims to stop them from being victims in the future.

In terms of regulations, the Government committed to guarantee compensation for TIP victims by issuing the Government Regulation Number 7 of 2018 concerning Providing Compensation, Restitution and Assistance to the victims of TIP.

The ATTF is still expected to be able to further improve its performance. Among other things, in the field of prevention, the dissemination of information related to the placement and protection of IMW (Indonesian Migrant Workers) must be carried out on an ongoing basis. In the field of victim protection, apart from assisting victims, the TF needs to provide

an understanding that the legal process is useful to ensure the fulfillment of victims' rights. In addition, law enforcers should be able to change their mindset to be more victim-oriented than to the perpetrator. The TF must also have an integrated database through an online system accompanied by a good evaluation mechanism. Other related regulations, such as technical guidelines for health rehabilitation financing from the center to the regions, need to be formulated to strengthen the handling of TIP victims.

We convey our appreciation for the hard work and tirelessness of the ministries/institutions that are members of the ATTF and civil society who care about it. Hopefully the well-established cooperation can get closer and better in order to protect all citizens from the TIP.

Hopefully this report can provide an overview of the implementation of the ATTF and can be a useful source of information for improving the implementation and handling of victims of trafficking in persons in Indonesia.

***Coordinating Minister of Human Development and Culture,
Republic of Indonesia***

Muhadjir Effendi

KEYNOTE FROM THE DAILY CHAIRMAN OF ATTF

Best wishes for all of us.

Praise be to, and my gratitude for the presence of Almighty God, because for His blessings and grace the “Report on the Implementation of the Prevention and Response to the Crime of Trafficking in Persons for 2015-2019” by the ATTF at the National Level was well written. This report is the mandate of Law Number 21 of 2007 on eradication of TIP and Presidential Regulation Number 69 of 2008 on the ATTF.

After thirteen years of implementing Law Number 21 of 2007, the ATTF faces quite a number of challenges and obstacles in carrying out its duties. For this reason, we, as the Daily Chairman of the National ATTF, convey the highest appreciation to all members of the ATTF, both at the national and sub-national levels for their performance in combating TIP during this period of 2015-2019. However, the Task Force should not be complacent and careless because we still have much to improve its implementation to provide protection for all Indonesian citizens from this heinous crime/practice. Therefore, we need to improve collaboration, synergy and synchronization of the work of all stakeholders at the national to sub-national levels.

Finally, we would like to express our deepest gratitude to all ministries/ agencies, community institutions, development partners, and all parties who have provided constructive input in the process of compiling this report. We hope that this report could become a reference in making decisions and formulating policies related to ATTF. Apart from that, it can also serve as a guide regarding what performance should be maintained, improved, and initiated.

***Minister of Women Empowerment and Child Protection
I Gusti Ayu Bintang Darmawati***

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GLOSARIUM

AAPTIP	:	Australia-Asia Program to Combat Trafficking in Persons
ACTIP	:	ASEAN Convention Against Trafficking in Persons, Especially Women and Children
AICHR	:	ASEAN Intergovernmental Commission on Human Rights
AML	:	Anti Money Laundering
AP	:	Associated Press
APG	:	Asia-Pacific Group on Money Laundering
ARF	:	ASEAN Regional Forum
ASEAN-ACT	:	ASEAN-Australian Counter Trafficking
ASEANAPOL	:	ASEAN National Police
ATM	:	Automated Teller Machine

 **ATTF:** ***Anti-Trafficking Task Force***

BMOIWI	:	Badan Musyawarah Organisasi Islam Wanita Indonesia (Consultative Board of Organizations of Indonesian Moslem Women)
BNP2TKI	:	Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia (National Agency for Placement and Protection of Indonesian Migrant Workers)
BP2MI	:	Badan Perlindungan Pekerja Migran Indonesia (Indonesian Migrant Workers Protection Agency)

BP3TKI	: Balai Pelayanan Penempatan dan Perlindungan Tenaga Kerja Indonesia (Indonesian Migrant Worker Placement and Protection Service Agency)
CDF	: Child Detention Facilities
CHB	: Clean Healthy Behavior
CC	: Correctional Center
CID-INP	: Criminal Investigation Division of Indonesia National Police
CIA, POLRI	: Crime Investigation Agency of Police of Republic of Indonesia
CIQ	: Custom Immigration Quarantine
CPMI	: Calon Pekerja Migran Indonesia (Indonesian Migrant Worker Candidate)
CSIMW	: Computerized System of Indonesia Migrant Workers
CSOs	: Civil Society Organizations
CTIP	: Combating Trafficking in Person
CTKI	: Calon TKI (Indonesian Migrant Worker Candidate)
CW	: Community Watch
DCC	: Draft Criminal Code
Desbumi	: Desa Peduli Buruh Migran (Migrant Workers Caring Village)
Desmigratif	: Desa Migran Produktif (Productive Migrant Village)
DPRI	: Dokumen Perjalanan Republik Indonesia (Travel Document of Republic of Indonesia)
DtZ	: Down to Zero
DW	: Domestic Workers
Fasyankes	: Fasilitas Pelayanan Kesehatan (Health Care Facilities)
FATF	: Financial Action Task Force
FGD	: Focus Group Discussion
FIU	: Financial Intelligence Unit
GABF	: Government and Business Forum
GCM	: Global Compact for Safe, Orderly and Regular Migration
GFMD	: Global Forum on Migration and Development
HR	: Human Resources
HSU	: The Heads of Specialist Anti-trafficking Units
IBC	: Indonesian Broadcasting Commission
ICPC	: Indonesian Child Protection Commission
ICT	: Information and Communication Technology

IEC	: Information and Education Communication
IMWU	: Indonesian Migrant Workers Union
INCDs POST	: Integrated Non-communicable Diseases Post
INTRAC	: Indonesian Financial Transaction Reports and Analysis Centre
IOM	: International Organization for Migration
IR	: Investigation Report (BAP, Berita Acara Pemeriksaan)
ITDC	: Indonesia Tourism Development Corporation
JCM	: Joint Committee Meeting
KBRI	: Kedutaan Besar Republik Indonesia (Embassy of the Republic of Indonesia)
Kemenko PMK	: Kementerian Menteri Koordinator Bidang Pembangunan Manusia dan Kebudayaan (Coordinating Ministry for Human Development and Culture))
KKBM	: Komunitas Keluarga Buruh Migran (Migrant Worker Family Community)
KPPM	: Komunitas Purna Pekerja Migran (Community of Retired Migrant Workers)
K-PPTPPO	: Komunitas Pencegahan dan Penanganan Tindak Pidana Perdagangan Orang (Prevention and Response to the Crime of TIP Community)
KSP	: Kantor Staf Presiden Republik Indonesia (The Presidential Staff Office of the Republic of Indonesia)
LEO	: Law Enforcement Officers
LPAD	: Lembaga Perlindungan Anak Desa (Child Protective Services Institution in rural areas)
LPKS	: Lembaga Penyelenggaraan Kesejahteraan Sosial (Social Welfare Institution)
LPSK	: Lembaga Perlindungan Saksi dan Korban (Witness and Victim Protection Agency)
LTKM	: Laporan Transaksi Keuangan Mencurigakan (Suspicious Financial Transaction Reports)
MOLIN	: Mobil Perlindungan Perempuan Dan Anak (Car for Women and Children Protection)
MOWECP	: Ministry of Women's Empowerment and Child Protection
MoU	: Memorandum of Understanding
NAP CTIP	: National Action Plan of Combating Trafficking In Persons

NFEU	: Non Formal Education Units
NGO	: Non Government Organization
NP	: Non Procedural
NRA	: National Risk Assessment
OHE POST	: Occupational Health Efforts Post
P2TP2A	: Pusat Pelayanan Terpadu Pemberdayaan Perempuan dan Anak (Integrated Service Centre for the Empowerment of Women and Children)
PMI	: Pekerja Migran Indonesia (Indonesian Migrant Workers)
PP KtP/A	: Pencegahan dan Penanganan Kekerasan terhadap Perempuan dan Anak (Prevention and Response to Violence against Women and Children)
PPTKIS	: Pelaksana Penempatan Tenaga Kerja Indonesia Swasta (Implementing Agency of Private Indonesian Worker Placement)
RPSA	: Rumah Perlindungan Sosial Anak (Child Social Protection House)
RPSW	: Rumah Perlindungan Sosial Wanita (Women's Social Protection House)
RPTC	: Rumah Perlindungan/Trauma Center
RSO	: Regional Support Office
RTMG	: Risks, Trends and Methods Group
Sarkes	: Sarana Kesehatan (Health Facility)
SCC	: Supreme Court Circulars
SIAK	: Sistem Informasi Administrasi Kependudukan (Population Administration Information System)
SIMKIM	: Sistem Informasi dan Manajemen Keimigrasian (Immigration Management Information System)
SK	: Surat Keputusan (Letter of Decree)
SOMTC	: Senior Officials Meeting on Transnational Crime
SOP	: Standar Operasional Prosedur
TF	: Task Force
TFPP	: Task Force on Planning and Preparedness
TG	: Technical Guidance
TIP	: Trafficking in Persons
TORLIN	: Motor Perlindungan Perempuan Dan Anak (Motorcycle for Women And Children Protection)
TOTC	: Training of Trainer Candidates

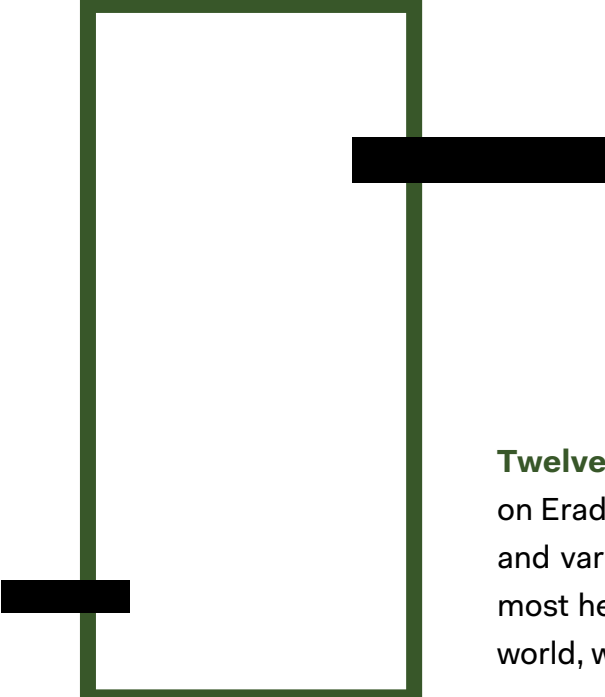
TPPU	: Tindak Pidana Pencucian Uang (Crime of Money Laundering)
TVPA	: The Trafficking Victims Protection Act of 2000
UEP	: Usaha Ekonomi Produktif (Productive Economic Business)

UU PTPPO: Act no 21, 2007 on eradication of TIP

WCPMIS	: Women and Children Protection Management Information System
WMW	: Women Migrant Workers
VAWC	: Victims of Violence Against Woman and Children
WNI	: Warga Negara Indonesia (Indonesian Citizen)
WTC	: Work Training Center
YKAI	: Yayasan Kesejahteraan Anak Indonesia (Indonesian Children Welfare Institution)
YPPI	: Yayasan Plan Internasional Indonesia (Plan International of Indonesia Institution)

REPORT SUMMARY






Twelve years of implementing Act Number 21 of 2007 on Eradication of TIP, various advances have been made and various challenges have been faced. The TIP is the most heinous crime against humanity that occurs in the world, with a total of 24.9 million victims.¹

TIP happened to Indonesian citizens domestic and abroad ² , while thousands of expatriate victims of TIP have also been reported to have occurred in the territory of the Republic of Indonesia in the last five years (2015-2019), among them foreign crew Thai-flagged fishing ships operating in Indonesian territorial waters. Thousands of foreign crew were then rescued and repatriated by the Indonesian government in early 2015 through coordination with various parties. ³ Based on reports, Indonesia is not only a country of origin and destination, but also a transit country for trafficking in persons.

The government in the eradicating and preventing TIP refers to the National Action Plan to Eradicate and Prevent the Crime of Trafficking in Persons. The National Action Plan as a work program at the national level is a reference in efforts to prevent, protect victims, law enforcement and regional and international cooperation in CIP in



¹ 2019 Laporan Perdagangan Orang, Office to Monitor and Combat Trafficking in Persons, Department of State, United States of America, <https://www.state.gov/wp-content/uploads/2019/06/2019-Trafficking-in-Persons-Report.pdf>

² Data of 2015-2019 Ministry of Foreign Affairs of the Republic of Indonesia and CID-INP

³ Data of 2015-2019 Ministry of Marine Affairs of the Republic of Indonesia and International Organization for Migration (IOM) Indonesia 2015-2019 Data, CID-INP

In carrying out the action plan, the Task Force is divided into six Sub Task Forces. The first is the Prevention Sub-Task Force, which aims to increase TIP prevention efforts. The Prevention Sub-Task Force succeeded in preventing departures and refused the issuance of passports for 20,853 Indonesian citizens who were suspected of being Indonesian Migrant Workers Non-Procedural and at risk of becoming victims of trafficking in persons, forming a Non-Procedural Indonesian Migrant Worker Prevention Task Force in 21 embarkation and disembarkation locations, preventing the placement of 12,757 Non-Procedural Indonesian Migrant Worker candidates.

In addition, Ministry/Agency members of the Sub-Task Force also carry out institutional strengthening through advocacy to the Sub-national Government, development of models at the grassroots level (CW, Migrant Worker's Family Community, and Desmigratif (Productive Migrant Village Program), development of various Information Communication and Education materials and dissemination through various media, approaches with parents or guardians of students, the establishment of one-stop integrated services, and also through the drafting of laws and regulations. Even so, the commitment of the sub-national head still needs to be improved as many provinces and sub-Provinces have not budgeted for the Anti-TIP program. Then, evaluation and monitoring of the ongoing programs still need to carry out, comprehensive discussion of the Information Communication and Education materials disseminated to suit the existing TIP mode in the field, and the method of dissemination to consider aspects of culture and local wisdom.

Second is the Sub-Task Force for Health Rehabilitation, achieving the objective to improve health rehabilitation services for TIP victims, starting from promotion, preventive, curative, and rehabilitative efforts. It has conducted health rehabilitation services for witnesses and/ or TIP victims, since they were at the entry point carried out by the local Port Health Post. Currently, there are many first and referral health services capable of

managing victims of violence against children and women, including TOP. Even so, the provision of health rehabilitation services still faces challenges, for example the perspective of response to TIP between Ministries/ Agencies is still not the same, no legal protection regulating an integrated data system causing health workers to refuse to share information related to confidential victim data, and also the issuance of health services due to criminal acts of maltreatment, sexual violence, victims of terrorism, and of trafficking in persons from the benefits of JKN (National Health Insurance) financing based on Presidential Regulation Number 82 of 2018 concerning Health Insurance.

Third is the Sub-Task Force for Social Rehabilitation, Repatriation and Social Reintegration. The objective is to improve social rehabilitation, repatriation and social reintegration services for TIP victims. During the 2015-2019 period, Ministry/Agency members of the Sub-TF have made many efforts, such as repatriating TIP and PMI-B victims, assistance at an Trauma Center safe House (RPTC) before returning to their home areas, implementing socialization/social guidance to the community regarding safe migration in areas high overseas migration, disaggregated data handling practices of TIP victims, and also providing stimulants to strengthen the economy for survivors. A total of 1,975 TIP victims abroad who are scattered in various countries have been identified and given rehabilitation and repatriation services. TIP victims who received social rehabilitation at a RPTC were 2,541 people. Even so, there are still challenges that must be faced by the Ministries/ Agencies of the Sub-TF members, such as not all repatriation processes run smoothly, because there are victims who are sent home sick, physically disabled, mentally ill, and even dead. This condition requires binding and permanent cooperation with health care providers.

Next is the Sub-Task Force for Law Enforcement. The objective is to improve law enforcement for TIP cases. In the field of investigation, Sub-national Police and CID-INP managed to handle 554 police reports, with 2,648 victims and 757 suspects. About 87% of TIP victims handled by the police are women and girls. Other efforts that have been made are the formation of a TIP TF at Sub-national Police which is the area of origin for the most TIP victims, strengthening the capacity of TIP investigators, socializing TIP in its vulnerable areas, and compiling a guidebook for

handling TIP cases for investigators. For the prosecution phase, the Attorney General's Office and High Prosecutors throughout Indonesia have successfully completed 413 cases of TIP cases. Other efforts are the preparation of several technical guidelines for handling TIP cases, building capacity for prosecutors, and facilitating the provision of restitution for TIP victims. At the court stage, the Supreme Court handled as many as 94 cassation cases and case review of TIP cases. It was also reported that many cases have been subject to articles regarding TIP, but decisions regarding restitution payments are still rarely applied.

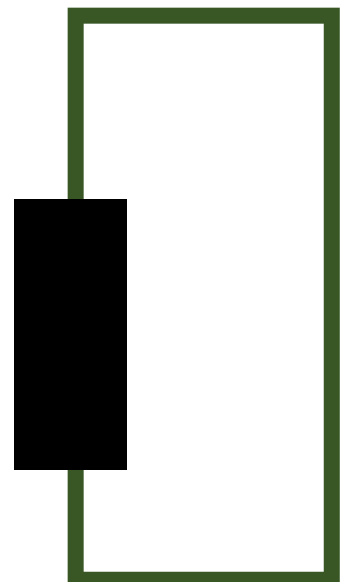
Furthermore, in the law enforcement process of LPSK (Witness and Victim Protection Agency) succeeded in providing protection for 1,165 witnesses and/ or victims of TIP with a total service received by victims of around 2,189. Another achievement, Indonesian Financial Transaction Reports and Analysis Centre (INTRAC) succeeded in delivering financial intelligence products in the form of 24 Analysis Results proactively to Police Investigators regarding the Criminal Act of Money Laundering for TIP. Even though there have been many efforts made by Ministry/ Agency members of the Law Enforcement Sub-Task Force, their implementation still faces obstacles, for example the absence of Mutual Legal Assistance between countries in the law enforcement process in TIP cases. In addition, there are still few guidelines on investigating TIP cases using the 'follow the money' approach at the national and sub-national levels, so that Human resources competencies are still low in implementing this approach. In the process of financial analysis, Ministries/Agencies also reported that cooperation between the public and private sectors in the disclosure of TIP cases is still difficult to implement due to the constraints of tight data confidentiality regulations.

Fifth is the Legal Norms Development Sub-Task Force. The objective is to apply laws and regulations related to TIP. Some of its achievements are the discussion of the RKUHP (Draft of Indonesian Criminal Code) between the Government and the Indonesian Parliament which includes several articles on TIP. Then, the Government of Indonesia has also ratified the ACTIP convention which binds countries in ASEAN through Law no. 12 of 2017. Even so, the slow pace of LEO education and training institutions in adjusting their material to the new norms contained in the ACTIP ratification is still an obstacle. This then has an impact on the capacity of

LEO and implementing human resources in implementing new regulations in the law enforcement process.

Sixth is the Sub-Task Force for Coordination and Cooperation. The objective to achieve is the creation of cooperation and coordination between stakeholders at the national level. At the national level, cooperation between Ministries/ Agencies and TF members, cooperation between Ministries/ Agencies and the private sector, and Ministry/ Agency cooperation with NGOs and development partners in the Anti-TIP are increasing. Forms of cooperation include organizing a pilot project to improve CPMI (Indonesian Migrant Worker Candidates) competence and prevent non-procedural CPMI departures, strengthening capacity and drafting ATTF NAP in priority Sub-province, compiling integrated cross-agency TIP data collection guidelines, guidelines for the service mechanism of TIP witnesses and/or victims for victim assistants, and technical guidelines for the formation of ATTF at the Sub-province level.

Finally, the international cooperation efforts carried out include: The Bali Process on People Smuggling Cooperation Forum, Trafficking in Persons and Related Transnational Crime (Bali Process), and the ASEAN Ministerial Meeting on Transnational Crime/Senior Official Meeting on Transnational Crime (AMMTC/ SOMTC). In this international cooperation mechanism agreed that several efforts to eradicate TIP together, such as in the Bali Process, that the Bali Declaration contains recommendations and practical steps to handle non-regular migration, including trafficking in persons, which emphasizes protection of victims. The next point is to agree on the role of the private sector in handling trafficking in persons, primarily through the provision of jobs and a procedural recruitment process. In addition, within the AMMTC/SOMTC framework it was agreed that the establishment of an ASEAN legal instrument to eradicate TIP in the Region, strengthening cross-border in handling TIP, and exchanging data or information.



introduction

CHAPTER 1


● **The government** is very concerned about the issue of eradicating the crime of trafficking in persons. Various policy measures and programs were developed to reduce the impact of losses caused by trafficking in persons. To improve coordination and cooperation in efforts to prevent TIP and response to the victims and prosecution of trafficking offenders, the government has issued ATTF National Action Plan for 2015-2019 through the decree of the Coordinating Ministry for Human Development and Cultural Affairs No. 2, 2016.

1.1 Background

This action plan becomes a reference for the ATTF for the Prevention and Response to the Crime of Trafficking in Persons in taking steps to: improve the prevention of TIP; improve health rehabilitation services for TIP victims; improve social rehabilitation services for TIP victims; improve return services for TIP victims; improve social reintegration services for TIP victims; realizing the laws and regulations on TIP and increasing the harmonization of laws and regulations related to the prevention and response to TIP improve law enforcement in handling victims and prosecution of TIP perpetrators; improve cooperation and coordination among stakeholders at the national level; improve cooperation and coordination among stakeholders at the international level; and enhancing cooperation and coordination among task force members.

The government has made the Prevention and eradication of TIP its main focus, because it is a form of transnational crime against dignity and violates human rights. This criminal act has an impact not only in the form of health problems, physical disabilities, being infected with sexually transmitted diseases, experiencing mental disorders and severe trauma, but also death.

TIP has the potential to cause social diseases impacting on aspects of the life of the nation and state. Victims of trafficking are not only experienced by adults, but also children. Child victims of trafficking experience obstacles in their growth and development. Their basic needs are not fulfilled. Another finding is that the victims of undocumented immigrants are threatened with punishment, because of incomplete immigration documents, forged/ confiscated by their employers.



If we look at the facts and impacts caused by this crime against humanity, efforts to prevent and response to TIP require concrete, comprehensive steps, and the involvement of all elements, including the government, society, business world, media, and other stakeholders. This effort is at the same time an instrument that can be used as a basis for ensuring various progress has been made, including the challenges and problems faced in the implementation of Act Number 21 of 2007 on Eradication of TIP.

In order to know part of the picture regarding the implementation of the National Action Plan as well as policy and program steps in Eradication of TIP during 2015-2019, the ATTF Secretariat *issued a “**Report on the Performance of the Task Force for the Prevention and Response to the Crime of Trafficking in Persons for 2015-2019.**”* This report contains various achievements, challenges and problems faced, and recommendations for resolving them.

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1.2 General Picture of TIP

S Most of the victim of TIP revealed in the court are traded for sexual exploitation purposes (53.6 %) specially commercial sex. Nevertheless, CID-INP also noted more than 44% undergone labor exploitation. They are usually employed abroad as Indonesian Migrant Worker, ship crew, and domestic workers. From all the total cases handled by Indonesian Police from 2015 to 2019, one case was found related for human organ trade and seven cases of children trafficking.

The primary factor are amongst⁵, the habit of “going to bigger town” or “internship” to improve livelihood, consumptive culture, tradition or child marriage, the flourishing business of sending labor abroad, the increase of cross border organized crime, and gender discrimination. Poverty, unemployment, and low education level, and minimal social protection from families and society to children and teenagers and school dropouts became **intervening factor** that causes vulnerabilities and powerlessness of victims, shoving them into the perpetrator web.

Indonesian police had identified various modus flourishing in the TIP cases. During 12 years of Anti TIP Act and the disclosure of cases, these mode can be grouped into period of old modus and new mode. The police stated that the prominent old mode are identity document forgery such as Identity card, passport, contract marriage, labor migration using visitation visa, sending of informal Indonesian Migrant workers through non-procedural path⁶, recruitment is conducted directly by perpetrator or perpetrator network, with direct meet between victims and perpetrator/perpetrator networks. The new mode is done through document forgery of arranged marriage, visit visa, then abandoned with the aim to obtain status. Malaysia and Singapore become places of transit and recruitment through social media, and victims do not directly meet the perpetrator/perpetrator network.

⁵ Sudharmawatiningsih, Supreme Court, 2018

⁶ CID-INP, 2018

One important note about the new mode, is that CID-INP found a mode shift in TIP. ASEAN countries (Malaysia and Singapore) are no longer destination country, but are TIP transit countries. Thus also the mode of order bride, expanded to provinces outside West Borneo, such as West Java, Central Java, East Java, and Banten. The perpetrators utilizes information technology and social media in the TIP process. There is also shift in TIP perpetrator network pattern, victims are deployed by principal perpetrator so the TIP perpetrator network expanded rapidly. The victim that become perpetrator create new network, direct communication to users⁷.

TABLE 1: OLD AND NEW TIP MODES

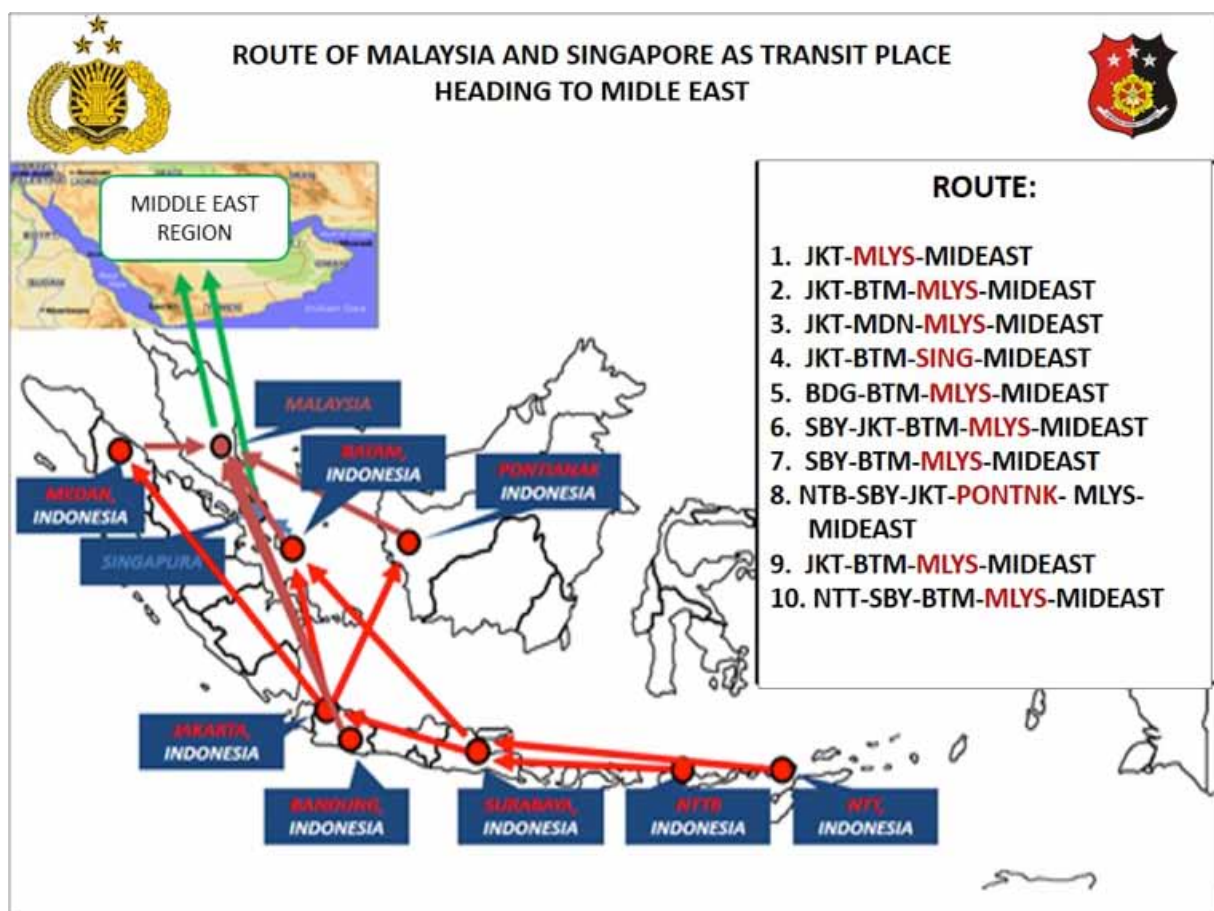
Old Mode	New Mode
<ul style="list-style-type: none"> • Document Forgery of identity card and Passport • Contract Marriages between Indonesian national, and non-Indonesian from Middle East, Chinese descent Indonesian citizen brought to Hong Kong and Taiwan to get married • Using visit visa to work abroad • Candidate of Informal sector IMW sent directly to destination country or non destination country (Non-Procedural IMW sending) • Direct recruitment by perpetrator/perpetrator network • Victims meet directly with perpetrator/perpetrator network 	<ul style="list-style-type: none"> • Document forgery of letter from citizen office and civil registry • Order Marriage, specially to China due to “Population of China are getting older” involving Indonesian citizens from various regions not limited to Chinese descent • Using Visit visa, then abandoned/arrested with the aim to obtain status • Malaysia and Singapore become transit place • Recruitment through social media • Victims don't meet directly with perpetrator/perpetrator network

Source: CID-INP, 2019

⁷ CID-INP, 2018

In the specific TIP case of “Contract/order marriage Mode” between Indonesian citizen and Chinese Citizen, many victims are children⁸. Initially victims are recruited with the promise of a high salary work, but in reality, the victims are brought to marriage. The victim had the status of wife but are exploited (sent to work without pay, experiences sexual deviation, physical and mental violence), and transfer marriages. The problem of these modus are that the workers are tied to legal marriage compliant to the law in destination country, thus it is difficult to protect and return the victim even though the case had been legally proven as TIP and the perpetrator had been detained⁹.

FIGURE 1: ROUTE OF HUMAN TRAFFICKING CRIME



Source: CID-INP, 2019

⁸ CID-INP, 2018

⁹ CID-INP, 2018

In 2015-2019, CID-INP identified a found 10 routes of human trafficking, with important note, Malaysia and Singapore as transit route with destination of Middle East. The TIP routes are as follow:

1. Jakarta – Malaysia – Middle East.
2. Jakarta – Batam – Malaysia – Middle East.
3. Jakarta – Medan – Malaysia – Middle East.
4. Jakarta – Batam – Singapore – Middle East.
5. Bandung – Batam – Malaysia – Middle East.
6. Surabaya – Jakarta – Batam – Malaysia – Middle East.
7. Surabaya – Batam – Malaysia – Middle East.
8. West Nusa Tenggara – Surabaya – Jakarta – Pontianak – Malaysia – Middle East.
9. West Nusa Tenggara – Surabaya – Batam – Malaysia – Middle East.
10. East Nusa Tenggara – Surabaya – Batam – Malaysia – Middle East.

Meanwhile, there is a significant amount of indicated TIP related to labor exploitation that had been directly handled by ministries and related bodies. Amongst, the Ministry of foreign affairs of Republic Indonesia had handled 1,975 TIP cases of migrant workers being exploited for labor¹⁰. TABLE 2 describes the details of distribution of TIP victim cases abroad that had been handled by ministry of foreign affairs from 2015 to 2019.

TABLE 2: INDONESIAN CITIZEN TIP VICTIMS ABROAD DURING YEARS 2015-2019

No	Region	Cases	%
(1)	(2)	(3)	(4)
1	East and Southeast Asia	802	40,61
2	Middle East	858	43,44
3	Africa	235	11,90
4	Oceania	35	1,77
5	Europe	33	1,67
6	South and Central Asia Selatan	12	0,61
	Total	1.975	100


Source: Directorate of Indonesian citizen Protection, Ministry of Foreign Affairs, 2019

¹⁰ Segregated Data 2015-2018, Directorate of PWNI-BHI, Ministry of foreign affairs (2018)

Further, The National Body of Indonesian Worker Placement and protection (Badan Nasional Penempatan dan Perlindungan Tenaga Kerja Indonesia/BNP2TKI) that had changed name into Indonesian Migrant worker protection (Badan Perlindungan Pekerja Migran Indonesia/BP2MI)¹¹, had returned 4,474 case laden Indonesian Migrant Workers of 3,929 (88%) males, and 545 (12%) females through Soekarno-Hatta Airport. Based on the segregated data form BP2PMI, Problem-Laden Indonesian Migrant Workers are repatriated mostly due to Overstayers 2,090 people (46.7%). The rest are due to Amnesty 420 people (9.4%), Sickness, 408 people (9.1%), Independent migrant workers 397 people (8.9%), arbitrary lay-off 299 people (6.7%), and ship-crew, 296 people (6.6%). Based on the repatriated Indonesian migrant workers, BP2PMI noted that 31 people (0.7%) are victims of TIP victims. Meanwhile there are also indication of TIPC to 126 Indonesian Migrant worker and Indonesian Migrant worker candidates that had been handles as follows: (1) issues of departure documents, 85 (1.9%) IMW and 21 (0.5%) Indonesian Migrant worker candidates, and (2) non match between promised and implemented work of Indonesian Migrant worker, 20 people (0.4%).

West Java is indicated as origin Troubled Indonesian Migrant worker province, with total victims of 1,658 people, (37.1%), followed by West Nusa Tenggara Barat, 879 people (19.6%); Central Java, 435 people (9.7%); East Java, 379 people (8.5%). The following provinces are on the lower ranks under 10% of total Troubled Indonesian Migrant worker handled by B2PMI: Banten Province, 227 people (5.1%); East Nusa Tenggara, 188 people (4.2%); Lampung 118 people (2.6%), and Jakarta, 110 people (2.5%). Other provinces that contributes to Troubled IMW are amongst North Sumatera, South Sulawesi Selatan, Yogyakarta, Central Sulawesi, South Borneo, Mollucas, South East Sulawesi, West Borneo, Bali, Aceh, South Sumatera, Riau Islands, North Sulawesi, West Sulawesi, Bengkulu, Riau, West Borneo, West Sumatera, Central Borneo, North Borneo, North Mollucas, Jambi, Gorontalo, and Bangka Belitung islands.

¹¹ The change of name from National Body of Placement and protection of Indonesian Worker (BNP2TKI) to Migrant worker Protection Body (BP2MI) refers to Act number 18 2017 on Indonesian Migrant worker that replace Act number 39 2004 on Placement and Protection of Indonesian workers abroad



Government estimated 6 millions people currently works as Indonesian Migrant worker abroad, in informal as well as formal sector. Female Indonesian Migrant worker generally worked in informal sector such as domestic workers, baby and elderly sitters. Vulnerability to TIP occurs due to non procedural departure, lack of working visa and stay permit, excessive work hours, manipulated work contract, and debt due to excessive placement cost. The vulnerability does not happen only to informal sector Indonesian Migrant worker, but also male Indonesian Migrant worker working in other sectors such as manufacturing plant, construction, and palm oil plantation, and fishing ships.

Destination countries that returned most Troubled Indonesian Migrant workers are United Arab Emirates 1,373 people (30.7%), Malaysia 1,083 people (24.2%), and Saudi Arabia 718 people (16.0%), the rest are Syria, Qatar, China, Kuwait, Oman, Bahrain, Jordan, Singapore, Brunei Darussalam, Taiwan, Egypt, Senegal, Suriname, South Korea, Hong Kong, Iraq, Morocco, Fiji, Libya, Africa, Turkey, Sudan, Colombo, US, Argentina, Afghanistan, Guyana, Peru, Ceylon, Netherlands, Philippines, Japan, Somalia, Tanzania, Thailand, Tunisia, Samoa, Greece, Chile, England, Italy Macau, Maldives, Moscow, and Panama.

The flourishing of TIP cases in many countries obliged the world to seriously address the issue. Apart of International Organization for Migration (IOM), ASEAN-Australia Counter-Trafficking Program, and UNICEF (United Nations International Children Emergency's Fund), Financial Action Task Force (FATF) as the Anti money laundering task force, also have serious concerns on the TIP issues.

As the trend setter on policies to address world money laundering, FATF has 40 recommendations that binds to each member state or jurisdictions as well as those tied to FATF-Style Regional Bodies (FSRB), in this case, Indonesia is member of Asia-Pacific Group (APG) on Money Laundering. One of the FATF recommendation number three is related to money laundering states that predicate offences of Money laundering should include all serious crimes.

In the perspective of Anti money laundering (AML) regulation regime as commanded by Act number 8 year 2010 on Eradication and prevention of Money Laundering crimes (AML Act), TIP is one of the predicate offences stipulated in article 2 sub article (1) letter l of the AML Act.

The cumulative statistics up to December 2018, on the handling of anti-money laundering

and terrorism financing, the development of Suspicious Financial Transaction received by The Indonesian Financial Transaction Reports and Analysis Centre (INTRAC) – focal point of Indonesian AML regime – there are 38 suspicious financial transaction reports (SFTR) of TIP predicate offence. On these SFTR, analysis had been conducted since January 2013 to December 2018, with total of 24 Analysis Results (AR/Financial Intelligence) submitted to investigator. Nevertheless, cumulatively from 2005 to 2018 there is only one AML related court verdict with predicate offence of TIP.

The result of 2015 risk National assessment on predicate offence of Money Laundering crimes, it is known that Money Laundering ranks as medium risk crime, compared to corruption, narcotics, and tax that sit in the top rank (high risk crimes).

Further, based on risk map distribution of SFTR submission dispersion, the largest regions of suspected TIP transactions are the provinces of Jakarta, East Nusa Tenggara, and West Java.

TABLE 3: NUMBER OF ANALYSIS RESULT SUBMITTED TO INVESTIGATOR BASED ON PREDICATE OFFENSE.

Suspect Predicate Offence	Before AML- Act (up to Oct 2010)	After AML-Act number 8/2010 (since January 2011)						Total	Total From Jan 2003 to Dec 2018
		Year 2011- 2016	Year 2017		Year 2018				
			Dec 2017	Cumulati ve to Dec 2017	Nov 2018	Dec 2018	Cumulati ve to Dec 2018		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Ø Corruption	580	1166	23	196	24	19	240	1602	2182
Ø Bribery	40	59	1	14	0	0	5	78	118
Ø Narcotics	47	93	5	29	2	7	49	171	218
Ø Banking Sector	46	41	0	5	0	0	4	50	96
Ø Stock Market sector	0	1	0	0	0	0	0	1	1
Ø Insurance Sector	1	0	0	0	0	0	0	0	1
Ø Customs	9	20	2	9	0	0	10	39	48
Ø Terrorism/ terrorism Financing	19	74	1	23	0	2	22	119	138
Ø Theft	4	5	0	0	0	0	0	5	9
Ø Embezzlement	42	64	2	16	0	1	7	87	129
Ø Fraud	419	278	7	49	6	8	65	392	811
Ø Forgery	5	5	0	0	2	2	8	13	18
Ø Gambling	17	40	0	1	1	1	3	44	61
Ø Prostitution	4	2	0	0	0	0	0	2	6
Ø Tax sector	7	197	4	43	10	9	67	307	314
Ø Forestry sector	6	7	1	1	0	0	2	10	16
Ø Fisheries and ocean sector	0	0	1	3	0	0	0	3	3
Ø Trafficking in Person	0	7	2	8	1	0	9	24	24
Ø Environmental sector	0	0	0	0	0	1	1	1	1
Ø Other offences sanctionable 4 years of more	0	26	4	13	0	0	5	44	44
Ø Unidentified/others	185	188	0	4	0	0	1	193	378
Total AR	1431	2273	53	414	46	50	498	3185	4616

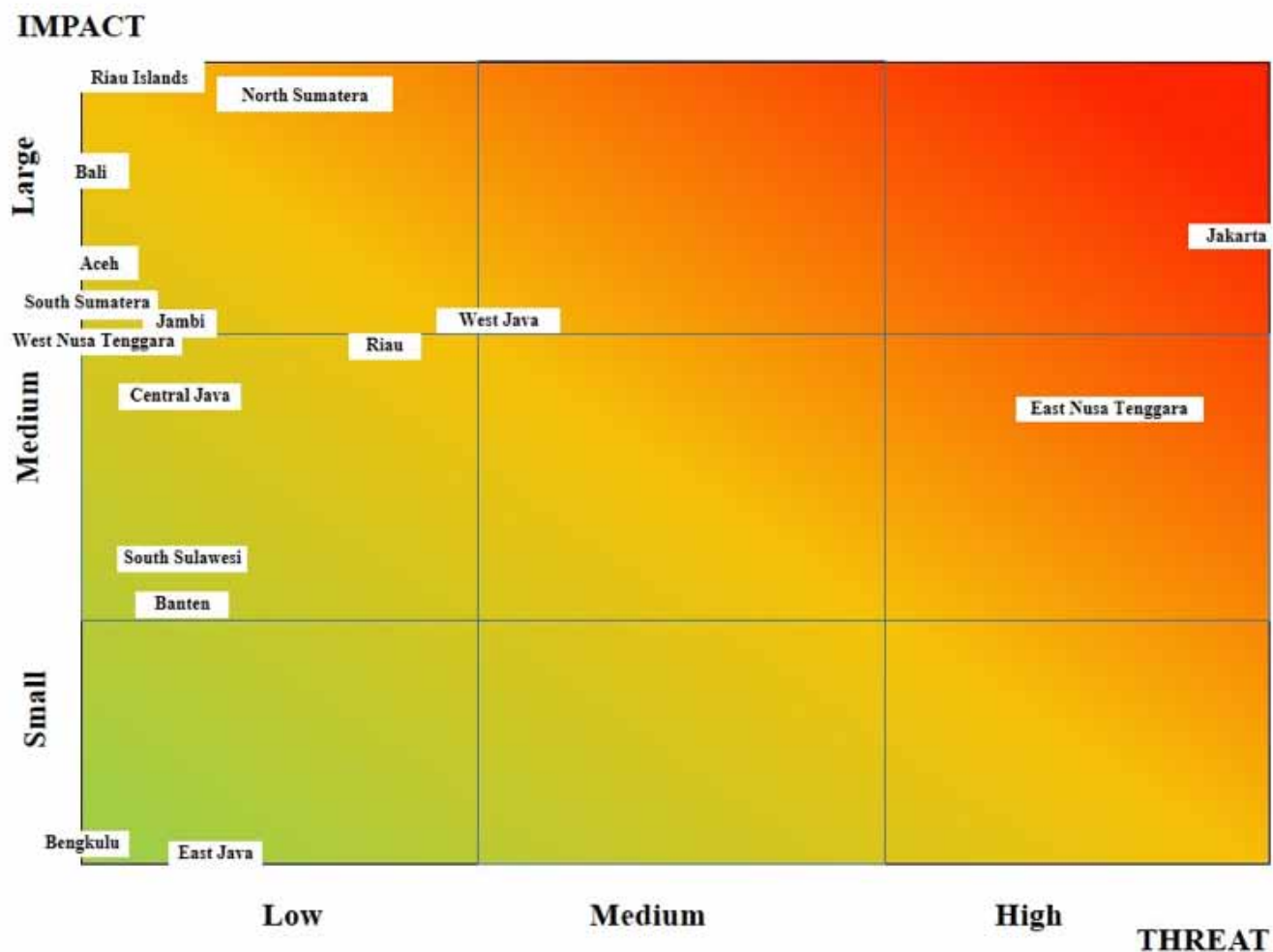
Source: Bulletin Statistics APU/PPT December 2018, INTRAC

**TABLE 4: CUMULATIVE NUMBER OF COURT VERDICT
RELATED TO MONEY LAUNDERING CRIME BY
PREDICATE OFFENCE**

Predicate Offence	Cumulative 2005 to 2018	% Distribution
(1)	(2)	(3)
Corruption	46	23.7
Narcotics	51	26.3
Fraud	23	11.9
Embezzlement	23	11.9
Banking	17	8.8
Forgery	9	4.6
Gambling	4	2.1
Psychotropic	2	1.0
Theft	2	1.0
Trafficking in Person	1	0.5
Fund Transfer	2	1.0
Extortion	1	0.5
Tax crime	1	0.5
Bribery	1	0.5
Cash carry violation	1	0.5
Forestry	1	0.5
Other Crimes	9	4.6
Total	194	99.9

Source: Bulletin Statistics APU/PPT December 2018, INTRAC

TABLE 5: HEAT MAP SRA TIP BASED ON GEOGRAPHICAL LOCUS



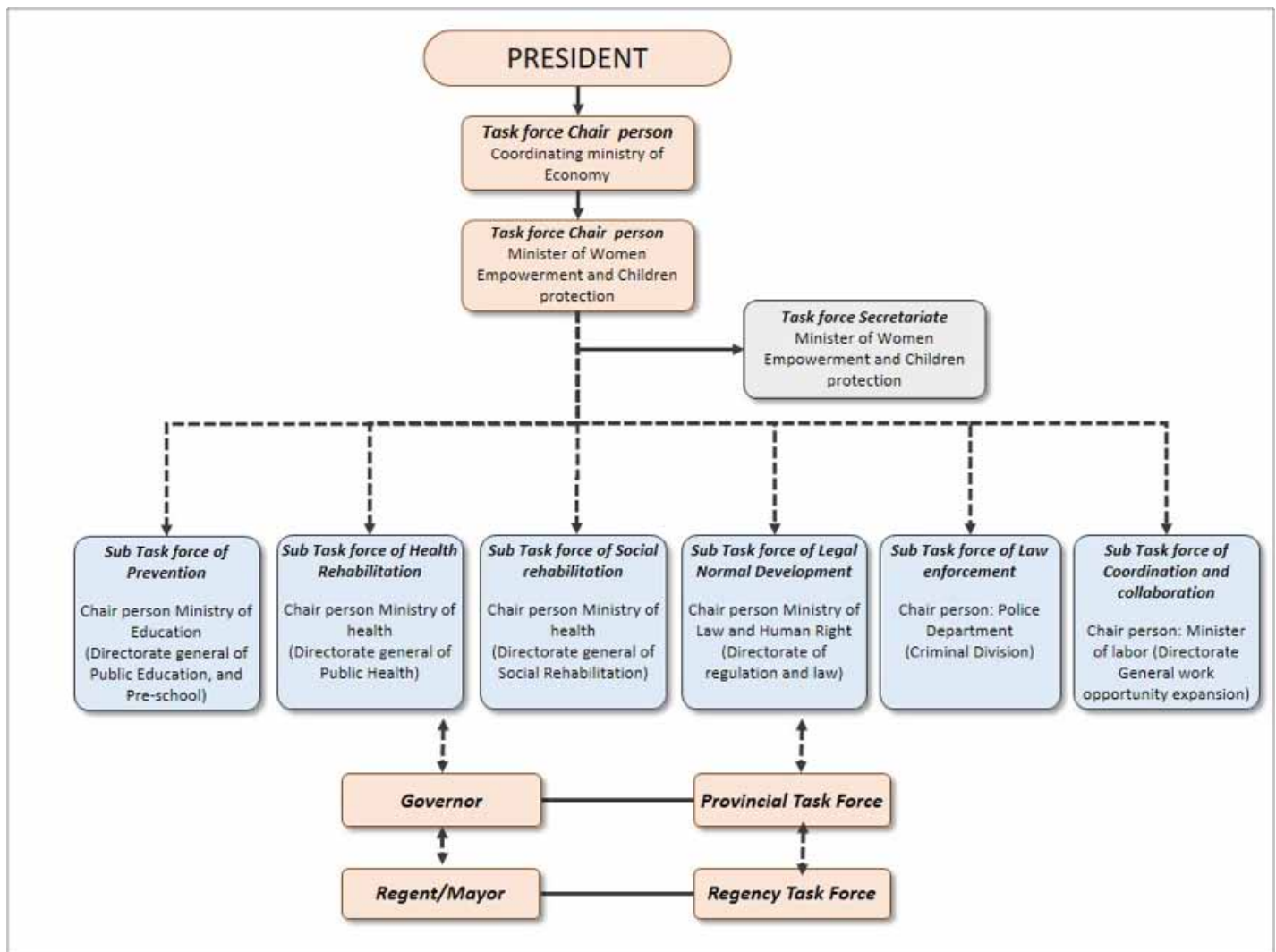
Source: Institutional Research of Sectoral Risk Assessment on Human Trafficking, INTRAC

In the future, considering the important role of INTRAC as the focal point of Indonesia APU/PPT in which TIP is predicate offence, then it is necessary to involve finance intelligence unit as member of ATTF, having central role in supporting TIP law enforcement through the approach of eradication and prevention of Money laundering crimes, i.e. through “follow the money paradigm”.

1.3 Structure and Implementation of ATTF

The structure of ATTF is based on the presidential decree number 69 year 2008 on the task force for prevention and eradication on crimes of trafficking in person. ATTF is a coordinating body, carrying the mandate of coordinating the efforts of eradicating and preventing TIP in the national level. The structure comprises of chairman, daily chairman, and members. The chairman is the coordinating minister of human development and culture (formerly coordinating minister of people welfare), while the daily chairman is the minister of women empowerment and child protection, (formerly state minister of women empowerment). The members are 19 ministries, namely Ministry of Home affair, Ministry of foreign affairs, Ministry of finance, Ministry of Religion, Ministry of Law and human rights, Ministry of transport, Ministry of labor (previously ministry of labor and transmigration), Ministry of social affairs, Ministry of health, Ministry of Education and culture (formerly Ministry of education), Ministry of tourism (previously ministry of Culture and tourism), Ministry of communication and informatics, State Ministry of development planning/Director of National Planning Board, State ministry of Youth and sport, Chief of Indonesian national Police, Supreme Judge, Director of National Body of Migrant worker placement and protection, Director of State Intelligence Body, and Head of Central Statistic body.

**TABLE 6: STRUCTURE AND IMPLEMENTATION
COORDINATION MECHANISM OF ATTF**





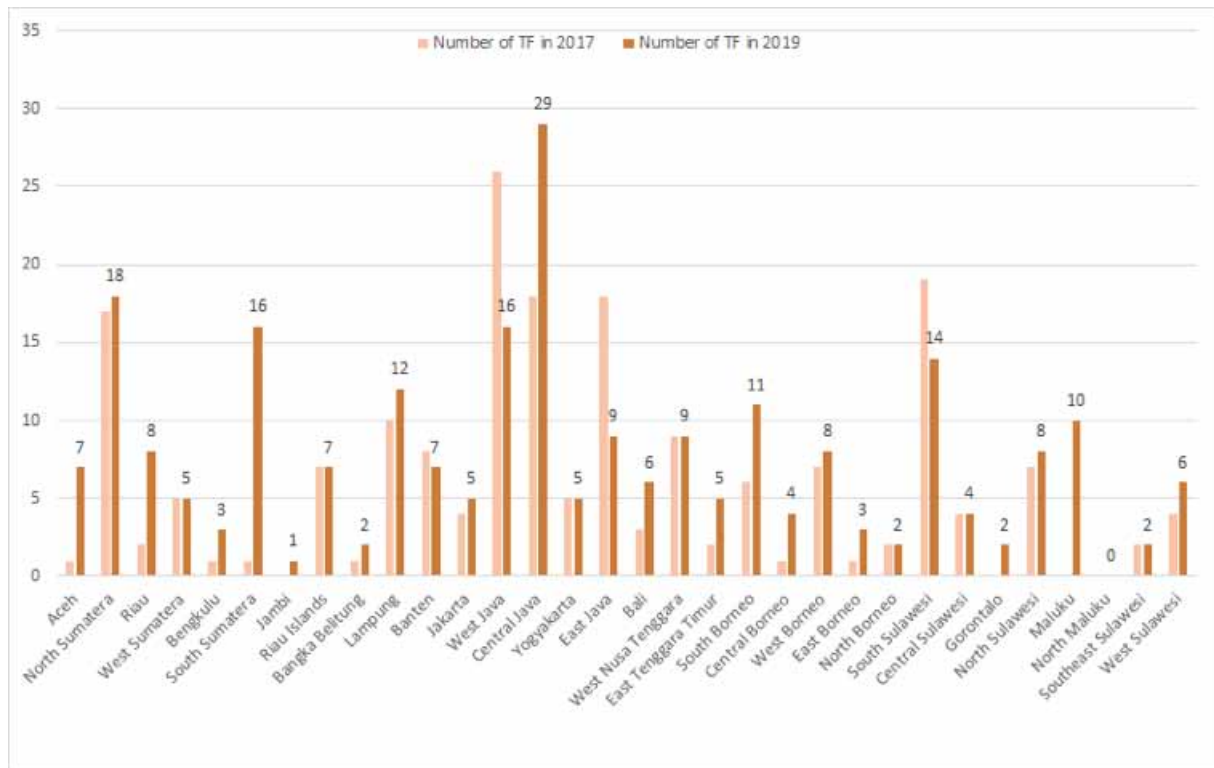
Task force is aided by Secretariate work unit. This work unit is led by secretariate head, who functionally is responsible to the central Task Force and administratively responsible to the Minister. The task Force had the following task:

- Coordinate the efforts of prevention and address of TIP.
- Conduct advocacy, socialization, training, and collaboration, in national as well as international level;
- Monitor the development of implementation of victim protection including rehabilitation, return and social integration;
- Monitor the development of law enforcement; and
- Conducting report and evaluation.

To assure synergy and sustainability of integrated measures to eradicate TIP, National TF, Provincial TF and Sub-provincial TF conducts direct coordination and connection to the related bodies and other stakeholders to formulate policies, program, and activities, in the form of National Action Plan, and sub-national action plan.

Sub-national level ATTF had been established in 32 provinces and 245 sub-province/municipalities. The distribution can be seen in Graph 1. The chart shows that in some province of origin and transit and destination of TIP, there is a decrease of number of sub-province TF (West Java, East Java and South Sulawesi).

CHART 1: NUMBER OF ATTF



The result of ATTF institutional evaluation conducted by ministry of Women Empowerment in 2018 showed that there are still 27% Task Force that lacks Sub Task Force, only around 36% provincial and sub-provincial ATTF possess sub-national action plan, and around 45.7% does not have budget allocation. Other general challenge faced by Task Force are the minimal TIP data in their region, inadequate coordination, and less trained Human Resources. With such conditions, it is very difficult to expect that provincial and sub-province Task Force to be able to carry their duties well.

Thus, the role of Ministry of home affairs is expected to monitor the progress of ATTF in sub national level. The Ministry of home affairs, in strengthening the sub-national Task Force had issued the regulations as follows

1. Regulation of Minister of Home Affairs Number 98 Year 2018 on Sub-national development Information System;
2. Regulation of Minister of Home Affairs Number 33 year 2017 om Guidance for sub-national 2018 budgetting;
3. Regulation of Minister of Home Affairs Number 86 year 2017 on procedures for sub national development planning, control and evaluation, Procedures for long term and Medium term sub national development plan, and the procedures for changes

on long term, medium term sub-national development plan, and sub national government work plan; and

4. Regulation of Minister of Home Affairs number 110 year 2017 on the supervision policies of 2018 sub-national government implementation.



The National level ATTF have relatively better condition, having National Action Plan for TIP eradication and funding support. Nevertheless the coordination between Task Force members should be improved and there should be review on Task Force member to be improved to meet the change situation.

prevention

CHAPTER 2



Ministry of Education and culture assumes

the role as coordinator at the Sub Task Force, for prevention, with support of Ministry of foreign affairs, Ministry of communication and Informatics, Ministry of Social affairs, and Ministry of Tourism.



The goal is to increase the prevention of TIP.

Indicators:

1. The number of Technical Policies prepared for the prevention efforts which was carried out through compiling technical guidelines on prevention efforts, and formulating policies related to the prevention of Trafficking In Persons (TIP)
2. The number of trained Human Resources for the prevention of TIP which was carried out through debriefing activities for candidates of Consular Officers at the Indonesian representative offices, activities on training and on increasing the capacity of Human Resources and other stakeholders, and activities on training and increasing the capacity for Law Enforcement personnel, community, religious, and indigenous leaders, and service agency officers.
3. The number of Information Education and Communication materials prepared in an effort to prevent TIP are done through compiling and disseminating Information Education and Communication products and other promotional materials in both print and electronic media.
4. The number of models compiled for the prevention of TIP at the national level through the formation and development of prevention models, the formation of Community Watch at the village level, and the formation of TIP Task Force at the village level.

2.1 Achievements

In terms of achievements in the prevention of TIP, the Ministry of Education and Culture through the Secretariat of the Directorate of Family Education Development, Directorate General of Early Childhood Education and Community Education as Chair of the Prevention Sub-Task Force together with members consisting of 49 Ministers/Institutions, had performed various tasks, among others:

1. Mapping cases of criminal trafficking in persons, including sexual exploitation of children.
2. Developing a model for the prevention of the crime of trafficking in persons, including sexual exploitation of children.
3. Community education on family resilience.
4. Facilitating the realization of children's participation in the prevention of TIP, including sexual exploitation of children.

Taking steps for Program implementation, The Ministry of Education and Culture had implemented efforts, among others:

1. Improve coordination and integrate programs/activities with members of Prevention Center Sub-Task Force.
2. Establishing partnership with Anti-TIP organizations and actor in National as well Sub-national levels.
3. Providing Training for Trainer candidates to the 20 target districts/cities.
4. Strengthening the role and resilience of the family.
5. Providing training to local stakeholders and encouraging them to carry out TIP prevention action program.
6. Develop facilities for Information and Education Communication including Norms, Standards, Procedures, and Criteria (NSPC), learning sources, and films.
7. Disseminate good prevention practices through family education.

The program targets are:

1. Representatives of Elementary School Principal Working Group at district/city level.
2. Representatives of School Principal Forum (MKKS) for Junior High School and High School/Vocational School at the sub-district or district/city level.

3. Representatives of Student Parents' Association/school committee at all educational levels in selected districts (Junior High School and High School/Vocational School).
4. Representatives of students and student organization from Junior High School and High School/Vocational School levels and their companions, preferably Counseling Teachers.
5. Representatives of the management of youth organizations/scouts/ youth organization.
6. Representatives of subdistrict and village/urban village government (Heads of Neighborhood and Hamlet).
7. Religious and community leaders.
8. Management of social/religious organization/social institutions.
9. Representatives of Family Welfare Development/other relevant organizations.
10. Managers of Non-Formal Education Institutions, including the Community Learning Activity Center (PKBM), Course and Training Institute (LKP), Smart House, and Collaborative Learning Center.
11. Representatives of relevant Early Childhood Education Programs and Community Education's partner organizations.
12. Private College Forum (BMPS) that organizes private school administrators at the district/city level.

During the 2015-2019 period, the Ministry of Education and Culture published various books that were used as materials for the dissemination of TIP prevention. From a number of these publications, among others are as follows:

1. What, Why, and How to Prevent TIP.
2. Parent Education Series: Prevention of the TIP.
3. Book of the TIP.
4. Education and Prevention of TIP and Sexual Exploitation in Schools.
5. Life Skills Education Book.
6. Parent Education Series Book: Come on! Recognize Sexual Exploitation of Children.
7. Guidelines for the Socialization of the Prevention of the TIP and Child Sexual Exploitations.
8. Handbook for Central and Local Public Involvement in the Prevention of TIP.

The Information and Education Communication Program is distributed through the Mobile Library owned by the Karawang District Government. Further outreach on Prevention Model to youths in North Central Timor District, East Nusa Tenggara Province. Further outreach at the Scientific Work Training Center of Kediri City, East Java Province. Further outreach to the women of Family Welfare Development of Taman Baloi Urban Village, Batam City, Riau Islands Province. Further outreach at Cooperative Vocational School, Pontianak City, West Kalimantan Province.

TIP Prevention Programs through family and community involvement in education units, consisting of activities: attending meetings organized by the Education Unit; joining Parents/Guardian class; become a resource person in activities in the Education Unit; and play an active role in year-end class performance activities. This activity is carried out in 20 (twenty) district/city. This program is carried out by parents, by providing and increasing religious understanding to children; improving partnership and communication with school and the community to protect children from TIP; and getting to know children more closely and understanding the problems that are being faced in the family.

Information are conveyed to children and teenagers, so that they are not easily tempted by promises of easy money; they are aware of the fraudulent methods perpetrated by TIP actors; and they know the requirements to work both at home and abroad.

FIGURE 2: 2017 – 2019 TIP PREVENTION PROGRAM LOCUS



Source: The Ministry of Education and Culture, 2019

There are 20 partners of the Ministry of Education and Culture in the TIP prevention program, including: PKA Nias with target of Gunung Sitoli City, YPKM in Serdang Bedagai District, Bina Mandiri Foundation in Batam City, Yayasan Melati in Subang District, Bahtera Foundation in Bandung District, Terung Le Foundation in South Minahasa, Indonesian Social Observer Foundation in Majalengka District, Kakak Foundation in Pati District, LP2D Blitar in Trenggalek District, LP3T2A Malang in Ponorogo District, KPS2K in Tulungagung District, Lentera Anak Bali Foundation in Karangasem District, Panca Karsa Association in East Lombok District, Kabar Bumi of West Sumbawa Branch in Sumbawa District, Tapen Bikomi Foundation in Malaka District, Nusa Bunga Abadi Foundation in Belu District, JPIT in South Central Timor District, Nusantara Social Solidarity Foundation in Sanggau District, Asa Puan in Sambas District, and Aisyah Primary and Secondary Education in Nunukan District.

TABLE 7: 2019 DISTRICT/CITY PRONE TO TIP LOCUS

NO	INSTITUTION	TARGET AREA
(1)	(2)	(3)
1.	PKPA Nias	Gunung Sitoli City
2.	YPKPM	Serdang Bedagai District
3.	Bina Mandiri Foundation	Batam City
4.	Melati Foundation	Subang District
5.	Bahtera Foundation	Bandung District
6.	Terung Le Foundation	South Minahasa District
7.	Indonesian Social Observer Foundation	Majalengka District
8.	KAKAK Foundation	Pati District
9.	LP2D Blitar	Trenggalek District
10.	LP3TP2A Malang	Ponorogo District
11.	KPS2K	Tulungagung District
12.	Lentera Anak Bali Foundation	Karangasem District
13.	Panca Karsa Association	East Lombok District
14.	Kabar Bumi West Sumbawa Branch	Sumbawa District
15.	Tapen Bikomi Foundation	Malaka District
	Nusa Bunga Abadi Foundation	Belu District
17.	JPIT	South Central Timor District
18.	Nusantara Social Solidarity Foundation	Sanggau District
19.	Asa Puan	Sambas District
20.	Aisyah Primary and Secondary Education	Nunukan District

Source: Ministry of Education and Culture, 2019

The Ministry of Education and Culture conducts training and improvement on the capacity of human resources and stakeholders in various regions, including:

1. TIP Prevention Workshop in West Nusa Tenggara on February 2018. This workshop was attended by 80 people, representatives from Provincial Education Office, District/City Education Office, Junior High School, High School/Vocational School Supervisors, partners of the Non-Formal Education Units (Satdik PNF), and other elements from 10 provinces and 32 district/city.
2. Technical orientation for 20 organizations receiving TIP Prevention Program assistance in Jakarta in March 2018.
3. Training for TIP Prevention Facilitator Candidates with 20 participants from partner institutions in Tangerang on April 2018.
4. Capacity building for 3,000 stakeholders from village level government officials, teachers and student representatives, youth organizations, social/religious organizations, social/religious leaders, and representatives of student parents in 20 district/city in 10 provinces.
5. National publications of five packages of educational books for parents, good practices, technical instructions, implementation manuals, and short films.
6. Local publications of 20 packages of Information and Education Communication Materials, containing contain documentary films, leaflet, poster, banner, billboards, and radio/TV talkshow scripts by partner institutions in 20 district/city in 10 provinces.
7. The establishment of the prevention of TIP in the form of further outreach to youths, students, parents, and community members.

Another significant achievements in the prevention of TIP is the effort made by the Indonesian Police by sending telegrams to all Provincial Police Chiefs to provide directions in carrying out TIP prevention in their respective jurisdiction.

Another achievement was from the Ministry of Foreign Affairs with efforts to prevent TIP as follows:

1. Compiling 5 packages of technical guidance on prevention efforts during 2015-2019.

To standardize the quality of service and protection, the Ministry of Foreign Affairs published 71 technical Standard Operational Procedures (SOP) related to the protection of Indonesian citizens/Indonesian Legal Entities, obtained ISO 9001: 2015 certification in the field of Services and Protection of Indonesian citizens/Indonesian Legal Entities abroad, and built the Integrity Zone Towards a Corruption Free Area.

Within the framework of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime regional cooperation, in 2017, the Regional Support Office of the Bali Process has compiled a guideline that aims to assist first referral recipients, law enforcers, as well as immigration and border officials dealing with victims of child trafficking. This guidelines can help officers understand the primary needs of child victims of trafficking, protect them from dangers, and turn the children over to someone who can help them further. This guidelines also raises things that should be considered in conducting interviews.

2. Conduct training for assistants and services for victims of TIP.

Within the framework of Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime regional cooperation, the total number of Regional Support Office (RSO) activities since 2016 to 2019 reached around 60 activities. In this regards, there are 43 countries with 1,409 participants who have participated in RSO programs, consisting of governments, business groups, international organizations, and civil society groups.

3. Conducting outreach to the community/Working Group about TIP.

Community empowerment is carried out, among others, through Public Awareness Campaign through print/electronic media in several regions in Indonesia as part of preventive efforts, early detection, and education to the public, especially in Indonesian Migrant Workers areas. The empowerment aims to garner community support in efforts to protect Indonesian citizens abroad, including encouraging the realization of a safe migration process.

Next, the Ministry of Communication and Information Technology conducts TIP prevention programs, including:

1. Synergize with community organizations in providing education to the public about Information Communication Technology (ICT) in 33 provinces and 145 district/city.
2. Through Pandu Desa¹², overseeing the village to be technology literate.
3. Training of apparatus in technology literacy.
4. The formation of Creative Cyber Team totaling 80 agencies from ministries and non-governmental organizations.
5. Child Online Protection's efforts include installing parental tools in technological devices.
6. Programs to block sites or contents containing racial and pornographic contents or TIP with community complaints and to collect clean websites to be distributed to schools.

The prevention of TIP is not only pursued by the Ministry of Education and Culture, but also by the Ministry of Labor. The steps taken by the Ministry of Labor are in the protection areas for Indonesian Migrant Workers (IMW). The protection towards IMW is carried out before work – all activities to provide protection from registration to departure; during work – all activities to provide protection since IMW and their family members are abroad; and after work – all activities to provide protection from the time Indonesian migrant workers and their family members arrive at the debarkation in Indonesia until they return to their places of origin, including further services to become productive workers.

¹² Scouting movement that combines community and village empowerment activities by maximizing the use of information technology and utilization.

IMW protection¹³ includes: prospective IMW - every Indonesian worker who qualifies as a job seeker who will work abroad and is registered with the district/city government agency responsible for Labor affairs; IMW - every Indonesian citizen who will, is currently, or has been doing work by accepting efforts outside the territory of the Republic of Indonesia; PMI's family - husband, wife, children, or parents, including relationships due to court decisions, whether residing in Indonesia or living with IMW abroad.

Requirements for working abroad¹⁴ are 18 years of age, physically and mentally healthy, registered with the district/city One Stop Integrated Service/Labor Office, social security, competence, and complete documents (Article 5 Law No. 18/2017). In essence, IMW needs 4 (four) readiness, namely: physically and mentally ready, documents readiness, readiness for language, culture, and customs of the country of destination, and skills/competencies readiness.

The Ministry of Labor still prohibits the placement of IMW to (Ministry of Labor Decree No. 260/2015)¹⁵ : Saudi Arabia, Algeria, Bahrain, Iraq, Kuwait, Lebanon, Morocco, Mauretania, Egypt, Oman, Palestine, Qatar, Sudan, Syria, Tunisia, United Arab Emirates, Yemen, and Jordan.

¹³ IMW Protection Concept (Law No. 18/2017) - The state does not mobilize but facilitates prospective Migrant Workers (not recruited, but registers) - IMW as an active subject - social security through the National Social Security System Scheme, High criminal sanctions against lawbreakers, migrant workers cannot be burdened with placement fees, optimizing the role of the central and regional governments and villages, preferring protection (competence as the main requirement).

¹⁴ Completeness of the prospective IMW/IMW documents (Article 13 ((18/2017): certificate of marital status, for those who are married attach a copy of the marriage book; certificate of husband or wife permission, parental consent or guardian's permission known to the village head or village head; work competency certification; health certificate based on the results of medical examinations and psychologists; passports issued by the local immigration office; work visas; Indonesian migrant worker placement agreements; and work agreements.

¹⁵ Requirements for the country of destination for IMW placement: have laws and regulations that protect foreign workers, have a written agreement between the government of the country of placement destination and the Indonesian government, and have a social security and/or insurance system that protects foreign workers.

TABLE 8: IDENTIFICATION OF TIP POTENTIAL WITH LABOR MODE

No.	Actors	TIP Actors
(1)	(2)	(3)
1	IMW sponsor/broker	Lying to prospective IMW regarding working conditions or providing documents with false information (for example: age, occupation, given a down payment)
2	IMW Recruiting Agent	Accommodate or force people to do work they do not want to do (for example: sex work), accommodate without documents
3	Government Personnel	Falsifying documents, breaching recruitment or helping to cross the borders illegally, passing ineligible IMW, changing age, status, address
4	Relatives	Selling children, making contracts for their children for exploitative works, help falsify documents, etc.

Source: The Ministry of Labor, 2019

Furthermore, the achievements of the Ministry of Labor in preventing TIP, include:

1. The formulation of Act Number 18 of 2017 on Protection of Indonesian Migrant Workers which was ratified on October 25th, 2017 through the Indonesian House of Representatives' Plenary Session and promulgated on November 22nd, 2017, the State Gazette of the Republic of Indonesia Number 242 of 2017, and Supplement to the State Gazette of the Republic of Indonesia Number 6141, which replaced Act No. 39 of 2004 on the Placement and Protection of Indonesian Migrant Workers Abroad. This law provides a new paradigm in the protection of Indonesian Migrant Workers (PMI) which positions Indonesian Migrant Workers as subjects, no longer as objects, and gives a greater role to the government and reduces the role of the private sector in the placement and protection of IMW.
2. Issued Ministerial Regulation as implementing regulations of Act number 18 of 2017, which regulate the Protection of Indonesian Migrant Workers, including:

- Regulation of the Minister of Labor of the Republic of Indonesia No. 18 of 2018 on the Social Security of Indonesian Migrant Workers
 - Regulation of the Minister of Labor of the Republic of Indonesia No. 9 of 2019 on Procedures for Placement of Indonesian Migrant Workers.
 - Regulation of the Minister of Labor of the Republic of Indonesia No. 10 of 2019 on Procedures for Granting Company Permits for Placement of Indonesian Migrant Workers
 - Regulation of the Minister of Labor of the Republic of Indonesia No. 17 of 2019 on the Termination and Prohibition of Placement of Indonesian Migrant Workers
3. Preparing Government Regulations and Presidential Regulations that as implementation rules for Act Number 18 Year 2017, together with related Ministries /Agencies, namely:
- Draft of Government Regulation on Procedures for the Placement of Indonesian Migrant Workers;
 - Draft of Government Regulation on the Implementation of Protection for Indonesian Migrant Workers;
 - Draft of Government Regulation on Placement and Protection of Migrant Trading Ship Crew and Migrant Fishing Ship Crew;
 - Draft of Presidential Regulation on the Indonesian Migrant Workers Protection Agency issued through Presidential Regulation Number 90 of 2019 concerning the Indonesian Migrant Workers Protection Agency;
 - Draft of Presidential Regulation on the Duties and Authorities of the Labor Attaché.
4. Forming a Non Procedural IMW Prevention Task Force in 21 embarkation and disembarkation locations, namely North Sumatra, Tanjung Balai, Batam, Riau Islands, Dumai, East Tanjung Jabung, Jakarta Special Capital Region, Banten, West Java, Solo, Central Java, East Java, Bali, South Kalimantan, West Kalimantan, Nunukan, North Sulawesi, Central Sulawesi, Pare-Pare, West Nusa Tenggara, and East Nusa Tenggara. In 2020, the Task Force membership will be increased to 22 locations, with the following duties and functions:
- coordinate with stakeholders and related agencies for efforts to prevent Non-procedural IMW;
 - conduct outreach in order to anticipate the non-procedural placement/

- departure of IMW;
 - Follow up on all reports of information from the public regarding indications of IMW non-procedural placement/departure;
 - Facilitate the prevention and resolution of problems related to IMW departures in a non-procedural manner (conducting unannounced inspections based on public reports).
 - Conduct an early warning before IMW Candidates leave for the placement country so that the Non Procedural IMW Candidate departure can be prevented.
5. Preventing the Nonprocedural placement of Indonesian Migrant Workers to 12,757 IMW candidates at 21 embarkation and disembarkation locations, with details:
 - Prevented 1,584 Non-Procedural IMW candidates in 2015;
 - Prevented 1,310 Non-Procedural IMW candidates in 2016;
 - Prevented 1,151 Non-Procedural IMW candidates in 2017;
 - Prevented 3,106 Non-Procedural IMW candidates in 2018; and
 - Prevented 5,606 Non-Procedural IMW candidates in 2019.
 6. Developing a Productive Migrant Village Program (Desmigratif) at the location of the Indonesian Migrant Worker Base in 402 villages involving 682 Desmigratif officers, with the distribution of:
 - In 2016: 2 IMW Base Villages in 2 Districts, 2 Provinces;
 - In 2017: 100 IMW Base Villages in 50 District/City, 20 IMW Base Villages in 10 District/City in East Nusa Tenggara;
 - In 2018: 30 IMW Base Villages in 65 District/City, 20 IMW Base Villages in 10 District/City in East Nusa Tenggara;
 - In 2019: 50 IMW Base Villages in 75 Districts.
 7. Collaboration with the International Labor Organization, through the ILO Safe and Fair program. This program is a program of "Service Mapping and Needs Assessment for the Development of the Migrant Resource Center (MRC) Model for Improving the Protection of the Rights of Women Migrant Workers and Their Families in their Regions of Origin (3 regions: Tulungagung, Cirebon, and East Lampung)". This mapping aims to ensure that the MRC model in Indonesia as a country of origin and the services provided by the Migrant Resources Center are right on target according to the regional context and the needs of women migrant workers and their families: Employment information, pre-employment

counseling, official authorized information related to safe and regulated (procedural) migration procedures, legal aid services, case complaints, case handling, psychological counseling, strengthening/mentoring village services, strengthening IMW groups at the level village (organizing), and services others needed by IMW and their families.

8. Encourage and provide assistance for the establishment of One-Stop Integrated Services (LTSA). There are 32 LTSA and 10 LTSA that have been formed and operated until 2019, and 10 LTSA are in the process of being built and 2 are in the upgrading process.
9. Distributing leaflets, brochures, advertisements, and videos on the flow of placements as a medium for disseminating information to the public.
10. Conducting outreach to Candidate IMW, Village Apparatus, Provincial/District/City Apparatus and related stakeholders.
 - a. In 2015: 63 locations divided into:
 - 5 Provinces, namely East Java, West Java, West Nusa Tenggara, South Sulawesi, and Lampung.
 - 58 locations were in district/city, namely: Kulon Progo, Central Lombok, Demak, Ponorogo, Blitar, Ngawi, Tabanan, Gianyar, Sukabumi, Brebes, Bantul, Sampang, Pamekasan, Kupang, Sumenep, Jember, Madiun, Trenggalek, Kabumen, Ciamis, Garut, Kerawang, Labuhan Batu, Tasikmalaya, Purwakarta, Gunung Kidul, Sleman, East Tj. Jabung, Salatiga, South Tangerang, Kerawang, Lamongan, Magetan, Malang, Nganjuk, Wonosobo, Tegal, Pemalang, Bogor, Jepara, Bima, Kuningan, Sumbawa, Magelang, Pati, West Sumbawa, North Lombok, Purworejo, Semarang, Rembang, Blora, Bangkalan, Kudus, Jombang, Mojokerto, Tangerang Kota, Batang, with 18,900 participants from the elements of the Labor Office and the community.
 - b. In 2016, 3 Districts, namely: Sumenep, Gianyar, and Kendal.
 - c. In 2017: 6 Districts, namely: Karawang, Tasikmalaya, Kebumen, Sleman, Bantul, and Brebes.
 - d. In 2018: 2 Provinces, namely West Java and Central Java, as well as 1 District, namely Sikka.
 - e. In 2019: 3 Provinces, namely Banten, Lampung, and East Java as well as 5 Districts, namely Banyumas, West Bandung, Pati, Blitar and Bulukumba.

11. Cooperation Agreement between the Ministry of Labor and several Ministries and Institutions (Ministry of Law and Human Rights, Ministry of Foreign Affairs, Ministry of Religion, National Agency for Placement and Protection of Indonesian Workers, Coordinating Ministry for Political, Legal and Human Rights) on Prevention and Handling of Non Procedural Indonesian Migrant Workers in 2017. The purposes and objectives of this Cooperation Agreement are as follows:

- a. As a joint effort in the context of preventing and handling Non-procedural Indonesian Migrant Workers in a coordinated and integrated manner
- b. Realizing the placement of Indonesian Migrant Workers in accordance with the provisions of laws and regulations

The scope of this Cooperation Agreement includes:

- a. Exchange of data and information;
- b. Cooperation in development and system integration;
- c. Socialization/dissemination/publication;
- d. Document verification and validation;
- e. Patrol in land and sea border areas;
- f. Departure supervision

12. Technical Guidance for 682 officers in the migration offices in the Desmigratif program in 405 villages of IMW base district/city.

Next, in preventing TIP, the National Board for the Placement and Protection of Indonesia Overseas Workers (BNP2TKI) took several actions, including:

- 1. Socialization of the Placement and Protection of Indonesian Workers abroad, including:
 - a. Socialization of policies for the placement and protection of Indonesian Workers with relevant agencies in Banda Aceh (100 participants) consisting of: BNP2TKI, Aceh BP3TKI, Aceh Provincial Labor Office, Immigration Office, Population and Civil Registry Office, Health Service, Police, Vocational Training centers, the Implementer of the Placement of Indonesian Workers in Private Sector (PPTKIS), Health Facilities and Insurance.
 - b. Socialization of Opportunities for Foreign Work and Safe Migration with

strategic partners in 110 locations (200 people/location) with a total number of 22,000 participants, consisting of: community, job seekers, religious leaders, community leaders, village officials. This activity was carried out in the provinces of Aceh, North Sumatra, West Sumatra, Riau, Bengkulu, South Sumatra, Lampung, Banten, Special Capital Region of Jakarta, West Java, Central Java, East Java, West Nusa Tenggara, East Nusa Tenggara, South Sulawesi, Central Sulawesi, and Papua.

- c. Socialization of the Placement and Protection of Indonesian Workers in collaboration with other relevant agencies/NGOs in 20 locations (100 people/location), with a total number of 2,000 participants, consisting of: the community, job seekers, and families of IMW, religious leaders, community leaders, and village apparatus. Activities carried out in the provinces of Lampung, Banten, Special Capital Region of Jakarta, West Java, Central Java, East Java, West Kalimantan and Central Kalimantan.
 - d. Socialization of the Placement and Protection of Indonesian Workers through the media of cultural arts in 30 locations (500 people/location), with a total number of participants of 15,000 people, consisting of: the community, job seekers, and families of Indonesian Migrant workers, religious leaders, community leaders, and village officials. This activity was carried out in the Provinces of Lampung, Banten, West Java, Central Java, and East Java.
 - e. Socialization of the Placement and Protection of Indonesian Workers through Thematic Student Community Service (KKN) in collaboration with universities, at 6 colleges (1,000 people/college) with a total number of participants of 6,000 people, with participants: Field Supervisors, Student participants, community, religious leaders, community leaders and village officials. This activity was carried out in the provinces of Lampung (Unila), Banten (UIN Serang), Central Java (Wahid Hasyim University Semarang), East Java (Unair), West Nusa Tenggara (UIN Mataram), and East Nusa Tenggara (Uncen).
2. In order to provide ease of placement services for IMW, BNP2TKI has established LTSA since 2014. This service involves several agencies, namely: District/City Labor Office, BP3TKI/LP3TKI/P4TKI, Immigration, Population and Civil Registry Service, Health Facilities, Banking, and Insurance, in 24 locations, namely: Mataram in 2014, Surabaya (2015), Nunukan, Yogyakarta, Gianyar and Indramayu (2016), Surabaya, Sambas, Central Lombok, Cirebon, Sumbawa, Cilacap, and Sukabumi (2017), and Entikong, East Lombok, Pati, Karawang, Subang, Tulungagung, Brebes, Kendal, Tanjung Pinang, Batam,

West Lombok, and Banyuwangi (in 2018)..

3. Through the Decree of the Head of BNP2TKI No. Kep. 39/KA/III/2018 dated March 20th 2018, 30 villages were designated as locations for the Community of Migrant Worker Families (KKBM) for 2018 (see Table 7 which has been accumulated with the 2017 KKBM), with the following functions.

- a. disseminating information on the Procedure for Placement and Protection of Indonesian Migrant Workers Abroad;
- b. information on job opportunities abroad;
- c. providing advocacy and assistance on prospective IMW or Troubled IMW; and
- d. empowerment of ex IMW.

KKBM development received appreciation from the Ministry of Foreign Affairs by giving the “Hassan Wirajuda IMW Protection Award (HWPAA)” Award for the Category of Regional Government in Awarding Letmafo Village, Central Insana District, North Central Timor District, East Nusa Tenggara (2018) and Lontar Village, Serang District, Banten Province (Year 2019).

TABLE 9: LOCATION DISTRIBUTION OF THE COMMUNITY OF MIGRANT WORKERS FAMILIES OF 2017-2018

No.	Working Area (Province)	District/ City	Sub District	Village
(1)	(2)	(3)	(4)	(5)
Lampung	East Lampung	Metro Kibang	Margototo	
		Sekampung	Giriklopomulyo	
		Purbolinggo	Taman Endah	
		South Lampung	Palas	Bumi Daya
		Central Lampung	Bangun Rejo	Tanjung Jaya
		Pesawaran	Kedondong	Kedondong
		Banten	Pandeglang	Sobang
Lebak	Sajira		Sukarame	
Tangerang	Kemiri		Legok Sukamaju	
Serang	Pontang		Domas	
	Tirtayasa		Lontar	

No.	Working Area (Province)	District/ City	Sub District	Village
(1)	(2)	(3)	(4)	(5)
West Java	West Java	Subang	Pusakajaya	Pusakajaya
		Purwakarta	Bojong	Pesanggrahan
		Indramayu	Sukra	Sukra
			Sliyeg	Majasih
		Karawang	Cilamaya Wetan	Sukakarta
		Cirebon	Kepatakan	Pegagan Kidul
		Majalengka	Lemah Sugih	Suka Jadi
		Kuningan	Cigugur	Cigadung
		Sukabumi	Kebon Pedes	Kebon Pedes
		Sumedang	Ujung Jaya	Ujung Jaya
		Garut	Bayongbong	Salah Kutray
Central Java	Central Java	Pati	Gembong	Semi Rejo
			Pucakwangi	Mojoagung
		Banyumas	Sumbang	Banteran
		Sragen	Gesi	Tanggan
		Kendal	Ringinarum	Ringinarum
		Wonosobo	Selomerto	Krasak
		Batang	Bawang	Getas
			Tersono	East Rejosari
		Semarang	Pringapus	Candirejo
		Grobogan	Karan Krayung	Termas
		Cilacap	Sidareja	Sidareja
			Nusawungu	Karangtawang
East Java	East Java	Banyuwangi	Gambiran	Wringin Rejo
		Jember	Ambulu	Karanganyar
		Lamongan	Solokuro	Sugihan
		Sumenep	Guluk-Guluk	Bragung
		Blitar	Garum	Tawang Sari

Source: BNP2TKI, 2018

The Ministry of Women's Empowerment and Child Protection implements several efforts, including:

1. Forming a Community for the Prevention and Handling of the TIP Community Watch. (TIP-CW)

TIP-CW is a TIP prevention model at the grassroots level that involves community participation, such as traditional leaders, religious leaders,

community leaders, village/urban village heads, Family Welfare Program (PKK) members, Karang Taruna youth organizations, NGOs, educators, and students. TIP-CW was formed to raise public awareness and concern for TIP practices around it. In addition, to increase the effectiveness of prevention and handling of TIP from the upstream, considering that most cases of TIP start at the village level, while the ATTF institution only reaches the district/city level.

The process of establishing CW was facilitated by a local NGO, which had previously been active and had a concern for the prevention and handling of TIP. These NGOs were jointly selected by the Ministry of Women Empowerment and Child Protection' provincial and district/city Women Empowerment and Child Protection offices. Its duties include proposing the location of the CW village, selecting a change agent (champion), conducting socialization and training to increase the understanding of village officials, communities, and CW change agents about TIP prevention. The formation of CW does not always have to form a new institution at the village level, but can use existing community institutions such as the Citizen Shelter in Makassar City, PATBM, Balai Perempuan KPI, and others, which can be enriched with the substance of ATTF. The Regent /Mayor further confirms the agents of change with a Decree (SK), as a form of appreciation for their willingness to contribute to preventing and dealing with TIP

CW was initiated in 2016 and until 2019 it has been formed in around 502 villages with a total of 937 agents of change.

TABLE 10: DATA FOR THE ESTABLISHMENT OF COMMUNITY FOR THE PREVENTION AND HANDLING OF TIP (TIP-CW)

Year of Establishment	Number of sub-province	Number of Village	Number of Agent of Change
2016	5	67	250 people
2017	16	115	781 people
2018	31	320	1.681 people
Total	52	502	2.712 people

The direct impact can be seen from the CW model, increasing early community awareness of TIP cases, reporting to law enforcement officials, and accompanying victims in prosecution and rehabilitation processes. In addition, CW members are also actively involved in the Development Plan Forum (Musrenbang), encouraging the village/sub district government to allocate village funds to support CW's work in the village/sub district.

2. Compile and disseminate various Information Education and Communication materials in the form of pocket books on the Prevention and Handling of TIP, short films about TIP for the purpose of sexual exploitation and the modus operandi for migrant workers, leaflets, standing banners, etc.
3. Carry out campaigns to eradicate the crime of trafficking in persons in several areas with high TIP cases, such as Banten, East Nusa Tenggara, North Sulawesi, with around 1,500 participants in each location. The campaign is also carried out in special activities such as commemorating the World Day against TIP every July 30th, with a series of discussions, seminars and general competitions.
4. Publishing a Training Module for Mental Strengthening of Prospective Indonesian Migrant Workers in 2018. In addition, a Capacity Building Training was held for 300 prospective female migrant workers who came from pockets of migrant workers. Thus, since 2016, 900 women IMW candidates have been trained.
5. The Integrated Service Center for the Empowerment of Women and Children (P2TP2A) has increased service coverage for women victims of violence and TIP, which are spread across 34 provinces and 390 districts/cities. Likewise, the presence of the Car for the Protection of Women and Children (MOLIN) and the Motorcycle for the Protection of Women and Children (TORLIN) are strongly felt in preventing and handling cases of violence and TIP in 34 provinces and 209 sub-provinces.
6. Standardization of documentation and reporting of Violence and TIP cases using Online Information system for Protection of Women and Children (SIMFONI PPA) as one of the effort to improve the quality of documentation and reporting service. The existence of SIMFONI PPA is to ensure availability of data on violence and TIP cases reported online, that can be accessed by all

service unit for violence victims in the national, provincial and sub-provincial level, in real time and accurate manner. Other effort of MoWECP through 3rd party is establishing ISO-9001 certification to 36 P2TP2A across Indonesia.

7. Signing of MoU between origin and destination and transit areas of TIP, and preparation of skilled Women Migran labor through the program of excellent Indonesian Women. In this activities, 300 Indonesian Migrant Worker got mental strengthening.

Further, Ministry of Law and Human rights through the directorate general of Immigration, for the sake of preventing TIP, issued the circular of Directorate General of Immigration Number IMI-0277.GR.02.06 2017 on prevention of non-procedural Indonesian migrant workers. Based on the circular, the Directorate General of immigration during 2017-2019 had delayed issuing 18,591 passports (89.15%) and 2,262 (10.85%) departure postpone on the Immigration checkpoints, to Indonesians, allegedly being non procedural Indonesian Migrant workers.

TABLE 11: NUMBER OF DEPARTURE POSTPONE IN IMMIGRATION CHECKPOINTS IN 2017-2019

No	Form	2017		2018		2019		Total	
		Σ	%	Σ	%	Σ	%	Σ	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	Denial of Passport issuing to Indonesian allegedly being non procedural IMW	5.960	85,44	6.397	93,59	6.234	88,53	18.591	89,15
2	Postpone of departure of non-procedural IMW in Immigration checkpoint	1.016	14,56	438	6,41	808	11,47	2.262	10,85
Total		6.976	100	6.835	100	7.042	100	20.853	100

Source: Directorate General of Immigration, Ministry of Law and Human Rights, 2019

Directorate General of Immigration conducted Evaluation and monitoring of TIP prevention at 56 Immigration offices, and 8 Indonesian consulate abroad, and during the period of 2016-2019, and conducted briefing/coordination/dissemination of TIP handling in 15 sub-provinces during Period 2017-2019.

Independent organizations and non-government organization being active in the ATTF during 2015-2019, are amongst: Indonesian Commission for Child Protection (Komisi Perlindungan Anak Indonesia/KPAI), Indonesian Broadcasting commission (Komisi Penyiaran Indonesia/KPI), National Motivator for Family Groups (Tim Penggerak PKK Pusat), Kabar Bumi, Muslimat NU, Aisyah, Badan Musyawarah Organisasi Islam Wanita Indonesia (BMOIWI), Jarak, and Yayasan Kesejahteraan Anak Indonesia (YKAI).

All achievement of Sub-Task Force of prevention refers to 2015-2019 ATTF National Action Plan. Nevertheless, there are still programs that had not optimally fulfill the targets, amongst are:

1. Formulation of policies related to prevention, of which two activities expected annually.
2. Conduct training and capacity building for law enforcement, Community figures, Religious figures, indigenous figures, NGO and service organization personnels, expected five packages annually.

2.2 Challenges and Problems

During 2015-2019, Prevention of TIP still faces various problem and challenges, amongst are:

1. ATTF Information Communication and Education materials has not considered and emphasized local culture and wisdom.
2. TIP Information Communication and Education materials are still limited and had not referred to TIP field moda, that allways changes.
3. The synergy and coordination between stake-holders of TIP prevention had not been optimal.
4. Commitment of sub-national government to replicate the community participation model (good-practices) in effort to prevent TIP is not yet optimal.
5. Limited budget allocation for TIP prevention, even one of the region have minus, specially as there are amalgamation of offices, and sub-national prioritas, which occurs also in national level, such as in the case of Directorate General of Immigration.
6. Grand design for TIP prevention strategy had not been established.
7. Evaluation of the effectiveness of TIP prevention efforts had not been conducted.

2.3 Recommendation

Considering the above mentioned challenges and problems, to enable optimal TIP prevention, the following points are needed:

1. Information related to the Indonesian Migrant workers placement and protection should be disseminated to people in the villages of Indonesian Migrant workers bases.
2. Education on TIP should be expanded to villages, involving more organizations, religious and indigenous institutions, and village groups.
3. Develop the Desmigratif program in all the Indonesian Migrant workers base villages throughout Indonesia.
4. Develop productive entrepreneurship in the Indonesian Migrant workers base villages to improve village economy, thus preventing the inhabitant to seek work abroad.
5. Replication of Desbumi or Desmigratif and community watch by sub-national government, as an effort to build resilient village.
6. Utilizing ICT for prevention and coordination of TIP through channels/ portal.
7. Capacity building for media actors and journalists with the approach of victim protection.
8. Documentation and publication of good practices as reference for sub-national entities to develop program and policies on TIP prevention.
9. Disclosing modes and motives of officials involved in non-procedural Indonesian Migrant workers placement in immigration check points.
10. Thoroughly investigate and firmly sanction TIP syndicate that send Indonesian Migrant workers abroad outside proper procedures (Projustitia).

handling

CHAPTER 3

● **Health rehabilitation handling** is supported by Health Rehabilitation Sub Task Force through Directorate General of Public health as the lead of Sub Task Force.

3.1 Health Rehabilitation

Health rehabilitation is supported by health rehabilitation sub task force through Directorate of health rehabilitation as the leader of sub task force consisting: Director general of Health Services, Directorate general of prevention and control, Ministry of Women empowerment and Child Protection (Deputy of Gender equity, Deputy of Women's rights protection, Deputy of Child Protection, Deputy of child growth and development, Deputy of community participation), Ministry of finance (Directorate General of Budget), Ministry of Development planning/National Planning Body (Deputy of Human Development, Society and Culture), Directorate of National Health Assurance, Director of Center for medical and health of Indonesian National Police, Director of integrated service center of national state hospital (Cipto Mangunkusumo Hospital), Director of Indonesian Doctors Association, Director of Indonesian midwife association, Director of Indonesia Pediatrician Association, Director of Indonesian Planned Parenthood Association, Director of Karya Dharma Kesatuan Indonesia, Director of Indonesian Hospital Association, Director of Indonesian Nurse association.



Sub Task Force of Health Rehabilitation mandate is to develop integrated service center, standardization of Health Rehabilitation service, Capacity development, budget allocation, monitoring and evaluation and guidance.



The aim of Health Rehabilitation sub task force is to improve Health Rehabilitation services for TIP victims.

Indicators:


1. The number of Community health centre capable of governance on Violence to women and Children (Ktp/A) and Integrated Service Center/Integrated crisis center in Hospitals on the handling of Ktp/A, including TIP through dissemination and advocacy to establish community health centre of governance on Violence to women and Children and Integrated Service Center/Integrated crisis center in Hospitals on the handling of Ktp/A in province level referral hospitals, minimal of 4 community health centre in each sub-province and 1 Ktp/A Hospital in sub-province, coordination meeting with KtP/A network/offices, including TIP, and integrated guidance in the province to strengthen KtP/A, including TIP.
2. Number of trained health personnel, capable of handling KtP/A victims, including TIP in community health centre and PPT/PKT in Hospitals through training and TOT on health service for KtP/A and TIP victim, Capacity building activities for health personnels as counselor in the health services facilities for TIP and KtP/A cases and training activities for health personnel in Port Health office in handling TIP.
3. Number of special room for KtP/A and TIP services in the provincial referral and entry point hospital and number of hospital with integrated service center in sub-provinces through the activities of providing infrastructure and facilities of special room for KtP/A and TIP services in the provincial referral and entry point hospital and number of hospital with integrated service center in sub-provinces
4. Number of Provinces having reporting and registry system in provincial referral hospital in entry point, Hospital with Integrated Service Center in sub-province, and Community health centre capable of CtW/C governance, through establishment of

documentation and report format, in every health service facilities, activities of developing documentation and reporting system for KtP/A and TIP for all provinces, including in entry point areas, skill building activities for trained personnels as leaders for data processing program in the health services facilities, and the availability of integrated KtP/A and TIP data for obtaining health services.

5. Integrated Monitoring and Evaluation on handling KtP/A and TIP through preparation of integrated format/questionnaire for monitoring and evaluation in the province and sub-province and furnishing monitoring evaluation of province and sub-province program activities.

3.1.1 Achievement

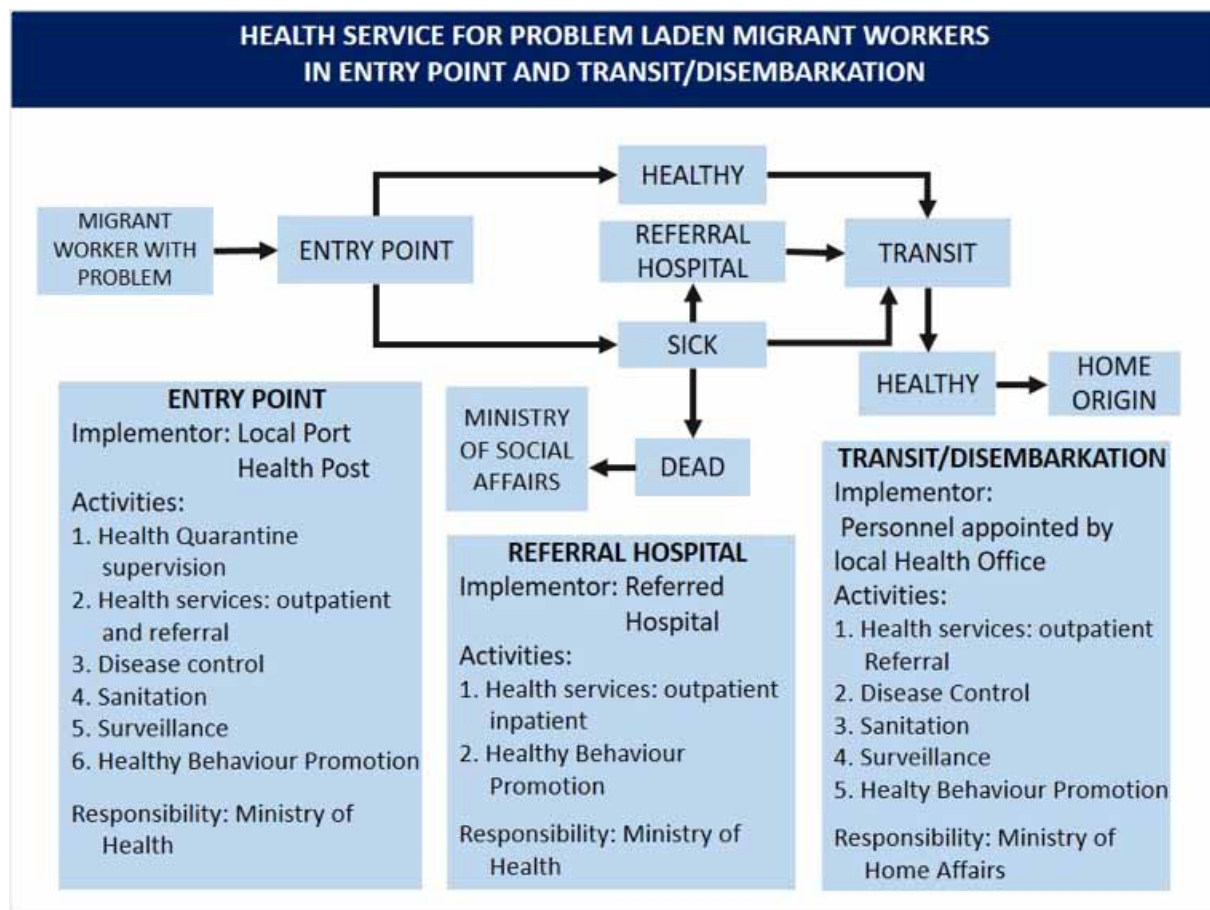
The efforts of Health Rehabilitation is to provide Holistic health services, ranging from Promotion, Prevention, cure, and rehabilitation. Health Rehabilitation efforts for TIP victims belongs to overarching efforts of Prevention and handling of Violence to Women and Children, and TIP involves is a cross program efforts. Standard of Health services for the victims of KtP/A and TIP in the health service facilities comprise of (i) promotion and prevention: (a) Communication, Information and Education; (b) counselling; and (c) Family and community empowerment; (ii) Medical cure: (a) Medical examination (anamneses, physical examination); (b) Mental status examination; (c) Supporting examination; (d) Medical administration; (e) medic legal; (iii) Rehabilitation: (a) Recovering body biological function; (b) Preventing further biological and mental dysfunction; (c) Handling of victim and perpetrator psychology; (d) Psychosocial; and (iv) Referral: Multi sector and Multi-disciplinary network.



Health Rehabilitation for TIP victim/witness, especially for Troubled IMW is done starting at the entry point. The services is provided by local port health office. The activities are amongst: (i) supervision of health quarantine; (ii) health services: outpatient and referral; (iii) Disease control; (iv) Environment sanitation; (v) Surveillance; and (vi) Health Promotion for Clean and healthy life behavior. The appointed referral hospital conducts varied activities, amongst are: (i) health services: outpatient and inpatient; (ii) Health Promotion for Clean and healthy life behavior.

Meanwhile, services in the transit/disembarkation services are done by Community health center appointed by local health office. The activities are amongst: (i) health services: outpatient and referral supervision of health quarantine; (ii); Disease control (iii) Environment sanitation; (iv) Surveillance; and (v) Health Promotion for Clean and healthy life behavior. The work-flow of Health services for TIP victim including Troubled IMW are conducted according to Technical Guidelines of Health Services for IMW, as shown in the following figure.

**FIGURE 3: HEALTH SERVICES FOR TROUBLED
INDONESIAN MIGRANT WORKER**



Source: Directorate General of P2PL Ministry of Health, 2010

For Health rehabilitation services to TIP victims, currently there are 2,465 Community health center capable of KtP/A governance, 320 Hospitals capable of KtP/A governance, 71 Hospitals having PPT/PKT and 33 mental hospitals. Apart from this, 24 Hospitals, 17 Port Health Office, 1 in-patient community health center had been appointed as health service referral for Troubled IMW returning from abroad, including those who are TIP victims, as shown in the following table.

TABLE 12: COMMUNITY HEALTH CENTERS CAPABLE OF KTP/A AND TIP GOVERNANCE

No	Province	Number of Community Health Centers
(1)	(2)	(3)
1	Aceh	68
2	North Sumatera	136
3	West Sumatera	46
4	Riau	50
5	Jambi	43
6	South Sumatera	88
7	Bengkulu	96
8	Lampung	117
9	Bangka Belitung Islands	25
10	Riau Islands	44
11	Jakarta	41
12	West Java	179
13	Central Java	262
14	Yogyakarta	31
15	East Java	108
16	Banten	133
17	Bali	44
18	West Nusa Tenggara	29
19	East Nusa Tenggara	284
20	West Borneo	97
21	Central Borneo	31
22	South Borneo	18
23	East Borneo	60
24	North Borneo	14
25	North Sulawesi	84
26	Central Sulawesi	40
27	South Sulawesi	63
28	Southeast Sulawesi	25
29	Gorontalo	21
30	West Sulawesi	10
31	Maluku	76
32	North Maluku	35
33	West Papua	31
34	Papua	36
	Indonesia	2465

Source: Directorate General of Public Health, Ministry of Health, 2018

TABLE 13: HOSPITALS CAPABLE OF KTP/A INCLUDING TIP GOVERNANCE

No	Province	Number of Hospitals
(1)	(2)	(3)
1	Aceh	4
2	North Sumatera	20
3	West Sumatera	7
4	Riau	10
5	Jambi	1
6	South Sumatera	13
7	Bengkulu	13
8	Lampung	6
9	Bangka Belitung Islands	4
10	Riau Islands	8
11	Jakarta	8
12	West Java	20
13	Central Java	45
14	Yogyakarta	9
15	East Java	33
16	Banten	7
17	Bali	9
18	West Nusa Tenggara	2
19	East Nusa Tenggara	15
20	West Borneo	3
21	Central Borneo	2
22	South Borneo	2
23	East Borneo	10
24	North Borneo	3
25	North Sulawesi	3
26	Central Sulawesi	16
27	South Sulawesi	5
28	Southeast Sulawesi	6
29	Gorontalo	2
30	West Sulawesi	0
31	Maluku	11
32	North Maluku	11
33	West Papua	8
34	Papua	4
	Indonesia	320

Source: Directorate General of Public Health, Ministry of Health, 2018

TABLE 14: LIST OF HEALTH SERVICE FACILITIES FOR TROUBLED INDONESIAN MIGRANT WORKERS FROM ABROAD

Port Health Post (PHP) and Transit (1)	Hospitals and treatment Health Centre (2)
<ol style="list-style-type: none"> 1. First Class PHP Medan 2. First Class PHP Batam 3. First Class PHP Tanjung Priok 4. First Class PHP Soekarno Hatta 5. First Class PHP Surabaya 6. First Class PHP Makasar 7. Second Class PHP Tanjung Balai Karimun 8. Second Class PHP Tanjung Pinang 9. Second Class PHP Pontianak 10. Second Class PHP Tarakan 11. Second Class PHP Semarang 12. Second Class PHP Bandung 13. Second Class PHP Mataram 14. Third Class PHP Dumai 15. Third Class PHP Jambi 16. Third Class PHP Pangkal Pinang 17. Third Class PHP Kupang 18. Transito Kota Tanjung Pinang 	<ol style="list-style-type: none"> 1. PGH* H. Adam Malik Medan 2. SPGH* Pringadi Medan 3. SPGH KH Daud Arief Kuala Tungkal Jambi 4. SPGH Dumai Riau 5. SPGH Tanjung Pinang 6. SPGH Tanjung Balai Karimun 7. PGH Otorita Batam 8. PGH Persahabatan Jakarta 9. SPGH Cengkareng Jakarta 10. SPGH Koja Jakarta 11. Infectious Disease Hospital Sulianti Saroso Jakarta 12. Police Hospital Sukanto Jakarta 13. Psychiatry Hospital Soeharto Hoerdjan Jakarta 14. PGH Kariadi Semarang, Central Java 15. PGH Soetomo Surabaya, East Java Timur 16. SPGH Soedarso Pontianak, West Borneo Kalimantan 17. SPGH Sanggau, West Borneo 18. RSUD Nunukan, East Borneo 19. RSUD Tarakan, East Borneo 20. RS Atma Husada Samarinda, East Borneo 21. PGH Wahidin Sudirohusodo Makasar, South Sulawesi 22. SPGH Mataram, West Nusa Tenggara 23. SPGH RSUD Prof Dr WZ Johannes Kupang 24. SPGH Bau, Southeast Sulawesi 25. Inpatient health center, Entikong, North Borneo
*) PGH: Provincial General Hospital, SPGH: Sub-Province General Hospital	

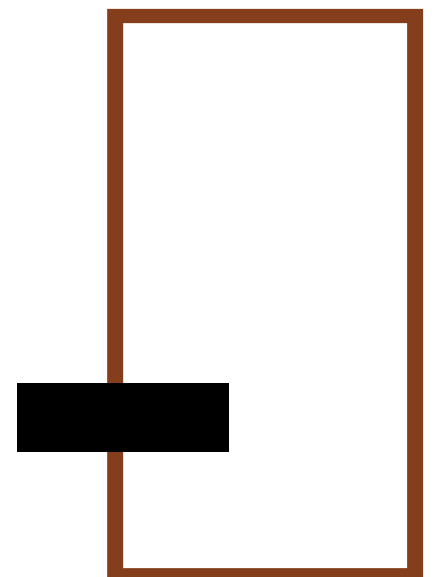
Source: Directorate General of Public Health, Ministry of Health, 2018

Advocacy and dissemination for establishment of minimal 4 Community health center Capable of KtP/A governance in each sub-province, and establishment of minimal 1 PPT/PKT in provincial referral hospital in each sub-province, had been conducted in 34 provinces. Apart from this, there had also been capacity building for health personnel since 2015 to 2019, to enable health personnel to provide governance, counselling and referral on KtP/A cases including TIP. As an effort to accelerate increase of health services capable of KtP/A governance, in 2019 a ToT module had been created for health services for KtP/A and TIP victims, so that sub-national entities can independently conducts training using de-concentration or sub-national budget. ToT for Provincial level facilitators would be gradually conducted between 2019-2021.

Integrated technical guidance for the management strengthening of KtP/A and TIP programs are conducted in 2018-2019, in the pilot locations for KtP/A and TIP, namely sub-province of Cirebon, Province of West Java.

For the capacity building in TIP handling of health personnel in Port Health centers, training of psychiatric emergency had been conducted for health personnel in 17 provinces.

Expenses regarding victim/witness of TIP, specially Troubled IMW, can be catered by ministry of Health with criteria: treated in the Troubled IMW, referred with referral letter from Port Health office, no PJTKIS Insurance, based on statement from BNP2TKI, and only for emergency lifesaving cases, while non-emergency cases follows existing rules. Claim is submitted in on going year through verification from ministry of Health.



Ministry of Health support the efforts of TIP prevention, by ensuring that IMW candidate departs in healthy, ready for work condition, through standardized health examination. To secure standardized health examination, Ministry of Health had:

1. Set the standard of health examination for IMW candidate through Decree of minister of health number 29 year 2013.
2. Set the standard fee of health examination for IMW candidate through Decree of minister of health number 26 year 2015.
3. Set the standard criteria of facilities and procedures for IMW candidate health examination and

4. Develop Health information system for IMW candidate, and barcode implementation on health, work worthiness certificate for IMW candidates.

At the moment, ministry of health is promoting development and strengthening of health program, especially in IMW pocket areas, such as program of Integrated NCD guidance post (Pembinaan Terpadu Penyakit Tidak Menular/Posbindu PTM), Work Health efforts post (Pos Upaya Kesehatan Kerja/Pos UKK), handling of people with mental problems, addressing TB, stunting and malnutrition, as a support to the Desa Migran Produktif/Desmigratif) Program from ministry of labor.

Reviewing the achievement of health Rehabilitation STF, referring the indicators, program, and target set on the 2015-2019 ATTF National Action Plan, some program remains yet not optimal, amongst:

1. KtP/A and TIP case data integration, due to the lack of harmony of legislation that supports data input to the PPA Simfoni application.
2. Prepare integrated format/questionnaire for integrated implementation monitoring in sub-national level.
3. Reporting of integrated monitoring and evaluation on program implementation at the sub province level.

3.1.2 Challenges and Problems

Problems and constraints on the provision of Health Rehabilitation to TIP victims and witnesses are amongst:

1. Insufficient commitment sub-national level commitment to activities related to improvement of Health Rehabilitation services to victims of KtP/A and TIP.
2. Exclusion of Health service due to violence crime, sexual crime, terrorism crime, and TIP, form national health insurance based on Presidential rule number 82 year 2018 on Health Insurance;
3. Every unit in the Ministry/State bodies have their own perspective in handling TIP issue, and cross program/sectoral communication had not went well, leaving program integration of the TIP KtP/A handling not optimal;
4. The lack of strong overarching law in the Health services integration through Simfoni PPP application, obstructing health service data input into Simfoni PPA due to legal confidentiality of patient medical record;
5. Documentation and reporting of KtP/A by personnel at the health facilities is

- not yet optimal;
6. Lack of monitoring and evaluation format as instrument for data and information collecting to be used as baseline for the reporting of activity implementation in the sub-province level;
 7. inter region coordination for TIP handling are not yet optimal, despite that TIP cases are often inter-region in nature.

3.1.3 Recommendation

The Plans for 2020 are:

1. ToT training on health services for KtP/A and TIP victims in 8 provinces, followed by cascaded sub-national training;
2. Establishment of governance algorithm, on health services for sexual violence victims;
3. Increase cross program, cross sectoral cooperation in the health services and coordination of KtP/A and TIP network, including integrated technical guidance;
4. Increase the role of Ministry of Women Empowerment and Children Protection, and it's sub-national work units, in coordination with relevant bodies/networks related to KtP/A and TIP;
5. Creation of evaluation and monitoring format as data and information gathering tool, for the sake of implementation report in sub-national level;
6. Increase the coordination in the protection and health services for IMW, including provision of pocket-book, and Information, communication, education on migrant worker health, and producing guidance on health protection efforts for IMW;
7. Optimalization of non budgetary sources funding for the improvement of health rehabilitation for the TIP victims.

3.2. Social Rehabilitation, Repatriation, and Reintegration

Ministry of Social affairs as the coordinator with the support of BNP2TKI and the support of Deputy of Women and children protection of Coordinating ministry of Finance, Directorate general of Protocol and Consulates of Ministry of Foreign affairs, Directorate General of Budgeting of Ministry of foreign affairs, Deputy of human development and culture of National Development Planning Board, Directorate General of air transport, Directorate General of Land transport, Directorate General of sea transport, Directorate General of Trains, Directorate general of regional autonomy, Directorate general of supervision of labor, ministry of labor, Directorate general of poultry, directorate general of food plant, directorate general of domesticated fisheries, Security Division of Police, Deputy of Women and children Protection Ministry of Women Protection and Child protection, Deputy of protection of BNP2TKI, Director of Indonesian Psychology association, Bandung Wangi, APJATI, Yayasan Kabar Bumi, Yayasan Kesejahteraan Anak Indonesia, Directorate general of Poor people of Ministry of social affairs, Deputy of human resource development of ministry of cooperatives and small-medium enterprises.



The aim of Social Rehabilitation sub task force is to improve the social rehabilitation service for TIP victims.

Indicators:

1. Increase of social rehabilitation services for TIP victims, with indicators:
 - a. Number of victims obtaining services through activities of providing protection safe houses (RPTC, RPSA, RPSW) in the national/ sub-national level, activities of service and protection services for TIP victims abroad, and activities of facilitating case investigation report for TIP victims in Indonesian consulates.

- b. Number of institution that provide services through acceptance of victim referral and giving victim referral and the activities of increasing the number of citizen service system in non-citizen service Indonesian consulates.
 - c. Number of human resources being trained through activities of Social Rehabilitation to TIP victims, activities of case assistance (related to legal process), activities of training to assistance personnel, and activities of training on TIP activities victim identification for officials and staffs of Ministries of foreign affairs.
2. Conducting repatriation service for TIP victims with indicators:
- a. Number of victims repatriate to their origin location safely, through activity of victim repatriation from incident location to victim's origin/ from overseas to Indonesia and activities of providing assistance to TIP victim.
3. Improving social reintegration services for TIP victims with indicators:
- b. Number of victims obtaining social reintegration assistance through activities of providing skills training for TIP victims, activities of self-reliance business assistance, activities of PKSA assistance.
 - c. Number of victims accepted by their surrounding community, through activities of assistance facilitation, activities of campaign to community/ work group on TIP, activities of facilitating preparation of families/ surrogate families, and activities of reintroducing victims to formal/ informal education.

3.2.1 Achievements

Rehabilitation¹⁶, repatriation¹⁷, and reintegration¹⁸ to TIP victims had many progress. The measures taken by government in handling rehabilitation, repatriation, and reintegration are also supported by NGOs.

Ministry of foreign affairs collected cases data of 60 incidences on Indonesian TIP victims overseas during 2015-2019, 12 cases each year. Updating of Indonesian

¹⁶ The process of recovering the function and development to enable one to perform social function properly in the social life.

Citizens are done through implementation of Indonesian Citizens service and protection in Indonesian consulates based on Peduli WNI Portal. The Peduli WNI Portal system had been implemented in full feature configuration by 92 Indonesian consulate through technical guidance activities, to officials and staffs of Indonesian Consulates, and 126 Indonesian consulates had implemented the self-report feature through the portal.

Ministry of foreign affairs had also provided services and protection for TIP victims overseas and facilitated TIP victim case investigation report in the Indonesian consulate. During 2015-2019, Ministry of foreign affairs had handled 1, 975 TIP victims in various countries. East and South East Asia 802 cases; Middle east 858 cases; Africa 858 cases; Oceania 35 cases; Europe 33 cases; and South and central Asia 12 cases. From the whole data the highest rank in TIP case numbers are People's Republic of China (283), Syria (178), United Emirate Arab (176), and Saudi Arabia (83).

Other Efforts done by BNP2TKI:

1. Accepted TIP victim cases during 2015-2019, there were 865 cases of sick IMW, consist of 281 people (32,49%) in 2015, 223 (2.78%) in 2016, 171 (19.77%) in 2017, 109 (12.60%) in 2018, and 81 (9.36%) in 2019.
2. Providing assistance to the result of IMW candidate sweeping during the period of 2015-2019, total of 1,212 people, consisting of 259 people (21.37%) in 2015, 622 people (51.32%) in 2016, 147 people (12.13%) in 2017, 156 people (12. 87%) in 2018, and 28 people (2.31%) in 2019.
3. Improve the social reintegration services for TIP victims, BP2TKI facilitated the assistance of each victims during the period 2015-2019.

Ministry of Social affairs through the director of rehabilitation for the homeless and TIP

¹⁷ Process of bringing home TIP victim to the home origin country/location or to family/surrogate family, bases on the intention or consent of the victim, while remaining focused to protection services compliant to victim rights.

¹⁸ Process of economic and social recovery and inclusion, after experience of trafficking, in which the victim then become capable of life navigation, and along the recovery process, the victim proceed to he future including safe residence, access to adequate livelihood, mental and physical wellbeingness, opportunities for self, social and economic development, and access to emotional and social support.

victim, compiles the problems faced in TIP victim rehabilitation, repatriation, and social reintegration into the following categories: (i) Women TIP victims experiencing sexual violence; (ii) TIP and Violence Victims needing basic rehabilitation; (iii) Indonesian Migrant TIP victim from Malaysia; (iv) Violence victims that had regained social functions; and (v) TIP victim Indonesian Migrants that had been repatriated to their origin locations. The five problems had been handled with targets and achievement as in the following table.

TABLE 15: REHABILITATION, REPATRIATION, AND SOCIAL REINTEGRATION PROGRAM IN THE YEAR 2019

No (1)	Problem (2)	handling (3)	Target (4)	Achievement (5)	Location (6)
1	Women TIP victims experiencing sexual violence	Social Rehabilitation in Women Social safe house (RPSW)	35	40	
2	TIP and Violence Victims needing basic rehabilitation;	Social Rehabilitation in Trauma Center Safe House (RPTC)	750	898	
3	Indonesian Migrant TIP victim from Malaysia	Repatriation of Indonesian Migrant TIP victims indicated to be victim of TIP in Malaysia through Tanjung Pinang and Pontianak Shelter to origin	7.000	7.175	Origin province
4	Violence victims who had regained social functions	Purpose Assistance (BanTu) For Violence victims through productive economic business (UEP)	300	300	Malang, Sumedang, Sinjai, Bulukumba
5	TIP victim Indonesian Migrants that had been repatriated to their origin locations.	Social guidance through stimulant provision	2.500	3.710	15 districts or cities

Source: Ministry of Social Affairs, 2019

Social guidance program for TIP victim Indonesian Migrants through stimulant aid provision for 3,710 people in 15 sub-provinces, is one of the social integration program. This program emphasize on empowerment and assistance to repatriated TIP victim Migrants. This program is conducted by social welfare organizations (SWO). The program is aimed at economic strengthening for economic self-reliance of the TIP victims Indonesian migrants.

The most numerous assistance is done by SBMI of East Lombok in West Nusa Tenggara, of 500 people (13.48%); followed by Mawar Persada, in Majalengka sub-province, West Java 350 people (9.43%); Perkumpulan Panca Karsa (PPK) in Mataram, Central Lombok, West Nusa Tenggara 340 people (9.16%); Madura Idea Foundation, Sumenep sub-province, East Java 300 people (8.09%); Asa Puan, Sambas Sub-province, West Borneo 250 people (6.74%); Madura Idea Foundation, Pamekasan sub-province, East Java 250 people (6.74%); Mawar Bilqis, Cirebon sub-province, West Java 250 people (6.74%); Rumah Perempuan, Kupang sub-province, East Nusa Tenggara 250 people (6.74%); and others in the following table.

**TABLE 16: SOCIAL GUIDANCE TO TIP VICTIMS
INDONESIAN MIGRANTS**

No	Social Welfare Organization	Province	Sub-province	2018	2019
(1)	(2)	(3)	(4)	(5)	(6)
1	SBMI East Lombok	Nusa Tenggara Barat	East Lombok		500
2	Mawar Persada	West Java	Majalengka	250	350
3	Perkumpulan Panca Karsa (PPK) Mataram	West Nusa Tenggara	Central Lombok		340
4	Madura Idea Foundation	East Java	Sumenep		300
5	Asa Puan	West Borneo	Sambas		250
6	Madura Idea Foundation	East Java	Pamekasan		250
7	Mawar Bilqis	West Java	Cirebon	250	250
8	Rumah Perempuan	East Nusa Tenggara	Kupang		250
9	Pah Timor	East Nusa Tenggara	North Central Timor	250	
10	Kabar Bumi TTS	East Nusa Tenggara	South Central Timor	250	

No	Social Welfare Organization	Province	Sub-province	2018	2019
(1)	(2)	(3)	(4)	(5)	(6)
11	Future The Timor	East Nusa Tenggara	Malaka		210
12	Intan Cendekia	West Java	Garut		200
13	Lembaga Pengembangan Perempuan Desa	East Java	Blitar		180
14	Gema Kasih Karunia Foundation	East Java	Kediri		180
15	Perkumpulan Panca Karsa (PPK) Mataram	West Nusa Tenggara	East Lombok Barat		150
16	Darul Hikmah Care	West Java	Bandung (district)		150
17	Perserikatan Perempuan Kepala Keluarga	West Java	Cianjur		150
18	Sakura Foundation	West Java	Bogor	250	
19	SBMI Cianjur	West Java	Cianjur	250	
20	SBMI Sukabumi	West Java	Sukabumi	250	
21	SBMI Banten	West Java	Banten	250	
22	SAPA BANDUNG	West Java	Kab. Bandung	250	
23	LRC KJEHAM	Central Java	Semarang	250	
24	Kabar Bumi	Central Java	Cilacap	250	
25	Migran Care	Central Java	Kebumen	250	

Sourcer: Ministry of Social affairs, 2019

Social guidance in 2018, are conducted in the form of awareness campaign for safe migration in the areas of high overseas migration, and areas of largest IMW origin. The aim of the activities is so that after being repatriated, the IMW are not trapped again in the TIP circuit, and giving understanding of procedures for safe migration. The social integration program in 2019, is given in the form of business capital assistance stimulant, and briefing of safe migration.

Ministry of Social Affairs, through Trauma center safe house (Rumah Perlindungan Trauma Center/RPTC) during 2015-2019 handled 498 violence victims (8.29%), 2,541 TIP victims (42.03%), 3,007 TIP victim Indonesian women (49.74%) orang. Especially in 2019, there are 737 TIP victims (57.89%), there are more victims socially rehabilitated RPTC than previous years which averages between 350-510 victims per year.

TABLE 17: DATA OF VICTIMS OBTAINING SOCIAL REHABILITATION IN RPTC

No	Year	RPTC					
		KTK		TIP		Women	
		number	%	number	%	number	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	2015	103	6,72	510	33,29	919	59,99
2	2016	50	4,93	339	33,40	626	61,67
3	2017	81	6,26	465	35,94	748	57,81
4	2018	103	11,05	490	52,58	339	36,37
5	2019	161	12,65	737	57,89	375	29,46
Total		498	8,24	2541	42,03	3007	49,74

Source: Ministry of Social affairs, 2019

Client handling in Trauma Centre Safe House (RPTC) are conducted based on cases categories of Domestic Violence, Rape, Sexual harassment, Abandonment, Children of TIP victim, and Psychological violence. There are 205 cases of domestic violence, 7 cases of rape, 9 cases of abandonment, 2,490 cases of TIP, 41 children of TIP victim, and 241 cases of physical violence, thus total of 3,643 clients receiving Social rehabilitation services in the RPTC the last 5 years.

TABLE 18: TRAUMA CENTRE SAFE HOUSE CLIENT BY CASE

Violence type	YEAR										Total
	2015		2016		2017		2018		2019		
	F	M	P	L	P	L	P	L	P	L	
Domestic violence	31	7	30	14	12	2	10	2	93	4	205
Rape	3	0	2	0	0	0	0	0	2	0	7
Sexual harassment	0	0	0	0	3	0	17	16	0	0	36
Abandonment	10	8	0	1	0	0	0	0	0	0	19
TIP	209	244	266	73	338	127	436	54	660	83	2490
Child of TIP Victim	1	3	0	2	9	5	3	2	9	7	41
Psychological Violence	34	63	0	1	20	30	28	25	11	29	241
Total	288	325	298	91	382	164	494	99	775	123	3039

Source: Ministry of Social affairs, 2019

There is an increase of variety on the ever changing modes violence and TIP. The cases that become public attention are the case of order bride, Fishing ship crew, and child prostitution. TIP also occur in the fishery sector, in which RPTC also handles cases of ship-crew indicated to experience slavery in the offshore fishing ship. The ship crew experience multi exploitation i.e. insufficient salary, extended working hours, insufficient rest time, physical and psychological violence, improper food, which causes death, and their body thrown into the sea. These are harrowing incident, taking broad public attention.

Other cases under broad public attention are, order bride, child prostitution in Jakarta Apartment, and TIP in fishery sector as ship-crew in Chinese fishing boat. The pattern of women trafficking had been known in the age of slavery, had now prevailed in various forms such as prostitution, cheap labor, forcing women to be a beggar, drugs selling. The current trend being order bride, the victims are lured by promises of easy luxurious living, and facilities provision.

The factors that pushes women into order bride are poverty, family disharmony, promise of luxurious living, with affluent wealth and money, minimal work, and chance to periodically go back to their home origin. These cases had absorbed public attention as these cases had massive coverage in newspapers as well as electronic media.

The chain of the case can be broken by prevention campaign, educating the people to be careful in deciding safe migration. The case of Long Xing 629 ship crew who died and disposed in the sea, had drawn public attention, indicating there are still many exploitation and TIP cases in the fisheries sector. Up to the moment there are still ship crews of 20-30 years age, in social rehabilitation at the trauma center safe house (RPTC) in Bambu Apus.

During onboard the ship, they are exploited with extended working hours, rest time of only 3 hours, unpaid wages, wages are not compliant to the contract, and inhuman treatment by the captain of the ship and other ship crew, and improper food condition. There are 239 TIP victims handled in RPTC, the most are from Malaysia around 37.24%, followed by Syria 20.50%, Abu Dhabi 12.97%, China 8.37%, Turkey 4.6%, while the rest are from coming from Philippines, Arab Saudi, Taiwan, Singapore, India, Morocco, South Korea, Hong Kong, Oman, and Iraq.

TABLE 19: DATA INDONESIAN EMBASSY SENDING TIP VICTIMS REHABILITATED IN BAMBU RPTC

No.	Origin Country	2017	2018	2019
(1)	(2)	(3)	(4)	(5)
1.	Ind. Embassy in Malaysia	107	72	89
2.	Ind. Embassy in Damascus	49	22	49
3.	Ind. Embassy in Tahiti	13		
4.	Ind. Embassy in Colombo	6		
5.	Ind. Embassy in Beijing	4		
6.	Ind. Embassy in Kuwait	4		
7.	Ind. Embassy in Rabat	4		
8.	Ind. Consulate in Riyadh	4	4	6
9.	Ind. Embassy in Cairo	2		
10.	Ministry of foreign affairs Abu Dhabi	1		31
11.	Ind. Embassy in Beirut	1		
12.	Ind. Embassy in Vietnam		11	
13.	Ind. Embassy in Egypt		7	
14.	Ind. Embassy in Turkey		6	11
15.	Ind. Embassy in Bahrain		5	
16.	Ind. Embassy in Africa		5	
17.	Ind. Embassy in Abu Dhabi		4	
18.	Ind. Embassy in Sudan		3	
19.	Ind. Embassy in Iraq		3	1
20.	Ind. Embassy in China		2	20
21.	Ind. Embassy in United Emirate Arab		1	
22.	Ind. Embassy in Singapore		1	5
23.	Ind. Embassy in Hong Kong			2
24.	Ind. Embassy in India			5
25.	Ind. Embassy in South Korea			3
26.	Ind. Embassy in Morocco			4
27.	Ind. Embassy in Philippines			7
28.	Ind. Embassy in Oman			1
29.	Ind. Embassy in Taiwan			5
		195	146	239

Source: Ministry of Social affairs, 2019

There are 65,487 Troubled Indonesian Migrant Workers being repatriated from Malaysia from 2015-2019, consisting of the most in 2016, 19,985 people (30.52%) followed by 2015 of 17,833 people (27.23%), 2017 of 15,534 people (23.72%), 2019 of 7,175 people (10.96%), and least 2018 of 4,960 people (7.57%).

TABLE 20: REPATRIATION OF TROUBLED INDONESIAN MIGRANT FROM MALAYSIA BY YEAR

No.	Year	People	%
(1)	(2)	(3)	(4)
1	2015	17,833	27,23
2	2016	19,985	30.52
3	2017	15,534	23.72
4	2018	4,960	7.57
5	2019	7,175	10.96
	Total	65,487	100

Source: Ministry of Social affairs 2019

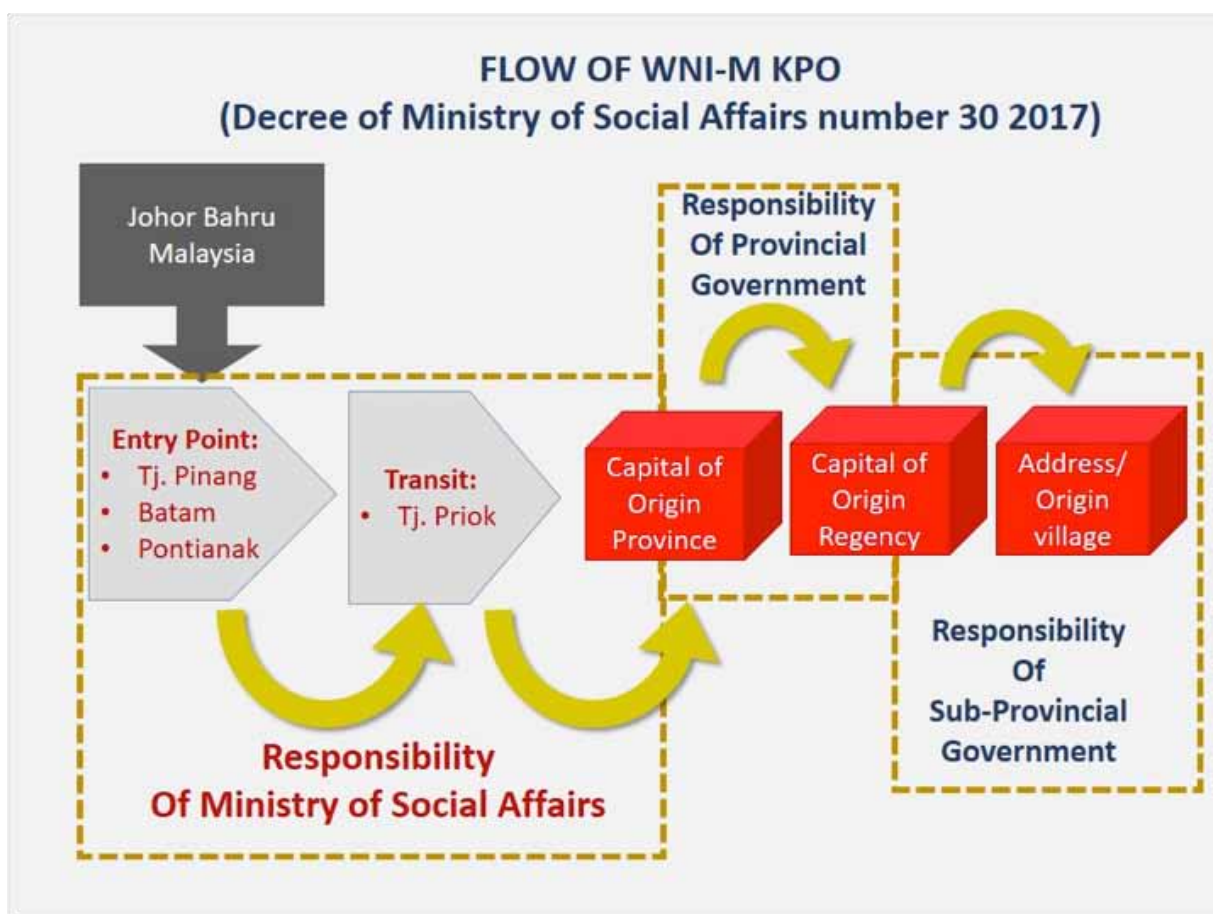
Ministry of Social affairs is responsible for Troubled Indonesian Migrant from Malaysia through two disembarkation, namely Migrants from Pasir Gudang – Johor Bahru to Tanjung Pinang, repatriated to their home origin through Tanjung Priok Port for Migrants from South Sumatra, Java, and East Indonesia; and Belawan port in Medan for Migrants from Northern Sumatera Region (West Sumatera, Riau, North Sumatera, and Aceh). Indonesian Migrant from Kuching to Entikong, Pontianak, repatriated to home origin through Tanjung Priok Port.

Troubled Indonesian Migrant WNI-M are provided with psychosocial rehabilitation services in the Trauma Center Safe House, especially those who experienced violence, and those who are waiting to be returned to their home origin. In many cases, some of those repatriated, still wanted to go back to work abroad, due that they are not ready to go home, as they have no job, and have to pay debt to the broker who cater their departure, and ashamed to their environment, being a failed migrant worker, and divorce. Some of those who came back are sick, disabled, and having mental disorder.

Repatriation

Based on the decree of ministry of Social Affairs number 30 year 2017 on the repatriation of TIP victim Indonesian Migrant to their home origin, the authority of National and sub national government are set as follows.

FIGURE 4: PROCESS FLOW OF REPATRIATION OF TROUBLED INDONESIAN MIGRANT FROM MALAYSIA TO THEIR HOME ORIGIN



Source: Ministry of Social affairs, 2019

Repatriation of TIP Victims from Malaysia to their home origin are done in the entry point heading to disembarkation transit, and disembarkation transit heading to home origin. Transit disembarkation entry point is in the Tanjung Pinang Port and Entikong West Borneo, while transit disembarkation heading to home origin is in the Tanjung Pinang, Tanjung Priok and Belawan Port. Repatriation of Indonesian TIP victim by provincial government is done from province capital to the sub-province. Repatriation by sub-province government is done from sub-province capital to the origin village.

In National level Government, Ministers coordinates the repatriation from Indonesia to home origin with the relevant ministries and bodies, provincial and sub-provincial government. Governor coordinates the repatriation from the province capital to sub-province. Regent or mayor coordinates repatriation form the sub-province capital to the village. The repatriation is done through MoU of cooperation with state sea Transport Company, and state land Transport Company, with yearly contract evaluation and renewal.

Social Reintegration

Most of TIP victims came home without money, some of them even have no asset whatsoever to be brought home, and this is a very difficult condition for them that dragged them down to debt trap, reaching to their home origin. Once they reach home they are in deep debt, this got more difficult as they are unemployed. Without immediate serious attention and access to social reintegration service program, the situation will reiterate the victim into the recurring TIP.

The impact of TIP is not only to victim individual, but also the separated family being left for so long also experienced the same suffering, being far from family member, absence of money sent, absence of family love and attention, prone to trauma of exploitation. This condition has significant impacts to the success of victim reintegration to the families. It is important to extent the intervention not only to victim but also looking at the family as a whole unity to be involved in the social reintegration.

TABLE 21: INTERVENTION OF MINISTRY OF SOCIAL AFFAIRS ON SOCIAL REINTEGRATION THROUGH PRODUCTIVE ECONOMIC BUSINESS FOR RELIANCE OF TIP VICTIMS

Province	Sub-province	Organization	Number of victims				
			2015	2016	2017	2018	2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Lampung	Central Lampung	LKS Bantuan Kopi	104				
	Metro	Nurani Bunda		200			
	Lampung	Nurani Bunda		200		50	

Province	Sub-province	Organization	Number of victims				
			2015	2016	2017	2018	2019
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
East Nusa Tenggara	Atambua	Angelikum Atambua Diocese	191				
	TTU	PAH TIMOR		200		50	
	Kupang district	Rumah Perempuan					250
	Malaka	Future De Timor					210
West Nusa Tenggara	East Lombok	SBMI	138				500
	Mataram	Bina Potensi Masyarakat		200			
	West Lombok	Panca Karsa					150
	Central Lombok	Panca Karsa					340
	Malang	SBMI	167				
East Java	Pamekasan	Madura Idea					250
	Sumenep	Madura Idea					300
	Blitar	LP2D					180
	Kediri	Gema Kasih Karunia					180
	Malang	LPKP					100
	Garut	Mata Hati	50				
West Java	Garut	Intan Cendekia					200
	Bogor, Bandung,	Darulhikmah Care, SAPA, Sakura			234		150
	Cianjur	PEKKA					150
	Majalengka	WCC Balqis				100	
	Sumedang	Kesuma Bongas					100

Source: Ministry of Social affairs, 2018

Social Reintegration is reunion of TIP victim with the family, surrogate family, or community that can protect and fulfill the need of the victim. The effort includes family tracing, psychosocial assistance, and establishment of self-help group, business assistance through livelihood therapy, to avoid the victim falling into re-trafficking.

Productive business aid for TIP Victims are provided as a measure to prevent them to go back abroad in illegal or un-procedural way. TIP victims can develop business and entrepreneurship in their village, to fulfill their family need so they will not be lured to go back abroad.

In 2018, 17,152 people had been repatriated and received 400 social reintegration assistance packages, with the value of IDR 4-5 million each, distributed in Lampung, East Nusa Tenggara, Yogyakarta, Semarang, and Majalengka.

TABLE 22: INTERVENTION OF MINISTRY OF SOCIAL AFFAIRS, RELATED TO SOCIAL REINTEGRATION FOR VIOLENCE VICTIMS

Location	Counter Part Organization	2018	2019
(1)	(2)	(3)	(4)
Central Java Province Semarang	Yayasan LRC KJHAM	100 people	
West Java Province, Majalengka, Bogor, Cirebon, Indramayu, Sumedang	Yayasan Mawar Balqis Cirebon, Kesuma Bogor Bapel	100 people	100 People
Lampung Province –Bandar Lampung	Yayasan Nurani Bunda	50 people	
East Nusa Tenggara Province North Central Timor district	Yayasan Pah Timor	50 people	
Yogyakarta Province	Yayasan Rifka Annisa	100 people	
Provinsi South Sulawesi Selatan – Bone district	Yayasan Sakura Al jaman		100 people
East Java Province-Malang District	Yayasan LPKP Malang		100 people
Total		400 people	300 people

Source: Ministry of Social affairs, 2019

Social Reintegration assistance for the Violence victims is given as of the effort to recover the victims of violence and TIP so that they can be self-reliant, liberate themselves from poverty and stand free from trauma of TIP and violence.

Loss of assets, employment and economic sources brought difficulties that often push the women to be in exploited position, being trafficked and sell themselves to fulfill their daily need, and debt trap. To break this circle of violence to women, there should be efforts to raise critical consciousness of the victims to have the courage to report their case, raise the gender consciousness, and the importance of economic empowerment for the women violence victim so they can be economically self-reliant.

Generally women have worries on their income, and family economy resilience, there for economic empowerment program is crucial in accelerating victim recovery to liberate themselves from trauma, enable them proper livelihood, access to financial resources, technological advancement to accelerate business and capacity building through education and gender consciousness.

The success of Ministry of social affairs in their work is also supported by performance of 27 units of RPTC, 1 Unit of RPSW, and 40 unit of RPSA. Apart from this, there is quality improvement of service for victims/witnesses during their residence in the safe houses of RPTC, RPSA, and RPSW. The service quality consist of basic needs (food, clothing, sanitary) fulfillment, trauma healing for victims, increasing skilled services personnel such as psychological counselor, doctor, lawyer, and provision of skill guidance and provision of productive economy stimulant.

TABLE 23: DATA OF TRAUMA CENTER AND WOMEN SOCIAL PROTECTION SAFE HOUSE IN INDONESIA

No.	Province/Name	Sub Province	Status
(1)	(2)	(3)	(4)
1	RPTC Bambu Apus	East Jakarta	Owned By Ministry of Social Affairs
2	RPTC Riau Islands	Tanjung Pinang	Owned By Ministry of Social Affairs
3	RPSW Pasar Rebo	East Jakarta	Owned By Ministry of Social Affairs
4	South Sumatera	Palembang	Local Government
5	Riau	Pekanbaru	Local Government
6	West Nusa Tenggara	Mataram	Local Government

No.	Province/Name	Sub Province	Status
(1)	(2)	(3)	(4)
7	East Nusa Tenggara	Kupang	Local Government
8	Gorontalo	Bone Bolango	Local Government
9	South East Sulawesi	Bau-Bau	Local Government
10	Lampung	Bandar Lampung	Local Government
11	Banten	Serang	Local Government
12	East Java	Ponorogo	Local Government
13	East Java	Jombang	Local Government
14	East Java	Sumenep	Local Government
15	East Nusa Tenggara	East Flores	Local Government
16	Sukabumi	Sukabumi	Local Government
17	Cilacap	Cilacap	Local Government
18	East Borneo	Samarinda	Local Government
19	West Nusa Tenggara	East Lombok	Local Government
20	South Sulawesi	Pare-Pare	Local Government
21	South Sulawesi	Palu	Local Government
22	North Sumatera	Medan	Local Government
23	East Borneo	Bontang	Local Government
24	South Sulawesi	Makassar	Local Government
25	Riau	Dumai	Local Government
26	West Sulawesi	Polewali Mandar	Local Government
27	West Nusa Tenggara	Lombok Barat	Local Government
28	Central Borneo	Palangkaraya	Local Government

Source: Ministry of Social affairs, 2019

TABLE 24: CHILDREN SOCIAL PROTECTION SAFE HOUSE IN INDONESIA

No	Province	Sub-Province	Status
(1)	(2)	(3)	(4)
1	Jakarta	RPSA Bambu Apus	Owned By Ministry of Social Affairs
2	Central Java	RPSA Antasena Magelang	Owned By Ministry of Social Affairs
3	East Nusa Tenggara	RPSA Naibonat Kupang	Owned By Ministry of Social Affairs
4	West Nusa Tenggara	RPSA Bumi Gora Mataram	Owned By Ministry of Social Affairs
5	Riau	RPSA PSBR Rumbai	Owned By Ministry of Social Affairs
6	Aceh	RPSA Darussaadah Aceh	Owned By Ministry of Social Affairs

No	Province	Sub-Province	Status
(1)	(2)	(3)	(4)
7	Jambi	RPSA Alyatama Jambi	Owned by Ministry of Social affairs
8	Central Java	RPSA Ungaran	Local Government
9	Yogyakarta	RPSA Yogyakarta	Local Government
10	Bali	RPSA Putra Rama	Local Government
11	South Borneo	RPSA Budi Mulya	Local Government
12	South Sulawesi	RPSA Turekale Makassar	Local Government
13	East Java	RPSA Bima Sakti	Local Government
14	East Borneo	RPSA Benua Etam Samarinda	Local Government

Source: Ministry of Social affairs, 2019

Note: 32 RPSA are owned by community

Achievement of the Sub-task force of Social rehabilitation, Repatriation, and reintegration had surpassed the target set in the 2015-2019 ATTF National Action Plan. Nevertheless there are still some unreported target, number of human resources trained in implementing their task, such as:

1. Social Rehabilitation to TIP victim.
2. Case assistance related to legal process.
3. Service assistance to TIP victim.
4. Identification of TIP victims for officials and staffs of Ministry of foreign affairs.

Other unreported item from this sub-task force, is about dissemination of TIP to society and ATTIP work group, facilitated preparation of families, surrogate families, and facilitated victims reentry to formal as well as informal education, in collaboration with Ministry of education and culture.

3.2.2 Best Practices

Best practices are implemented by Indonesian Migrant Labor Union (Serikat Buruh Migran Indonesia/SBMI), related to TIP case handling. SBMI is a migrant labor and family member organization founded in February 25th 2003. SBMI formerly is the FOBMI (Federation of Indonesian Migrant Workers Organization), pioneered and found by Consortium of Migrant Worker Defenders (KOPBUMI) since year 2000, through embryo organization called National Network of Migrant Workers. SBMI is recognized as labor union in 2006.

SBMI disclosed TIP case in 2017, one victim had successfully been repatriated to Indonesia by SBMI and Women Solidarity (Solidaritas Perempuan/SP) in 2018. MY is victim of TIP. Her vulnerability had been exploited that she experienced psychological, and physical violence, sexual and social suffering.

Ordered Bride

SBMI had assisted many TIP ordered bride cases many times. In 2019, there were 22 TIP cases experienced by women. 18 of them had successfully returned home, meanwhile 2 women were still at Consulate General of The Republic of Indonesia in Shanghai, and the other 2 were still with their husbands.

Victims of TIP with ordered bride modus operandi were most likely women from low economical family background, domestic violence victims and had very limited access to job opportunities. The largest cases came from Jakarta and West Kalimantan with 32% from total number of cases. Followed by West Java with 18%, Banten 9%, and Central Java 4%.

Situations mentioned above were several factors that caused women of ordered bride were relatively easy to lure. When arrived in destined country, these TIP victims were also prone in domestic space:

1. They felt sinful. It's because when they arrived there, they were not wedded as promised. Even if they were legally married they were forced to marry with different religious way as they believed
2. They received both physical and psychological violence. When victims refused to have sexual intercourse, they would likely got abused by their husbands or by the in laws. They could be beaten, choked, strangled with rope, or stripped naked by mother in law in front of the family. Their husbands didn't care or believe them when they said they were in their periods. Victims were forced to give birth to a child as quickly as possible and often these women were given infusion for a week full or forced to take fertility drugs
3. Unpaid labour
4. Limited access of communication
5. Labelling. When finally returned home, women who were victims of ordered bride experienced difficulties in looking for a partner because the society labeled them negatively.

Modus Operandi

Data collected by SBMI shown several factors that made TIP was possible to happen. Based on the 22 victims' testimony, economic condition was the prime reason why these women fell into the matchmaker's bait. Aside from social status, most of the victims were widows who had to support not only their children but also their parents. This is the hole that the matchmakers took advantage of to lure the victims.

The low level of education among the victims also paid as a huge contributing factor. Some of them were not graduated from elementary school and one woman was illiterate. The lack of information about the danger of TIP and ordered bride as its modus operandi should get more attention by the government, especially in the cities or villages where the victims were coming from. Victims were unlikely knew about the rules and procedures to marry someone with different nationality.

Identity used by the ordered bride victims were proven to be a forged document. For instance the letter issued by The Civil Registry Office in Bekasi was different with the real identity. In Singkawang, The Civil Registry Office issued a fake family card and an interfaith marriage certificate with original identity documents. Even another finding shown that an official marriage certificate was issued not from the office where the marriage took place.

The civil registry system weakness benefited the matchmakers in smoothen out the marriage processes between ordered bride with The Republic of China's citizens. Both central and local government paid a very minimum attention upon this matter and subsequently were unable to protect such a criminal act to happen. Within the forged documents some even had been legalized by Ministry of Law and Human Rights and Ministry of Foreign Affairs. The most common used visa were Q1 and S2; a permit for a family visit to Republic of China.

With no permit letter from a village authority or any letter that indicated a residence of a certain village had married to a foreigner, means the lack of control started even from the lowest level.

They who involved in ordered bride TIP identified as follow:

1. The first agent in The Republic of China was the one with direct contact with the groom

2. The second agent in Indonesia acted as a matchmaker between the Chinese groom with the Indonesian women supplied by a network of recruiters from accomplice areas

These situations had made women and girls involved in sex trafficking or any other type of works that made women migrated or traded:

1. Women were manipulated and violently forced. They did not know where they were heading to or what kind of work they would be doing until they arrived in The Republic of China
2. Women who had been told half of the truth about the nature of their future job. When they arrived, they were forced to do works they were not agreed prior to and only had a little options if not nothing at all
3. Women who got full information about the type of job they were about to be doing. Eventhough they were reluctant to do it, they did not see there were any other sources of income available.

Plot

Many institutions and individuals were involved in the ordered bride case. Without realizing it, even the society had also participated in this particular form of TIP.

1. Matchmaking agency in China offered a bride service to a groom with a very high price. The range was from 400 million IDR to 700 million IDR
2. The matchmaking agency in Indonesia worked closely with potential recruiters and facilitated identity forgeries (identity card, The Civil Registry office certificates, marriage book, marriage certificate, passport), provided accomodation for the groom to be, facilitated meeting between the groom and the bride to be, organized a pre-wedding photography session, finding a headman, guardian, and fake witnesses
3. Religious board often involved into the matter, for an instance a certain Islamic community was used as place to held the holy matromony and its name would be record in the country as the one who released the marriage book
4. Either the matchmakers, middleman, or recruiters gave false information about the matchmaking (lured their potential victims)
5. Government authorities issued documents but with false information

6. Law enforcements neglected the violation of the law
7. The husbands practiced sex slavery, forced the bride to get pregnant soon, and took advantage of these women's ability to work for the husband's family without giving any salary.

Migrant Workers

As much of 2,456 violence and migrant workers violation cases were received by SBMI throughout 2010 to 2019. 50% cases were reported directly to central SBMI or local SBMI by the victims and or their family members. 20% cases couldn't be solved by local SBMI so they referred the cases to SBMI central. Some cases were reported from other means of communication; 10% via telephone line, 5% reported through social media. 10% cases were referred by other boards of partners who often handle such cases and as much as 5% was SBMI's initiative moves to investigate the case.

The systematic migrant workers' rights violations continued to happen both at the migrant's home country and at their working destination country. Violations occurred were starting from murders due to criminal acts, sexual harassments, tortures, and victims of TIP. Not only their rights were stripped off of them, they often became the object of economy exploitations such as the expensive fee they had to pay and employer's refusal to pay the salary as agreed. In this fragile state, the migrant workers chose to run away, undocumented and became a criminalization object for those who tried to take advantage from their situation. Deportation was inevitable and the migrant workers lost their rights in the destination country at once.

Indonesia has many specific regulations regarding migrant workers' rights and some were inclusive to public services and protections regulations. This means migrant worker rights are fully protected by constitutions. The laws then translated into many instruments to help the migrant workers get their protections such as working contract, placement contract, social security, insurance and recovery mechanism, as well as establishing a service institution for migrant workers and BNP2TKI crisis center as a central post for all reports and recoveries.

These instruments and institutions were designed to ensure the protection of migrant workers' rights as well as to provide support for unfortunate migrants to get their rights. At the least these instruments and service institutions can be used to give deterrent effect to employers and to make sure that migrant workers get their justice

through litigation mechanism and other non-litigation ways.

Based on SBMI records within the period of 2010 – 2019 alone women migrant workers who worked in domestic area were the ones most prone to multiple rights deprivation. The common event happened such as unpaid salary, unilateral layoff, overcharged for placement fee, deceived, sexually abuse, and even became a victim of TIP.



Generally these groups were commonly vulnerable to experience exploitation, slavery and discrimination; with 1,483 cases (60.38%) were domestic workers, 257 cases (10.46%) were fishery crew, 27 cases (1.1%) were ordered bride and other sectors 689 cases (28.06%)

Cases handled by SBMI, specifically on rights deprivation case of women migrant workers in domestic area, shown that the impact of such repression was not singular. Gender bias discrimination, social economy class, race, religion, as well as various policies had also contributed to the multiple rights deprivation of the women migrant workers. In each step of migration process, these women experienced injustice. It happened since they were still in their village up to the times when these women worked in the destined country. Even when they were back in their village, the injustice remained.

In 2019 alone SBMI documented 640 of women migrant worker cases. 158 cases happened in Taiwan, 130 cases in Kingdom of Saudi Arabia, 60 cases in Singapore, 43 cases in Malaysia, and 30 cases in Hong Kong. After a thorough analysis cases in Kingdom of Saudi Arabia occurred after Ministry of Labor issued a ministerial decree number 260 in 2015 on the termination and placement prohibition for Indonesian migrant worker to individual employer in Middle East countries. The decree boosted TIP to happen especially to Indonesian women migrant workers. P3MI was not the only party responsible in placing these workers in Middle East countries but individuals could also do so in Kingdom of Saudi Arabia using Umrah, pilgrimage, and visit visa.

Various cases were found in Middle East countries; lost contacts, overstayed, TIP, and placement to conflicted countries such as Iraq, Syria, and Libya. One of TIP cases that SBMI handled together with Women in Solidarity was the case under the name of “Martini”. The case went to trial and East Jakarta Civil Court charged the

defendant Erna Rachmawati binti Supeno a.k.a. Yolanda with 5 years of imprisonment, IDR 120,000,000 fine and IDR 25,000,000 restitution to IR as the victim (verdict number 807/Pid.Sus/2019/PN .Jkt.Tim).

Ship Crew

In December 2019 SBMI in collaboration with Southeast Asia Greenpeace released a report called “Seabound: Journey to Open Sea Modern Slavery”. SBMI conducted further investigation and gathered more information based the report.¹⁹

The investigation report stated 6 manning agencies that placed Indonesian migrant crew in overseas fishing vessels both in open sea zone and in other country’s exclusive economic zone.

Based on data from Seabound there were 13 overseas fishing vessels who hired Indonesian crew and strongly suspected of doing slavery and violations. Each of the fishing vessels might have been connected to one or more of the 6 manning agencies in Indonesia.

The amount of violation cases happened to Indonesia crew placed in overseas fishing vessels closely related to recruitment and placement done by manning agencies in Indonesia.

The Six Companies

The six companies mentioned above are: PT Puncak Jaya Samudra (PJS), PT Bima Samudra Bahari (BSB), PT Setya Jaya Samudera (SJS), PT Bintang Benuajaya Mandiri (BBM), PT Duta Samudera Bahari (DSB) and PT Righi Marine Internasional (RMI). These companies were manning agencies that recruited and placed Indonesian ship crew to overseas fishing vessels, especially those owned by Taiwanese.

¹⁹“Seabound” sequel.

Recruitment Method

There were several ways used by the manning agencies to recruit crew from Indonesia. This data and information were gathered from interview with the victims.

1. Victims were lured with high salary
2. The companies told them that working in fishing vessel were fun
3. Victims would get high bonus
4. Poverty
5. Low education
6. In debt

Manning agencies got help from someone that they called a sponsor. This individual played an important role in recruiting crew from the community to join the manning agency he was working with.

3.2.3 Problems and Challenges

TIP victims psychosocial rehabilitation task force and reintegration service faced some challenges and problems due to prevent victims from retrafficking or working abroad without proper procedures. The social rehabilitation, repatriation, and social reintegration process also have some challenges and problems as follow:

1. Preventing victims of TIP to fall into the same cycle. As the victims returned home, they were most likely unemployed. Some had debt to their agents that they could not pay. In addition the victims might be in an unharmonious relationship that led to a divorce and or rejection from their family
2. As per this moment, repatriation of troubled Indonesian migrant workers from Malaysia can be done independently. Subsequently only those with enough money can go back home. Repatriation can not be done in Tanjungpinang debarkation
3. Victims oriented approach is needed in rehabilitation program for TIPC victims. Strenght based perspective will help victims to embrace their full potential, to

recover from trauma, alienation, and stigma in the society. Engagement from their closest circle such as family would be a big contribution to help victims recover from their trauma. Thus social workers in RPTC need to expand their capacities so they could be more explorative in helping victims discover their potential using strenght based perspective approach.

4. Not all repatriation process went smoothly. The most heartbreaking one was having to repatriate victims who were sick, disabled, dead, mentally ill, infected with HIV, pregnant and or in labor. Sort of permanent and bound agreement with health services is needed for these victims. They need access to free medical treatment because some of them did not have identity card, familycard, identity number, or social health security number
5. Repatriation of victims who no longer had a place to live or rejected by the family. They need surrogate family or referral institution for a long period of time
6. Limited numbers of safe house in their place of origin, transit, or in the destination country
7. Very poor coordination between central and local officials
8. Trainings for human resources who assist victims of TIP in social rehabilitation, services, and legal case assistance, also trainings to identify victims of TIPC for officials and Ministry of Foreign Affairs staff had not been implemented
9. The socialization about TIP to communities and work groups, preparing family and or surrogate family, and providing victims of TIPC acess to formal and non formal education facilities in cooperation with Ministry of Education and Culture had not been implemented


3.2.4 Recommendation

The following are recommendations for social rehabilitation, repatriation, and social reintegration for TIP victims:

1. Monitoring and assistance of sub-task force for social rehabilitation repatriation and reintegration process from National level to provincial and sub-provincial level
2. Periodical shelter management monitoring and assistance
3. Facilitating safe house development in areas prone to TIP
4. Maximizing the role of Desmigratif for reintegration and empowerment
5. Increasing commitment and coordination of policy makers
6. Replan the importance of training for skilled Human Resources doing the task of social rehabilitation for TIP victims, Legal process assistance, Assistance and services to TIP victims, TIP victim identification for officials and staffs of ministry of foreign affairs.
7. Prioritize briefing to society or work groups about TIP, facilitate preparation of families and surrogate families, and facilitate victim to re-enter formal as well non formal education in cooperation with Ministry of Education and Culture

**law
enforcement**

CHAPTER 4



Indonesian Police takes the role of coordinator of sub-task force for law enforcement. With support from Attorney general, supreme court, PERADI, LPSK, and Ministry of Law and Human rights.



The aim is to improve law enforcement in cases of TIP

Indicators:

1. The number of TIP cases handled by law enforcers through outreach activities for law enforcement officials, advocacy activities for decision-makers in the ranks of Law Enforcement Officials (APH), training activities for Law Enforcement Officials, outreach activities to the community about TIP, activities to provide assistance to victims and their families, activities to protect witnesses, victims, and their families, activities to compile Communication, Information, Education materials for Law Enforcement Officials, activities to carry out bilateral cooperation in the context of handling and protecting cross-country witnesses and victims, activities to compile gender-responsive technical guidelines and care for women and children for Law Enforcement Officials, and formation of TIP Handling Task Force.
2. The number of offenders who received punishment through the activity of collecting disaggregated data on offenders and victims of TIP.
3. The number of victims who received restitution through activities to facilitate victims to gain restitution.
4. The number of assets confiscation of the offenders of TIP (individuals and corporations) through the assets seizing of the offenders of TIP (individuals and corporations).

4.1 Investigation

4.1.1 Achievement

The law enforcement's achievement in the preliminary and full investigation process during 2015-2019, CID-INP among others:

1. Conducting outreach activities on TIP in border areas, namely West Kalimantan and Riau Islands.
2. Conducting training on the identification of TIP cases in the border areas of West Kalimantan and North Kalimantan as well as in the areas of Indonesian migrant workers' origin, especially East Nusa Tenggara, in collaboration with the International Organization for Migration.
3. Provide protection for witnesses, victims, and their families.
4. Preparing TIP teaching materials for Suspasen (Senior Officer Course), Pama (First Officer), and Bintara (Non-commissioned Officer), as well as organizing training for TIP investigators at the Central Java Police.
5. Cooperating to protect victims as well as return and pick up the victims of TIP from Malaysia, Damascus, Egypt, Iraq, China, and the United Arab Emirates.
6. Preparing materials to draft two guidebooks sponsored by AAPTIP (now ASEAN-ACT), namely guidebook on requests for restitution of TIP victims with Witness Protection Agency (LPSK) and guidebook on financial investigations in TIP cases with INTRAC.
7. Socialization of guidebooks on requests for restitution of TIP victims and financial investigations in TIP cases in Bandung, August 13-14 2018.
8. Formation of the TIP Task Force at the Provincial Police in areas of most TIP victims, namely: West Sumatra Provincial Police, Riau Islands Provincial Police, West Java Provincial Police, Central Java Provincial Police, East Java Provincial Police, DI Yogyakarta Provincial Police, Banten Provincial Police, West Kalimantan Provincial Police, East Kalimantan Provincial Police, North Kalimantan Provincial Police, Gorontalo Provincial Police, West Nusa Tenggara Provincial Police, and East Nusa Tenggara Provincial Police.
9. Assisting the cases handled by Provincial Police, especially the East Java Provincial Police, namely Sampang Resort level Police.
10. Working with AAPTIP to conduct 12 times of training and 11 times of workshops in order to increase the investigation of TIP for transnational workers in West Java and the Maluku Islands, with a total of 615 trained Law Enforcement Officials (472 women and 143 men).

11. Working with APPTIP and Task Force 115 of the Ministry of Marine Affairs and Fisheries to compile guidelines for the identification of TIP victims in the Fishery Industry, followed by workshops and outreach.
12. Working with the TIP Task Force for Cirebon, Sukabumi, and Cianjur Regencies in collaboration with ATTIP to formulate a “Village Regulation” in order to form a “Multidiscipline Team-MTD” at the village level which will assist the Police to carry out “early identification/early detection” of TIP victims. Also compiling a “Service Directory for TIP victims” in West Java.

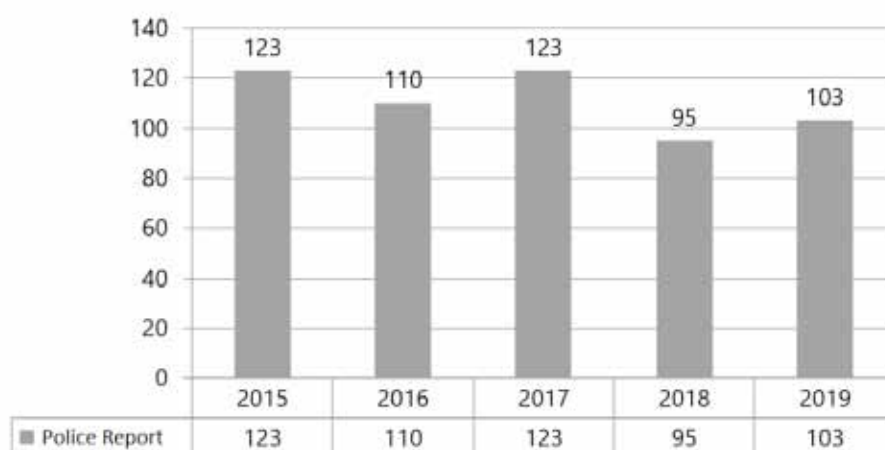
FIGURE 5: DATA OF TIP CASE HANDLING

Year	Number F/M	Victims				Amt Victims	Total	Mode					
		Female		Male				Mig rant Wor kers	Comme rcial Sexual Worker s	Dom estic Wor kers	Ship Crew	Organ Traffic king	Child Traffic king
		Adult	Child	Adult	Child								
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)
2015	123	123	70	95	0	288	166	47	71	1	2	0	2
2016	110	184	67	81	0	332	165	43	60	4	0	1	2
2017	123	1350	89	11	1	1451	164	35	78	8	1	0	1
2018	95	190	18	79	10	297	130	47	38	8	0	0	2
2019	103	200	28	52	0	280	132	50	50	2	1	0	0
Total	554	2047	272	318	11	2648	757	222	297	23	4	1	7

Source: Combined from Provincial Police and CID-INP, 2019

Target achieved in the investigation field during 2015-2019, Provincial Police and CID-INP received 554 Police Reports, of which 2015 totaled 123 (22.20%) police reports, 2016 totaled 110 (19.86%) police reports, 2017 totaled 123 (22.20%) police reports, 2018 totaled 95 (17.15%) police reports, and 2019 totaled 103 (18.59%) police reports.

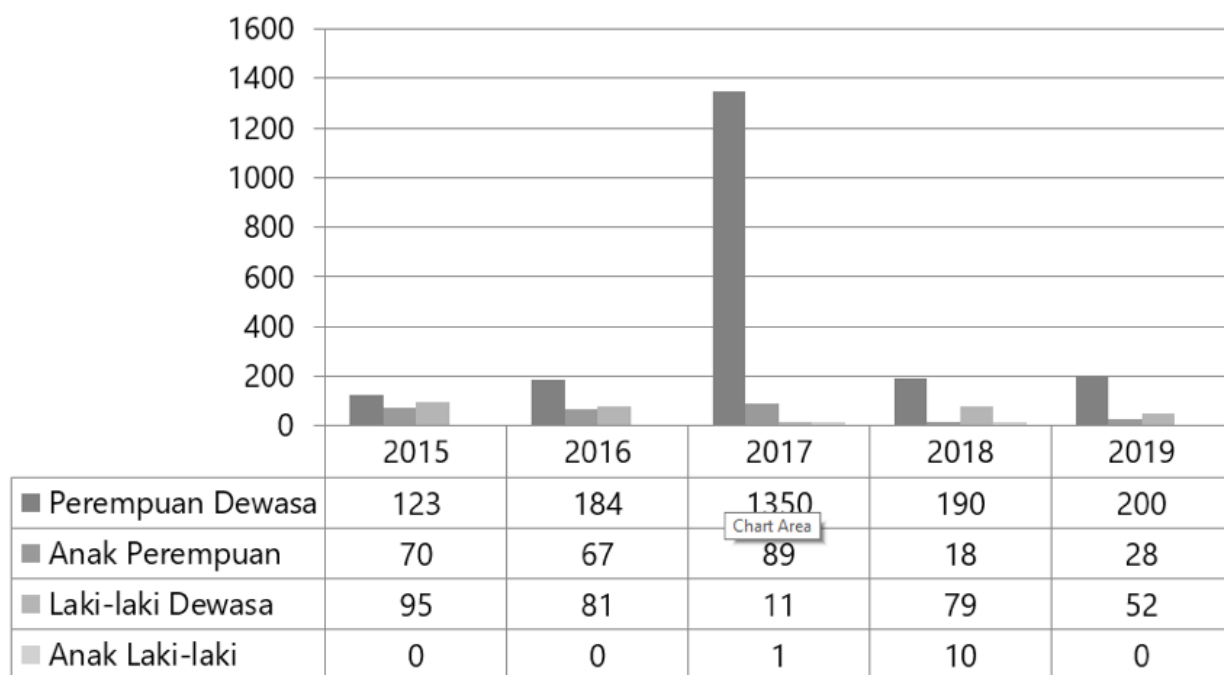
CHART 2: TOTAL POLICE REPORT ON TIP



Source: Combined from Provincial Police and CID-INP, 2019

From the existing Police Reports, there were 2,648 victims consisting of 2,047 (77.30%) adult women, 272 (10.27%) girls, 318 (12.01%) adult men, and 11 (0.42%) boys.

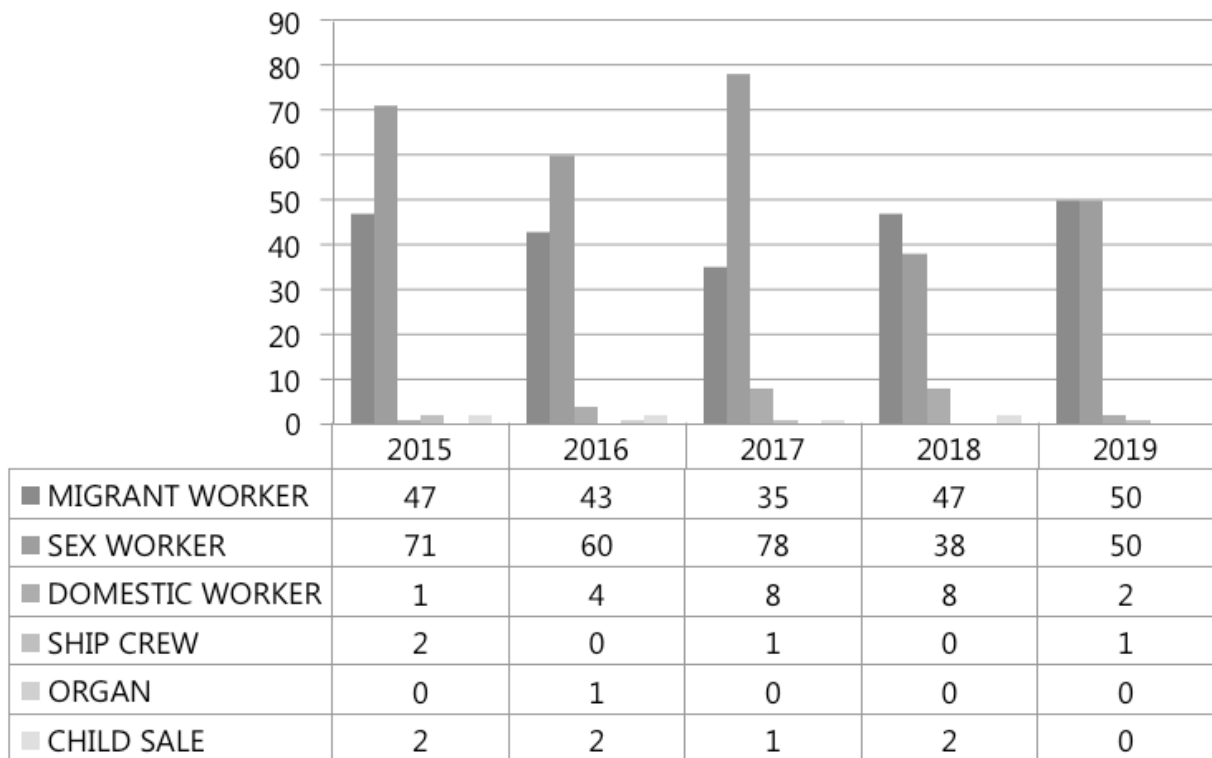
**CHART 3: CLASSIFICATION OF POLICE REPORTS
AMOUNT**



Source: Combined from Provincial Police and CID-INP, 2019

The perpetrators of TIP use various modes and the Police has successfully revealed them. Based on data from the CID-INP in 2015-2019, “The widely revealed modes are Commercial Sexual Workers (CSWs) totaled 297 (53.61%) cases; Indonesian Migrant Workers totaled 222 (40.07%) cases; Domestic Workers totaled 23 (4.15%) cases; child trafficking totaled 7 (1.26%) cases; Ship Crew totaled 4 (0.72%) cases, and organ trafficking totaled 1 (0.18%) cases.”

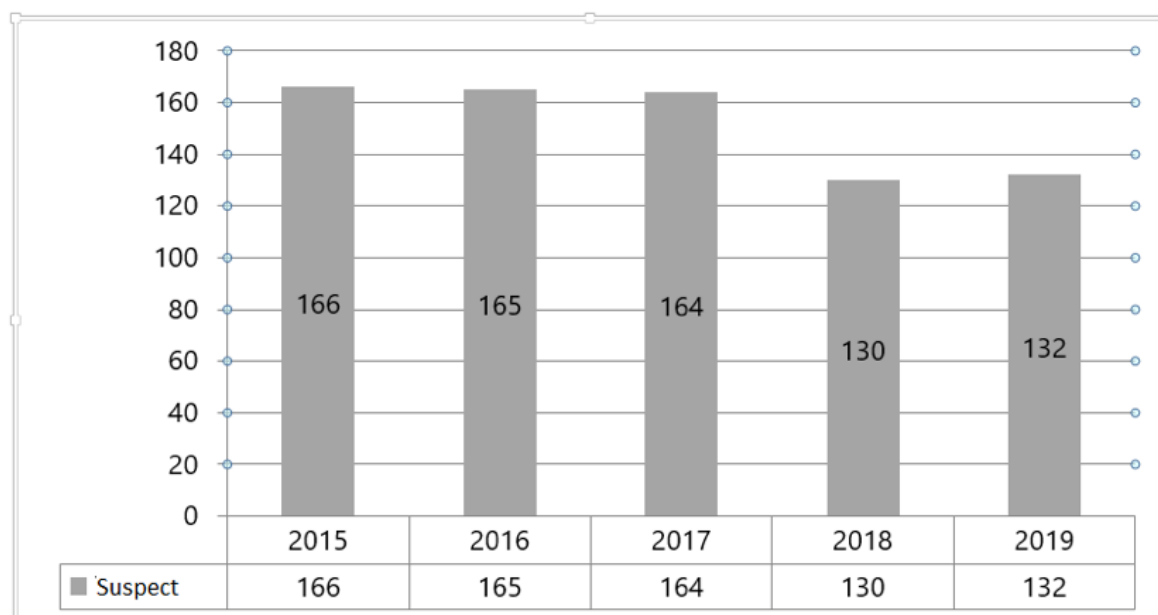
CHART 4: TIP CASES BY MODES



Source: Combined from Provincial Police and CID-INP, 2019

The offenders arrested by the Police during 2015-2019, totaled 757 suspects, with details of 2015 totaled 166 (21.93%) suspects, 2016 totaled 165 (21.80%) suspects, 2017 totaled 164 (21.66%) suspects, and 2018 totaled 130 (17.17%) suspects, and in 2019 totaled 132 (17.44%) suspects.

CHART 5: NUMBER OF THE SUSPECTS OF TIP BY YEAR



Source: Combined from Provincial Police and CID-INP, 2019

The steps developed and implemented by the Provincial Police Investigators and the CID-INP are progressing, because they are supported, among others, by: First, the existence of laws and regulations and the Minister of Labor Decree Number 260 of 2015 concerning the Termination and Prohibition of Placement of Indonesian Migrant Workers to Individual Users in the Middle East States Region and the Order of the Chief of the National Police of the Republic of Indonesia Number Sprin/731/III/2017 concerning the Special Task Force for Combating TIP, CID-INP, dated March 24, 2017.

Secondly, Support of 528 Women and Children Service Units (UPPA)²⁰, 233 Special Service Rooms (RPK)²¹, 3,204 Kanit²² or Head of Units and the PPA members, 213 Head of Units of Women Police, 255 Head of Units of Men Police, and 1,995 members who have participated in the vocational/training of special handling of women and children, as well as 275 members who participated in special vocational investigators and assistant investigators for the TIP.

²⁰ Women and Children Service Unit (UPPA). A unit in charge of handling cases related to women and children, both as victims and offenders, and located under the Directorate of General Crimes, CID-INP. In the level of Provincial Police - Women and Children Service Unit (PPA Unit) is located under the Operational Unit of the Directorate of Criminal Investigation Unit of Provincial Police. In the level of Resort Police - Women and Children Service Unit (PPA Unit) is located under the criminal investigation unit of the Resort Police.

²¹RPK is Special Service Rooms.

²²Kanit or Head of Unit.

A number of targets achieved by the police are in accordance with the 2015-2019 National Action Plan for the Eradication of the TIP. Even so, there are still challenges and problems in handling cross-countries TIP cases, including language limitations and differences in legal systems between countries. Another challenge is that victims do not report and the offenders tend to shift around quickly.

4.1.2 Challenges and Problems

Problems in international cooperation in handling TIP, include:

1. Differences in legal systems between countries;
2. Limited legal basis for international police cooperation (limited binding agreements, no implementing regulations for the Extradition Law, not all countries have extradition regulations and mutual assistance regulations (Malaysia, Philippines, Thailand, Australia, Hong Kong, and South Korea) ;
3. Lack of support and participation from internal National Police and related agencies;
4. Lack of understanding of the functions of Interpol;
5. Limited personal skills in language (French, Arabic, and Spanish), foreign experience, and experience in the preliminary and full investigation; and
6. The problems faced during the investigation process include no report from the victims, the offenders shift around, limited information, reports withdrawal by the victims, and the lack of or missing evidence.

4.1.3 Recommendation

In the future, to optimize the law enforcement on TIP during the investigation process, it is necessary to:

1. Creating an integrated TIP database among law enforcement agencies.
2. Revising the regulations related to TIP, specifically the certainty of restitution payment, confiscation of assets, and aggravation of punishment.
3. Education and training of Law Enforcement Officials on how to fulfill the rights of witnesses and victims at the central and regional levels.
4. Training of Law Enforcement Officials on TIP investigation using financial investigation techniques (follow the money).
5. Establishing a special unit for handling TIP at the regional level police.
6. Improve the sub-national level officials comprehension of TIP through training.

7. Law Enforcement Officials should take approach of and implement the anti-TIP regulation in application handling prostitution cases that sacrifice women, preventing them from being criminalized.

4.2. Prosecution

4.2.1 Achievement

The Directorate of Terrorism and Transnational Crimes of the Attorney General's Office prosecute criminal cases of human trafficking based on actions that include the following elements: recruiting, transporting, holding, sending, transferring, or receiving a person. The means include the elements of violence threats, the use of force, kidnapping, confinement, forgery, fraud, abuse of power or vulnerable position, debt bondage, or payment or benefits, thus obtaining the consent from the person who controls the other person, whether it is done within the country as well as between countries. The demands are also based on the goal, namely the existence of exploitation or causing people to be exploited. It includes, but is not limited to, the elements of prostitution, forced labor or service, slavery or slavery-like practices, oppression, extortion, the use of physical, sexual, reproductive organs, or illegally removing or transplanting organs and/or body tissues or using energy or the ability of a person by another party to obtain both material and immaterial benefits.

The Attorney General's Office also noted that exploitation does not always have to occur, but if it can be proven that there is any intention to exploit the victim, it is possible to charge with the articles of TIP. It is not simply an element, but it can help to recognize and determine whether an event has a chance of TIP or not. The indicator of TIP include:

1. Not receiving wages (paid only a small amount) in return for the work.
2. Unable to manage the wages received by themselves or have to hand over most of the wages to third parties (intermediaries, agents, employers, in the prostitution business: embroidery house managers and pimps);
3. The existence of debt bondage (for example, to pay replacement fees for recruitment, brokerage services, travel expenses, etc.).
4. Restriction or deprivation of freedom of movement (e.g., not leaving the place of work or shelter for a long period of time, under constant supervision).
5. Not allowed (with threats/violence) to stop working.
6. Isolation/restriction of freedom to have contact with other people (family, friends, etc.).

7. Being detained or not provided with health services, adequate food, and others.
8. Extortion or threats of extortion against their family or children.
9. Threats of using violence.
10. Signs of physical abuse are found.
11. Required to work in extremely poor conditions and/or have to work for very long periods of time.
12. Not paying for yourself or taking care of your own travel, visa, passport, and so on.
13. Not holding personal identification documents or travel documents.
14. Using a fake passport or identity provided by a third party.
15. Special Indicators for the purpose of prostitution exploitation:
 - a. Receiving a very small share of the wages normally paid in the prostitution business.
 - b. Being required to earn a certain amount per day.
 - c. The embroidery manager or a third party has paid the transfer fee for the potential victim and/or handed over part of the potential victim's income to a third party.
 - d. The places where potential victims were employed keep changing.

An important definition related to TIP, which is the standard in ensnaring the offenders of TIP:

1. Recruitment - Actions that involve soliciting, gathering, bringing, or separating someone from their family.
2. Debt bondage - Actions that place a person in a status or a condition that provide or is forced to provide themselves or their family or people who are their responsibility or their personal services as a form of debt repayment.
3. Abuse of Vulnerable Position - A situation in which a person has no choice or that is acceptable, except to surrender to the abuse that occurred.
4. Exploitation - Actions with or without the victim's consent which include, but are not limited to, prostitution; forced labor or service, slavery or slavery-like practices, oppression, extortion, exploitation of physical, sexual, and reproductive organs, or illegally transferring energy or transplanting organs and/or body tissue or utilizing one's energy or ability by another party for profit, either material, or immaterial. Meanwhile, sexual exploitation is defined as any form of exploitation of the victim's sexual organs or other organs for profit, including but not limited to all activities of prostitution and sexual immorality.
5. Forced Labor or Forced Services - Conditions of work that arise through means, plans, or patterns intended to make a person believe that if he/she does not do certain work, he/she or his/her dependents will suffer both physically and

psychologically. Meanwhile, the ILO Conventions Number 29 concerning Forced Labor (1930) and Number 105 concerning the Abolition of Forced Labor: 1957 mentioned that forced labor as all forms of employment or services demanded by others on the basis of the threat of punishment and which the person does not voluntarily offer his/her services. The ILO identifies six elements that can indicate forced labor, and which are likely to qualify as a criminal offense, namely: threats and/or use of physical or sexual violence, restrictions on freedom of movement, debt bondage, suspension of payment or withholding of wages, withholding of passports, and documents of identity and threats of employee reporting to the authorities.

6. Slavery - The condition of a person being under the ownership of another. Meanwhile, Article 1 paragraph (1) of the Slavery Convention of 1962 defines slavery as the condition or status of a person to whom the right of ownership (of another person) is applied to him.
7. Slavery-like Practices - The act of placing someone in another person's power thus that person is unable to refuse a job that is unlawfully ordered by that other person, even if that person does not want it

The steps were taken by the Prosecutor's Office in prosecuting criminal acts and criminalizing the offenders of TIP according to Act Number 21 of 2007, for details, see the following TABLE.

TABLE 25: CRIMINAL ACT AND CRIMINALIZATION OF TIP PERPETRATOR ACCORDING TO ACT NUMBER 21 OF 2007

No.	Type of Action	Articles	Criminal sanctions	
(1)	(2)	(3)	(4)	
1	<ul style="list-style-type: none"> Recruiting, transporting, holding, sending, transferring, or receiving someone with threats of violence, use of force, kidnapping, confinement, forgery, fraud, and abuse of power or vulnerable position, bondage, or providing payment or benefits to obtain the approval of the person in control over that person for the purpose of exploitation in Indonesian territory. Resulting in people being exploited. 	Article 2 paragraph (1) Article 2 Paragraph (2)	3 - 15 year 3 - 15 year	120 – 600 million 120 – 600 million

No.	Type of Action	Articles	Criminal sanctions	
(1)	(2)	(3)	(4)	
2	Bringing people into the Indonesian Territory with the intention of being exploited in Indonesia or abroad.	Article 3	3 - 15 year	120 – 600 million
3	Bringing Indonesian citizens abroad with the intention of being exploited.	Article 4	3 - 15 year	120 – 600 million
4	Carrying a child by promising something or giving something with the intention of being exploited.	Article 5	3 - 15 year	120 – 600 million
5	Send a child into or abroad in any way that results in the child being exploited.	Article 6	3 - 15 year	120 – 600 million
6	Doing Articles 2, 3, 4, 5, and 6 resulted in the victim: <ul style="list-style-type: none"> Suffering from serious injuries, serious life disorders, other infectious diseases that endanger life, pregnancy, or impaired or loss of reproductive function. Causing death. 	Article 7 paragraph (1) Article 7 paragraph (2)	Additional 1/3 5 – for life	Additional 1/3 200 million - 5 billion
7	State administrators abuse their power resulting in TIP.	Article 8	Additional 1/3	Additional 1/3
8	Attempting to move other people to commit TIP and the crime occurs.	Article 9	1 - 6 year	40 – 240 million
9	Assisting or conducting an attempt to commit TIP.	Article 10	3 - 15 year	120 – 600 million
10	Planning or conspiracy to commit TIP.	Article 11	3 - 15 year	120 – 600 million
11	Using or exploiting the victim by conducting intercourse and/or obscene acts.	Article 12	3 - 15 year	120 – 600 million
12	Provide or include false information in documents used in human trafficking.	Article 19	1- 7 year	40 – 280 million
13	Providing false testimony, false evidence, or influencing witnesses in cases of human trafficking against the law.	Article 20	1-7 year	40 – 280 million

No.	Type of Action	Articles	Criminal sanctions	
(1)	(2)	(3)	(4)	
14	Physical assault on witnesses or officers in a trial of human trafficking Resulting in: 1. Serious injury 2. Death	Article 21 paragraph (2) paragraph (3)	1 – 5 year 2 – 10 year 3 – 15 year	40 – 200 million 80-400 million 120 – 600 million
15	Prevent, obstruct or thwart (directly or indirectly) the investigation, prosecution, and trial examination of suspects, defendants, witnesses in trafficking cases.	Article 22	1 - 5 year	40 – 200 million
16	Helping the escape of trafficking offenders from the criminal justice process.	Article 23	1 - 5 year	40 – 200 million
17	Give the identity of the witness/victim even though it must be kept secret.	Article 24	3 - 7 year	40 – 200 million

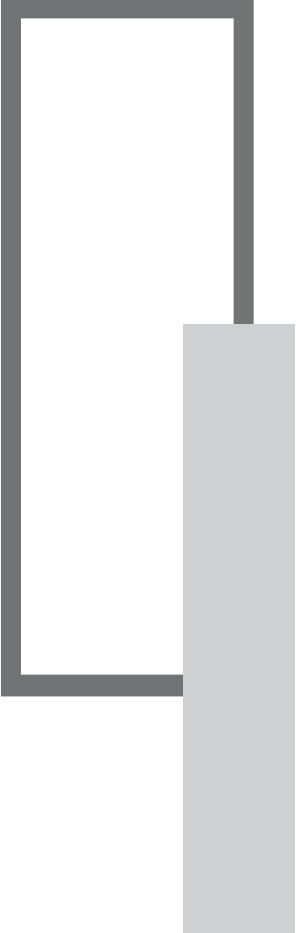
Source: Attorney General's Office, 2019

Every person can be indicted as Perpetrator of TIP are every person, in case of the person is state officials, they will get criminal sanctions with additional 1/3 and additional penalties in the form of dishonorable dismissal from their positions. Corporations can also be subject to indictment of TIP, namely a group of people and/or assets that are organized either as legal entities or non-legal entities which if: it is carried out by persons acting for and/or on behalf of the corporation, for the benefit of the corporation; based on employment or other relationships and acting in a corporate environment.

In corporations, the processes of investigation, prosecution, and conviction are carried out toward the corporation and/or its management. The mechanism for a summon to appear and submission of summon is conveyed to the management at the management's office, where the corporation operates or where the management resides. Prosecution conducted by the Attorney General's Office can be imposed on the management (imprisonment and fines) and for corporations in the form of fines with punishment aggravation of 3 (three) times of the penalty, and additional penalties can be imposed in the form of revocation of business licenses, confiscation of wealth proceeds resulted from criminal acts, revocation of legal status, dismissal of management, and prohibition of management from establishing a corporation in the same line of business.

The Attorney General's Office carries out prosecutions against TIP subjects as an organized group, that is, a structured group consisting of three or more people and can be sentenced to an additional 1/3.

The policy steps made by the Attorney General's Office in handling TIP cases issued several technical instructions for handling TIP cases by using a pattern of handling, that include: Instruction of the Attorney General of the Republic of March Number INS-004/JA/1994 concerning Control of Important General Crime Cases dated March 9, 1994; Letter of Junior Attorney General for General Crimes Number B-16/E /EJP/3/2002 concerning Control of Important General Crime Cases dated March 11, 2002; and Letter of Junior Attorney General for General Crimes Number B-185/EJP/03/2005 concerning Patterns for Handling Cases of TIP dated March 10, 2005.



In making the indictment based on the Circular of the Attorney General of the Republic of March Number SE-004/JA/1993 concerning the Making of the Indictment dated November 16, 1994. Meanwhile, in the protection of crime victims through Letter of Junior Attorney General for General Crimes Number B-63/E/2/1994 concerning Protection of victims of crimes dated February 4, 1994; Letter of Junior Attorney General for General Crimes Number B-187/E/5/1995 concerning Protection of Victims of Crime dated February 4, 1994. To handle cases of children as victims/witnesses, the Attorney General's Office issued a Letter of Junior Attorney General for General Crimes Number B-363/E/EJP/02/2010 concerning Technical Guidelines in Handling of Children in Conflict with the Law on February 25, 2010; and Joint Decree of the Chairman of the Supreme Court of the Republic of Indonesia, Attorney General of the Republic of Indonesia, National Police, Minister of Law and Human Rights of the Republic of Indonesia, Minister of Social Affairs of the Republic of Indonesia, and Minister of Women's Empowerment and Child Protection Number 148/A/JA/12/2009 concerning Handling of Children in Conflict with the Law dated December 22nd, 2009.

Another effort, the Attorney General's Office issued a "Guidelines for Criminal Prosecution" through the Circular of the Attorney General of the Republic of March Number SE-013/A/JA/2011 concerning Guidelines for Criminal Prosecution in General Crime Cases dated December 29, 2011, as well as issuing guidelines for restitution

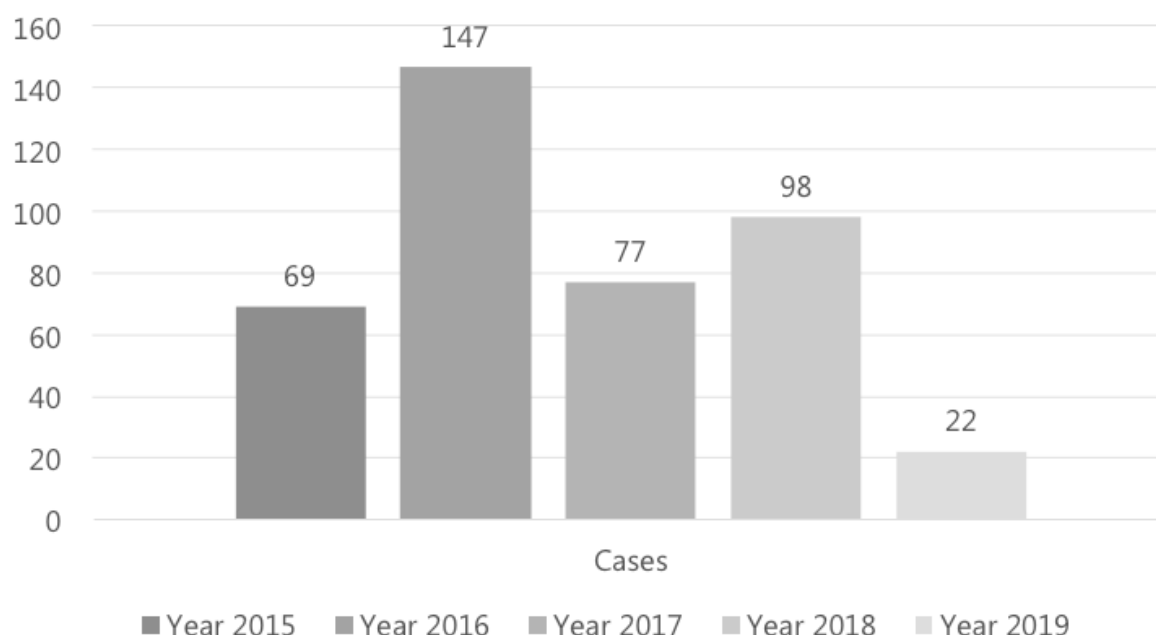
rights of victims of TIP through Letter of Junior Attorney General for General Crimes 3718/E/EJP/11/2012 Concerning Restitution in TIP, dated November 28, 2012.

The pattern of handling TIP cases is through the Case Handling Program or Special Program. The procedure for the report (form and material) following the Case Handling Program or Special Program procedure is based on the Letter of Junior Attorney General for General Crimes Number B-185/EJP/03/2005 which refers to the Palermo Convention to identify and analyze the existence of a TIP. In order for an incident to be categorized as a Human Trafficking crime, it must fulfill at least one element of each of the criteria (Process, Method, and Purpose), for example, Recruitment + Fraud + Prostitution = Human Trafficking. The consent of the victim is irrelevant if there is already one of the methods above. Intensified coordination and integration with investigators to direct investigations in order to present all data and facts needed at the prosecution stage. This is also based on the Instruction of the Attorney General of the Republic of March No. INS-004/JA/1994 dated 9 March 1994.

Other efforts made by the Attorney General's Office include:

1. Public outreach about TIP through various seminars, discussions, training, and direct legal counseling to the public held by the Attorney General's Office, the High Prosecutor's Office, and the District Prosecutor's Office.
2. Development of a mentoring program for prosecutors through e-learning media involving 14 junior prosecutors, and 6 senior prosecutors as mentors. The mentoring program is carried out within six months through the Indonesian Attorney's Office's Education and Training system with support from the International Organization for Migration (IOM).
3. Socialization/training of TIP to law enforcement officials in collaboration with various parties, such as the International Organization for Migration (IOM), the United States Embassy, the Australian Embassy.
4. Training/materials of TIP in Education, Training, and Establishment of Prosecutors.
5. Collaboration with Witness/Victim Protection agency (LPSK) in facilitating the provision of restitution to victims of TIP including data collection on victims of TIP.
6. Completion of 2015-2019 TIP Case Handling Prosecutions at the Attorney General's Office and High Prosecutors' Office throughout Indonesia, a total of 413 cases, with details, 2015 totaled 69 (16.71%) cases, 2016 totaled 147 (35.59%) cases, in 2017 totaled 77 (18.74%) cases, in 2018 totaled 98 (23.73%) cases, and in 2019 totaled 22 (5.33%) cases.

TABLE 26: RECAPITULATION OF TIP CASES

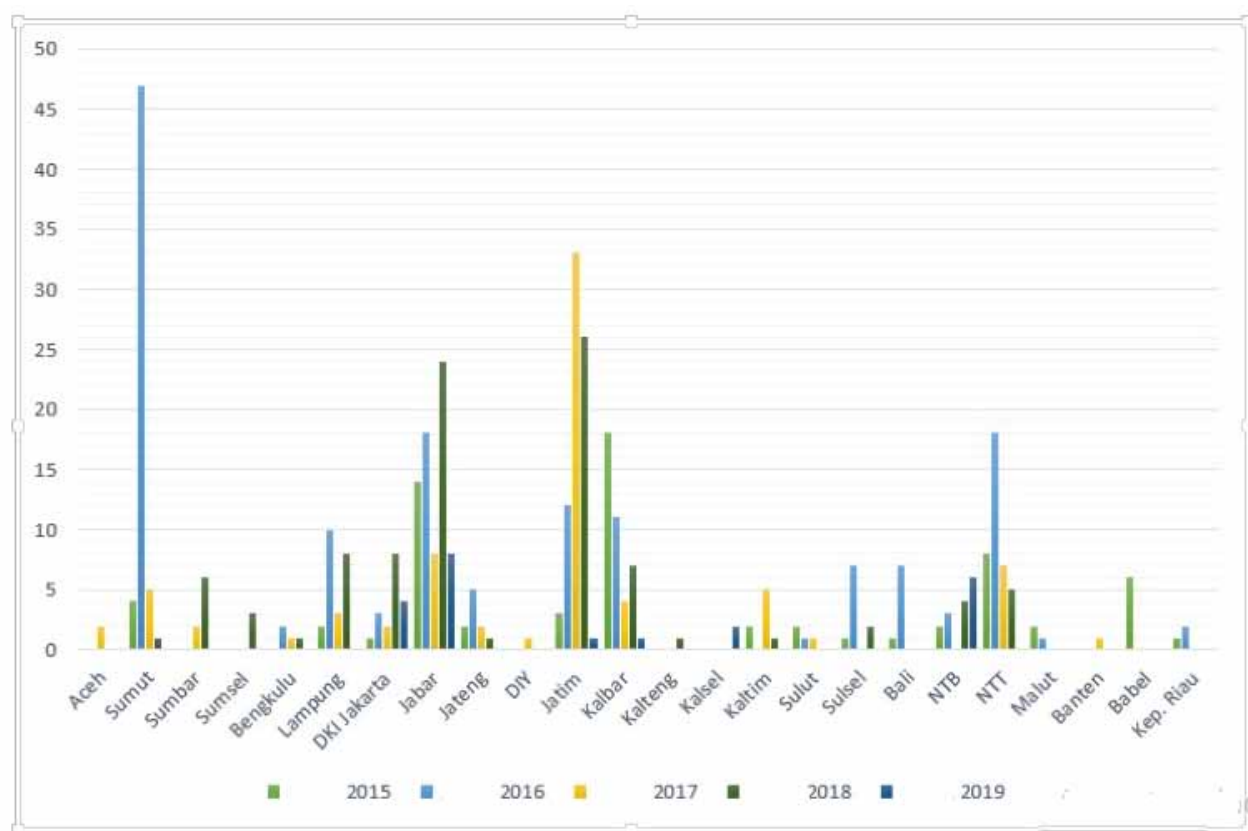


Source: Criminal Statistics Center, Attorney General, 2020

7. Negotiation with United Emirate Arab (UEA) on TIP and Indonesian Migrant workers, collaborating with Ministry of Foreign affairs.
8. Producing the Attorney General Guidance number 3 on instigation of general crime with special instigation to children/children friendly instigation.

During 2015-2019, there are 413 cases dispersed in various high prosecutor office, namely East Java 75 cases (18.16%), West Java 72 cases (17.43%), North Sumatera 57 cases (13.80%), West Borneo 41 cases (9.93%), East Nusa Tenggara 38 cases (9.20%), Lampung 23 cases (5.57%), Jakarta 18 cases (4.36%), West Nusa Tenggara 15 cases (3.63%), Central Java 10 cases (2.42%), South Sulawesi 10 cases (2.42%), West Sumatera 8 cases (1.94%), East Borneo 8 cases (1.94%), Bali 8 cases (1.94%), Bangka Belitung 6 cases (1.45%), Bengkulu 4 cases (0.97%), South Sulawesi 4 cases (0.97%), South Sumatera 3 cases (0.73%), North Maluku 3 cases (0.73%), Riau Islands 3 cases (0.73%), Aceh 2 cases (0.48%), South Borneo 2 cases (0.48%), Yogyakarta 1 cases (0.24%), Central Borneo 1 cases (0.24%), and Banten 1 cases (0,24%). The high prosecutor office without TIP case are Riau, Jambi, Central Sulawesi, South East Sulawesi, Maluku, Papua, Gorontalo, West Sulawesi, and West Papua.

TABLE 27: SUMMARY OF TIP CASES BY HIGH PROSECUTOR OFFICE



Source: Criminal Statistics Center, Attorney General, 2020

The prosecution of TIP by high prosecutor and supreme prosecutor in 2018 had significantly progressed as the following regulations are issued:

1. Regulation on protection of crime victims (Circular of general attorney number B-63/E/2/1994) and (Circular of General Attorney No: B-197/E/5/1994).
2. Policy of training program on violence against women cases (Circular of General attorney Number B-948/E/EJP/2009).
3. Policy Related to restitution in TIP case (Circular of attorney General Number B-3718/E/EJP/11/2012).

Prosecution of TIP cases by the attorney office had proceeded compliant to the target set by ATTF National Action Plan. Nevertheless the prosecution aspect still has constraints related to other law enforcement agencies, specially related to the dissenting perceptions on the evidences and confiscation, limited international in case

disclosure, restitution, summoning the victims in remote areas with difficult access to communication and transportation.

4.2.2 Challenges and issues

The prosecution of TIP cases are still hampered by challenges of issues amongst:

1. Common perception between Law Enforcement Agencies – Investigators, attorney and Judges – about TIP, specially related to the power of evidences and intersections with similar regulations, and the confiscation of the crime products from TIP perpetrator/beneficial owner.
2. Disclosure of trans-national networks, specially the difficulties to reach network and connections abroad.
3. Restitution, related to parameter, amount of restitution, and payment methods.
4. The circular of general attorney had not been utilized to cumulatively instigate TIP and Money Laundering (Circular of Attorney General Number B-689/E/EJP/12/2004 on the handling pattern for Money laundering crimes, dated December 31st 2004).
5. There are locations vulnerable to TIP, such in East Nusa Tenggara, due to being in remote location.
6. Gap between restitution amount between indictment and verdict.
7. Different perception with other law enforcement agencies on restitution for victims.
8. Different perception on TIP between UEA and Indonesia.

4.2.3 Recommendation

In the future, the law enforcement to TIP perpetrator, in the instigation, the supreme prosecutor should observe:

1. Improve the coordination between law enforcement – Police, Attorney judges to align the perception on TIP from the perspective of hunting the perpetrator to the perspective of hunting the wealth obtained from the crime, this can be attained by briefing to law enforcement personnel on trends of TIP focus, through integrated training, seminar, and focused group discussions.
2. Improve inter-state coordination through diplomatic channel to disclose

international networks and effort for international collaboration through mutual assistance (MLA) in criminal matters.

3. Briefing to all the attorney entities on the guidance of case prosecution.
4. Attempt to set cumulative TIP indictment, by incorporating Money laundering crime and attempt to confiscate the assets gained from the crime, including the learning pattern and field best practices in perceiving TIP cases.
5. Intensity of briefing to the prosecutor peers down to remote areas vulnerable to TIP.
6. Producing manuals on restitution request, restitution amount, and procedures of restitution appeal and payment.
7. Align the perception between law enforcement agencies through intensive meetings and coordination, especially on the subjects of restitution, including comprehensive law enforcement on the side of the victim.
8. More intensive collaboration with law enforcement from other countries by learning the pattern of handling TIP cases, including comprehension on the safety of Indonesian workers abroad from exploitation and TIP.

4.3. Court Sector

Up to now, trafficking in persons is still a concern in the world, including Indonesia. Although it is not a new issue, cases of trafficking in persons are increasingly sticking out and gather a lot of public attention. The crime of trafficking in persons is latent and is often overwhelmed by a lack of understanding of the aspects involved and how to distinguish it from other forms of violence. Trafficking in Persons is the act of recruiting, transporting, accommodating, sending, transferring, or accepting someone with threats of violence, use of force, kidnapping, confinement, forgery, fraud, abuse of power or vulnerable position, debt bondage or giving payments or benefits, so as to obtain the consent of the person who has control over the other person, whether done within the country or between countries, for the purpose of exploitation or causing the person to be exploited. (Article 1 number 1 of Act Number 21 of 2007 on Eradication of TIP).

Victims of trafficking in persons tend to think not to report the crime because these victims do not consider themselves victims (they often blame themselves for what happened), they do not understand the assistance available or are concerned about the stigma and consequences that arise if the incident spread out. Proactive and collaborative efforts of specialized service providers are essential to ensure the timely

identification and protection of victims of trafficking oriented towards survivors, detection and prosecution of crimes, and prevention and increasing public awareness.

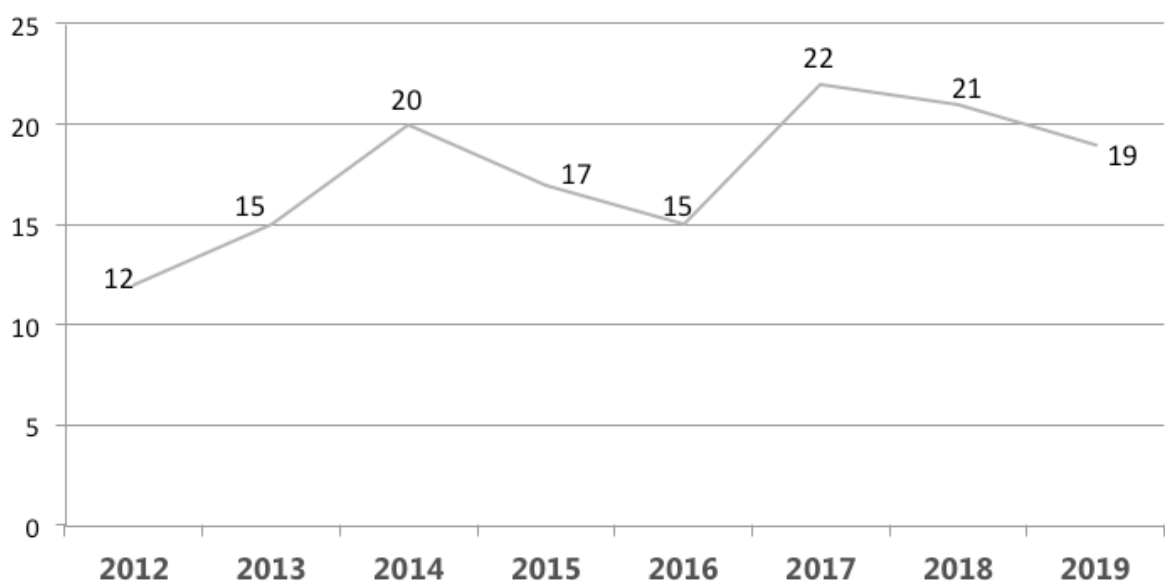
This crime is known by calling the cases of trafficking in persons as 'illegal labor'. Here, it is clear that the thing being traded is not 'labor', but 'the person'. If only the 'labor' is sold, then it will be called labor, however when the subject no longer has authority over himself, then as a human being, he has been sold, exploited, and man has become a commodity.

Regardless of gender and age, both men and women, adults and children, are vulnerable to become victims of human trafficking for the purpose of labor exploitation and sexual exploitation, exploitation as beggars, working in rough places with low wages on plantations, workers or as domestic servants, and as other criminal actors. The purpose of coercion of victims is for the benefit of recruiters and traffickers who can destroy the lives of the victims and their families.

To overcome the above, Prevention and handling of the crime of TIP are needed, as well as coordination in prevention, protection, and prosecution efforts against trafficking in persons through the cooperation of law enforcement officials and other government and non-government stakeholders.

4.3.1 Outcomes

CHART 6: RECAPITULATION OF CRIMINAL TIP SPECIFIC CASSATION



Source: The Supreme Court, 2018

Achievements in TIP casetrial process, the Supreme Court succeeded in handling cassation cases and TIP Judicial Review. The Supreme Court received 19 cases in 2019 and 21 cases in 2018. In 2018, the number of TIP “that had been decided was 18 (86%) cases” and “hadn’t been decided 3 (14%) cases”. The number of cases decided with “rejected” status was 10 (55%) cases, “granted” 3 (17%) cases, and “rejected reviews” 5 (28%) cases. Meanwhile, in 2019, the Supreme Court received 19 cases that had been “decided” (100%). The number of decided cases with “rejected” status was 14 cases, “granted” 2 cases and “rejected reviews” 4 cases.

Based on the report of the Directorate of General Court Administration Development, Supreme Court at the High Court and District Court, there are 316 TIP cases in 2018, consisting of 68 (21.5%) remaining cases from the previous year and 248 (78.5%) new cases. Of this number, 262 cases had been decided and 54 cases had not been finalized which will be decided on the following year. Of the 262 decided cases, there are 29 and 23 cases were filed for appeals and cassations. Then, in 2019, there were 247 cases, consisting of 57 remaining cases from the previous year and 190 new cases. Of the number, 223 cases had been decided.

**TABLE 28: NUMBER OF CASES ON ERADICATION OF TIP
BY THE HIGH COURT FOR 2018**

High Court	Remaining Last Year	Incoming	Burden	Decided	Remaining	Appeal	Cassation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Bandung	16	51	67	58	9	11	8
Surabaya	8	40	48	45	3	6	4
Jakarta	11	21	32	25	7	2	3
Kupang	1	26	27	17	10	2	3
Pekanbaru	4	20	24	20	4	4	0
Pontianak	4	16	20	18	2	0	0
Medan	3	13	16	12	4	1	0
Mataram	5	7	12	11	1	0	1
Tanjung Karang	0	10	10	1	9	0	0
Semarang	2	7	9	8	1	0	1
Jambi	4	5	9	9	0	0	0
Manado	1	7	8	7	1	1	0
Makassar	3	4	7	7	0	0	0
Banten	0	6	6	5	1	0	0
Samarinda	1	3	4	4	0	0	0

High Court	Remaining Last Year	Incoming	Burden	Decided	Remaining	Appeal	Cassation
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Palembang	0	3	3	2	1	0	0
Bengkulu	0	3	3	3	0	0	0
Banjarmasin	3	0	3	3	0	0	0
Padang	0	2	2	2	0	1	0
Banda Aceh	0	1	1	0	1	0	0
Yogyakarta	0	1	1	1	0	1	1
Gorontalo	0	1	1	1	0	0	0
Ambon	0	1	1	1	0	0	2
Palangkaraya	1	0	1	1	0	0	0
Jayapura	1	0	1	1	0	0	0
Total	68	248	316	262	54	29	23

Source: Directorate of General Courts Administration Development, 2018

The five High Courts with the highest burden in handling TIP cases are Bandung High Court with 67 (21.2%) cases, Surabaya High Court with 48 (15.2%) cases, Jakarta High Court with 32 (10.1%) cases, Kupang High Court with 27 (8.5%) cases, and Pekanbaru High Court with 24 (7.6%) cases. Even so, there are several areas that need attention, which are marked by the large number of TIP cases being processed in district and high courts, namely Pontianak High Court with 20 cases, Medan High Court with 16 cases, Mataram High Court with 12 cases, and Tanjung Karang High Court with 10 cases.

TABLE 29: NUMBER OF CASES ON ERADICATION OF TRAFFICKING IN PERSONS BY THE HIGH COURT FOR 2019

No	Working Unit	Initial Remaining	Incoming	Burden	Decided	Remaining
1	PT Pekanbaru	1	3	4	4	0
2	PT Jakarta	1	2	3	3	0
3	PT Bandung	1	1	2	2	0
4	PT Yogyakarta	0	2	2	2	0
5	PT Surabaya	1	2	3	3	0
6	PT Mataram	0	2	2	2	0
7	PT Kupang	0	3	3	3	0
8	PT Pontianak	0	2	2	2	0
9	PT Banjarmasin	0	1	1	1	0
10	PT Makassar	0	1	1	1	0
	Total	3	16	16	19	0

The process of prosecuting and examining TIP cases in court is part of TIP law enforcement. Several notes on the administrative process in filing legal remedies and the process of handling TIP cases at all levels during the Period of 2018-2019, were conducted by implementing the Supreme Court policies, including:

1. The Supreme Court Regulation Number 3 of 2017 concerning Guidelines for Judging Cases of Women in Conflict with the Law.
2. An application for cassation that meets the formal requirements is at the latest within 14 days after the grace period for filing an appeal memorandum ends, the complete request for cassation shall be submitted by the clerk of the court to the Supreme Court (Article 249 paragraph (3) of Criminal Procedure Code). This is reinforced by the Supreme Court Circular Letter Number 1 of 2014, amendment to the Supreme Court Circular Letter Number 14 of 2010 concerning Electric Document as Completion of Appeal for Cassation and Review.
3. Supreme Court Circular Letter Number 4 of 2011 concerning the Treatment for Whistleblower and Justice Collaborators in Specific Crime Cases becomes the basis for judges and courts in processing TIP cases. The criminal acts in question are grave and/or organized crimes, such as TIP, corruption, gross Human Rights violation, drugs, terrorism, Money Laundering Crime, and forestry.
4. Supreme Court Circular Letter Number 1 of 2000 concerning Conviction in order to be in Proportion with the Severity and Nature of the Crime.

The Crime of Trafficking in Persons (TIP), especially women and children, has expanded in the form of organized and unorganized crime networks. Eradicating TIP must be based on noble values, national and international commitments so that it is necessary to make early prevention efforts, take action against perpetrators, protect victims of TIP and increase cooperation with related agencies.

The provisions on trafficking in persons were originally regulated in Article 297 of the Criminal Code which stipulates the prohibition of trafficking in girls and boys and qualifies this act as a crime and Article 83 of the Child Protection Law (UUPA) which stipulates the prohibition of trafficking, selling, or kidnapping child for personal benefit or for sale. The system for formulating the length of criminal sanctions (Strafmaat) in Article 297 of the Criminal Code which is single in the form of imprisonment, is considered too light and not commensurate with the impact suffered by victims of trafficking in persons. As a form of protection for victims of TIP, in a Court Decision, apart from imposing a

sentence (punishment), the Judge can impose an obligation to pay restitution to the victim which is imposed on the perpetrator or a third party. Requests for restitution by victims of criminal acts including TIP can be submitted before the verdict and after the decision is legally binding.

The steps taken by the Judge in examining and passing decisions on restitution are based on Article 1 number 13 and Article 48 paragraph (1) of TIP Law which states that every TIP victim or his beneficiary has the right to receive restitution; (2) Restitution as intended in paragraph (1) in the form of compensation for loss of assets or income, suffering, costs for medical and/or psychological treatment, and/or other losses suffered by victim arising from the criminal act of trafficking in person, are given and included at the same time in the court's verdict.

Provision of restitution shall be effected within 14 (fourteen) days from the notification of court ruling having permanent legal force. Restitution may be temporarily deposited with the court in which the case is ruled upon. However, the provision of restitution is an accompanying punishment (*assessoir*) with the main case. That is, restitution can only be imposed if the perpetrator is legally proven to be guilty of committing TIP. In the event that the perpetrator is acquitted by the court at the appeal or cassation level, the judge orders in his decision that the restitution that was previously deposited is returned to the (perpetrator) who was released.

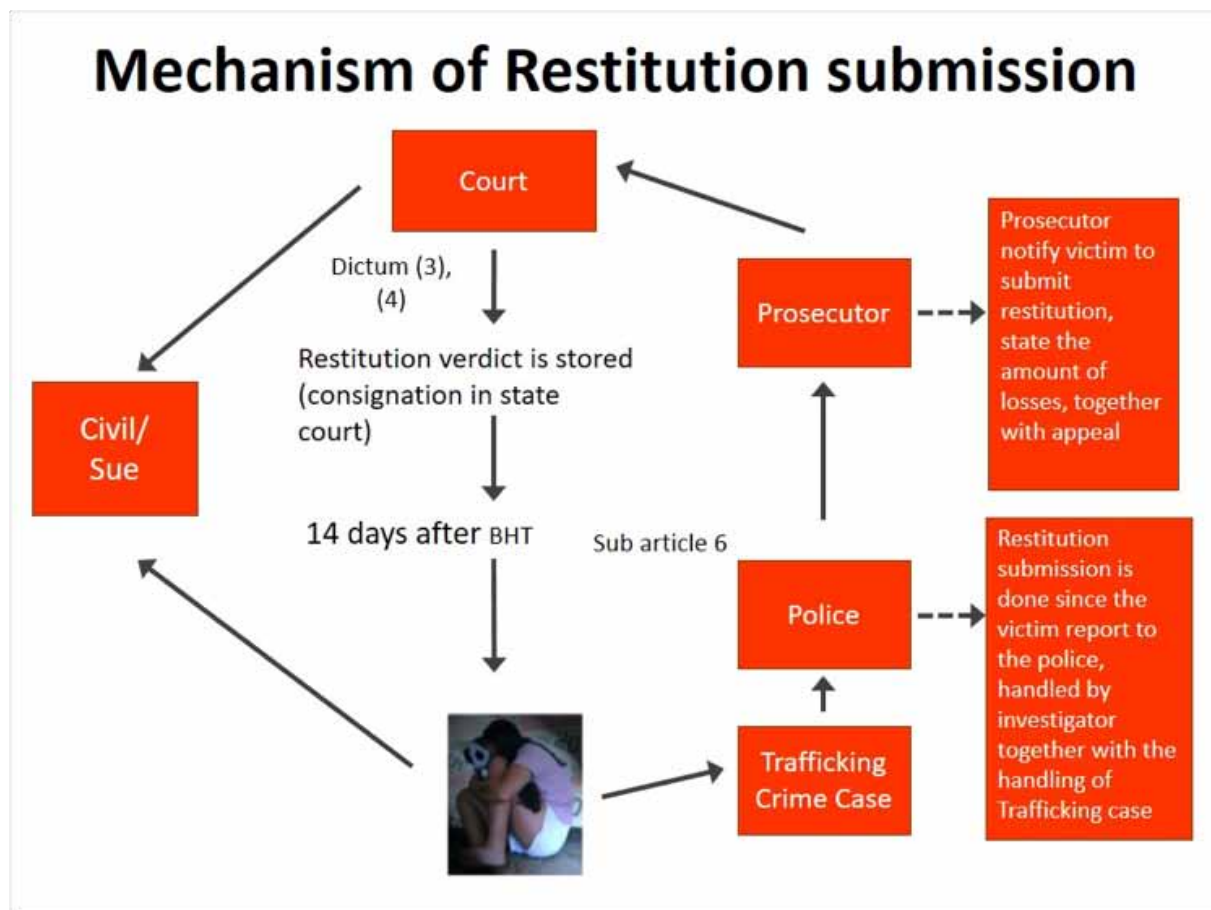
Other laws and regulations regarding restitution are contained in the Supreme Court Regulation Number 3 of 2017 concerning Guidelines for Judging Cases of Women in Conflict with the Law, Government Regulation Number 7 of 2018 concerning Compensation, Restitution and Support to Witnesses and Victims as amended by Government Regulation Number 35 of 2020, and Government Regulation Number 43 of 2017 concerning Implementation of Restitution for Children who are Victims of Criminal Acts.

Of these various provisions, until now there has been no regulation that becomes a guideline for examining requests for restitution and this is very much needed in the process of completing requests for restitution, both before the verdict and after the decision has permanent legal force. To ensure the accuracy and smoothness of examining requests for restitution and implementing the provisions of Article 31 paragraph (4) of Government Regulation Number 7 of 2018 concerning Compensation, Restitution and Support to Witnesses and Victims as amended by Government Regulation Number 35 of 2020, it is necessary to establish a Supreme Court Regulation regarding the law of

procedure for applications and granting of restitution..

The following is a diagram of the mechanism for applying for restitution:

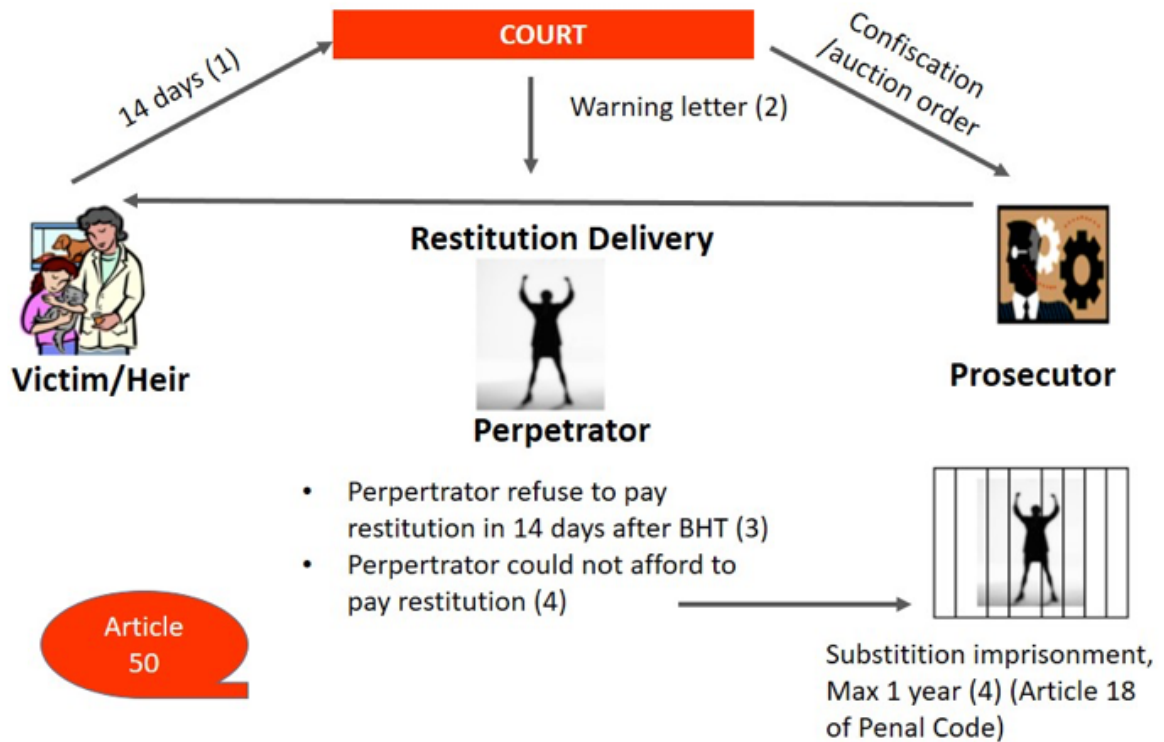
FIGURE 6: RESTITUTION SUBMISSION MECHANISM



Source: The Supreme Court, 2019

FIGURE 7: UNFULFILLED RESTITUTION SCHEME

FAIL TO COMPLY RESTITUTION IMPLEMENTATION



Source: The Supreme Court, 2019

Thus, TIP law enforcement in the court sector runs according to the target of the 2015-2019 National Action Plan of ATTF. There are several obstacles that are recorded, but they are more related to the results of decisions regarding restitution that are not directly paid to victims of TIP and efforts to seize assets from TIP.

4.3.2 Best Practices

Based on data on TIP cases handled by the Supreme Court, High Court and District Court, there are examples of TIP cases handling that might be a reference as best practice in handling TIP cases because in the rulings there are orders to pay Restitution to TIP perpetrators.

Examples of best practice in TIP cases:

1. Verdict number 49 PK/Pid.Sus/2018 on behalf of the Defendant H. SHAMSUL RAHMAN

- The defendant was brought before the District Court of Medan and was charged by the Public Prosecutor for violating Article 2 of Act Number 21 of 2007 on the Eradication of the Crime of Human Trafficking in conjunction with Article 55 paragraph (1) of 1st Criminal Code and Article 181 of the Criminal Code in conjunction with Article 55 paragraph (of 1) of 1st Criminal Code and Article 44 paragraph (1) of Act Number 23 of 2004 on the Elimination of Domestic Violence and was requested to be sentenced to imprisonment for 20 (twenty) years, a fine of IDR120,000,000.00 (one hundred and twenty million rupiah) with a subsidiary of 6 (six) months imprisonment, and to pay restitution to:
 - Witness YENGKY SUTENDY as the beneficiary of HERMIN RUSWIDIATI Alias CICI (deceased) at the amount of IDR 100,000,000.00 (one hundred million rupiah).
 - Witness ENDANG MURDIANINGSIH at the amount of IDR 75,000,000.00 (seventy five million rupiah).
 - Witness RUKMIANI at the amount of IDR 30,000,000.00 (thirty million rupiah).
 - Witness ANIS RAHAYU at the amount of IDR 75,000,000.00 (seventy five million rupiah).
- For these demands, the District Court of Medan issued a Verdict Number 1083/Pid.B/2015/PN Mdn dated September, 7th 2015 which stated that the defendant was found guilty of committing a criminal act of “jointly conducting human trafficking and jointly hiding the corpse with the intention of concealing her death and by unlawfully committing physical violence within the household resulting in injury to other people” and therefore the Defendant was sentenced to 17 (seventeen) years in prison, a fine of Rp120,000,000.00 (one hundred and twenty million rupiah) with subsidiary imprisonment for 3 (three) months as well as paying additional restitution to the beneficiary to the late Hermin Ruswidiati alias Cici (deceased), namely Yengky Sutandi, at the amount of IDR 25,000,000.00 (twenty five million rupiah).
- The District Court of Medan's Verdict was amended at the appeal level by the

High Court of Medan through Verdict Number 593/PID.SUS/2015/PT.MDN dated 27 October 2015, which stated that amending the District Court Verdict was merely a crime handed down to the Defendant to be imprisoned for 18 (eighteen) years, a fine of Rp120,000,000.00 (one hundred and twenty million rupiahs) provided that if the fine cannot be paid, it is replaced by imprisonment for 3 (three) months as well as paying additional restitution to the beneficiary of Hermin Ruswidiati alias Cici (deceased), namely Yengky Sutandi, at the amount of Rp.25,000,000.00 (twenty-five million rupiah).

- On the Verdict of the High Court of Medan, the Defendant filed an appeal and the Supreme Court had issued the Verdict Number 501 K/Pid.Sus/2016 dated April 25, 2016 which rejected the Defendant's Cassation and refused the Public Prosecutor's Cassation with remedies only regarding the penalty in lieu of restitution into paying additional restitution to the beneficiary of Hermin Ruswidiati alias Cici (deceased), namely Yengky Sutandi, at the amount of Rp.25,000,000.00 (twenty-five million rupiah) provided that if the restitution is not paid, then it is replaced by imprisonment for 3 (three) months.
- Based on the cassation decision, the Defendant filed a Judicial Review and the Supreme Court has passed the Judicial Review Verdict Number 49 PK/Pid.Sus/2018 dated May 3, 2018 which allegedly rejected the Appellant's petition. The Judicial Review decision is based on considerations in essence that the reason for the review of the Appellant/Defendant that the existence of an "obvious oversight or mistake" cannot be justified. Whereas even though the victim or her beneficiary did not file a claim for restitution, if the legal facts of the trial reveal that the rights of the victim were neglected and need to be restored or according to the Judge it is appropriate to charge restitution payments to the Defendant, the Judge can decide restitution as regulated in Articles 48, 49 and Article 50 of Act Number 21 of 2007 on Eradication of the Crime of TIP
- Whereas as a consequence of the Cassation Decision of the Supreme Court of the Republic of Indonesia which has imposed a criminal offense on the Appellant/ Defendant who has obtained permanent legal force, the Appellant will only have to undergo his sentence a quo, and if the decision of the Supreme Court does not contain an order for the Appellant to remain in custody, it does not invalidate the decision of the Supreme Court because the Supreme Court's decision has an executorial character.

Rule of Law:

- The rule of law that can be drawn from the case is that the judge can decide to sentence the defendant to pay restitution to the victim or his heir in addition to compensation for the loss suffered by the victim or his heir, even though the victim or his heir has received cash from the Defendant outside the trial. Considering that the rights of the Victim have been neglected and need to be restored based on restorative justice so that according to the Judge it is deemed appropriate to impose restitution payments on the Defendant, the Judge can decide restitution sentences as stipulated in Article 48 and Article 49 of the Republic of Indonesia Act Number 21 Of 2007 on the Eradication of the Crime of TIP.
- As a consequence of the Supreme Court's Cassation Decision which has acquired permanent legal force, the Appellant will only have to undergo his sentence a quo, and if the decision of the Supreme Court does not contain an order for the Appellant to remain in custody, it does not invalidate the decision of the Supreme Court because the Supreme Court's decision has an executorial character.

2. Verdict on Case Number 1012 K/Pid.Sus/2018 on behalf of the Defendant AGUSTINA binti TULUS

- The Defendant AGUSTINA binti TULUS was charged by the Public Prosecutor with alternative charges. First: violation of Article 2 Paragraph (1) of Act Number 21 of 2007 on Eradication of the Crime of TIP in conjunction with Article 64 Paragraph (1) of the Criminal Code; or the second: violation of Article 296 of the Criminal Code; or Third, violation of Article 506 of the Criminal Code.
- The Public Prosecutor at the District Attorney of Blitar demanded that the Defendant be found guilty of violating Article 2 Paragraph (1) of Act Number 21 of 2007 on Eradication of the Crime of TIP in conjunction with Article 64 Paragraph (1) of the Criminal Code and sentenced to 5 (five) years imprisonment, a fine of IDR 120,000,000.00 (one hundred and twenty million rupiah) with subsidiary of 6 (six) months in prison.
- Regarding the charges, the District Court of Blitar issued Decision Number 300/Pid.B/2017/PN.Blt on November 27th, 2017, which stated that the

Defendant was legally and convincingly proven guilty of committing a criminal act by “deliberately linking and facilitating obscene acts and making it a habit.” And therefore the Defendant was sentenced to 1 (one) year imprisonment.

- The Blitar District Court's decision has been upheld by the East Java High Court Decision Number 900/PID.SUS/2017/PT.SBY dated January 24th, 2018 at the appeal level.
- On the decision of the East Java High Court, the Public Prosecutor filed an appeal and the Supreme Court issued a Decision Number 1012K/Pid.Sus/2018 dated August 8th, 2018 which basically granted the public prosecutor's appeal, canceled the *judex facti* decision and tried it himself by stating that the defendant was legally and convincingly proven guilty of committing the crime of “Trafficking in persons as an ongoing act” and therefore the defendant was sentenced to imprisonment for 3 (three) years, and a fine of Rp120,000,000.00 (one hundred and twenty million rupiah), provided that If the fine is not paid, then it will be replaced by imprisonment for 3 (three) months.
- The consideration of the cassation decision was principally the decision of the *judex facti*/District Court of Blitar which was strengthened by the East Java High Court to be incorrect and wrong in terms of legal application, because from the legal facts revealed in the trial, the Defendant, acting as a pimp, had recruited or accepted Commercial Sex Workers (CSWs) and the Defendant acted as intermediaries in order to bring together Commercial Sex Workers (CSWs) with men or their “clients”.

The Defendant used or exploited women including witness Indah Nurhayani alias Caca to work as a Commercial Sex Worker (CSW) where witness Indah Nurhayani alias Caca and other victims recruited by the Defendant were in a vulnerable position or received payment from the defendant to have intercourse with men. The Defendant had often done the foregoing for 4 (four) months and the defendant had benefited, which meant that the Defendant had exploited witness Indah Nurhayani alias Caca and other victims so that for the Defendant, this was a source of livelihood and an ongoing act..

- Whereas the application of the provisions of Article 2 Paragraph (1) of Act Number 21 of 2007 on the Crime of TIP in the First Alternative Indictment is in

line with the legal principle of “specific legislation overriding general laws and regulations” (*lex speciale derogat lex generali*) if juxtaposed with Article 296 of the Criminal Code or Article 506 of the Criminal Code in the Second and Third Alternative Charges, so that the provisions in Article 2 Paragraph (1) of Law Number 21 of 2007 concerning the Crime of TIP override the provisions in Article 296 of the Criminal Code or Article 506 of the Criminal Code.

Whereas based on these considerations the *Judex Facti* should have declared the Defendant legally and convincingly proven guilty of committing the crime of “TIP as a continuing act” as regulated in Article 2 Paragraph (1) of Law Number 21 of 2007 concerning Eradication of the Crime of Human Trafficking in conjunction with Article 64 Paragraph (1) of the Criminal Code on the First Alternative Indictment for the Public Prosecutor.

Rule of Law:

The application of the provisions of Article 2 Paragraph (1) of Law Number 21 of 2007 concerning the Crime of TIP is in line with the legal principle “*lex speciale derogat lex general*” when juxtaposed with Article 296 of the Criminal Code or Article 506 of the Criminal Code, so that the provisions in Article 2 Paragraph (1) Law Number 21 of 2007 concerning the Crime of TIP overrides the provisions in Article 296 of the Criminal Code or Article 506 of the Criminal Code.

3.Verdict on Case Number 1921 K/Pid.Sus/2016 on behalf of CHO YUAN HO alias CHONG YEN HE, son of CHO FONG CHIEN.

- The defendant CHO YUAN HO alias CHONG YEN HE, the son of CHO FONG CHIEN, was charged by the Public Prosecutor with alternative charges, first: Article 2 in conjunction with Article 10 in conjunction with Article 11 of Law of the Republic of Indonesia Number 21 of 2007 concerning Eradication of the Crime of Trafficking in Persons, or second: violating Article 4 in conjunction with Article 10 in conjunction with Article 11 of Law of the Republic of Indonesia Number 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons.
- The Public Prosecutor at the District Attorney of Pontianak demanded that the Defendant be found guilty of violating Article 2 in conjunction with Article

10 in conjunction with Article 11 of Law of the Republic of Indonesia Number 21 of 2007 concerning Eradication of the Crime of TIP and the Defendant was sentenced to imprisonment for 6 (six) years, a fine in the amount of IDR 150,000,000.00 (one hundred and fifty million rupiah) with subsidiary of 6 (six) months imprisonment and pay a restitution of IDR 5,000,000.00 (five million rupiah) to the victim witness AHA alias SU OI HA alias BONG HAKUNG aka SU the daughter of SU CHOI HIN subsidies for 3 (three) months in prison.

- Regarding these charges, the District Court of Pontianak issued Decision Number 823/Pid.Sus/2015/PN.Ptk dated January 19th, 2016 which stated that the Defendant was not legally proven and convinced guilty of committing the crime of "Trafficking in Persons" and therefore the Defendant was acquitted of the First Indictment or the Second Indictment of the Public Prosecutor.
- On the decision of the District Court of Pontianak, the Public Prosecutor filed an appeal and the Supreme Court handed down Decision Number 1921 K/Pid.Sus/2016 dated February 28, 2017 which basically granted the Public Prosecutor's appeal, canceled the judex facti decision and tried it itself by declaring the Defendant proven to be legally and convincingly guilty of committing the crime of "Trafficking in Persons" and therefore the Defendant was sentenced to 3 (three) years imprisonment, a fine of IDR 120,000,000.00 (one hundred twenty million rupiah) with subsidiary of 1 (one) month imprisonment..
- The consideration of the cassation decision basically was that the Public Prosecutor's reasons were justified because the Judex Facti had wrongly applied the law in trying the Defendant. Judex Facti had wrongly applied the law because it stated that elements with threats of violence, the use of force, kidnapping, confinement, forgery, fraud, abuse of power or vulnerable position, debt bondage or giving payments or benefits despite obtaining approval from people who have control over other people, is not proven from the Defendant's actions based on the consideration that the Defendant only acted as a matchmaker to find a mate and the Defendant ordered Pang Si Ha and Tjhang Meu Fung to find as many as 10 (ten) women who would be selected by Chao Hung Chi.

That the recruitment of Aha alias Su Oi Ha alias Hakung by using the vulnerable position of the victim where Pang Si Ha alias Amoi said "You are a poor person,

you have to marry Chao Hung Chi, after marrying, you will have a lot of money to buy anything”, and Tjhang Meu Fung alias Afung said “Later when you get married, I will give you IDR 10,000,000.00 (ten million rupiah)” in which by being the agent or matchmaker, the Defendant hoped to get money. The victim Aha alias Su Oi Ha alias Hakung, who was chosen as a potential wife by Chao Hung Chi, was initially unwilling to become a candidate for the wife of the Taiwanese, but because of the abuse of the victim's vulnerable position as a poor person, finally Aha alias Su Oi Ha alias Hakung stated that she was willing.

- Whereas based on these considerations, elements with threats of violence, the use of force, kidnapping, imprisonment, forgery, fraud, abuse of power or vulnerable position, debt bondage or giving payments or benefits despite obtaining the consent of the person who is in control of another person has been proven.
- Whereas Judex Facti has also wrongly applied the law because it concluded that the Defendant's act of exploitation was not fulfilled based on the consideration that the purpose of matching Aha alias Su Oi Ha alias Hakung with Chao Hung Chi was to become husband and wife. Judex Facti's consideration was clearly wrong because the marriage plan was unfair due to hidden information about the marriage, which the Defendant had covered up, namely a statement in Chinese that the victim did not understand, which had to be signed, which was basically stated that if the victim was Aha alias Su Oi Ha alias Hakung canceled this marriage after getting engaged, the victim Aha alias Su Oi Ha alias Hakung had to pay compensation to Chao Hung Chi in the amount of NT.150,000 Yuan. Thus the element to be exploited has been proven.

Legal Norms:

- That the criminal act of TIP can occur, even though there is agreement from the victim, so the judges cannot exclude the phrase “victim's consent”, as consent can be given by the victim, one of which is that the victim is in a vulnerable position as in the case of a quo and other factors in Law Number 21 of 2007, even by the consideration that with such agreement the Defendant will obtain some benefit.

- That cross-border matchmaking or marriages, such as the a quo case, must be criticized by the Law Enforcement Officials whether there is a vulnerable position in it or what happens like contract marriages, etc., especially in court where the consent of the victim is exposed.

4.3.3 Challenges and Problems

1. In several court rulings regarding TIP, there are still not many concerning the restitution payment to the victims.
2. In several court rulings regarding TIP, there are still no efforts to confiscate proceeds derived from the crime as a basis for asset recovery.
3. Court rulings on TIP cases are still most oriented towards imprisoning the perpetrators and have not maximally prioritizing the concept of restorative justice.

4.3.4 Recommendations

Several recommendations regarding law enforcement in the field of court are as follows:

1. The Law Enforcement Officials need to be empowered by progressive knowledge about the criminal act of TIP (TIP) in an integrated manner, as well as their understanding of the Crime of Money Laundering (CML) to confiscate proceeds derived from TIP by adopting various normative provisions both in country and abroad.
2. To make efforts for every court ruling to include “restitution” and “confiscation of proceeds” as the basis for the executing prosecutor to deter/impoverish the perpetrators of the crime, as well as the efforts of asset recovery mechanism if the proceeds of the crime is abroad through a request for Mutual legal Assistance in Criminal Matter.
3. The implementation of the restitution provision shall be reported regularly to the head of the court where the ruling was passed, accompanied by proof of such payment. The head of the court then shall announce the payment of restitution in the court's bulletin board and website.

4.4. Field of Witness and Victim Protection

4.4.1. Achievement

The Witness/Victim Protection Agency (LPSK) has recorded several achievements in carrying out efforts to protect victims of TIP. The achievements referred to are as follows:

1. To provide assistance to victims and their families (LPSK and PERADI).

LPSK succeeded in assisting 1,165 protected TIP victims in 2015-2019, with details of 234 (20.09%) in 2015, 170 (14.59%) in 2016, 257 (22.06%) in 2017, 186 (15.97%) in 2018, and 318 (27.30%) in 2019.

TABLE 30: TOTAL PROTECTED THROUGH THE TIP WITNESS AND/OR VICTIM PROTECTION BY LPSK

No	Year	Total	Gender and Age Protected			
		Protected				
(1)	(2)	(3)	Male (Boys)	Male (Men)	Female (Girls)	Female (Women)
1	2015	234	6	61	19	148
2	2016	170	12	63	15	80
3	2017	257	4	73	12	168
4	2018	186	6	49	14	117
5	2019	318	4	106	52	156
Total		1.165	32	352	112	669

Source: LPSK, 2020

Whereas during 2015 – 2019, LPSK provided 2,189 services for TIP victims through the TIP Witness and/or Victim Protection Program, with details of Fulfillment of Procedural Rights 976 (44.59%), Physical 87 (3.97%), Medical 67 (3.06%), Psychological 68 (3.11%), Psychosocial 28 (1.28%), Restitution 963 (43.99%), and Compensation 0 (0%).

TABLE 31: TOTAL SERVICES THROUGH THE TIP WITNESS AND/OR VICTIM PROTECTION PROGRAM BY LPSK

No	Year	Type and Total Services														Total	%	
		PHP		Physical		Medical		Psychological		Psycho-social		Restitution		Compensation				Services
		Σ	%	Σ	%	Σ	%	Σ	%	Σ	%	Σ	%	Σ	%			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)	(13)	(14)	(15)	(16)	(17)	(18)	
1	2015	108	26,09	47	11,35	12	2,90	13	3,14	0	0,00	234	56,52	0	0,00	414	100	
2	2016	170	50,00	7	2,06	7	2,06	5	1,47	3	0,88	148	43,53	0	0,00	340	100	
3	2017	254	47,83	10	1,88	22	4,14	16	3,01	3	0,56	226	42,56	0	0,00	531	100	
4	2018	175	52,71	5	1,51	10	3,01	10	3,01	1	0,30	131	39,46	0	0,00	332	100	
5	2019	269	47,03	18	3,15	16	2,80	24	4,20	21	3,67	224	39,16	0	0,00	572	100	
Total		976	44,59	87	3,97	67	3,06	68	3,11	28	1,28	963	43,99	0	0,00	2189	100	

Remarks:

- PHP: Pemenuhan Hak Prosedural (Fulfillment of the Procedural Rights)
- Physical: Physical Protection

Source: LPSK, 2020

2. To provide protection for Witnesses, Victims, and their Families (LPSK and CID-INP).

LPSK has provided protection to all TIP Witnesses and Victims and their families in its protection program. During 2015 – 2019, it provided for 1,165 Witnesses, Victims and their Families with 1,063 services, with details of Fulfillment of Procedural Rights of 976 (91.82%) and Physical 87 (8.18%).

TABLE 32: TOTAL PROTECTION SERVICES THROUGH THE TIP WITNESS AND/OR VICTIM PROTECTION BY LPSK

No	Year	Total Protected		Type and Total Services				PHP + Physical Services	
				PHP		Physical			
		Σ	%	Σ	%	Σ	%	Σ	%
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	2015	234	20,09	108	69,68	47	30,32	155	100
2	2016	170	14,59	170	96,05	7	3,95	177	100
3	2017	257	22,06	254	96,21	10	3,79	264	100
4	2018	186	15,97	175	97,22	5	2,78	180	100
5	2019	318	27,30	269	93,73	18	6,27	287	100
Total		1165	100	976	91,82	87	8,18	1063	100

Remarks:

- Protected: Witnesses, Victims, and their Families

PHP: Pemenuhan Hak Prosedural (Fulfillment of the Procedural Rights)

- Physical: Physical Protection

Source: LPSK, 2020

3. To conduct bilateral cooperation in the context of addressing and protecting cross-border witnesses and victims (LPSK, CID-INP, MA and KJA)

In 2015, LPSK provided protection to 14 witnesses and/or victims in the Benjina case. Providing such protection, it cooperated with the Government of Myanmar to bring witnesses and/or victims of its citizenship to bear testimony at the proceedings in Indonesia.

In 2016, LPSK nonetheless provided protection services for 14 witnesses and/or victims in the TIP Benjina case. It also facilitated the calculation of restitution for the victims granted by the Council of Judges.

LPSK held The Second Annual Meeting Of ASEAN Network For Witness and Victim Protection (Semarang, 25-26 July 2016).

Then, submitting restitution to victims of TIP in Benjina in collaboration with Myanmar Government Representatives in Indonesia, LPSK initiated coordination

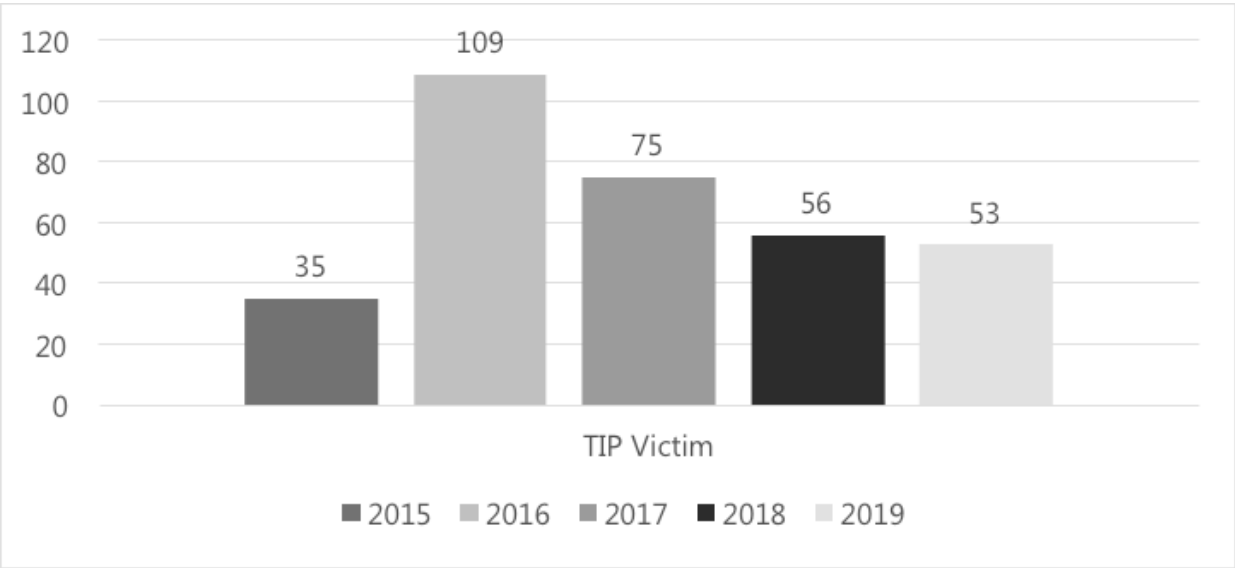
with the Indonesian Ministry of Foreign Affairs and the Attorney General's Office in 2017.

In 2018, LPSK held the third Annual Meeting of the ASEAN Network for Witness and Victim Protection (Bali, 12-13 September 2018). This event invited parties related to the protection of witnesses and victims at the ASEAN level as a forum for coordination and collaboration in responding to the criminal act of TIP across countries.

In 2019, LPSK participated in the Joint Capacity Building (JCB) and the 2nd Joint Committee Meeting on 29 – 30 October 2019 in Jakarta. Both activities were part of the follow-up signing of the RI – PEA MoU of 2015 in the field of Combating and Protecting the Victims of TIP by the two countries.

4. Total victims addressed

CHART 7: TOTAL SERVICES THROUGH THE TIP PROTECTION OF WITNESS AND/OR VICTIM PROTECTION BY LPSK 2015 - 2019



Source: LPSK, 2020

During 2015 – 2019, LPSK addressed 328 TIP victims, with details of 35 (10.67%) in 2015, 109 (33.23%) in 2016, 75 (22.87%) in 2017, 56 (17.07%) in 2018, and 53 (16.16%) in 2019.

5. Total victims receiving restitution

LPSK has facilitated the counting and provision of restitution for all TIP victims in its protection program from 2015-2019. It conducted the facilitation, because of the legal process for Victims took place at the level of Legal Research and/or Investigation, if its initial protection occurred at this level. It additionally provided this facilitation during the legal process at the prosecution level and case examination before the Court Proceeding. In certain cases, TIP Victims mind applying for Restitution, for example when the Victims estimate or know the perpetrator is incapable to pay Restitution. In this case, it does not facilitate the victims any restitution counting and request.

According to LPSK, during the 2015-2019 period, it has provided for 1,165 protected victims 963 (82.66%) services, with details of 234 (100) in 2015, 148 (87.06%) in 2016, 226 (87.94%) in 2017, 131 (70.43%) in 2018, and 224 (70.44%) in 2019.

TABLE 33: TOTAL THE PROTECTED RECEIVING RESTITUTION THROUGH THE WITNESS OR VICTIM PROTECTION PROGRAM OF LPSK

No	Year	Protected	Restitution	
		Σ	Σ	%
(1)	(2)	(3)	(4)	(4)
1	2015	234	234	100
2	2016	170	148	87,06
3	2017	257	226	87,94
4	2018	186	131	70,43
5	2019	318	224	70,44
Total		1165	963	82,66

Source: LPSK, 2020

LPSK as an institution that assists TIP victims and witnesses has tried carrying out its duties and functions in enforcing TIP law. Much progress has been recorded. However, the process of the assistance is still facing obstacles, including: limited time to provide medical assistance to TIP victims, joint monitoring mechanisms between ministries and institutions with local governments regarding the psychological condition of victims, small numbers of witnesses and victims of cross-border TIP protected by LPSK. Furthermore, as identified by the ATTF, there is no accurate system to integrate data collection on TIP perpetrators at CID-INP, the Attorney General's Office, the Supreme Court, the Director General of Corrections, and PERADI.

4.4.2. Best Practices

Benjina is one of the areas in the Aru Islands District, Maluku Province. In general, the outer islands in Moluccas, including Benjina, have specific characteristics and the potential for abundant natural resources, especially their marine fishery. However, the huge fishery potential and convenient environmental services have not been effectively utilized by the people living in the vicinity of the islands. This is required to the difficulty of transportation to reach the islands, insufficient facilities and infrastructure, limited capacity and number of human resources. They impact on various factors disadvantaging the development and utilization of abundant natural resources by local communities and governments.

Subsequently, the government managed this condition by inviting investors to develop and take advantage of the various fisheries potentials in Benjina. One of the investors or companies investing in Benjina is PT PBR. PT PBR took over the DGS Company which has been operating for 25 years in Benjina Village, Aru Tengah Sub-district, Aru Islands District from the auction results in Manado in 2006, which on June 27, 2007, was inaugurated as PT PBR. Since then, all DGS assets belonged to PT PBR. On that occasion, PT PBR took ±80 ex-DGS employees to work at the company with 52 fishing vessels owned by the company and one truck. The majority of crew members recruited are foreign crew members recruited by handing over the process to the Partner Company in Thailand.

Exploiting the potential of fisheries in Benjina, the presence of PT PBR has not had a significant benefit on the development of Benjina and the welfare of the local community. In fact, after operating for decades, it has been revealed that various forms of human rights violations have occurred impacting on tarnishing the reputation of

Indonesia as being accused of the practice of slavery.

The practice of slavery and the cruel and inhuman treatment experienced by the ship crew members, mostly come from abroad, namely Myanmar, Thailand, Laos, and Cambodia, were first exposed by the Associated Press News Agency (AP) which delivered the news of the results of the investigation report in Benjina. Following up on the news conveyed by the AP, the Ministry of Marine Affairs and Fisheries (KKP) acted quickly by involving law enforcement officials to immediately free hundreds of ABK who were in Benjina. To completely expose the human tragedy, the KKP then formed an Anti-Illegal Fishing Task Force. Furthermore, the Ministry of Marine Affairs and Fisheries coordinates with the National Human Right Commission (Komnas HAM) to monitor and investigate suspected incidents of slavery and various other forms of human rights violations.

Suffering Experienced by Victims

In accordance with the duties, functions and authorities of Komnas HAM as stipulated in the laws and regulations, a number of data, facts and information based on the monitor and investigation of the incident were found as follows:

Based on requests for details from some witnesses, including crew members, PT PBR, Benjina Village Government, PSDKP and so on, a number of data, facts and information were found as follows:

1. Trafficking in Persons

Based on the statements of a number of witnesses and victims, some data, facts and information proved they had become victims of trafficking in persons. The statements explained that while in Thailand they were deceived with being recruited by someone who offered a job. They are locked up for 30 days and then received passports on which they were only photographed without signing any documents. Based on data collection conducted up to April 8, 2015, there were at least 86 victims from Myanmar, Cambodia and Laos. It is estimated that the number of victims of TIP will increase considering that until now data collection is still ongoing on them.

2. Slavery

The crew members was employed without working hour regulations. They barely worked 22 hours and merely rested for about 2 hours. All the more

when they were ill, they were forced to work. They also experience persecution when they were regarded lazy or disappointed the ship captain (Taikong). In addition, they in did not receive the salary as promised.

3. Death of Crew Members

Based on the statements of a number of witnesses, it was discovered that there were data, facts and ship crew in Benjina Village. Since 2007, PT PBR has been operating and there have been deaths of its crew with various causes, including being mistreated by the taikong, sick on the boat and the clinic, falling from the ship, and fighting among the crew members. The information on the death of 77 crew members, who have died because of the aforementioned causes since 2007 until now, is based on data of the Maluku Provincial Police. However, based on the information and statements submitted by the witnesses, it is estimated that the number could reach around 200 people.

4. Persecution/violence against PT PBR's Crew

Based on the statements of witnesses and victims, they experienced violence/persecution by Taikong where they worked. Persecution, among others, was carried out by being beaten, kicked, electrified, and even injured with sharp objects.

5. Unfulfilled Labor Rights

Most of the Crew members who were appealed for information never have signed a clear work contract. In addition, the working hours of the crew members were also unclear. They barely toiled 24 hours a day and did not retain the right to rest. They equally could not perform worship according to their religion and belief. The Taikong did not give those who are Buddhist time and facilities for worshipping.

6. Employing Underage Workers

Based on the statements of witnesses and victims, it was found that there were facts, data, and information showing crew members were still under the age of 16 and 17 years, when they entered Benjina and worked.

²³ Summarized from the Komnas HAM Monitoring and Investigation Report on the Benjina incident.

7. Crew Members Locked in Cells

At the compound of PT PBR, two rooms resembled prison cells. They were utilized to locking crew members who were deemed to have committed violations, like fighting and getting drunk. The incarceration could vary from 2 days to 8 months or more.

8. Inhuman Workplace (Ship) Conditions

The crew members who got on board were approximately 40-50 people. They worked for 1 to 2 months on the boat without being provided with adequate facilities and infrastructure, such as health facilities. In addition, the compartments were inhuman, in which they have to enter an unusually narrow door. It was so short that they were unable to freely move around.

Based on the results of the monitoring and investigation, to create conducive conditions for the promotion, protection and enforcement of human rights, restoration of the rights of victims, and ensuring similar incidents do not recur in the future, Komnas HAM submitted recommendations to the ministry and agencies, including the National Police of the Republic of Indonesia to:

- a. Conduct a thorough investigation, to uncover and thoroughly expose the alleged practice of human trafficking, slavery and various forms of constitutional violations suffered over the years by the crew members working at PT PBR.
- b. Coordinate and cooperate with the Police of Thailand, Myanmar, and Laos and other relevant countries to identify victims and perpetrators suspected of originating from these countries.²³

Law Enforcement

The Indonesian National Police immediately took action to investigate the incident. From the results of its researches and investigations, the police suspected 8 (eight) people in this case, namely Youngyut Nitiwongchaeron Als. Yut Als. Tai Yut, Mukhlis Ohoitenan Als. Mukhlis, Mr. Boonsom Jaika Als. Yud Als. Tai Yud, Mr. Surachai Maneephong Als. Tai Kee Als. Kee, Mr. Hatsaphon Phaetjakreng Als. Tai At Als. At, Mr. Somchit Korraneesuk Als. Tai Wau Als. Wau, Yopi Hanorsian Als. Yopi, and Herman Wir Martino Als. Herman.

The suspects were subject to Article 2 paragraph (2) or Article (3) and Article 13

of Law Number 21 of 2007 concerning the Eradication of the Criminal Act of TIP in conjunction with Article 55 paragraph (1) 1e of the Criminal Code. In addition, the suspect on behalf of Yopi was also subject to Article 351 paragraph (1) and paragraph (2) of the Criminal Code related to the mistreatment of the victims.

In its progress, in mid-July 2015, LPSK received a letter of application for protection from the Aru Police dated July 14, 2015, regarding protection requests for 22 Myanmar citizens who were victims of TIP in Benjina, Maluku. LPSK then communicated incentives with the Aru Police and the Dobo District Prosecutor's Office to gather information related to the technicality of the case addressing process in relation to the needs of witnesses and victims in the proceeding process. The challenge in addressing the protection of this case was that the witnesses/victims were no longer in Indonesia. They have returned to Myanmar, and it was uneasy for LPSK to immediately transfer them back to Indonesia to testify in court, because LPSK did not ascertain their whereabouts.

Coordination with the Government of Myanmar

LPSK coordinated and consulted with the Myanmar Embassy in Indonesia. It conveyed its duties, authorities, and needs in providing protection and assistance to Myanmar citizens as requested for protection by the Aru Islands Police and the Dobo District Attorney. These needs were related to interpreters and communication with the Myanmar government in coordination regarding technical protection for citizens who would testify in courts in Indonesia. However, the Myanmar Embassy seemed to have a different response. They actually pushed for an out of court settlement and compensation for the 500 Myanmar people who were victims of this case. The Embassy also stated that it had difficulties in providing interpreters for victim witnesses to testify in Indonesia.

To face the problem, LPSK soon made contact and coordination with international agencies involved in addressing this case, i.e. Australia-Asia Program to Combat Trafficking in Persons (AAPTIP). In collaboration with these agencies, it was finally able to make contact directly with the anti-TIP unit in Myanmar. It was uneasy to coordinate directly with the Myanmar government through the unit. The unit accepted the need for LPSK to be able to meet the victims in Myanmar and bring them to court in Indonesia. However, they also asked LPSK to implement international legal provisions by applying MLA (mutual legal assistance) in this interest. This was another challenge for LPSK, because implementing MLA requires many times. On

the other hand, there was a very urgent need to bring them to proceedings. LPSK continued to lobby, so that this process could be carried out informally without any apply for MLA. This lobby was successful. The Myanmar side hoped LPSK would soon meet the victims in Myanmar by the end of September 2015.

The Myanmar government arranged an exclusive meeting upon arrival of the LPSK in Myanmar. The meeting was held in Nay Pyi Taw (the capital of Myanmar) to discuss the needs and interests of both parties. In the meeting, LPSK explained in advance about the LPSK agency and technical protection for Myanmar citizens. It also described the restitution mechanism as the right of victims of trafficking in persons. The Myanmar side itself expressed several interests in the meeting. It wanted to ensure the security and safety of its citizens during the meeting in Indonesia. In addition, the Myanmar government also stated that apart from the 22 citizens of this country, there were 500 other Myanmar citizens who were victims in the Benjina case whose rights must also be fulfilled. It wanted the other 500 victims to also become the attention of LPSK and the Indonesian government, especially the Indonesian police. The meeting ended with the signing of agreements between the LPSK and Myanmar. The agreement contained several technical matters related to the protection of victim witnesses of Myanmar citizens, regarding the obligations of the LPSK and the obligations of the Myanmar government, funding for the protection of victim witnesses, as well as communication and information channels between both parties in the context of protecting witnesses of victims of Myanmar citizens.

Finally, after the meeting LPSK was able to meet, interview the victims, and simultaneously counting the restitution for each victim. The meeting was held in Yangon City for two consecutive days with the assistance of a Myanmar-English-Indonesian translator. At that time, LPSK could only meet 13 victim witnesses and one victim's family member died. However, the Myanmar government could not determine the position of the other victims.

Incidences the Victims went through

LPSK has conducted meetings with witnesses/victims in an in-depth examination of the needs of protection and assistance to them. From the results of the examination, it was detected that they went through some incidences as follows:

1. Deception

From the results of the interviews, several facts were almost similar, that

is they were recruited with promises to work in Thailand. They departed on Thai-flagged ships from Thai waters. Most of them departed from the port of the Mekong. They were dispatched by different brokers. Most of them were not told that they would be working in Indonesian waters fishing. In fact, one of the victims was shocked when he arrived in Indonesia and wanted to return to Myanmar because it was too far. The captain of the ship was shouted at and threatened not to run away and would be reported to the police. They were only told that they would catch fish in Thai waters with a salary of 6,000 – 9,000 baht per month and a bonus of 50,000 – 150,000 baht per year.

2. Identity Forgery

According to the victims' testimonies met by LPSK, at the beginning, they lost their identity. The Thai brokers faked all their identities and changed their name to Thai as well as their nationalities, place and date of birth. For example, Soe Thien Mien (not their real name) was replaced by Sumit, a Thai citizen, and was born in Thailand. One by one, they were ordered by the captain of the ship to memorize their Thai names and their place of birth in Thailand. The victims also said that they were shown their passports and seafarers' books just before entering Indonesian territorial waters to memorize their identities.

3. Work Hours

The jobs were done regardless of fatigue, because they had to work for 20 hours every day and only had time to rest for 4 hours a day. They were not provided with a proper compartment but a cramped room and little time to sleep. This condition was exacerbated by the limited food provided by the captain of the ship to the victims. Some were only given pop noodles. The inhumane working hours and inadequate food and rest areas made them sick for many times.

4. Violence the Victims Suffered from

Another victim, let's say Mg Kyaw (not his real name) said that one day he was tired after carrying fish and fell asleep with two of his colleagues. When he woke up, he suddenly found himself in a weak state of pain, because he had been shot with a teaser by a company person named Mukhlis. He was shouted at and beaten to start working again. In addition, several times he was also found so that his body was wet with water as he worked in the freezer for such a long time. He was immediately grabbed and beaten by the taikong, even though at that time he did not intentionally make his body wet, but because

he worked in the freezer too long, and meanwhile, at that moment it was cold.

Indeed when they are sick, they still experience very sadistic treatment. The victims are prohibited from getting sick. Those who are sick and are still lying in bed, surely they will at once be watered by the captain, so that they get up immediately and not lazy and even often beaten. One of the victims, who told he was sick, was beaten and choked, so that he ran away, but was soon arrested and held in a cell locked by the company. In the cell, he saw friends who were sick with injections and died. Some of them were given pills causing their pain worse and eventually died. Seeing the condition of friends who ended in death, he refused to be given pills or an injection. At other times, he also saw many burials of Myanmar people on the land of Benjina who were suffering as a result of being persecuted and inhumane treated by company people and boat captains.

5. Incarceration

According to the story of Mg Kyaw (not his real name), working on a ship or in a port (mainland) he could not commit any mistakes nor violate the rules that have been set. If he did so, he would be sentenced to lock in a cell. Furthermore, for sure he was mistreated and tortured in the cell. Even expressing the desire to return to Myanmar was prohibited. He would definitely be shouted at, threatened with police reporting, and beaten. Meanwhile, the recruiters in Thailand promised they would be allowed to return home after 4 months of working in Indonesian waters.

6. Salary

They did not receive their salary according to the initial agreement. On average, they were only paid in the initial three months lower than what was promised. Some of them only received IDR 3,600,000 for three months. Some even received no salary at all for 22 months of work. Likewise, with bonuses, most of them never get it. Just one or two people receive it a much smaller amount than promised.

Pick-up and escort from Myanmar to Indonesia

Picking up and escorting and securing witnesses from other countries entering Indonesia to testify in Indonesian courts is the first experience for LPSK. The pick-up was carried out to Yangon, Myanmar, on Wednesday, 11 November 2015. At that time,

LPSK could not immediately transport the victims to Indonesia. It had to first explain to the Myanmar government and victims about the plans and technical protection for the victims during their journey to Indonesia and in the territory of Indonesia. It also explained some regulations that prohibit and allow during the protection period by LPSK. In addition, it also asked the victims' willingness to testify in Indonesian courts. Of the 13 victim witnesses that LPSK met previously, all were willing to go to Indonesia to testify and one victim's family filed for restitution completed with official documents as evidence and fulfillment of formal administrative requirements. After this explanation, the following day, the witnesses made preparations for departure to Indonesia. On the next day, they were ready to be flown.

Protecting witnesses and victims who are foreign nationals is not new to LPSK. However, so far, foreign nationals protected by LPSK are those who can speak English. Not so with the citizens of Myanmar, none of them speak English. Because of that, LPSK felt it was important to provide interpreters both for the benefit of the victims, for the sake of communication for the LPSK, and for the interests of the court. For this purpose, LPSK requested assistance from the Indonesian Embassy in Myanmar. Fortunately, one of the local staff at the Indonesian Embassy in Myanmar could speak Indonesian. So, with the permission of the Indonesian Ambassador to Myanmar, the local staff joined the group of victims to Indonesia. The Indonesian Embassy also provided more assistance to LPSK by bringing in other Myanmar-Indonesian-Myanmar translators to assist previous translators, especially during court proceedings.

Arriving at Jakarta, the victims were immediately placed in a safe house belonging to the LPSK and given time to rest for a day before being flown back to Tual, Maluku, because the proceeding of this case would be held in that area.

Court Proceedings

In preparation for the proceedings, the district attorney of Dobo asked LPSK to prepare a meeting room between the victim witnesses and the public prosecutor to testify at the court proceedings. In addition, during the proceeding process in Tual, the prosecutor's office asked for security and escort support for victim witnesses due to their safety and comfort. After coordination was carried out with the Dobo District Attorney, LPSK then coordinated with the Head of the Tual District Court to convey the protection provided to witnesses who were victims of TIP in Benjina. The LPSK team plotted locations and rooms at the Tual District Court for the purposes

of security and witness escort. The team also borrowed a room to be used as a witness waiting room for the safety and comfort of the witnesses. In the framework of safeguarding and escorting witnesses/victims and based on the information gathered by the investigation team, it was decided that in addition to the Security Task Force from the LPSK, 10 personnel each from the Tual Police and Koramil 1503 Southeast Maluku would also be involved. The court proceeding was held for four days, namely:

December 4th 2015

The witness was summoned with the defendant Hatsapon. During the proceedings, the witness described what he had experienced and performed good testimony.

December 7th 2015

The witnesses were summoned with the initials of the names TN, SM, WH, and SMT with the defendants Hermanwir, Bonsom, and Yopi. During the proceedings, the witness described what he had experienced and performed good testimony.

December 8th 2015

The witnesses were summoned with the initials of the names SMT, TZW, ATT, and AMS with the defendants Hermanwir and Surachai. During the proceedings, the witness described what he had experienced and performed good testimony.

December 9th 2015

The witnesses were summoned with the initials of the names WISH, YT, TN, TOWN, and KKN with the defendants Hatsapon, Hermanwir, Mukhlis, and Yopi. During the proceedings, the witness described what he had experienced and performed good testimony.

Restitution

Restitution is one of the rights given to victims. It is a must to include restitution for further decisions by the court, especially in TIP cases. The process of restitution assessment carried out by LPSK, concluded that the sufferings experienced by the victims were as follows:

1. Economic exploitation:
 - a. There is an unclear work relation (no work contract);
 - b. Document falsification regarding the identity of the victims committed by offenders;

- c. The promised wages are not in accordance with the received salary;
- d. Fraud/trickery and persuasion are carried out by several actors in the form of work that is not as promised.

2. Human exploitation:

- a. The working hours exceed the normal limit, averagely 20 to 24 hours per day;
- b. Inhuman treatment and bad conditions in the work environment of the victims;
- c. Salaries that do not match the workload of being the crew of a fishing vessel;
- d. The victims did not receive additional income even though they worked beyond the normal working hours;
- e. The work equipment provided for the victims did not comply with the work's safety standards which makes them ill;
- f. The victims were not provided with basic knowledge as fish catchers in the sea, and this could threaten their safety;
- g. Lack of health and safety facilities in working on the ship;
- h. Victims are not given the rights to declare quitting their job and are not allowed to return to their country;
- i. The victim was forced to work, even in unsanitary conditions;
- j. The resting hours are not determined in accordance with the capacity of workers;
- k. Food and drinks are not in accordance with nutritional and health standards for the Victims;
- l. There are no restrictions and conditions for the ship's berth time, causing the victims to be cut off from communication access with their families for a long period of time.

3. Physical suffering:

The victims experienced physical suffering due to being subjected to inhuman torture (handcuffed, beaten, kicked, slapped, etc.) and put in solitary confinement.

4. Psychological suffering:

The victims experienced mental pressure because they could not fight or protest against the harsh treatment they received; therefore they experienced stress/trauma.

Of the sufferings mentioned above, 14 victims, one of whom has died. Therefore the one applying for compensation is the heir. The total amount of restitution submitted is IDR 1,568,900,000 (one billion five hundred and sixty-eight million nine hundred thousand rupiahs). The following is a detailed list of restitution that has been calculated by LPSK:

TABLE 34: RESTITUTION LIST CALCULATED BY LPSK

No.	Initials of the victim's name	Duration of Work	Cost Componen		
(1)	(2)	(3)	(4)		
1	ZAMA	22 months	Salary for 22 months (9000 Baht)	IDR 79.200.000,00	-
			Medical cost	IDR 2.000.000,00	-
			Received salary	-	IDR 12.300.000,00
			Amount of Requested Restitution		IDR 68.900.000,00
2	MN	22 months	Salary for 22 months (9000 Baht)	IDR 79.200.000,00	-
			Overtime pay for 3300 hours (45 Baht)	IDR 59.400.000,00	-
			Received salary	-	IDR 27.000.000,00
			Amount of Requested Restitution		IDR 111.600.000,00
3	ATT	14 months	Salary for 14 months (9.000 Baht)	IDR 50.400.000,00	-
			Received salary	-	IDR 9.000.000,00
			Amount of Requested Restitution		IDR 41.400.000,00
4	AMS	6 months	Salary for 6 months (9.000 Baht)	IDR 21.600.000,00	-
			Overtime pay for 900 hours (45 Baht)	IDR 16.200.000,00	-
			Selling personal belongings	IDR 1.500.000,00	-
			Received salary	-	IDR 3.200.000,00
			Amount of Requested Restitution		IDR 36.100.000,00
5	KKN	36 months	Salary for 36 months (9.000 Baht)	IDR 129.600.000	-
			Received salary	-	IDR 3.400.000,00
			Amount of Requested Restitution		IDR 126.200.000,00
6	SM	20 months	Salary for 20 months (9.000 Baht)	IDR 72.000.000,00	-
			Overtime pay for 3000 hours (45 Baht)	IDR 54.000.000,00	-
			Medical cost	IDR 1.200.000,00	-
			Received salary	-	IDR 12.900.000,00
			Amount of Requested Restitution		IDR 114.300.000,00

No.	Initials of the victim's name	Duration of Work	Cost Componen		
(1)	(2)	(3)	(4)		
7	SOM	36 months	Salary for 36 months (12.000 Baht)	IDR 172.800.000,00	-
			Received salary	-	IDR 27.700.000,00
			Amount of Requested Restitution		IDR 145.100.000,00
8	TWN	27 months	Salary for 27 months (12.000 Baht)	IDR 129.600.000,00	-
			promised 2 yearly bonuses (50.00 Baht)	IDR 40.000.000,00	-
			Received salary	-	IDR 10.000.000,00
			Amount of Requested Restitution		IDR 159.600.000,00
9	TZW	18 months	Salary for 18 months (9.000 Baht)	IDR 64.800.000,00	-
			promised 1 yearly bonuses (50.000 Baht)	IDR 20.000.000,00	-
			Selling personal belongings	IDR 1.300.000,00	
			Received salary	-	IDR 15.000.000,00
10	TN	60 months	Salary for 60 months (9.000 Baht)	IDR 216.000.000	-
			promised 5 yearly bonuses (50.000 Baht)	IDR 100.000.000	-
			Received salary	-	IDR 131.000.000,00
			Amount of Requested Restitution		IDR 185.000.000,00
11	WH	31 months	Salary for 31 months (9.000 Baht)	IDR 111.600.000	-
			Received salary	-	IDR 24.000.000,00
			Amount of Requested Restitution		IDR 87.600.000,00
12	WIH	22 months	Salary for 22 months (9.000 Baht)	IDR 79.200.000,00	-
			promised 1 yearly bonuses (100.000 Baht)	IDR 40.000.000,00	-
			Received salary	-	IDR 17.500.000,00
			Amount of Requested Restitution		IDR 101.700.000,00
13	SMT	36 months	Salary for 36 months (9.000 Baht)	IDR 129.600.000	-
			promised 3 yearly bonuses (50.000 Baht)	IDR 60.000.000,00	-
			Selling personal belongings	IDR 1.700.000,00	-
			Received salary	-	IDR 27.000.000,00
			Amount of Requested Restitution		IDR 164.300.000,00
14	MPPW	25 months	Salary for 25 months (9.000 Baht)	IDR 90.000.000,00	-
	(The late.MH)		Overtime pay for 3750 hours (45 Baht)	IDR 67.500.000,00	-
			Received salary	-	IDR 1.500.000,00
			Amount of Requested Restitution		IDR 156.000.000,00

No.	Initials of the victim's name	Duration of Work	Cost Componen
(1)	(2)	(3)	(4)
INFORMATION:			
1. Promised monthly Salary:			
a.	9.000 Baht x IDR 400 = IDR 3.600.000		
b.	12.000 Baht x IDR 400 = IDR 4.800.000		
2. Overtime calculation:			
a.	Overtime: 1 (one) day of overtime x number of working days per month x duration of work		
b.	Overtime pay: monthly salary/number of working days in a month/working hours in one day		
	9,000 Baht/25 working days in one month/8 working hours in one day = 45 Baht per hour		
	45 Baht IDR 400 = IDR 18.000		
4. The promised annual bonus for each victim:			
a.	IDR 20.000.000 annually		
b.	IDR 40.000.000 annually		

Source: LPSK, 2019

Court Verdict

The verdict, in this case, was read out by a panel of judges on March 10, 2016, at the Dobo District Court. Each of the defendants was found guilty of committing human trafficking against the witnesses/victims. Also, the defendant, on behalf of Yopi, was found guilty of the criminal act of ill-treatment he committed against this case's victims. The details are as follows:

TABLE 35: LIST OF COURT VERDICT ON THE CASE OF BENJINA

NO	NAME	NO VERDICT	VERDICT	RESTITUTION
(1)	(2)	(3)	(4)	(5)
1	Mr. Youngyut Nitiwongchaeron Als. Yut Als. Tai Yut	105/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	Paying Restitution to ATT & MH IDR 129.900.000 (one hundred twenty-nine million nine hundred thousand rupiahs)
2	Mukhlis Ohoitenan Als. Mukhlis	106/PID.Sus/ 2015/PN TuL	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	Paying restitution to victims, namely SMT, WIH and SM IDR 335.300.000 (three hundred thirty-five million three hundred thousand rupiahs)
3	Mr. Boonsom Jaika Als. Yud Als. Tai yud	107/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	Paying restitution to TZW IDR 49.800.000 (forty-nine million eight hundred thousand rupiahs)

NO	NAME	NO VERDICT	VERDICT	RESTITUTION
(1)	(2)	(3)	(4)	(5)
4	Mr. Surachai Maneepong Als. Tai Kee Als. Kee	108/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	Paying restitution to WH, MN, ZZM, and YT IDR 239.900.000(two hundred thirty- nine million nine hundred thousand rupiahs)
5	Mr. Hatsaphon Phaetjakreng Als. Tai At Als. At	109/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	Paying restitution to AMS IDR 18.400.000 (eighteen million four hundred thousand rupiahs)
6	Mr. Somchit Korraneesuk Als. Tai Wau Als. Wau	110/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	
7	Yopi Hanorsian Als. Yopi	111/PID. Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	
8	Herman Wir Martino Als. Herman	112/PID.Sus/ 2015/PN Tul	3 years imprisonment and a fine of IDR 160.000.000 (one hundred and sixty million rupiahs) with a provision if the fine is not paid, it is replaced by 2 (two) months of imprisonment.	

Source: LPSK, 2019

Of all the suspects who were decided to have to pay losses or restitution, only 1 Perpetrator stated the inability to pay; therefore the expected restitution amount was incomplete. The total restitution money of IDR 438.000.000 (four hundred and thirty-eight million rupiahs) has been entrusted to the Republic of Indonesia's Attorney General to be handed over to the victims many as 8 people.

Submission of Restitution

Following up on the court verdict, the prosecutor, especially for handing over restitution money from the offenders to the victims, has coordinated with various ministries and institutions. This coordination is necessary because the victims have returned to Myanmar. Therefore a mechanism for handing them over is essential.

In accordance with the results of the coordination, then on December 8, 2017, at the Attorney General's Office of the Republic of Indonesia, a signing and handover of an official report on the restitution in the form of a sum of money were carried out to the victims of Benjina TIP. The event was attended by LPSK, Secretary of the Deputy Attorney General for General Crimes, the Director for Southeast Asia, the Directorate-General for the Asia Pacific and Africa, the Ministry of Foreign Affairs of the Republic of Indonesia, and the Director of the Task Force on Terrorism and Transnational Crime. The event was also attended by the Myanmar Ambassador in Indonesia, who received the restitution money and then hoped that the Myanmar Embassy in Indonesia would immediately hand over the restitution to the victims.

4.4.3. Challenges and Problems

The challenges and problems faced by LPSK in assisting the victims of TIP include:

1. The medical assistance provided to victims of TIP is limited to a period of 2 years considering the limited allocation of funds for the provision of medical aid;
2. The psychological assistance provided to the victim is limited in duration;
3. There is no joint mechanism with related Ministries/Institutions and Local Governments to monitor the development of the victims' psychological condition; the victim's residence who is not in the same area as the psychologist makes it challenging to provide psychological counseling services.
4. The limited number of psychologists and the absence of psychologists in

certain areas. The program for assisting Ministries/Agencies is primarily intended for poor people, while victims do not want to be treated as poor people;

5. The PHP protection program is closely related to legal proceedings at the level of Investigation, Prosecution, and Trial, which its period of time cannot be predicted.
6. Legal proceedings against Witnesses, Victims, and their Families sometimes occur in places far from the residence of Witnesses, Victims, and Their Families.
7. Witnesses and Victims often want to immediately return to work in other offices/places while the legal process is ongoing, ignoring their own security problems.
8. It is difficult to realize bilateral cooperation because the suspected offenders of TIP come from one of the state parties—the subjectivity of state parties in protecting their citizens who are involved in human trafficking.
9. A small number of cross-country witnesses and victims of human trafficking are protected by LPSK or detected by the ATTF. LPSK/ATTF do not have jurisdiction over cross-border witnesses of TIP, especially foreign witnesses.
10. LPSK does not collect data on the offenders of TIP because the Witness and Victim Protection Agency (LPSK) focuses on providing protection and assistance to witnesses and victims of TIP, so LPSK does not have accurate data on the offenders of TIP. As stipulated in Article 12 of Act Number 13 the Year 2006 in conjunction with Act Number 31 of 2014, LPSK is responsible for handling protection and assistance to Witnesses and Victims of criminal acts.
11. As far as LPSK knows, there is no accurate system that can integrate data collection on the Perpetrator of TIP at the Criminal Investigation Division, Attorney General's Office, the Supreme Court, the Director-General of Corrections, and Indonesian Advocates Association (PERADI).
12. Victims of TIP are reluctant or do not know how to report to LPSK and/or report to the ATTF
13. Victims of TPI feel reluctant/afraid to deal with the legal process.
14. Some problems related to restitution for TIP victims are as follows:
 - a. Victims of TIP generally have difficulty in gathering evidence related to their losses. This is because these losses are generally related to events or incidents in the past, which victims of TIP generally do not store, even do not have.

- b. Referring to Article 48 Paragraph (2) of Law Number 21/2007, it is determined that Restitution for TIP Victims is in the form of compensation for: (a) loss of assets or income; (b) suffering; (c) cost of medical and/or psychological treatment; and (d) other losses suffered by the victim arising from the TIP.
- c. There is no/not yet adequate explanation or guidance regarding the definition of compensation in the form of “Suffering” as referred to in Article 48 Paragraph (2) letter (b) of Law Number 21/2007.
- d. There are no/not yet rules regarding requests for restitution filed after the court’s ruling is legally binding, as referred to in Article 7A Paragraph (5) of Law Number 31/2014, namely through the Court Ruling In this regard, the Supreme Court Regulation mandated by Government Regulation Number 7/2018, in particular Article 31 Paragraph (4) in conjunction with Article 28, has not yet been completed.
- e. Restitution is often not paid for by the TIP perpetrator and is replaced by the substitute punishment for incarceration, as is possible in the provisions of Article 50 Paragraph (4) of Law Number 21/2007.
- f. TIP perpetrators often do not have adequate financial capacity to pay restitution to TIP victims. This happens because most of the perpetrators caught and processed legally are actors with categories: recruiters, transporters, collectors, and/or senders. The “main” perpetrators, who are generally organized international crime networks, are still difficult to catch.
- g. Confiscation and auction of the convict’s assets to pay Restitution to TIP Victims, cannot yet be carried out. This is because until now there has been no implementing regulations for Article 50 Paragraph (3) of Law Number 21/2007, namely regarding an order from the Court to the Public Prosecutor to confiscate the convict’s assets and auction the assets for restitution payments.
- h. Failure to notify and or facilitate TIP victims to apply for restitution.

4.4.4. Recommendation

Challenges and problems in law enforcement for the protection of witnesses and victims of TIP Crime can be overcome, as mandated by laws and regulations in the future, and LPSK recommends the following:

1. Cooperation with related Ministries/Agencies is necessary, especially with Local Government for the continuation of victims' physical recovery.
2. Concerted efforts are necessary in order to establish victim trust funds.
3. Cooperation and a joint tribunal with related Ministries/Agencies and Local Governments are needed to ensure the availability of Psychologists in the regions, which include the allocation of budget for the provision of psychological counseling for victims.
4. Cooperation with Psychological Counseling Service Providers is necessary, for example: with HIMPSI, practising Psychologists, etcetera.
5. Support for collaboration and synergy of program by Ministries/Agencies/ Local Governments and other related agencies are required with regard to Psychosocial Rehabilitation for Victims of TIP Crime.
6. Relevant Ministries/Agencies/Local Governments need to establish affirmative policies.
7. An agreement between Law Enforcement Agencies needs to be established to prioritize processing of TIP Crime cases.
8. An agreement between Law Enforcement Agencies needs to be established in order to allow examination of witnesses, victims and their families to take place at their own domicile.
9. A study or agreement with the Supreme Court needs to be established with regard to the opportunity or possibility of examining Witnesses, Victims and their Families by teleconference.
10. Collaboration with the local Police is necessary in order to provide Physical Protection for the Protected.
11. Good relations with neighboring countries in all fields needs to be heightened.
12. Bilateral/regional/international cooperation on Mutual Legal Assistance in Criminal Matter is needed.
13. Socialization of LPSK and/or the Task Force for the Prevention and Handling of the Crime of TIP to the community in the District and/or Village needs to be intensified.
14. The awareness of Victims of TIP Crime needs to be raised, with the assistance of the Task Force for the Prevention and Handling of the Crime of Trafficking in Persons, to make them aware that the legal process is a process to ensure that the rights of TIP Crime Victims are fulfilled.
15. In carrying out restitution, LPSK recommends:
 - a. Ship Crew and IMW need to be equipped with training on Evidence of Loss and Legal Process.
 - b. Include Law Number 21 of 2007 in PROLEGNAS to be amended.

- c. The Task Force for the Prevention and Handling of the Crime of TIP urges the Supreme Court to immediately finalize the Supreme Court Regulation on Restitution.
- d. Amendments are made to the provisions of Article 50 Paragraph (4) of Law Number 21 of 2007.
- e. Establish bilateral, regional and international cooperation in the field of Mutual Legal Assistance in Criminal Matter.
- f. The Task Force for the Prevention and Handling of the Crime of TIP submits a written proposal to the Supreme Court and the Attorney General's Office to establish implementing rules regarding restitution.
- g. Increase supervision by superiors.

4.5 Financial Transaction Reports and Analysis Center (INTRAC)

4.5.1. Achievements

Achievements in the field of law enforcement of TIP Crime through the adoption of money laundering approach by the INTRAC are, among others:

1. Submission of Suspicious Financial Transaction Reports (STR) related to alleged TIP Crime by Reporting Parties for the period 2015 - 2019, totaling 393 STRs. The STR statistics in the last 2 (two) years, namely throughout 2018 recorded 8 (eight) STRs. Trend in submitting STR in 2018 decreased compared to that of the previous 3 years with the highest distribution in Jakarta, East Nusa Tenggara and West Java.
2. For 2019, the STR submitted by the reporting party regarding the alleged TIP Crime throughout 2019 amounted to 274 STRs. This number demonstrates quite a significant increase when compared to the number in the previous year, and has become the highest achievement of STR reporting from the reporting party since 2015. The distribution of the highest STR reporting areas also experienced changes, namely the highest areas in Jakarta, West Java and East Java.
3. Proactive delivery of financial intelligence products in the form of Analysis Results (HA) to the Money Laundering Crime Investigators (TPPU) for TIP Crime, namely the Police, cumulatively for the period 2015 - 2019 amounted to 24 (twenty four) HAs.

4. Issued the Decree of the Head of INTRAC Number 207 of 2017 concerning the Establishment of a Technical Team for the Implementation of the Risks, Trends and Methods Group Project on Money Laundering Risks Arising from Trafficking in Human Beings on September 28, 2017, as one of Indonesia's engagements with the United States and Canada in identifying the flow of funds for TIP in the Financial Action Task Force (FATF) forum.
5. Issued the Decree of the Head of INTRAC Number 225 of 2017 concerning the Effective Team for Change Projects in the Framework of Optimizing the Handling of MLC deriving from TIP Crime with a Typology Module on November 10, 2017.
6. Conducted a Focus Group Discussion (FGD) related to TIP Crime, which was attended by representatives from the Ministry of Labor, the Attorney General's Office, the Police, Bank Indonesia, the Financial Services Authority (OJK), the BNP2TKI, and Migrant Care, which was followed by the signing of the Minutes of Strategy for Optimizing Prevention and Combating Money Laundering with the Human Trafficking Typology Module. This report contains the agreement of the stakeholders to work together, help each other and provide inputs related to TIP Crime problems, Sectoral Risk Assessment in the form of modules that will be used to uncover MLC cases.
7. Prepared materials in preparing a guidebook sponsored by AAPTIP, namely a guidebook on financial investigations in the case of TIP Crime with the National Police.
8. Socialization of the guidebook on financial investigations in the case of TIP Crime in Bandung, 13-14 August 2018.
9. Prepared materials for the preparation of the Module for Handling of MLC with Predicate Offence of TIP Crime.
10. Trial of the Draft Module for Handling of MLC with Predicate Offence of TIP Crime in Kupang, East Nusa Tenggara as one of the high-risk areas for TIP Crime, which was then followed by the signing of the Minutes of the Consensus Minutes for the Implementation of the Module of Handling of MLC with Predicate Offence of TIP Crime by a number of representatives from the East Nusa Tenggara Regional Police, Kupang District Attorney, Kupang District Court, the Provincial, District and City Office of Labor and Transmigration, and the Coordinating Ministry for Political, Legal and Security Affairs.
11. Attending an analyst exchange program with the Financial Intelligence Unit (FIU) of Malaysia and the FIU of Australia in order to analyze TIP Crime cases involving three jurisdictions.
12. Sending INTRAC representatives to the FATF/APG Typologies forum for

discussion of activities on handling the flow of TIP Crime funds in Busan, South Korea in November 2017, and in Novosibirsk, Russia in December 2018.

13. Carrying out the Joint Analyst Exchange Program for 4 months from November 2018 to February 2018 with regard to the issue of TIP between Indonesian FIUs, Malaysian FIUs (UPW-BNM) and FIU Australia (AUSTRAC) under the cooperation of INTRAC-AUSTRAC Partnership Program (PAPP).
14. INTRAC, acting as co-chair of the financial intelligence consultative group, at the 4th Counter-Terrorist Financing (CTF) Summit in Bangkok in October 2018, proposed a collaborative effort to handle human trafficking in one of the AML workstreams, which was accepted as a breakthrough in regional risk assessment (RRA) on human trafficking.
15. INTRAC together with FIU Australia (AUSTRAC), and the Asia Pacific Group on Money Laundering (APG-ML) organized a Human Trafficking and People Smuggling Workshop in April 2019 at Bandung City, West Java. This activity involved 70 participants from various countries in the Asia Pacific region, and engaged the private sector and NPOs (Non-Profit Organizations) and NGOs. The activity discussed the financial flow of TIP and challenges regarding the mechanism for handling this crime, and came up with recommendations of a paradigm shift in handling cases of modern slavery. Wherein the approach used is an approach at strategic, operational and tactical levels. Such approach may cover major issues regarding partnerships, intelligence activities, and investigations.

TABLE 36: DEVELOPMENT IN THE NUMBER OF STR RECEIVED BY INTRAC BASED ON ALLEGATIONS OF PREDICATE OFFENCE

Allegations of Predicate Offence	Number of STR					% Distribution in Year 2019 (until Dec 2019)	Development in Desember-2019 (in Percentage)		
	Dec 2018	Year 2018 (until Dec 2018)	Nov 2019	Dec 2019	Year 2019 (until Dec 2019)		m-to-m	y-on-y	c-to-c
	(2)	(3)	(4)	(5)	(6)		(8)	(9)	(10)
Related to Crimes of	2,262	21,699	2,368	1,987	24,295	31.0	-16.1	-12.2	12.0
Ø Fraud	702	7,899	1,263	919	9,799	40.3	-27.2	30.9	24.1
Ø Corruption	627	4,360	346	269	4,578	18.8	-22.3	-57.1	5.0
Ø Gambling	211	1,345	182	114	2,907	12.0	-37.4	-46.0	116.1
Ø Taxation	211	1,124	95	67	1,480	6.1	-29.5	-68.2	31.7
Ø Drugs	75	2,773	157	206	1,257	5.2	31.2	174.7	-54.7
Ø Embezzlement	39	481	64	42	959	3.9	-34.4	7.7	99.4
Ø Bribery	59	730	27	49	685	2.8	81.5	-16.9	-6.2
Ø Terrorism	51	840	123	59	674	2.8	-52.0	15.7	-19.8
Ø Banking	145	902	34	128	571	2.4	276.5	-11.7	-36.7
Ø Human Trafficking	0	8	0	0	274	1.1	n.a.	n.a.	3,325.0
Ø Environment	17	45	1	17	71	0.3	1,600.0	0.0	57.8
Ø Theft	0	38	4	23	67	0.3	475.0	n.a.	76.3
Ø Forestry	17	27	1	29	51	0.2	2,800.0	70.6	88.9
Ø Capital market	0	4	8	1	28	0.1	-87.5	n.a.	600.0
Ø Insurance	0	32	1	7	27	0.1	600.0	n.a.	-15.6
Ø Smuggling of goods	0	24	1	0	21	0.1	-100.0	n.a.	-12.5
Ø Prostitution	0	1	0	0	8	0.0	n.a.	n.a.	700.0
Ø Money counterfeiting	1	7	1	0	6	0.0	-100.0	-100.0	-14.3
Ø Psychotropic drugs	0	4	0	0	4	0.0	n.a.	n.a.	0.0
Ø Marine & fisheries	0	17	0	0	3	0.0	n.a.	n.a.	-82.4
Ø Labor smuggling	0	4	0	0	3	0.0	n.a.	n.a.	-25.0
Ø Kidnapping	0	0	0	0	2	0.0	n.a.	n.a.	n.a.
Ø Immigrant smuggling	0	60	0	0	1	0.0	n.a.	n.a.	-98.3
Ø Illicit arms trade	0	1	0	0	1	0.0	n.a.	n.a.	0.0
Ø Other crimes punishable by imprisonment of 4 years or longer	107	973	60	57	818	3.4	-5.0	-46.7	-15.9
Unidentified Crimes/ etc	3,759	45,385	6,029	4,682	54,093	69.0	-22.3	24.6	19.2

Source: Statistic Bulletin APU/PPT Vol 118 - December 2019, INTRAC

**TABLE 37: DEVELOPMENT OF THE NUMBER OF
ANALYSIS RESULT DELIVERED TO INVESTIGATORS
BASED ON ALLEGATION OF PREDICATE OFFENCE**

Allegation of Predicate Offence	Before the enactment of MLC LAW No. 8 OF 2010 (until Octo- ber 2010)*)	After the Enactment of Law on Money Laundering Crime No. 8 Thn 2010 (since January 2011)							Number Jan '11 until Des '19
		Year 2011- 2017	Year 2018		Year 2019			Num- ber	
			Dec -2018	Cummula- tive up to Dec - 2018	Nov -2019	Dec - 2019	Cummula- tive up to Dec- 2019		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Ø Corruption;	580	1,362	19	240	23	24	253	1,855	2,435
Ø Bribery;	40	73	0	5	0	0	0	78	118
Ø Drugs;	47	122	7	49	9	18	57	228	275
Ø Banking;	46	46	0	4	2	1	9	59	105
Ø Capital market	0	1	0	0	0	0	0	1	1
Ø Insurance;	1	0	0	0	0	0	2	2	3
Ø Customs and Excise;	9	29	0	10	4	5	28	67	76
Ø Terrorism/ Terrorism financing;	19	97	2	22	4	12	59	178	197
Ø Theft;	4	5	0	0	0	0	0	5	9
Ø Embezzlement;	42	80	1	7	0	1	14	101	143
Ø Fraud;	419	327	8	65	8	11	68	460	879
Ø Counterfeiting;	5	5	2	8	0	0	3	16	21
Ø Gambling;	17	41	1	3	0	1	9	53	70
Ø Prostitution;	4	2	0	0	0	0	0	2	6
Ø Taxation;	7	240	9	67	20	21	113	420	427
Ø Forestry;	6	8	0	2	0	0	0	10	16
Ø Marine and Fisheries;	0	3	0	0	0	0	1	4	4
Ø Trafficking in Person;	0	15	0	9	0	0	3	27	27
Ø Environment;	0	0	1	1	1	0	5	6	6
Ø Other crimes punishable by imprisonment of 4 years or longer	0	39	0	5	0	0	8	52	52
Ø Unidentified/etc	185	192	0	1	0	0	0	193	378
Number of Analysis Result	1,431	2,687	50	498	71	94	632	3,817	5,248

Source: Statistic Bulletin APU/PPT Vol 118 - December 2019, INTRAC

4.5.2 Challenges and Problems

In enforcing the Lau on TIP Crime INTRAC is still facing challenges and problems of, among others:

1. Lack of comparison of the number of Suspicious Financial Transaction Reports (STRs) from the Reporting Parties with Analysis Results (HA) submitted by INTRAC to TIP investigators. This is due to several factors, namely, among others:
 - a. The STR reported by the Reporting Party is an “early indication” based on the analysis of the Reporting Party of the existence of a flow of funds that could potentially be related to a Crime. Therefore, a more in-depth analysis conducted by INTRAC will prove whether or not the transaction is related to a crime, especially the Crime of TIP.
 - b. In 1 (one) Analysis Result Report, generally there are more than 1 (one) STRs. This is because 1 (one) case the flow of funds related to a crime will contain several flows of financial transactions that are interrelated with one another.
 - c. The Crime of TIP is not a high-risk predicate offence (PO) in Indonesia according to the 2015-Updated National Risk Assessment on Money Laundering (NRA ML). In Indonesia, high-risk Predicate Offences are Drugs-related crimes, corruption crimes, and banking crimes. Therefore, efforts in handling crimes using a risk-based approach will reduce the focus on low-risk POs.
 - d. STRs that are allegedly related to the flow of funds for TIP Crimes have the potential to be still in the process of being analyzed internally by the INTRAC and have not yet reached the final results in the form of disclosure of criminal cases, particularly those related to TIP Crimes.
2. Limited statistics/information concerning the flow of funds for trafficking offenders.
3. Lack of the availability of guidelines, Standard Operating Procedures, investigation strategies and “follow the money” approaches for completing cases of TIP Crime by national and regional investigators.
4. Limited human resources (HR) in handling cases of TIP crime in some regions.
5. Lack of competence of the human resources in the process of handling financial investigations and money laundering investigations, particularly the ability to trace transactions and assets.

6. Coordination and cooperation in preventing and eradicating TIP syndicates with an anti-money laundering regime (AML) approach has yet to be optimized.
7. Reporting Parties that have not been optimal in identifying the existence of TIP Crime through the flow of transaction.
8. There is no risk mitigation in handling TIP Crime with regard to MLC aspects.
9. The Public-Private Partnership approach to uncover cases of TIP Crime is still difficult to implement, due to the strict regulations related to confidentiality.

4.5.3 Recommendation

In terms of law enforcement in the Eradication of TIP Crime sector progress has been, yet various challenges and problems remain. To overcome these, it is necessary for INTRAC to:

1. Make efforts to prevent and eradicate TIP with specific policies and effective strategies and provide a deterrent effect through a risk-based approach.
2. Bring into realization the creation of the MLC Handling Module with the predicate offence of TIP crime as a guideline for related agencies in carrying out tasks comprehensively to handle the risk mitigation of TIP crime.
3. Conduct Training of Trainer Candidates for a number of Law enforcement personnels at national level and at regions that are at high risk of TIP Crime in order to carry out financial-based investigations (follow the money) and adopt the ML approach with the concept of a risk-based mentoring program.
4. Provide instructions in exchanging information on TIP cases between INTRAC and Law Enforcement Agencies.
5. Conduct ongoing socialization and training for Law Enforcement and related agencies in various regions on the handling of TIP Crime with the APU approach aspect.
6. Encourage related parties to adopt sectoral risk assessment and risk-based approach in handling TIP Crimes.
7. Engage the regulators and the Reporting Party to play their roles in order for the public-private partnership approach to succeed.

4.6 Capacity Building of the Law Enforcement Officers

The capacity building of the Law Enforcement Officers has made progress. The capacity building is carried out through the following:

1. Law enforcement on TIP cases has two concurrent functions, namely to uphold justice and to prevent the recurrence of TIP cases due to a deterrent effect exerted against the perpetrators. However, one of the challenges in eradicating TIP crimes is the ineffective law enforcement. This is due to, among others, the diverse understanding and skills of the law enforcement officers with regard to Law Number 21 of 2007 concerning the Eradication of the Crime of TIP and other related laws. For this reason, the Ministry of Women Empowerment and Child Protection designed a refresher forum for Law Enforcement personnel, which was implemented in an integrated manner (engaging the police, prosecutors, judges, and lawyers) to encourage intellectual clarity and opportunities to practice the theories of various laws and regulations and protocols related to gender-responsive and equitable prevention and handling of TIP crimes. Through this training, it is hoped that participants will have the same perception of the values related to the protection and handling of victims of TIP crimes, and together look for breakthrough measures in handling law enforcement for both the perpetrators and victims of TIP crimes by referring to all related laws and regulations.

In this training, competent speakers were brought in to deliver the training materials, which discussed among others:

- Principles of Fulfilling the Rights of Witnesses and Victims of TIP Crime and the mechanism for submitting restitution;
- Substantiation of cases of TIP Crime in court with due observance of, and special considerations of adjudicating cases of women and children in conflict with the law;
- Description of the implementation of the Law concerning TIP Crime in resolving cases of TIP Crime;
- TIP Crime as a form of human rights violations and Gender Injustice;
- Investigation and Prosecution of cases of TIP Crime and special considerations that deserve attention; and
- Financial transactions analysis in the eradication of cases of TIP Crime.

Until 2019, the Ministry of Women's Empowerment and Child Protection had provided Integrated Training (technical guidance) for handling TIP Crimes to as many as 499 law enforcement officers consisting of police, prosecutors, judges, and advocates/victim assistants with the following details:

TABLE 38: DATA OF LAW ENFORCEMENT PERSONNEL THAT HAVE BEEN TRAINED BY THE MINISTRY OF WOMEN EMPOWERMENT AND CHILDREN PROTECTION

YEAR	NUMBER OF PARTICIPANTS
2017	130 persons (from 9 provinces and 22 districts/cities)
2018	194 persons (99 persons from 30 districts/cities in 10 provinces; and 95 persons from 35 districts/cities within the Central Java Police)
2019	175 persons (from 18 provinces and 52 districts/cities)

- a. In 2017 the training involved 130 Law enforcement personnel from 9 provinces (Central Java, East Java, West Java, DKI Jakarta, West Nusa Tenggara, North Sulawesi, North Sumatera, West Kalimantan, East Nusa Tenggara) and 22 districts/cities in the East Nusa Tenggara Province (Districts of Alor, Belu, Ende, East Flores, Kupang, Lembata, Malaka, Manggarai, West Manggarai, East Manggarai Timur, Nagakeo, Ngada, Rote Ndao, Sabu Raijua, Sikka, West Sumba, Southwest Sumba, Central Sumba, Kab. East Timor, South Central Timor, North Central Timor, Kupang city).
- b. In 2018 the training involved 99 Law enforcement personnel from 30 districts/cities in 10 provinces (Riau, Lampung, Central Java, East Java, Banten, Bali, West Nusa Tenggara, West Kalimantan, West Sulawesi, and North Sulawesi). In addition, in collaboration with the Central Java Regional Police, training was held for Investigators within the Central Java Regional Police at Laras Asri Hotel, Salatiga on 28-30 November 2018. The training involved 95 participants from 35 areas within the command of the Central Java Police, namely the offices of the Central Java Regional Police, Banjarnegara, Banyumas, Batang, Blora, Boyolali, Brebes, Cilacap, Demak, Grobogan, Jepara, Karanganyar, Kebumen, Kendal, Klaten, Kudus, Magelang, Magelang Kota, Pati, Pekalongan, Pekalongan Kota, Pemalang, Purworejo, Purbalingga, Rembang, Tegal, Tegal City, Salatiga, Semarang, Sragen, Sukoharjo, Surakarta, Temanggung, Wonogiri, Wonosobo, and Semarang.
- c. In 2019 a training was conducted for 175 Law enforcement personnel, which was divided into 2 cohorts, namely Cohort-I coming from 10 provinces (East Java, Central Java, West Kalimantan, Central Kalimantan, South Kalimantan, East

Kalimantan, North Kalimantan, Bali, West Nusa Tenggara, East Nusa Tenggara) and 26 districts, cities (the city of Surabaya, districts of Kediri, Jombang, Banyuwangi, Tulungagung, Trenggalek, Ponorogo, Bangkalan, Sidoarjo, Malang, Tegal, Sintang, Mempawah, Sambas, Palangkaraya City, Banjarmasin City, Tanah Bumbu, Kota Samarinda Kota Tarakan, Kab. Bulungan Kab. Badung, Tabanan, Denpasar, Central Lombok, Sumbawa Besar, district of Kupang). Participants of the second Cohort came from 8 (eight) provinces (West Java, DKI Jakarta, Lampung, North Sumatera, Riau Islands, Jambi, South Sumatera, Bengkulu) and 26 districts/cities (the city of Bandung, districts of Tasikmalaya, Garut, Ciamis, Bekasi, Karawang, Subang, Bogor, Cianjur, Indramayu, Sukabumi, Cities of Central Jakarta, West Jakarta, East Jakarta, South Selatan, North Jakarta City, Bandar Lampung, Medan, Districts of Simalungun, Deli Serdang, Batam, Tanjung Balai Karimun, the cities of Jambi, Palembang, Bengkulu).

Training for handling of TIP Crimes for law enforcement officers was also carried out by the Women Empowerment and Child Protection Office in each province funded by the MoWECP funds.

2. INTRAC conducted a Try Out of the Draft of the Module for Handling MLC with Predicate Offence of TIP Crime at the East Nusa Tenggara Regional Police, Kupang on 24-25 November 2017 as one of the high-risk areas for TIP Crime, which was attended by 60 representative participants from the East Nusa Tenggara Regional Police, Polres Kupang, the Kupang District Prosecutor's Office, the Kupang District Court, the Provincial, District and City Offices of the Ministry of Labor and Transmigration, and the Coordinating Ministry for Political, Legal and Security Affairs. This activity was then followed by the signing of the Minutes of Consensus for the Implementation of the Handling of MLC Modules with the Predicate Offence of TIP Crime by each representative.
3. The International Organization for Migration (IOM) supported the capacity building programs for law enforcement officers. During 2015-2019, 593 law enforcement officers (426 men, 167 women) from the offices of the Police, prosecutors and judiciary, immigration and the Navy, and Supervision of Marine and Fisheries Resources (for cases of TIP Crimes in the fisheries sector), received training on the identification and handling of victims of TIP Crime. The training was conducted in West Java (2016), Riau Islands (2016), North Sumatra, DKI Jakarta, West Nusa Tenggara (2018), West Kalimantan (2019), North Kalimantan (2019), East Nusa Tenggara (2018-2019), South Sulawesi (2019).

**developing
legal norms**

CHAPTER 5



Ministry of Law and Human Rights act as coordinator of sub-task force for prevention with support of Ministry of Foreign Affairs, Ministry of Information and communication, Ministry of Social affairs and ministry of Tourism



The aims is to enforce legislation regarding Criminal Act on TIP

1. Criminal Code Bill through an activity of deliberation of Criminal Code Bill between Government and The House of Representative
2. As an implementation of Article 25 paragraph (2) and Article 92 paragraph (4) of Act Number 11 of 2012 on Criminal Justice system on Children and Government Regulation Draft on Guideline to register child case through the activity of harmonization and unification meeting and concept consolidation at the Directorate General of Legislation.
3. As an implementation of Article 71 paragraph (5), Article 82 paragraph (4) of Act number 11 of 2012 on Criminal Justice system of Children and Draft of Government regulation on the Form and the implementation of criminal procedure for children and action that can be imposed on children through harmonization and unification meeting and concept consolidation at the Directorate General of Legislation.
4. As an implementation of Article 94 paragraph (4) Act number 11 of 2012 on Criminal Justice system on Children and Draft of Government Regulation on Procedure to conduct coordination, monitoring, evaluation and reporting, has been enacted the Government Regulation number 65 of 2015 on Guidance on the implementation of diversion and managing children under 12 year, it has been enacted the President regulation number 175 of 2014 on education and integrated training for Act enforcement officers and related parties on Criminal Justice system on Children through Harmonization and unison meeting and concept consolidation at the Directorate General of legislation.
5. In the process of meeting to collect materials to produce an academic paper on acts of torture and cruel, inhuman or degrading treatment and other punishment through the activity of meeting to draft material for an academic paper of the bill on the act of torture and cruel, inhuman or degrading

treatment and other punishment at the Agency of research and Development on Human Rights.

6. It has been regulated under Act number 6 of 2011 on immigration in chapter VIII part fourth on handling the victim of TIP and smuggling through the activity of victim of TIP and human smuggling who are in the region of Indonesia shall be placed in immigration Detention House or elsewhere specified and activity of victim of TIP and smuggling receive special that is different from detention in general
7. Ratification of ASEAN Convention on Trafficking in Persons, Especially Women and Children through the activity of issuing a regulation that ratifies of ASEAN Convention on Trafficking in Persons, especially women and Children

5.1 Achievement

5.1.1 Criminal Code Bill

The Government and The House of Representative of the Republic of Indonesia in deliberating the Criminal Code Bill agreed upon several articles related to the criminal act of trafficking in person, including article 70, article 338, article 555, article 556, article 557, article 558, article 560, article 561, article 562, article 563, article 564, article 565, article 566, article 567, article 568, article 569, article 570

Provisions are stipulated under Criminal Code Bill, among others are criminal act of trafficking in persons, bringing a person into the territory of Indonesia, removing a person from territory of Indonesia to be trafficked, TIP that cause harm or illness, TIP by an organized group, inducing without gaining, intercourse and molestation to trafficked person, document and identity forgery to facilitate trafficking in persons, power abuse to facilitate trafficking in persons, harboring trafficking perpetrator, trafficking person in ship, transporting a person to be trafficked by boat, facilitating and extending trafficking.

The complete provision on the criminal act of TIP under Criminal Code Bill, the following:

Article 70

(1) Imprisonment is imposed for life or a certain period

Explanation of article (1):

Life imprisonment shall mean as imprisonment is served by the convict for the rest of his life

(2) Imprisonment for a specified time is applied for a maximum at 15 (fifteen) consecutive years or at least 1 (one) day unless it is classified as a minimum penalty of special crime

Explanation of article (2)

A special crime shall only be applied to a crime that is regarded as a serious crime, including the crime of corruption, crime of narcotics, the crime of serious human right violation and crime of trafficking in persons. The minimum penalty of special crime in this provision shall only be imposed when it does not cause injustice to the defendant considering the intention and/or motive to commit the act or amount of the loss incurred is not excessive or impact of the action do not disrupt the life of society.

Article 338

Anyone who becomes a witness or another person is related to crime of narcotics, terrorism,

corruption, money laundering, serious human rights violation or crime of trafficking in persons, who mention name or address of whistleblower or other information that provide a possibility of exposing the identity of the whistleblower in the court investigation and examination although prohibition is notified to the person, shall be punished with imprisonment at a maximum of 1 (one) 3 (three) years imprisonment or shall be fine at most of category II.

Note:

Require an explanation

Agreed by Working Committee of the House of Representative on 22 November 2016, discussed in Drafting team and Synchronization team

Part 1

Trafficking in Person

Paragraph 1

Crime of Trafficking in persons

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Article 555

(1) Anyone who recruits, transports, harbors, removes, transfers, or receives a person by the means of threat of violence, coercion, abduction, confinement, forgery, fraud, abuse of power or vulnerable position, debt bondage, or giving payment or benefit, although obtaining approval from a person having control over another person, for the purpose of exploitation the person, in the territory of the Republic of Indonesia, shall be punished for minimum 3 years and maximum 15 (fifteen) years imprisonment and fine of a minimum of category III and maximum category IV.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

(2) If action, as it refers to an article (1), results in exploitation of a person, therefore the perpetrator will be subjected to the same punishment as it refers to paragraph (1)

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 2

Bringing person into the territory of Indonesia for trafficking

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Article 556

Imprisonment, because of committing a crime of trafficking in persons, with the minimum of 15 (fifteen years) imprisonment and fine at the minimum of Category IV and at the maximum category VI, every person who brings a person to Indonesia with an intention of:

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

a. to be trafficked in the territory of Republic of Indonesia; or

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

b. To be taken out another time from the territory of Indonesia to be trafficked to a territory of another country.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 3

To remove a person out of Indonesia territory to be trafficked.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Article 557

Anyone who commits a crime of trafficking Indonesia citizen to be taken outside the territory of the Republic of Indonesia or trafficking Indonesian citizen outside the territory of the Republic of Indonesia is subjected to the same penalty as it refers to the article 556

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 4

TIP that result in injury or illness

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Article 558

(1) if crime act as it refers to the article 555 to 557 result in victim suffers a serious injury, contracted a life-threatening illness or loses reproductive functions, the person shall be imprisonment for a minimum of 3 (three) years and a maximum of 15 (Fifteen) years and fine for a minimum of category IV and a minimum category VI

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

(2) If a criminal act as it refers to the article 555 and 557 results in the casualty of the victims, the person shall be imprisonment for life or a minimum of 5 (five) years and a maximum of 15 (Fifteen) years

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 5

TIP by an organized group

Agreed by the Working Committee of the House of Representative on 24 January

2017

Article 559

In a case where crime action of TIP is committed by an organized group, therefore each perpetrator of TIP in the group shall receive the same penalty as the perpetrator as it is referred in the article 555 added to 1/3 (one third)

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 6

Inducing without gain

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 560

Anyone who attempts to mobilize other people to commit a crime of trafficking in persons, and the crime does not occur shall punishable with maximum imprisonment of 6 (six) years or a fine of category IV

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 7

Intercourse and molestation to the trafficked person

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 561

Anyone who uses, utilizes and enjoys the benefits of the crime of TIP by means of intercourse or other obscene acts to the trafficked person, is subject to the same penalty as it refers to article 555.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team.

Paragraph 8

Document and identity forgery to facilitate TIP

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 562

Anyone who falsifies or forges state document or other documents, or falsifies or forges an identity in state documents or other documents to facilitate crime act of trafficking in persons, shall be punished with imprisonment for a minimum of 2 (three) years and a maximum of 9 (nine) years and fine for a minimum of category III and a maximum fine of category V

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Paragraph 9

Power abuse to facilitate trafficking in persons

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 563

Every state official who abuses his/her power to force a person to, not to do, or to allow something that results in a crime of TIP shall be subjected to a penalty with the same penalty as it is referred to in the article 555

Agreed by the Working Committee of the House of Representative on 24 January

Paragraph 10

Harboring a person who commits trafficking in persons

Agreed by the Working Committee of the House of Representative on 24 January

Article 564

Anyone who harboring a person who commits a crime of TIP or prosecuted for the criminal act of trafficking in persons, or anyone who assists to avoid investigation or detention by an authorized officer or another person under the provision of the law on an ongoing temporary is assigned to carry out police services shall be punished at maximum of 7 (seven) years of imprisonment or fine of category IV

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Paragraph 11

Trafficking of persons on the ship

Agreed by The Working Committee of the House of Representative on 24 January 2017.

Article 565

(1) anyone who works or serves as a skipper on a ship or who uses the ship with the knowledge of skipper or owner of the ship for the use of transaction with intention of making the person into a trade commodity shall be punished with imprisonment for a minimum of 2 (two) years or a maximum 9 (nine) years.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

(2) If the criminal act as it is referred to in paragraph (1) results in the death of a person in a transaction with an intention to make the person a trade commodity, shall be punished with imprisonment for a minimum of 3 (three) years and a maximum of 15 (fifteen) years.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Article 566

Anyone who works as a crew on a ship, even though it is known that the ship is used for

the purpose or intention of trafficking in persons, or if the crew is voluntarily on duty after it is known that the ship is used for a purpose of trafficking in persons, shall be punished with imprisonment at a minimum of 2 (two) years and maximum of 9 (nine) years or fine for a minimum of category III and a maximum of category IV.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Paragraph 12

Transporting people to be trafficked using a ship

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 567

Anyone, at his/her own expense or other person's expense, directly and indirectly, cooperates to rent, transport or to insure a ship, even though it is known that the ship is used for a purpose of trafficking in persons, shall be punished with imprisonment for a minimum of 2 (two) years and a maximum of 9 (nine) years.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Paragraph 13

Facilitation and Extension

Agreed by the Working Committee of the House of Representative on 24 January 2017

Article 568

Anyone outside the territory of the Republic of Indonesia who provides assistance, facilitation, infrastructure or information for an occurrence of a criminal act of trafficking in persons, shall be subject to the same penalty with the perpetrator as it refers in article 555

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Article 569

Anyone who plans, instructs to carry out, try, or assist in committing the crime of trafficking in persons, shall be subject to the same punishment as a perpetrator as referred to in article 555.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

Article 570

To be subject to imprisonment for a minimum of 1 (one) year and a maximum of 5 (five) years, anyone who supplies, or collects funds partially or entirely, for or is known for committing TIP as it refers in article 555 and article 557.

Agreed by The Working Committee of the House of Representative on 24 January 2017, discussed on Drafting Team and Synchronization Team

5.1.2 Draft of Government Regulation on the Guidelines for the Registration of Children's Cases

The government, in implementing Law Number 11 of 2012 concerning the Criminal Justice System for Children in a comprehensive manner, has issued Government Regulation Number 9 of 2017 concerning Guidelines for the Registration of Cases of Children and Child Victims on March 13, 2017.

This regulation regulates the recording of cases of children and victims of children in the register of cases of children and victims of children in a book or a specially prepared list. This register is created by institutions that handle children, including: institutions conducting the investigations, institutions carrying out the prosecutions, judiciary institutions, Correctional Facilities (Bapas), Special Development Institutions for Children (LPKA), Temporary Child Placement Institutions (LPAS), and Social Welfare Organizing Institutions (LPKS).

The Children's Register is established separately from adult cases. Likewise, the register of cases of children is made separately from the register of cases of child victims. The children's register is conducted electronically and/or non-electronically. In this regulation it is stated that "The data in the register of cases of children and children of victims are Confidential."

5.1.3 Draft of Government Regulation on the Implementation of Coordination, Monitoring, Evaluation and Reporting Procedures

The government has an important role in implementing the Juvenile Criminal Justice System by making various efforts, including through coordination, monitoring, evaluation and reporting. This later became the basis for the issuance of Government Regulation Number 8 of 2017 concerning the Implementation of Coordination, Monitoring, Evaluation and Reporting Procedures on March 6, 2017.

The implementation of coordination as an effort to synchronize policy formulation for the Juvenile Criminal Justice System, especially related to the following steps: implementation of prevention, completion of case administration, implementation of rehabilitation and implementation of social reintegration. The coordination is carried out by the Minister (who manages matters in the field of child protection) in a cross-

sectoral manner with the Supreme Court, the Attorney General's Office, the Police, the Ministry that administers government affairs in the field of law and human rights, the Ministry that administers government affairs in the social sector, the Ministry that administers the government affairs in the field of education and culture, the Ministry that administers government affairs in the health sector, the Ministry that administers government affairs in the field of religion, and the related ministries/institutions.

*This regulation also stipulate that **The Minister should report the result of monitoring and evaluation on implementation of children court system to the President once a year.***

5.1.4 Draft of Government Regulation on the Guidelines for the Implementation of Diversion and Handling of Children under 12 Years Old

Children in conflict with the law receive protection, among others through a diversion process and a decision-making process for children under 12 (twelve) years of age who have committed or are suspected of committing a criminal act. This protection is regulated through Government Regulation Number 65 of 2015 concerning Guidelines for the Implementation of Diversion and Handling of Children under 12 (Twelve) Years Old which was issued on August 19, 2015.

Every institution/agency that has investigators, public prosecutors, judges, community advisors, and professional social workers with competences regarding children, can immediately implement the provisions in Government Regulation Number 65 of 2015.

5.1.5 Draft of Presidential Regulation on Integrated Education and Training for Law Enforcers and Related Parties regarding the Juvenile Criminal Justice System

The government issued Presidential Regulation Number 175 of 2014 concerning Integrated Education and Training for Law Enforcers and Related Parties regarding the Juvenile Criminal Justice System on December 1, 2014. This Presidential Regulation aims to level perceptions in the handling of children who face the law in the Juvenile Criminal Justice System. The integrated training attended by Law Enforcement Officials is intended to:

1. Increase knowledge about children's rights, restorative justice, and diversion in the Juvenile Criminal Justice System.
2. Improve technical competence in handling children in conflict with the law in the juvenile criminal justice system.
3. The fulfillment of the number of law enforcers and related parties in the Juvenile Criminal Justice System.

5.1.6 Handling of Victims of TIP and Human Smuggling in Act Number 6 of 2011 on Immigration

The fourth part of Law Number 6 of 2011 concerning Immigration regulates the handling of victims of trafficking in persons. Trafficking victims under Article 86 states that "Administrative Action Provisions are not applied to victims of TIP ..." Trafficking victims residing in Indonesian territory are placed in Immigration Detention Centers or other designated places. Victims based on the provisions of this Law receive special treatment that is different from Detention in general.

The minister or the appointed immigration official strive for foreign trafficking victims who are foreign nationals to be immediately returned to their country of origin and given a travel document if they do not have one. Immigration laws and regulations also regulate provisions regarding preventive and repressive measures in order to prevent the crime of trafficking in persons.

5.1.7 Ratification of ASEAN Convention on TIP, Especially Women and Children (ACTIP)

Indonesia ratified the ASEAN Convention on Trafficking in Person, Especially Women and Children (ACTIP)²⁴ through Law Number 12 of 2017 concerning the Ratification of ASEAN Convention Against Trafficking in Person, Especially Women and Children

(ASEAN Convention Against Trafficking In Persons, Especially Women and Children) (State Gazette of the Republic of Indonesia of 2017 Number 230, Supplement to the State Gazette of the Republic of Indonesia Number 6135) issued on 10 November 2017.

The advantages of ACTIP are:

1. ACTIP is the result of a joint compromise that has succeeded in accommodating the interests of different ASEAN Member States.
2. The UN Protocol on TIP is used as the minimum threshold for the preparation of ACTIP, so that in the end, ACTIP is beyond the protocol.

Added Value/Special Advantages of ACTIP:

1. Protection and assistance for victims is carried out by upholding human rights, which is carried out on the basis of the principle of non-discrimination. This means that regardless of ethnic background, religion, and race. This is regulated in Article 1 paragraph (2) of ACTIP.
2. Provisions for protection and assistance for victims of TIP in ACTIP also introduce the concept of support and care. This concept can be clearly seen in Article 14 paragraph (14) ACTIP, which in principle emphasizes the obligation of state parties that protection must be comprehensive and not limited to formal legalism alone.

With the ratification of ACTIP, Indonesia does not need to form a new institution because Indonesia already has a Task Force for the Handling of the Crime of Trafficking in Persons. The ratification of this Convention is expected to increase the effectiveness of the prevention and eradication of the criminal act of trafficking in persons, especially women and children and to provide protection and assistance to victims of the crime of trafficking in persons, especially women and children.

The objectives of this Convention are:

1. to prevent and combat the criminal act of trafficking in persons, especially

²⁴ Before and after the ratification of ASEAN Convention on Trafficking in Person, Especially Women and Children, the Ministry of Foreign Affairs has participated in a series of activities, including attending the Regional Workshop on Effective Investigation and Prosecution of Trafficking in Persons for Labour Exploitation which referred to ACTI, in 2017. Furthermore, in 2019, the Philippines as Voluntary Lead Shepherd ASEAN SOMTC for Trafficking in Persons (TIP) issues, has submitted a concept paper on the formation of a National Focal Point for ACTIP, which will monitor the cross-sectoral implementation of ACTIP at the national level. It should also be noted that Indonesia has become a proponent and initiator of the formation of ACTIP in ASEAN.

- against women and children, and to ensure fair and effective punishment for traffickers in persons;
- 2. to protect and assist victims of trafficking in persons, based on respect for human rights; and
- 3. to promote cooperation between States Parties to meet these objectives.

This convention applies to the prevention, investigation and prosecution of transnational TIP. This also applies to those carried out by organized criminal groups, as well as protection and assistance for TIP victims. In addition, this convention regulates, including:

- 1. *Criminal Act* – contains provisions on the criminal act of TIP and others related to, namely participation in organized criminal groups, laundering of the proceeds of TIP, corruption and interference with the judicial proceedings.
- 2. *Prevention* – contains provisions on the prevention of TIP, areas of cooperation, cross-border cooperation, supervision, and document validity.
- 3. *Protection* - contains provisions on the protection of TIP victims, repatriation, and return.
- 4. *Law Enforcement* - contains provisions on law enforcement and prosecution, as well as its actions, namely confiscation and seizure.
- 5. *International Cooperation* – contains provisions on assistance in criminal matters, extradition, international cooperation for the purpose of confiscation of crimes or property.

The Legal Norms Development Sub Task Force has accomplished maximum achievements in completing all activities to reach the targets set out in the ATTF 2015-2019 National Action Plan. Even so, this effort was not automatically realized. Nevertheless, there were obstacles at the level of implementation of the resulting laws and regulations, including the low adaptability of the Law Enforcement Officers in implementing the norms regulated in each regulation related to TIP, slow implementation of training institutions to insert the latest regulation material into the learning curriculum, and finally not maximal review of the implementation of laws and regulations related to TIP in the field with the development of TIP cases, especially in relation to the need of improving the content of articles or revoking a regulation.

5.2 Challenges and Problems

Achievements in developing the legal norms concerning the eradication of TIP still face challenges and problems, including:

1. The low adaptive capacity of legal officers in implementing the new norms of the regulation published in 2017.
2. The slow pace of adjusting education and training institutions in accommodating the norms, structures, procedures and criteria of the latest regulations into the education and training curriculum for the Law Enforcement Officers, program planners, program implementers, and auditors.
3. There is no periodic and sustainable review of the regulations related to TIP.
4. The ratification process in Indonesia is similar with that of making new laws. However, compared to other convention ratification processes, the time needed to process ACTIP ratification is fairly normal. The long process at the national level causing Indonesia becoming the last the countries to ratify ACTIP, even though it was the country that initiated ACTIP.

5.3 Recommendation

Recommendations for developing the legal norms for TIP are:

1. Advocacy to leaders of law enforcement agencies to adapt and implement new norms contained in the regulations on TIP.
2. Include material on TIP regulation into the education and training curriculum.
3. Conduct periodic and continuous reviews to ensure harmonization between TIP regulations.
4. Ratify ILO convention 189 concerning Decent Work for Domestic Workers (PRT).
5. Prepare technical/implementation instructions and other implementing rules for the implementation of Law Number 21 of 2007, such as the AGO's Technical Instructions on Confiscation of Assets for Restitution and Supreme Court Regulations on Restitution after TIP cases have permanent legal force.
6. Enhance cooperation between ministries, agencies and the legislature to accelerate the process of ratification of important international conventions.

**coordination
and
cooperation**

CHAPTER 6

• **Ministry of labor** has the role of coordinator in the sub-task force of coordination and cooperation, with the support from Coordinating Ministry of Finance, Ministry of Home affairs, Ministry of Women Empowerment, Ministry of social affairs, Police, BNP2TKI, Ministry of Human Rights and Law, Supreme Court, and Ministry of health.



The aim is to establish collaboration and coordination between stake-holders at national level.

1. Number of MoUs between regional governments at provincial level through the signing of MoUs with governments of the regions of origin, transit and destination.
2. Number of cooperation between Ministries/Agencies through the signing of MoUs between Ministries/Agencies.
3. Number of bilateral, regional, and multilateral meetings that the Government of Indonesia has attended, negotiated in, and the bilateral, regional and multilateral forums where the GOI has an active role.
4. Number of initiatives in preparing and negotiating international agreements through negotiation activities and playing an active role in initiating bilateral, regional and multilateral agreements concerning protection of victim and handling of cases of TIP Crime.

6.1 Government

6.1.1 Achievements

The implementation of coordination and cooperation in handling TIP Crime between ministries and agencies, involving the Ministry of Labor together with the Attorney General's Office, Ministry of Law and Human Rights, Ministry of Religion, Ministry of Foreign Affairs, BNP2TKI, and Police to increase cooperation in preventing the placement of non-procedural Migrant worker, while preventing the occurrence of TIP Crime. In addition, the Ministry of Labor, together with 9 (nine) members from the Office of Labor, Immigration, Social Services, Health Services, Population Services, Transportation Services, Police and BP3TKI in 21 Embarkation/Disembarkation Locations at the provincial, district and city levels have collaborated with the Tahir Foundation, through a pilot project, to increase the competence of Indonesian Migrant Workers Candidates and prevent the departure of 12,757 Non-Procedural IMW Candidates in 21 locations for embarkation and debarkation, conducted by the Ministry of Labor and the Non Procedural IMW Prevention Task Force. The Ministry of Labor has also collaborated with the International Labor Organization, through the ILO Safe and Fair program. The program is a program of "Mapping of Services and Needs Assessment for the Development of a Model Migrant Resource Center (MRC) for Improving the Protection of the Rights of Women Migrant Workers and Their Families in their Home Regions (3 regions: Tulungagung, Cirebon, and East Lampung)".

Together with IOM, throughout 2015-2019, the Ministry of Women Empowerment facilitated the development and or reactivation of ATTF in 13 Districts/Cities namely the districts of Sukabumi (2015), Cianjur (2015), Batam City (2016), the districts of Kupang (2017), Sikka (2017), North Central Timor (2018), Manggarai (2018), Ende (2019), East Nusa Tenggara Province (2019), the districts of Nunukan (2019), Kapuas Hulu (2019), Sambas (2019) and Sanggau (2019). In addition, the Ministry of Women Empowerment together with IOM also provided assistance in the preparation of the Sub-National Action Plans for the Prevention and Eradication of TIP Crime in the 13 areas mentioned above.

Furthermore, the Ministry of Women Empowerment and Child Protection together with IOM have also compiled various technical guidelines to support the work of the TIP Crime task force, including, among others:

1. Technical Guidelines for Data Collection and Data Reporting on TIP -

containing guidelines for data collection procedures for cross-agency cases of TIP , accompanied with explanations of indicators of cases of TIP, procedures for filling out forms and data collection mechanisms by the assistants to regional level of ATTF, as well as data clearing mechanisms from regions to ATTF at Provincial and National levels.

2. Guidelines for the Service Mechanism of Witnesses and/or Victims of the Crime of TIP in Indonesia - containing guidelines for witness/or victim service procedures for victim assistants, including procedures for accessing services provided by the government.
3. Technical Instructions for the Task Force for the Prevention and Handling of the Crime of TIP - containing guidelines for the establishment of a TIP Crime task force at the district/city level as well as information on how to activate the TIP Crime task force and documents and or policies at the regional level needed to support the effective operation of the Task Force.

The Criminal Investigation Agency of the Indonesian National Police (CID-INP) has conducted negotiations and played an active role in bilateral, regional and multilateral cooperation forums, including the Bali Process, AAPTIP, Senior Officials Meeting on Transnational Crime (SOMTC) - ASEAN, ASEAN National Police (ASEANAPOL), and The Heads of Specialist Anti-Trafficking Units (HSU).

PT Grab Teknologi Indonesia (Grab Indonesia) has been at the forefront of initiatives in eradication TIP, especially in terms of prevention, in collaboration with KPAI, LPSK, and in intensive coordination with the Ministry of Women Empowerment as the Executive Director of the ATTF. This was carried out through both online training for hundreds of thousands of driver partners managed by Grab Academy, as well as socialization of TIP Crime prevention through the application to millions of application users.

” In 2019, two Grab driver-partners received awards from LPSK for their significant participation in making a social impact on society, especially in helping to handle cases of TIP Crime, especially those that threatened women and children.

It is hoped that this Grab initiative will become a good role model for the private sector in Indonesia to encourage the others to play an active role and engage actively in the movement to prevent and eradicate TIP Crime.

The Coordinating Minister for Human Development and Culture as Chair of the ATTF through the Assistant Deputy for the Fulfillment of Women's Rights and Protection coordinated the strengthening of the TIP Crime prevention and handling system.

Some notes to be underlined, among others:

1. In 2015, a change was made to the Chairperson of the Coordination and Cooperation Sub-Task Force, from the Deputy for Women Empowerment at the Coordinating Ministry for People's Welfare to the Director General for Labor Placement at the Ministry of Labor. This was the result of the discussion at the Ministerial Coordination Meeting, which was chaired by the Coordinating Minister for Human development and culture as Director of ATTF
2. Discussion on Strategies and Innovations in Prevention and Handling of the Crime of TIP 2015-2019 and the Best Experiences That Have Been Implemented, August 23rd-25th 2015. The discussion came up with the following recommendations:
 - a. The need for a strategy that involves stakeholders at national and regional levels;
 - b. Encourage the inclusion of TIP Crime issues into regional policy and planning framework, in the Mid-term Development Plan and in the Strategic Planning of the SKPD;
 - c. Encourage agencies to involved, by revitalizing the functions of the Task Force for Prevention and Handling of TIP Crime, as well as service institutions/units (PPT, P2TP2A, RPTC, RPSA, etc.) in the regions;
 - d. Optimize law enforcement efforts that are oriented towards fulfilling the rights of victims in addition to the legal process;
 - e. Strengthen monitoring and evaluation of the implementation of task force tasks and best practices in the prevention and handling of TIP for the executive and legislature bodies in order to make better policies, plans or decisions in the eradication of TIP.
3. National Action Plan for the Eradication of TIP (RAN TPPO).
 - a. Evaluate the Implementation of the 2008-2014 RAN TPPO and 2015-2019 RAN TPPO RAN, November 14th and December 7th 2018.
 - b. Initiate and set up the RAN TPPO 2015-2019 and RAN TPPO 2020-2024.
 - c. Issue the Coordinating Minister for Human Development and Culture Regulation Number 2 of 2016 concerning the 2015-2019 National Action Plan for the Eradication of TIP
 - d. Initiate the 2020-2024 RAN TPPO, on November 4th, 29th 2019, December

13th 2019.

4. Initiation and process of the Revision of Presidential Regulation Number 69 of 2008 and the Perkaha on the ATTF (August 10th, September 6th, October 31st 2018).
5. Revitalization of the Task Force for the Prevention and Handling of the Crime of Trafficking in Person at the National Level on July 13th 2019.
6. Initiation of the preparation of the ATTF Report for 2018, March 12th 2019.
7. Discussion of the MoU between the Government of the Republic of Indonesia and the Government of Brunei Darussalam on the Protection of Indonesian Migrant Workers from TIP, November 5th 2018.
8. Protection of Troubled IMWs (PMI) who are sent home due to various problems, including issues of overstay, amnesty, illness, independent PMI, unilateral layoffs, ship crews, IMW children, unpaid wages, incomplete documents, problem employers, abuse, pregnant IMW, illegal IMW Candidates, working not in accordance with the work agreement, IMW bringing children, inability to work, broken communication, employers died, and Troubled IMW with indications of or are victims of TIP Crime. The target for Troubled IMW repatriation in accordance with the Coordinating Minister for Human development and culture Number 6 of 2016 is 50,000 PMIB per year. The repatriation of Troubled IMW, which is coordinated by the Coordinating Ministry for Human Development and Culture, is focused on Malaysia and Saudi Arabia.
 - a. Handling of IMW as Victims of TIP Crime, July 10th 2019. The meeting resulted with a recommendation in the need to synchronize vision and perception of Law enforcement personnel in handling TIP Crime cases. Protection of IMW must begin with the process of prevention, prosecution of perpetrators, rehabilitation and reintegration. LPSK and INTRAC are expected to be included in the ATTF.
 - b. Discussions on the Handling of Reporting on TIP Cases from the Human Trafficking Watch-HTW, October 18th 2019.
 - c. Coordination of follow up of several cases of repatriation of PMI-B and allegations of TIP Case from the Lawyer Office of Roviva Makmur Panggabean, S.H. & Partners, NGO Partners with the City of Langsa, Aceh, and the Human Trafficking Watch, 2019.
9. Meeting with the Office of the Staff of the President of the Republic of Indonesia (KSP) regarding budget allocation for ATTF in Jakarta, February 26th 2018.
10. Institutional strengthening of the Task Force for TIP Crime.
 - a. Discussion at Echelon 1 Level and Person in Charge of the ATTF, February

- 1st 2017.
- b. Evaluation Meeting of the Implementation of the ATTF
 - c. Strengthening the System for Handling Violence against Women with a focus on efforts in preventing and handling of TIP Crime with the South Bangka DPRD on April 26th 2018, which came up with a recommendation that it is necessary to improve the performance of the Regional Government and related agencies to solve problems.
 - d. Discussion on the Alignment of Law Enforcement Data, June 13th and June 30th 2017.
 - e. Discussion on the Development of Legal Norms for the ATTF, September 15th and 26th 2017.
 - f. Coordination Meeting of the ATTF, Prevention Sub-Task Force, August 31st 2017.
 - g. Meeting with IOM to discuss TIP, November 6th 2017.
 - h. Revitalization of the ATTF at National Level, July 13th 2019.
11. Strengthening the ATTF system by monitoring and evaluating regions that included West Java (Sukabumi, March 30th 2017; Bekasi, December 20th-21st 2017, February 22nd 2019; Indramayu, April 2018); Bogor, 2018; Cirebon, July 25th 2019), Banten (South Tangerang, June 20th 2017; Tangerang, November 2018), Riau Islands (Batam, April 12th , May 2nd-3rd, December 11th-12th 2017, April 12th 2019), Riau (Pekanbaru, March/April 2018), North Sumatra (Medan, April 21st 2017), South Sumatra (Palembang, June 7th 2017), West Sumatra (Padang, March 26th 2019), Bangka Belitung (South Bangka, April 2018), Lampung (Bandar Lampung, June 2018), Bali (November 2018), Yogyakarta (July 19th 2017), East Nusa Tenggara (Kupang, February 24th 2017 and October 15th-16th 2019), West Nusa Tenggara (Lombok, March 2nd-4th 2017; East Lombok, July 2018), East Kalimantan (Balikpapan, May 29th 2017), West Borneo (Pontianak, April 2018), South Borneo (Banjarmasin, August 2018), Central Borneo (Palangkaraya, October 2018), North Sulawesi (Manado, July 9th 2017), Central Sulawesi (Palu, May 2018). Several things that can be noted from monitoring and evaluation are among others:
- a. Handling of TIP cases in the regions is still constrained by problems of coordination and cooperation between related parties.
 - b. Vertical coordination of the ATTF Sub-Task Force, especially at the provincial and district/city levels that are vulnerable to TIP Crime has not yet been functioning;

- c. Frequent changes/rotation of officials in the regions, leading to difficulties in coordination;
 - d. Lack of commitment, understanding, and support of the stakeholders in the regions.
12. Meeting with foreign delegates/bilateral/regional forum, for instance:
- a. Meeting with the Vietnamese delegation in Jakarta on January 23rd, 2018, in order to exchange information and experiences in efforts to prevent and handle TIP in each country.
 - b. Meeting with the United Arab Emirates (PEA) National Team for the Eradication of TIP and a delegation chaired by Ahmed Abdul Rahman Aljerman on October 29th, 2019. The meeting discussed issues of TIP between the two countries, especially with regard to Indonesian migrant workers, and other matters. Cooperation can be built within the framework of eradicating trafficking in persons.
 - c. The second meeting of the Joint Committee of the Republic of Indonesia (RI)-United Arab Emirates (PEA), October 29th-30th 2019. This activity is a follow-up to the RI and PEA bilateral MoU on Combating TIP and Protection of Victims of the Crime of Trafficking in Persons, which was signed in 2015.
 - d. Actively involved in The Bali Process with regard to TIP, the ILO SEA Fisheries Project (Sea Fisheries: Strengthened Coordination to Combat Labor Exploitation and Trafficking in Fisheries in Southeast Asia) 2017-2020, and as a part of National Team for fishing ship crew, in 2019 period.

MoWECP as daily director and central secretariate of ATTF conduct activities annually from 2015 to 2019 as follows:

- a. National coordination meeting of the ATTF with the present of national level task force and provincial and sub-provincial force. The meeting was held in Palangka Raya in 2018 and in Kupang in 2019.
- b. National ATTF organized series of meeting to revise Presidential regulation number 69 year 2008 and Perkaha Number 64 year 2016 from August 2018 to December 2019.
- c. Special coordination meeting in TIP case meeting
- d. Annual work report and five years' work report preparations of National level ATTF
- e. Develop the design of integrated data cases system between ministry and

institutions, from central to regional through Simfoni PPA, to produce one data TIP and TIP victim service monitoring management system.

- f. Delivering technical guidance to provincial and sub provincial ATTF n Banten, Jakarta, West Java, East Java, Aceh, Riau, Kepri, Bengkulu, West Sumatera, Jambi, Lampung, North Sulawesi, South Sulawesi, NTB, NTT, and North Maluku.

In coordinating TIP case, MoWECP:

1. Together with Foreign ministry, social ministry, CID-INP, sub-national Child Protection office and IOM conducted three meeting to discuss with minister of foreign affairs, social ministry, CID-INP, Women Empowerment and child protection TIP office about case in China in August and September 2018.
2. Coordination with RPTC Bambu Apus in handling TIP case with 32 korban in September 2018.
3. Facilitated PPPA office and KPI Makassar to coordinate with local police to handle allegation of TIP case in Palu in Desember 2018.
4. Coordination with BNP2TKI in conducting sudden inspection to Migrant women worker company shelter in east Jakarta. 50 people were found and prevented from being sent abroad without proper procedures.
5. Coordination with KPAI, Jakarta Provincial government, and Kalibata City apartment management to handle sexual exploitation child victim of TIP in Kalibata City apartment, South Jakarta.
6. Coordination with RPSW Wanita Karya Binaan Kementerian Sosial women organization fostered by Social Ministry and DPPPA West Java Province and DPPPA Bekasi district in handling Bali TIP case in Januari 2019.

Sub Task Force of Collaboration and coordination in conducting 2015-2019 National Action Plan of ATTF-2019 had maximum effort even though it is not yet optimal in some area such as in the objective to create collaboration and coordination between stakeholders in national level, with indication of 5 MoU between regional government in provincial level per year and the lack of collaboration report of 1 MOU per year between ministries and institution.

6.1.2 Challenge and Problem

Coordination and collaboration of ATTF face some challenges and problems as follows:

1. The implementation of MOU between government of regions of origin, transit and destination experienced lack of progress with low coordination, commitment and budget.
2. Nomenclature change in some ministries and institution, TIP limited budget and some were not available, and limited human resource to handle TIP or they were shift to other division.

6.1.3 Recommendation

ATTF anticipated challenge and problem in coordination and collaboration with following action:

1. Every sub task force prepares short report with attachment on achievement of activities, challenge, problem and follow up plan.
2. Create small team to prepare annual report of ATTF by Ministry of Women empowerment and child protection.
3. Prepare activities programs of National Action Plan ATTF and propose budgets
4. Review daily chairman regulation Number 64 year 2016 on the membership of Sub Task Force of ATTF

6.2 Regional Government

6.2.1 Achievement

Ministry of Home affairs supported ATTF as follows:

1. Regulation:

- a. The Decree of Ministry home affairs number 86 year 2017 on Procedures for Planning, Control and Evaluation of Sub-national Development, Evaluation Procedures for Draft Sub-National Regulations concerning Long-Term Regional Development Plans and Regional Medium-Term Development Plans, as well as Procedures for Amendments to Sub-National Long-Term Amendment Plans, Regional Medium-Term Development Plans, and Sub-national government work Plans.
- b. The regulation of ministry home affair number 8 year 2018 on second revision

- of regulation of ministry home affairs number 43 year 2015 on organisation and working procedurs in ministry of home affairs
- c. Decree of ministry home affairs number 70 year 2019 on regional development information system.
- d. The regulation of Ministry home affairs number 33 year 2019 on Guidelines for Preparation of the Regional Budget for the 2020 Fiscal Year
- e. The regulation of minister of home affairs number 61 year 2019 on planning, monitoring and governance of regional government in 2020.
- f. The regulation of Ministry home affairs number 33 year 2019 on Guidelines for Preparation of the Regional Budget for the 2020 Fiscal Year
- g. The regulation of Ministry home affairs number 31 year 2019 on Guidelines of preparation Regional government working plan (RKPD) in 2020.
- h. The regulation of Ministry home affairs number 90 year 2019 on classification, codefication, and nomenclature of regional development plan and fiscal.

2. Facilitation:

- a. Minister of home affairs instruction number 183/373/SJ on Anti TIP February 5th 2016.
- b. Minister of home affairs radiogram number 460/025/Bangda on the implementation of Anti TIP January 5th 2017.
- c. 18 from 32 provinces that have ATTF delivered reports : North Sumatera, West Sumatera, Riau, Riau islands, Jambi, south Sumatera, DKI Jakarta, West Jawa, Banten, East Java, Bali, South Kalimantan, central Kalimantan, South Sulawesi, Central Sulawesi, South east Sulawesi, North Sulawesi, West Nusa Tenggara.

6.2.2 Challenges and Problems

Challenges and problems in the implementation of Anti TIP law are:

1. Internal

- a. There is lack of monitoring and evaluation on the implementation of ATTF in the regions due to TIP special budget was not allocated yet.
- b. Limited data and information concerning TIP

2. External

- a. There is lack of Coordination in central and regional level

- b. The low commitment of regional government concerning budgeting on ATTF
- c. The low concern of public on their environment especially related to TIP.
- d. Some ATTF in provincial level have not delivered report as mandated in the Minister home affairs instruction number 183/373/SJ on ATTF to ministry of home affairs through Director general of regional development
- e. Central data on TIP has not yet integrated between task force members

6.2.3 Recommendation

Ministry of home affairs recommends these steps to overcome challenges and problems of coordination of ATTF in provincial level:

- 1. Periodic evaluation on the implementation of regional task force
- 2. Encourage task force formation in the provinces of Papua and West Papua
- 3. Strengthen ATTF in provincial level
- 4. Encourage ATTF in provincial level to strengthen GT ATTF in district/city level
- 5. Optimize risk based monitoring and evaluation on ATTF in sub-national level
- 6. Suggest the creation of integrated central data on TIP

6.3 International Collaboration

6.3.1 Multilateral

- 1. Indonesian role in the collaboration forum : The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process)

The Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Process) is a regional forum with objective to overcome TIP and people smuggling. This forum was founded in 2002 by Indonesia and Australia, that become co-chairman, Today, Bali Process already has 49 members, that are 42 countries and 3 economic entity (New Caledonia, Hong Kong SAR, Macau SAR), and 4 international organizations (UNHCR, IOM, UNODC, and ILO).

Highest decision making mechanism of Bali Process is Bali Process Ministerial

Conference – BPMC. Two BPMC were organized in the period of 2015-2019; the sixth BPMC in 2016 and seventh BPMC in 2018.

In 2016, the ministers issued Bali Declaration with recommendations and practical steps to overcome non-regular migration including trafficking in person. This declaration showed strengthen commitment between Bali Process members to increase the efforts to handle non-regular migration in the regions with balance approach between law enforcement and humanity. Declaration emphasize victim protection. One of significant element in the declaration is the agreement of Bali Process members to involve private sectors in the trafficking in person eradication through job creation and procedural recruitment process.

In 2018, the ministers issued another Ministerial Declaration to affirm the efforts to overcome non-regular migration issues in the regions, as it had been stated in 2016.

The role of Regional Support Office (RSO) Bali Process

To organize various activities, Bali Process founded Regional Support Office (RSO) in 2012. RSO is located Bangkok, Thailand, and it has objective to be focal point coordination, capacity development, and best practice in handling people smuggling trafficking in person and other transnational crimes. During 2015-2019, RSO had various activities such as:

- a. The collaboration with CIFAL-Jeju (South Korea) to organize training to government and NGO in Asia Pacific to increase identification, assistance and trafficked victims with victim based approach.
- b. Drafting and translation of various policy guide, such as: Bali Process Policy Guides on Identification and Protection of Victims of Trafficking and Bali Process Policy Guides on Following the Money in Trafficking in Persons Cases.
- c. Regional Roadmap launching as online platform to overcome TIP
- d. In September 2019, RSO worked together with JCLEC to start new initiatives. It is special training to build capacities of women officials in the frontiers. It involved 31 law enforcers, diplomats, and trainer from Australia, Philipines, Indonesia, Great Britain, Cambodia, Myanmar, RRT, Thailand, Turkey, Vietnam, and Interpol.

RSO had total 60 activities since 2015, with 1049 participants from 43 countries. They came from governments, people group, international organisation and civil society.

Mechanism under Bali Process concerning ATTF

Bali Process has working group mechanism in operational/technical level to handle trafficking in person issues :

a. Bali Process Working Group on Trafficking in Persons

Bali Process has Working Group on Trafficking in Persons (WG TIP), with co-chairman of Indonesia and Australia. WG TIP was first time founded in Ad Hoc Group Senior Officials Meeting in Canberra, Australia on August 6th 2014.

WG TIP works based on biennial Forward Work Plan; there had been two period : 2015-2017 and 2017-2019. At the moment WG TIP is finishing Forward Work Plan 2017-2019 and they will draft Forward Plan 2020-2022.

There were some important achievement of Bali Process WG TIP since 2015 such as creation of some policy guides; Policy Guide on Criminalizing Trafficking in Persons, Policy Guide on Identifying and Protecting Victims of Trafficking in Persons, and Policy Guide on Following the Money on Trafficking in Persons Cases. One of the expert in drafting team and co-chairman on Drafting Committee Policy Guide on Following the Money in Trafficking in Persons Cases was M. Yusfidli from recovery asset center from attorney general office.

The fifth meeting of WG TIM was organized in Jakarta, Indonesia in June 18th -20th 2019. The meeting discussed development of implementation of Forward Work Plan 2017-2019 and other priorities in the future. The underlined achievement is "Bali Process Policy Guide on Following the Money on Trafficking in Persons Cases" that become reference in various international forum including UN general assembly and Human right council in the session of "Business and Human Rights." One of the result of meeting is the plan to draft "Compendium of Good Practice Examples on Supply Chain Transparency."

b. Bali Process Government and Business Forum (BPGBF)

Following global development, Bali Process consider the importance of various stakeholders such as private sector and civil society in handling TIP and people smuggling. It was confirmed in The Bali Process Declaration on People Smuggling, Trafficking in Persons and Related Transnational Crime (Bali Declaration) as outcome document from 6th BPMC in 2016.

In line with that document, in 2017, Bali Process had initiative of collaboration between government and private sector in Bali Process Government and Business Forum (GABF). This Initiative was the first forum in the regions where government meet private sector to increase efforts on prevention and eradication of trafficking in persons, including forced work and modern slavery, through the line of supply and value chain in private sectors. It also confirmed the needed assistance in migration process. Migrant workers can get enough assistances and assure ethical recruitment and proper work.

In the BPGBF second meeting, –back-to-back with The Seventh Bali Ministerial Conference on People Smuggling, Trafficking in Persons and Related Transnational Crime (BRMC VII) in Bali 2018, produced AAA Recommendation that was adopted by Ministerial Conference. This document contain recommendations from privates sector on collaboration suggestion of government and privates sector to eradicate TIP and conduct transparence supply chain.

c. Technical Experts Group on Returns and Reintegration (TEGRR)

Technical Experts Group on Returns and Integration is part of Bali Process mechanism with focus work on capacity building and best practice exchange of Bali Process members concerning returns and reintegration of non-regular migrants, as refugee or trafficked victim, or refugee who ask for voluntary returns.

First meeting of Roundtable on Return and Reintegration was held in Manila, Philippines on 1-2 December 2015. This meeting discussed each countries experience in handling return and reintegration as well as exploring collaboration possibilities between countries and international organization.

The second TEGRR meeting was held in Manila, Philippines in 23-24 April 2018 to discuss challenges and opportunity in return and reintegration management in the regions.

d. Global Compact For Safe, Orderly and Regular Migration

Global Compact for Safe, Orderly and Regular Migration (GCM) is the first document on international migration that was negotiated between government under United Nations and passed in general assembly in December 19th 2018. Indonesia considers GCM as multilateralism commitment to encourage migrant human rights protection. As a commitment to support GCM, Indonesia took the role as one of vice president in Intergovernmental Conference in Maroco in 10 – 11 December 2018.

GCM has long term and balance vision that can be used as reference for various countries, as country of origin, country of destination, or transit country. This document can also be used to achieve sustainable development goals 2030.

In the process of GCM negotiation, Indonesia was putting forward strengthen migrant protection including to fight against TIP and people smuggling. In this context, Indonesia proposed some discourse on exchange information, frontiers management, strengthen participation of privates sectors and increasing involvement of civil society. As achievement, some Indonesian suggestion were accepted as stated in GCM objectives concerning effort to overcome TIP. Furthermore, Indonesia also encourages some best practice from Bali Process to be adopted in GCM including private sectors role to implement ethical recruitment to reduce utilization of undocumented migrant workers.

e. Global Forum on Migration and Development

Even with the current GCM, Indonesia has a vision that Global Forum on Migration and Development (GFMD) is still relevance as migration issue discussion in global level. The character of “non-binding” from the meeting is a useful added value in creating effective discussion for all stakeholders from various countries. GFMD give opportunity to all government and non-government sector to sit together and find solution concerning international migration issues.

The 11th GFMD meeting in 2018 had a theme of Honoring International Commitments to Unlock the Potential of All Migrants for Development. 135 UN member countries were presents with 45 international organization, civil

society, private sectors, academician, and other stakeholders. Principally, the meeting agreed on the significant meaning of state responsibility in optimizing migrant potential development, encourage integration process and social inclusion.

f. Financial Action Task Force

Plenary session of Financial Action Task Force (FATF) in July 2017 decided that Risks, Trends and Methods Group (RTMG) will handle one of project to identify financial flow in TIP crimes, to realize guidance for state to eradicate trafficking in person crime through financial aspect and crime asset. Therefore state need to be involve as initiator.

USA FIU (FinCEN), Canada FIU (FINTRAC) and FIU Indonesia (INTRAC) worked together as co-lead in the project of Risks, Trends, and Methods Group Project on Money Laundering Risks Arising from Trafficking in Human Beings under Financial Action Task Force (FATF) forum that produce guidance for member of states to identify financial flow from trafficking in persons (FATF/ APG Report on Financial Flow from Human Trafficking). It was published in July 2018 in the following plenary session.

This latest report of FATF and APG had objective to increase awareness on financial information types that can identify TIP for sexual exploitation or forced work and to increase awareness on the potential on the interest from organ trafficking. This report also highlight potential relation between human trafficking and terrorist funding.

Since trafficking can happen in any country, it is important for countries to assess the risk of trafficking and money laundering from these crimes. The information must be shared to stakeholders and ensure its understanding. States must develop partnership between public sector, privates sector, civil society and nonprofit communities, especially private sector as financial institution in the frontline.

Nonprofit organization also plays important role in eradication of trafficking and its financial flows. Besides supporting victims of the crime, they can also ensure the important information on who get the profit from trafficking, reach financial institution and authorities because victims often are scared to face

authorities by themselves.

Initiative and innovation in national and regional level had shown how anti money laundering action and terrorism funding prevention with its implementation can contribute to stop these crimes. However, globally, there is not enough focus to use financial information to detect, disturb and dismantle human trafficking networks. This report gives good practice to help countries to develop steps to overcome money laundering and terrorism funding from trafficking including the red flag indicator to identify the perpetrator who were laundering the result of this vicious crime.

Indonesia as one of co-lead in this project fully support active projects in the FATF program in order to be full member of FATF, which now has observer status in the forum.

6.3.2 Regional

Background

As cross border crime issue, trafficking in person in ASEAN is discussed through mechanism of ASEAN Ministerial Meeting on Transnational Crime/Senior Official Meeting on Transnational Crime (AMMTC/SOMTC). Trafficking in person crime issue become also new priority area in collaboration of ASEAN Regional Forum (ARF) under Counter-Terrorism and Transnational Crime (CTTC). Besides these two mechanism, there is ASEAN Intergovernmental Commission on Human Rights (AICHR) that encourage coordination among organ and ASEAN sectorial body in trafficking in person issue.

The collaboration is stated in the blue print of Politic-security community ASEAN 2025, especially in action B.3.4 Enhance cooperation against trafficking in persons and people smuggling, including (B.3.4.iv) Enhance cooperation to combat trafficking in persons and people smuggling with Dialogue Partners and other external parties.

In May 2011, ASEAN leaders gave mandates to found ASEAN Convention on Trafficking in Person (ACTIP) through ASEAN Leader' Joint Statement in Enhancing Cooperation against Trafficking in Persons in Southeast Asia (Jakarta, May 2011) and reconfirm again in Joint Statement of 8th AMMTC (Bali, Oktober 2011). This mandate was implemented in the frame of AMMTC-SOMTC through ACTIP preparation that was

validated in November 22nd 2015 and effectuated in March 8th 2017. ASEAN Regional Plan of Action Against Trafficking in Persons Especially Women and Children (APA) is founded to run ACTIP, with specific steps guidance and relevant international obligation to handle regional challenges in ASEAN country members to handle trafficking in person crimes.

Under AMMTC/SOMTC frame

Under AMMTC/SOMTC framework, there are two special mechanism for TIP, namely terdapat SOMTC Working Group on Trafficking in Persons (WG on TIP) and Meeting of Heads of Specialist Units (HSU) on TIP

Some collaboration priorities under SOMTC WG on TIP, are:

- a. Creating of ASEAN legal instrument to eradicate TIP in the regions
- b. Strengthening cross borders collaboration in handling TIP
- c. Strengthening capacity of law enforcer in criminal justice response on TIP.
- d. Research concerning modus operandi
- e. Data and information exchange
- f. Strengthening collaboration with other ASEAN sectorial bodies and Mitra Wicara ASEAN.

the last meeting :

1

34th Heads of Specialist Anti-Trafficking Unit (34th HSU) Meeting

34th Heads of Specialist Anti-Trafficking Unit (34th HSU) Meeting was organized in the same time with 19th SOMTC and Its Related Meetings in Nay Pyi Taw, Myanmar on 22-26 July 2019.

The results of the meeting as follows :

- a. Meeting agreed to adopt HSU ad-referendum Annual Work Plan 2019-2020. Indonesia affirmed the importance to protect TIP victim in each ASEAN member country, as commitment stated in Bohol TIP Work Plan 2017-2020.
- b. Philipines as SOMTC voluntary lead shepherd area TIP suggested that every HSU local points can actively report work plan implementation related to TIP issue periodically. Best practice information in national level can be discuss together in SOMTC WG on TIP meeting.

2

16th SOMTC Working Group on Trafficking in Persons (WG ON TIP)

16th SOMTC Working Group on Trafficking in Persons (WG ON TIP) was organized in the same time with 19th SOMTC and Its Related Meetings in ay Pyi Taw, Myanmar on 22-26 July 2019.

The points of discussion in the meeting are :

- a. ASEAN secretariat reported 4 actions related to TIP in ASEAN Political-Security Community (APSC) Blueprint 2025 under section B.3.4. has implemented about 29 activities through SOMTC and other related ASEAN bodies.
- b. Meeting reported follow up discussion of 15th SOMTC WG on TIP in the highlight of key issues on monitoring and evaluation on the implementation of Bohol TIP Work Plan 2017-2020.
- c. Philippines as HSU secretariat recommended further discussion on (i) Governance Arrangements; (ii) Reporting; (iii) Monitoring and Statistical Data Content; and (iv) Relationship with Sectoral Bodies.
- d. Philippines also reported the effectuation of ASEAN Consultative Meeting on the Implementation of ACTIP and the Bohol TIP Work Plan on 5-6 March 2019 in Bohol Filipina. Meeting had been organized to increase understanding on ACTIP and Bohol TIP Work Plan 2017-2020; shared best practice concerning implementation of Bohol TIP Work Plan 2017-2020; and facilitated consultation about monitoring and evaluation system. This meeting involved representatives from ASEAN cross sectorial bodies such as: SOMTC, ASLOM, DGCIM, SLOM, SOM-ED, ACWC, SOMHD, ASEAN secretariat, Australian Ministry of foreign affairs and trade, Asia Foundation, and ASEAN-Australia Counter Trafficking (ASEAN ACT).
- e. Meeting noted the development report and annual plan to support ACTIP implementation through ASEAN Australia Counter Trafficking Annual Plan (AAPTIP) program by ASEAN-ACT. ASEAN-ACT delivered collaboration result synthesis in some document that have distributed and translated to each AMS. These documents are :
 - 1) AATIP Progress Report, 2018;
 - 2) ASEAN Practitioner Guidelines, 2018;
 - 3) Practitioner Recommendations on Investigation and Prosecution for Labour Exploitation, 2018;
 - 4) ASEAN Handbook on ILC in TIP Cases, 2018;
 - 5) ASEAN Training Program on ILC in TIP Cases, 2018; dan
 - 6) Model Professional Development Program for ASEAN Judges, 2018.

In the frame of ARF

besides AMMTC/SOMTC, Indonesia also considers ASEAN Regional Forum (ARF) mechanism to be used to promote discussion and collaboration in handling TIP in the regions. ARF has 27 participants with largest coverage from east of pacific ocean (Canada) to Indian ocean (Pakistan) and Northeast Asia (Japan) to southwest Pasifik (Australia). Therefore Indonesia can work through ARF to increase awareness of 27 participants on the importance issues and common effort in handling TIP.

TIP discussion in the frame of ARF had started since 1st ARF Inter Sessional Meeting on Counter Terrorism and Transnational Crime (ARF ISM on CTTC) in 2013 to 2017 when Indonesia became host of ARF Workshop in Trafficking in Persons, 4-5 April 2017 and 15th ARF ISM in CTTC, 6-7 April 2017.

TIP issue was officially suggested to be new priority in ARF Work Plan on CTTC since 10th ARF ISM on CTTC meeting, 14-15 May 2015 in China, TIP issue was insert in berhasil ARF Work Plan on CTTC 2015-2017.

This ARF priority area made possible for ARF participants to explore some projects and activities to strengthen nasional, regional and international collaboration to prevent and eradicate TIP comprehensively, the creation of new priority under the ARF frame was considered completed ACTIP implementation. The contain of TIP in the work plan will also strengthen the performance of SOMTC ASEAN or other ASEAN mechanism in handling TIP.

The collaboration creation in TIP prevention and eradication as new priority under ARF will increase common greater understanding on the issue and increase capacity to fight all form of TIP, especially in prevention, early detection, prosecution and victim protection. The capacity building activities covered such as: exchange vision and shared information on flows, trend and relevant migration pattern, identification and victim protection, borders control and monitoring mechanism, law enforcement and TIP criminalization.

Qualitative and Quantitative achievement

Until the implementation of 16th SOMTC Working Group on Trafficking in Person (WG on TIP), ASEAN secretariat reported that 4 actions concerning TIP in ASEAN Political-

Security Community (APSC) Blueprint 2025 under section B.3.4 had been implemented through 29 activities through SOMTC and other related ASEAN sectoral bodies.

One of important ASEAN achievement in TIP issues is the effectuation of *ASEAN Convention Against Trafficking in Person Especially Women and Children (ACTIP)* to which Indonesian was active in the drafting process. ACTIP is also completed with ASEAN Regional Plan of Action Against Trafficking in Person Especially Women and Children (APA),

- a. ACTIP and APA contain four collaboration priorities as follows (1) law enforcement ; (2) Pprevention ; (3) Victim protection; and (4) regional and international collaboration.
- b. In November 10th 2017, The government of Republic of Indonesia became the 9th state ratified ACTIP through the Act number 12 year 2017 on the validation of ASEAN Convention Against Trafficking in Person Especially Women and Children.

The benefits of ACTIP for Indonesia are as follows:

- a. Minimize the difference understanding between ASEAN countries concerning TIP concept to develop strengthen collaboration and intensive coordination especially to law enforcer.
- b. Enlarge coverage of national law through strengthen collaboration in Southeast Asia.
- c. Strengthen national legislation to support the implementation of Act number 21 year 2007.
- d. Encourage Indonesian citizen TIP victim protection in Indonesia and Southeast Asia.
- e. Strengthen prevention and punishment effort and other related crimes such as illegal fishing, drugs smuggling, corruption and money laundering.
- f. Facilitate collaboration in Act enforcement in ASEAN in finding perpetrator, proof and financial access to the bank record.
- g. Facilitate law enforcement in ASEAN in exchanging data and information to accelerate bureaucracy process, tracing asset and extradition policy.
- h. Increasing the mapping on TIP perpetrators syndicate
- i. Facilitate victim right fulfillment on restitution from the results of confiscation of the assets of the perpetrator who are abroad, as well as the rights of the victim to the material value that the exploiters of other countries have not provided.

ASEAN prepared working plan on eradication of TIP to implement ACTIP and APA entitled Bohol TIP Work Plan 2017-2020, with four key element : prevention victim protection, law enforcement and external collaboration.

This document contains various program to handle TIP regionally and in multi-sectors, involving 9 ASEAN sectoral bodies from three pillar of ASEAN society, ministry/ institution, private sectors and CSO in the implementation. Therefor Bohol TIP Work Plan is multisectoral working plan, as the first cross sectoral and cross-pillar plan in ASEAN.

Some activities of WG on TIP were:

- a. National workshop on ASEAN Focal Point system formation of ASEAN representative on Convention Against Trafficking in Person Especially Women and Children (ACTIP). ASEAN SOMTC – Indonesia and SOMTC – Filipina, Jakarta, 10 December 2019.
- b. Workshop on Model Professional Development Program for ASEAN Judges in TIP, Bangkok, Thailand, 7-8 2018.
- c. ASEAN Workshop on Criminal Justice Response to TI, Bangkok, Thailand, 22-24 Mei 2018.
- d. Initial Consultation among the Chair of the SOMTC WG on TIP and Chair of the Bali Process WG on the Disruption of Criminal Networks Involved in People Smuggling and TIP, Bangkok, Thailand, 15 Mei 2018.
The consultation has result of agreement to explore strengthened collaboration between two mechanism and review each other plan as considerations of collaboration.
- e. Table top Exercise for ASEAN-Plus Three Law Enforces and Prosecutors to Enhance Cross-Border Joint Investigations and Operations on TIP Related Cases, 20-22 Maret 2018 di Boracay, Filipina.
- f. AICHR Cross-Sectoral Consultation in the Human Rights-based Instruments Related to the Implementation of ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), Yogyakarta, 29-30 Agustus 2017.
- g. Workshop on Strengthening the Implementation of the ACTIP through the Establishment of a System of National ACTIP Representatives, Cabu, 4-25 Mei 2017
- h. ASEAN Cross-Sectoral Meeting to Finalise the “Bohol TIP Work Plan 2017-

2019 towards the implementation of ACTIP and APA, Cabu, Filipina, 3-4 Mei 2017.

6.3.3 Challenge and Problem

- a. Various challenge in ACTIP ratification process, especially on synchronize effort, understanding and cross-sectoral collaboration for the effective implementation of the ACTIP.
- b. Convention ratification process in Indonesia is similar to drafting process of new law. Comparing to other convention ratification process, the duration of process was considered. The long process in national level has made Indonesia the second last country that ratified ACTIP, even as country who initiated it.
- c. Lack of active participation of Mitra Wacana and ARF participants in eradicating trafficking in person in South East Asia.
- d. The need to improve coordination and synergy between ministries and institutions to provide report to various mechanism/ sectorial ASEAN bodies concerning Trafficking in person.

6.3.4 Rekomendation

- a. Strengthening collaboration between ministries, institutions and legislatives to accelerate ratification process on significant international convention.
- b. Improving coordination in victim handling between concerning ministries and institutions.
- c. Encouraging continuously realization of human right based approach and its practice that covers assistance service to trafficking in person victims without considering trial process and migration law condition from concerning countries, focused to victim in national, regional and international level have to consider victim's right and obligation of the country according to regional human rights instrument as stated in Indonesian representative in inter-governmental Human right commission ASEAN (ASEAN Intergovernmental Commission on Human Rights-AICHR).

Appendix

Appendix 1 - Data of ATTF

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
1	Province of Aceh	1	City of Banda Aceh		District of Pidi
					District of Bireuen
					District of Gayo
					District of West Aceh
					District of South Aceh
					District of Aceh Singkel
					District of Aceh Besar
2	Province of North Sumatera	2	City of Pematang Siantar		City of Pematang Siantar
		3	District of Deli Serdang		District of Deli Serdang
		4	District of Asahan		District of Asahan
		5	City of Tanjung Balai		City of Tanjung Balai
		6	District of Batubara		District of Batubara
		7	District of Langkat		District of Langkat
		8	City of Tebing Tinggi		City of Tebing Tinggi
		9	District of Labuhan Batu		District of Labuhan Batu
		10	City of Binjai		City of Binjai
		11	City of Medan		City of Medan
		12	District of Serdang Bedagai		District of Serdang Bedagai
		13	District of South Labuhan Batu		District of South Labuhan Batu
		14	District of Padang Lawas		District of Padang Lawas
		15	District of Simalungun		District of Simalungun
		16	District of Nias		District of Nias
		17	District of North Padang Lawas		District of North Padang Lawas
		18	District of Mandailing Natal		District of Mandailing Natal
					District of West Pak Pak
3	Province of Riau	19	City of Dumai		City of Dumai
		20	District of Meranti		District of Meranti
					District of Bengkalis
					District of Indragiri Hilir
					District of Indragiri Hulu
					District of Pelalawan
					District of Siak
					City of Pekanbaru

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
4	Province of West Sumatera	21	Padang		
		22	Pariaman		
		23	Padang Panjang		
		24	Bukittinggi		Bukittinggi
		25	Payakumbuh		
					District of Agam
					District of Tanah Datar
					District of Dharmasraya
					District of Limapuluh Kota
5	Province of Bengkulu	26	Rejang lebong		District of Rejang Lebong
					City of Bengkulu
					District of Seluma
6	Province of South Sumatera	27	District of Lahat		District of Lahat
					District of Ogan Komering Ulu
					District of Ogan Komering Ilir
					District of Muara Enim
					District of Musi Rawas
					District of Banyuasin
					District of South Ogan Komering Ulu
					District of East Ogan Komering Ulu
					District of Ogan Ilir
					District of Empat Lawang
					District of Penukal Abab Lematang Ilir
					District of North Musi Rawas
					City of Palembang
					City of Prabumulih
					City of Pagar Alam
					City of Lubuk Linggau
7	Province of Jambi				City of Jambi
8	Province of Kepulauan Riau	28	City of Tanjung Pinang		City of Tanjung Pinang
		29	City of Batam		City of Batam
		30	District of Karimun		District of Karimun
		31	District of Lingga		District of Lingga
		32	District of Natuna		District of Natuna
		33	City of Bintan		City of Bintan
		34	District of Anambas		District of Anambas
9	Province of Bangka Belitung	35	District of Belitung		District of Belitung
					District of Bangka
10	Province of Lampung	36	City of Bandar Lampung		

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
		37	District of Tanggamus		District of Tanggamus
		38	District of Central Lampung		District of Central Lampung
		39	District of West Lampung		District of West Lampung
		40	District of South Lampung		District of South Lampung
		41	District of Tulang Bawang		District of Tulang Bawang
		42	City of Metro Lampung		City of Metro Lampung
		43	District of Pringsewu		District of Pringsewu
		44	District of Pesawaran		District of Pesawaran
		45	District of West Tulang Bawang		District of West Tulang Bawang
					District of West Pesisir
					District of Waikanan
					District of North Lampung
11	Province of Banten	46	District of Tangerang		District of Tangerang
		47	District of Serang		District of Serang
		48	City of Serang		City of Serang
		49	District of Lebak		District of Lebak
		50	City of Cilegon		City of Cilegon
		51	District of Pandeglang		District of Pandeglang
		52	City of South Tangerang		City of South Tangerang
		53	City of Tangerang		
12	Province of DKI Jakarta	54	Central Jakarta		Central Jakarta
		55	West Jakarta		West Jakarta
		56	South Jakarta		South Jakarta
		57	North Jakarta		North Jakarta
					Kepulauan Seribu
					East Jakarta
13	Province of West Jawa	58	District of Bandung		District of Bandung
		59	District of Bogor		District of Bogor
		60	District of Purwakarta		
		61	District of Cianjur		District of Cianjur
		62	District of Cirebon		District of Cirebon
		63	District of Garut		District of Garut
		64	District of Indramayu		District of Indramayu
		65	District of Karawang		District of Karawang
		66	District of Subang		District of Subang
		67	District of Sukabumi		District of Sukabumi
		68	District of Bekasi		
		69	District of Sumedang		
		70	City of Bekasi		
		71	City of Sukabumi		City of Sukabumi
		72	City of Bogor		District of Kuningan
		73	City of Cimahi		City of Cimahi
		74	District of West Bandung		District of West Bandung

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
		75	District of Kuningan	-	
		76	City of Depok	-	
		77	City of Cirebon		
		78	City of Bandung		KotaBandung
		79	City of Tasikmalaya	-	
		80	City of Banjar		City of Banjar
		81	District of Majalengka	-	
		82	District of Tasikmalaya	-	
		83	District of Ciamis		District of Ciamis
14	Province of Central Java	84	District of Wonogiri		District of Wonogiri
		85	District of Purworejo		District of Purworejo
		86	District of Klaten		District of Klaten
		87	District of Cilacap		District of Cilacap
		88	District of Brebes		District of Brebes
		89	City of Semarang		City of Semarang
		90	District of Pati		District of Pati
		91	District of Semarang		District of Semarang
		92	District of Boyolali		District of Boyolali
		93	District of Jepara		District of Jepara
		94	District of Pekalongan		District of Pekalongan
		95	District of Wonosobo		District of Wonosobo
		96	District of Grobogan		District of Grobogan
		97	District of Kebumen		
		98	District of Rembang		District of Rembang
		99	District of Demak		District of Demak
		100	District of Salatiga		District of Salatiga
		101	District of Temanggung		
					City of Surakarta
					City of Pekalongan
					District of Banyumas
					District of Purbalingga
					District of Sukoharjo
					District of Sragen
					District of Blora
					District of Kudus
					District of Kendal
					District of Batang
					District of Pemalang
					District of Tegal
					City of Magelang
15	Province of DIY	102	City of Yogyakarta		City of Yogyakarta
		103	District of Gunung Kidul		District of Gunung Kidul
		104	District of Kulonprogo		District of Kulonprogo
		105	District of Bantul		District of Bantul
		106	District of Sleman		District of Sleman

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
16	Province of East Java	107	District of Tulungagung		
		108	City of Malang		
		109	District of Malang		District of Malang
		110	District of Trenggalek		District of Trenggalek
		111	City of Surabaya		City of Surabaya
		112	District of Pacitan		District of Pacitan
		113	District of Magetan		
		114	District of Blitar		
		115	District of Ponorogo		District of Ponorogo
		116	District of Nganjuk		District of Nganjuk
		117	District of Bondowoso		
		118	District of Situbondo		
		119	City of Kediri		
		120	District of Jombang		District of Jombang
		121	District of Jember		
		122	District of Bojonegoro		
		123	District of Sumenep		
		124	District of Pasuruan		
					City of Blitar
					City of Batu
17	Province of Bali	125	City of Denpasar		City of Denpasar
		126	District of Buleleng		District of Buleleng
		127	District of Jembrana		District of Jembrana
					District of Gianyar
					District of Bangli
					District of Badung
18	Province of West Nusa Tenggara	128	City of Mataram		City of Mataram
		129	District of West Lombok		District of West Lombok
		130	District of Central Lombok		District of Central Lombok
		131	District of East Lombok		District of East Lombok
		132	District of Sumbawa Besar		District of Sumbawa Besar
		133	District of Sumbawa		District of Sumbawa
		134	District of Dompu		District of Dompu
		135	City of Bima		City of Bima
		136	District of Bima		District of Bima
19	Province of East Nusa Tenggara	137	City of Kupang		City of Kupang
		138	District of Kupang		District of Kupang
					District of Ende
					District of Sikka
					District of Manggarai
20	Province of South Borneo	139	District of Banjar		District of Banjar

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
		140	District of South Hulu Sungai		District of South Hulu Sungai
		141	City of Banjar Baru		City of Banjar Baru
		142	Tanah laut		Tanah laut
		143	District of Central Hulu Sungai		District of Central Hulu Sungai
		144	District of Balangan		District of Balangan
					District of North Hulu Sungai
					District of Tabalong
					District of Tapin
					District of Barito Kuala
					City of Banjarmasin
21	Province of Central Borneo	145	District of East Kotawaringin		District of East Kotawaringin
					District of East Barito
					District of Lamandau
					District of Gunung Mas
22	Province of West Borneo	146	City of Pontianak		City of Pontianak
		147	City of Singkawang		City of Singkawang
		148	District of Sambas		District of Sambas
		149	District of Sanggau		District of Sanggau
		150	District of Kubu Raya		District of Kubu Raya
		151	District of Ketapang		District of Ketapang
		152	District of Sintang		District of Sintang
					District of Kapuas Hulu
23	Province of East Borneo	153	City of Samarinda		City of Samarinda
					District of East Kutai
					District of Berau
24	Province of North Borneo	154	District of Nunukan		District of Nunukan
		155	City of Tarakan		City of Tarakan
25	Province of South Sulawesi	156	City of Makassar		City of Makassar
		157	District of Bone		District of Bone
		158	District of Jeneponto		District of Jeneponto
		159	District of Tana Toraja		
		160	District of North Toraja		District of North Toraja
		161	District of Pare-Pare		District of Pare-Pare
		162	District of Sidrap		
		163	District of Bulukumba		District of Bulukumba
		164	District of Sinjai		
		165	District of Maros		District of Maros
		166	District of Takalar		District of Takalar
		167	District of Barru		
		168	District of Pinrang		District of Pinrang

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
		169	District of Luwu		District of Luwu
		170	District of North Luwu		District of North Luwu
		171	District of East Luwu		District of East Luwu
		172	District of Palopo		
		173	District of Bantaeng		District of Bantaeng
		174	District of Soppeng		District of Soppeng
26	Province of Central Sulawesi	175	District of Sigi		District of Sigi
		176	City of Palu		City of Palu
		177	Parigi Moutong		Parigi Moutong
		178	Morowali		
					District of Donggala
27	Gorontalo				City of Gorontalo
					District of Gorontalo
28	Province of North Sulawesi	179	City of Manado		City of Manado
		180	City of Bitung		City of Bitung
		181	District of South Minahasa		District of South Minahasa
		182	District of South East Minahasa		District of South East Minahasa
		183	City of Kotamobagu		City of Kotamobagu
		184	City of Tomohon		City of Tomohon
		185	District of North Minahasa		District of North Minahasa
					District of Kepulauan Sangihe
29	Province of Maluku				City of Ambon
					City of Tual
					District of Central Maluku
					District of Buru
					District of South Buru
					District of West Seram
					District of Maluku Tenggara
					District of Kepulauan Aru
					District of Kepulauan Tanimbar
					District of South West Maluku

No.	PROVINCE LEVEL TF	NO	2017 SUB-PROVINCE LEVEL TF	NO	2019 SUB-PROVINCE LEVEL TF
(1)	(2)	(3)	(4)	(5)	(6)
30	Province of North Maluku				
31	Province of South East Sulawesi	186	City of Kendari		City of Kendari
		187	District of Konawe		District of Konawe
32	Province of West Sulawesi	188	District of Polewalimandar		District of Polewalimandar
		189	District of North Mamuju		District of Pasang Kayu (new name)
		190	District of Mamuju		District of Mamuju
		191	District of Majene		District of Majene
					District of Central Mamuju
					District of Mamasa

Dokumentasi Kegiatan





















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