

Randy Asmoro Dwi Purnomo 1*, Ramlan2, Dahlan3, Erniyanti4

^{1, 2, 3} Master of Law Program, Universitas Batam e-mail: 74124009@univbatam.ac.id

*Corresponding Author: Randy Asmoro Dwi Purnomo

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Abstract

Human Trafficking (TPPO) is a complex and evolving transnational crime, particularly in border areas such as Batam City, which serves as a strategic route for cross-border human movement. Combating TPPO requires not only a repressive legal approach but also a human security-based protection approach that places individuals at the center of protection efforts. This study aims to analyze from a legal perspective how the concept of human security is applied in Indonesian immigration policy to combat TPPO, with a specific focus on the Batam Class I Special Immigration Office. The research methods used are normative legal methods and empirical legal methods with a statutory and sociolegal approach. Data were obtained through literature studies, legal documentation, and interviews with immigration officials and relevant agencies in Batam. The results of the study indicate that existing laws and regulations, such as Law Number 6 of 2011 concerning Immigration and Law Number 21 of 2007 concerning the Eradication of TPPO, have provided an adequate legal basis. However, the implementation of the human security concept in immigration policy has not been optimal due to overlapping regulations, weak inter-agency coordination, technological limitations, and officials' lack of understanding of human security principles. The Batam TPI Immigration Office has attempted to implement preventive and repressive measures, but still requires increased institutional capacity and inter-agency synergy. Recommendations include the development of integrated operational guidelines based on human security, training immigration officers, strengthening early detection systems and inter-agency coordination, and increasing the state's role in ensuring comprehensive legal protection for victims of human trafficking.

Keywords: Human Security, Immigration Policy, Human Trafficking, Legal Protection, Batam Immigration

1. Introduction

The phenomenon of international migration has become one of the complex global dynamics of the 21st century. The movement of people across national borders is not only a matter of social, economic, and cultural aspects but also touches on legal and national sovereignty dimensions [1]. In the context of Indonesia, as an archipelagic nation with a strategic geographical location, the flow of human mobility both into and out of its territorial waters is inevitable. Indonesia's location along international trade routes, its direct borders with several Southeast Asian countries, and its numerous international ports make it one of the countries with the highest vulnerability to the movement of foreign nationals [2]. Law No. 6 of 2011 on Immigration has emphasized that immigration is not merely an administrative service but also an instrument to safeguard the sovereignty, order, and security of the state. Within this framework, the government has the obligation to monitor the movement of foreign nationals, both entering and exiting the territory of the Republic of Indonesia. Globalization has led to increasingly intensive human mobility, whether in the form of tourism, education, work, or permanent migration across national borders. Indonesia, with its strategic geographical position and rich natural resources, has become one of the main destinations and stopovers for foreign nationals [3]. This situation presents both opportunities and challenges. On one hand, the presence of foreigners can contribute positively to development, particularly in the economic and investment sectors. However, on the other

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hand, uncontrolled foreign migration has the potential to cause issues, both from social, cultural, and national security perspectives [4]. Immigration then comes to the forefront in maintaining a balance between the country's openness to the outside world and the protection of national sovereignty. The function of monitoring foreign nationals, as regulated in Law No. 6 of 2011, places the Immigration Office as a vital institution in implementing this policy. In practice, immigration administrative actions often serve as the primary tool for addressing violations of residence permits, visa abuse, and illegal activities by foreign nationals. Therefore, the effectiveness of implementing immigration administrative actions is a critical issue that requires further in-depth analysis, particularly in border areas prone to immigration violations [5].

One important instrument used is administrative immigration measures, which are a set of powers that can be applied to foreigners who violate the law or are considered a threat to the interests of the state [6]. The problem is that, despite the existence of regulations, implementation in the field often faces various challenges. Immigration offices, as the frontline in the implementation of immigration functions, are often faced with dilemmatic situations when dealing with cases involving foreigners [2]. On one hand, they must uphold human rights principles, but on the other hand, they are required to enforce the law firmly and safeguard national sovereignty. The problem becomes more complex when administrative measures, such as deportation, refusal of entry, or restrictions on the activities of foreign nationals, do not always run smoothly due to legal, technical, or inter-agency coordination constraints [7].

A study at the Class II Immigration Office in Tanjung Balai Karimun, for example, illustrates this dynamic. This area is a strategic region bordering neighboring countries such as Singapore and Malaysia. The high mobility of foreign nationals in this region makes it prone to various immigration violations, ranging from misuse of residence permits, working without authorization, to other illegal activities. Therefore, research on the effectiveness of administrative measures in this region is relevant to provide an empirical overview and normative evaluation of immigration practices in Indonesia. Thus, this study is not merely intended to describe the phenomenon, but also to examine the extent to which immigration law can be effectively enforced, the obstacles that arise in its implementation, and how the policy should be developed in the future. Based on the above description, the research questions in this study are:

- a. How are immigration administrative measures implemented at the Class II Immigration Office in Tanjung Balai Karimun?
- b. What factors hinder the implementation of these administrative measures?
- c. How effective are immigration administrative actions in maintaining sovereignty and order in the border area? This problem statement is important to clarify the focus of the research, as well as to provide academic and practical contributions to the field of immigration law.
 - This study has several main objectives, namely:
- a. To systematically describe the implementation of immigration administrative actions at the Class II Immigration Office of Tanjung Balai Karimun.
- b. To analyze the obstacles encountered in the implementation of these administrative actions, both from legal, institutional, and technical operational aspects.
- c. To evaluate the effectiveness of immigration administrative actions in the context of protecting state sovereignty and legal certainty.

Theoretically, this study is expected to enrich the body of legal knowledge, particularly in the fields of immigration law and administrative law. The findings of this study can contribute to academic understanding of the concept of administrative action, legal effectiveness, and the relationship between regulation and implementation. Practically, this research can provide input to the government, particularly the Directorate General of Immigration, regarding efforts to improve the implementation of oversight functions over foreign nationals. The research results are also expected to serve as a reference for policymakers in developing regulations that are more responsive to immigration challenges in the era of globalization. The authenticity of research is an important aspect of scientific work. Based on a review of previous studies, most studies on immigration administrative actions are still normative and have not yet raised many empirical case studies in border areas. While some studies have addressed deportation, detention, or other forms of administrative actions, specific analyses of their implementation at the Class II Immigration Office in Tanjung Balai Karimun remain scarce. Therefore, this study has novelty value as it combines a normative approach with empirical analysis through field research. Additionally, this study aims to address questions regarding the effectiveness of immigration law in a concrete context, thereby providing a more comprehensive understanding compared to previous studies.

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2. Literature Review

2.1. Definition of Human Trafficking

A criminal offense, often referred to as a crime or misdemeanor, refers to an act that is prohibited by law and punishable by a specific penalty if someone violates that prohibition. In criminal law, the main purpose is to protect the public interest and prevent behavior that is harmful to society [3]. Criminal acts are a term that contains a basic concept in law as a term that is formed with the intention of giving certain characteristics to criminal legal events. Sudarto argues that lawmakers have consistently used the term criminal act, as they have done in the past. Teguh Prasetyo agrees with Sudarto because lawmakers now always use the term criminal act, meaning that the term has become widely understood by the public [8]. After reviewing the various definitions above, it can be concluded that a criminal act is an act that is prohibited by law and punishable by criminal penalties, where the term "act" here refers not only to active acts (doing something that is actually prohibited by law) but also passive acts (failing to do something that is actually required by law) [7].

2.2 Legal Provisions on Human Trafficking

Human trafficking is essentially an organized crime or syndicate crime. Syndicate crime refers to criminal acts committed by a criminal group with a social structure that seeks to obtain financial gain from illegal activities. Some time ago, this type of crime was not yet a major social problem in several countries [9]. However, recently, organized crime has grown dramatically in line with economic development, becoming a problem that needs to be addressed seriously because it disrupts national security and stability and has formed new alliances around the world [10]. In Indonesia itself, there are several activities that indicate the occurrence of human trafficking. One of the most common activities leading to human trafficking cases is the recruitment and sending of workers abroad, particularly female workers (TKW). In many cases involving female workers, the elements outlined in Article 1 of Law Number 21 of 2007 on the Eradication of Human Trafficking are present. In the event that an Indonesian citizen (WNI) becomes a victim of human trafficking abroad, this is regulated under the repatriation of human trafficking victims, as stipulated in Article 44 of Law Number 21 of 2007 on the Eradication of Human Trafficking (UU PTPPO). However, in the entirety of the Protocol, the issue of repatriation is addressed in various aspects. This is because repatriation is not merely about returning the victims, but also ensuring that they regain their rights to temporary travel documents, the restoration of their personal rights, pre-repatriation care, and physical protection from the syndicate [11]. Thus, the provisions of Article 44(1) of Law No. 21 of 2007 on the Eradication of Human Trafficking are still inadequate to provide legal certainty in protecting victims abroad. Furthermore, it remains unclear who acts on behalf of the state abroad. Is it the Indonesian Embassy, as stipulated in Law No. 37 of 1999 on Foreign Relations.

2.3 Definition of Human Security

The concept of human security was first introduced in a 1994 report by the United Nations Development Programme (UNDP), which defined it as human security focused on protecting individuals from threats to their lives, freedoms, and well-being [12]. This approach marks a shift from the traditional security paradigm, which typically focuses on state security, to a paradigm that places individuals at the center of attention. According to the report, human security encompasses freedom from fear and freedom from want as key elements in achieving comprehensive human security. In various academic literature, human security is defined as a comprehensive approach to addressing multidimensional threats to humans, both direct threats such as armed conflict and indirect threats such as poverty and infectious diseases. Amartya Sen adds that human security encompasses not only protection, but also the empowerment of individuals to deal with these threats independently [13]. The concept of human security continues to evolve over time, encompassing various dimensions of security involving multiple actors, including states, civil society, and the international community. According to McRae, the main challenge in implementing this concept is ensuring that the focus on individuals does not conflict with national security, but rather complements it.

2.4 1. Immigration Policy in Indonesia

Immigration plays a strategic role in law enforcement and the protection of human rights, especially in the context of transnational crimes such as human trafficking. As the institution responsible for managing the movement of people between countries, immigration authorities have the authority to monitor, inspect, and enforce the law against immigration violations that potentially violate human rights [14]. This role includes preventing human smuggling, detecting false travel documents, and identifying victims of human trafficking. In law enforcement, the Directorate General of Immigration is not only tasked with detecting administrative violations but also collaborates

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with other law enforcement agencies to take action against transnational criminal networks [9]. This role is supported by policies that prioritize strict surveillance in border areas, where human traffic is very high. Human rights protection in immigration is also reflected in efforts to assist victims of human trafficking. Immigration offices, as part of the legal protection system, are responsible for ensuring that victims receive their rights, such as security, access to justice, and safe repatriation [15]. This approach demonstrates that immigration not only serves to maintain national security, but also upholds individual rights.

3. Methodology

This research methodology uses a normative legal approach supported by field studies to strengthen the data. The normative approach was chosen because the focus of the research is to analyze the applicable positive legal rules, particularly those related to Law Number 6 of 2011 concerning Immigration and its implementing regulations. This study uses legislation, legal doctrines, and relevant court decisions as the main references in answering the research questions. In addition, the research also combines a sociological approach by conducting interviews and data collection at the Immigration Office, so as to be able to describe the gap between legal norms and practices in the field. The types of data used include primary data and secondary data. Primary data was obtained through interviews with immigration officials, analysis of official documents, and direct observation. Meanwhile, secondary data was sourced from legal literature, books, scientific journals, laws and regulations, and annual reports from the Directorate General of Immigration. Data analysis was conducted using qualitative techniques, namely by interpreting legal provisions, examining their consistency, and then comparing them with empirical facts found. With this method, the study is expected to provide a comprehensive picture of the effectiveness of the implementation of immigration administrative measures, both from a normative and implementative perspective, as well as provide solution-oriented recommendations.

4. Results and Discussion

4.1 The Concept of Human Security in Immigration Policy to Combat TPPO in Indonesia

In the context of law and human rights, the concept of human security is a modern approach to protecting individuals from various threats that are no longer solely military or political in nature, but also social, economic, environmental, and criminal. This concept was first introduced by the United Nations Development Programme (UNDP) through the 1994 Human Development Report, which emphasized two main pillars: freedom from fear and freedom from want. In the report, human security encompasses seven dimensions: economic, food, health, environmental, personal, community, and political security. From a legal perspective, this concept has developed into a normative basis for the protection of individual rights threatened by various forms of structural violence and transnational crimes such as trafficking in persons (TIP).

Human security differs from traditional approaches to security that are oriented towards the state and military power. Instead, this approach places human beings as the primary subjects of protection. In the context of immigration, the application of human security means that immigration policies and regulations must be directed not only at maintaining state sovereignty, but also at protecting the basic rights of migrants, including victims of human trafficking. Protection of individuals from exploitation, torture, and modern slavery is an integral part of the dimensions of personal security and economic security in this approach. The dimensions of human security are highly relevant in the context of immigration and TPPO. For example, the dimension of personal security requires the state to protect individuals from physical violence and direct threats, such as those experienced by victims of human trafficking. The dimension of economic security is relevant in explaining how poverty and economic inequality make individuals vulnerable to becoming victims of TPPO. In addition, the dimensions of community security and political security are closely related to efforts to protect vulnerable groups who are often targeted for exploitation through illegal migration.

The international legal basis for the concept of human security is found in many human rights instruments. One of the most relevant is the 1948 Universal Declaration of Human Rights (UDHR), which states in Article 3 that "Everyone has the right to life, liberty and security of person." This declaration serves as the primary reference for UN member states in developing national legal systems that protect individuals from violence and inhumane treatment. In the context of immigration, this principle must be adopted into administrative and legal policies and practices by immigration authorities, including in Indonesia. Normatively, Indonesia has ratified the Palermo Protocol through Law No. 14 of 2009, which reinforces the national legal commitment to the elimination of human trafficking. On the

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other hand, the rights of victims are also guaranteed in Law No. 21 of 2007 on the Eradication of Trafficking in Persons, which in Article 48 regulates the rights of victims to obtain legal assistance, protection, and rehabilitation. This provision reflects the integration of human security principles into the national legal framework. Furthermore, Law No. 6 of 2011 on Immigration contains a number of provisions that can be interpreted as part of strengthening the human security approach. For example, Articles 8 and 9 grant immigration officials the authority to refuse or prevent people from entering or leaving Indonesian territory if they are suspected of violating the law or endangering security. However, in its implementation, such authority must be exercised not only for national security but also to protect vulnerable individuals from becoming victims of human trafficking. Therefore, the legal approach adopted must not be purely repressive but should be preventive and protective in nature.

4.2 Implementation of the Concept of Human Security in Immigration Policy to Combat TPPO at the Special Class I Immigration Office in Batam

In the context of combating human trafficking, the Batam Special Class I Immigration Office plays a very important strategic role. Geographically, Batam City is a border area directly adjacent to Singapore and Malaysia, making it one of the busiest human trafficking routes in Indonesia. This position makes Batam a transit area and a major destination for the movement of Indonesian and foreign nationals, both legal and illegal. Based on interviews with structural officials at the Batam TPI Immigration Office, the high volume of passengers entering and exiting through international ports such as Batam Centre, Harbour Bay, and Sekupang necessitates extra strict surveillance, especially against potential human smuggling and trafficking practices. Functionally and normatively, the Batam TPI Class I Special Immigration Office has the primary responsibility, as stipulated in Law No. 6 of 2011 on Immigration, to monitor the movement of people entering and exiting Indonesia through Immigration Checkpoints (TPI) and to oversee the presence of foreign nationals. In practice, as observed in the field, these tasks are carried out through various units such as the Immigration Inspection Unit, the Intelligence and Enforcement Unit, and the Foreigner Monitoring Unit. Each unit has a role in detecting and handling potential victims and perpetrators of TPPO, for example through departure interviews, monitoring travel patterns, and cooperation with shipping companies and other agencies. From a sociological perspective, the approach used by the Batam TPI Immigration Office in combating TPPO is not only administrative in nature, but also attempts to build institutional social networks.

Based on interviews with officials in the Intelligence and Enforcement Division, the Immigration Office actively coordinates with the National Police, the Social Affairs Department, the Indonesian Migrant Workers Protection Agency (BP2MI), and local NGOs involved in advocating for victims of human trafficking. For example, if there are female passengers with suspicious profiles (young age, unclear purpose, lack of understanding of the documents they carry), a thorough investigation and inter-agency coordination will be conducted. In many cases, this measure has succeeded in identifying victims before they leave the country. However, the research also shows that the implementation of this supervisory function still faces various challenges. One of the main challenges is the limited number of personnel and information technology support facilities to manage the very high traffic flow. For example, in one day, the Batam Center TPI serves up to thousands of passengers, while the number of interview officers is limited. Additionally, not all public ports and small routes are adequately monitored, creating loopholes for human trafficking through informal channels. This was highlighted by a senior official in the immigration surveillance sector, who stated that "human trafficking often occurs through unmonitored ports."

Based on field research conducted at the Batam Special Class I Immigration Office, preventive measures are implemented through strict screening of prospective passengers at immigration checkpoints (TPI), particularly young women traveling alone who do not have supporting documents or are unable to explain their purpose of travel rationally. Meanwhile, repressive measures are directed at perpetrators of human trafficking who are found accompanying or arranging the departure of potential victims, through collaboration between immigration authorities and other law enforcement agencies. The preventive aspect of protection for victims of TPPO is reflected in the efforts of the Batam Immigration Office to detect and prevent the departure of victims from the initial stage of inspection. Interviews with inspection section officers indicate that immigration applies a profiling system and in-depth interviews with suspicious prospective passengers. Denial of departure (offloading) is carried out on the grounds of security and prevention of potential exploitation.

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4.3 Obstacles and Solutions to the Implementation of the Concept of Human Security in Immigration Policy to Combat TPPO

The implementation of the concept of human security in immigration policy to combat human trafficking at the Batam Special Class I Immigration Office faces a number of legal and structural obstacles that affect the effectiveness of victim protection. Field research findings indicate that one of the main obstacles is the overlap of regulations and legal gaps, particularly regarding the division of authority and victim protection mechanisms among immigration authorities, the police, the Social Affairs Department, and the BP2MI. Some immigration officers revealed that they often face procedural confusion when handling TPPO victims, as there are no detailed cross-sectoral technical regulations governing the integrated handling process based on victim rights protection. Another legal obstacle is the limited scope of Law No. 6 of 2011 on Immigration, which does not explicitly mention the protection of TPPO victims as part of the authority of immigration officers. Although Law No. 21 of 2007 on the Eradication of TPPO has mandated victim protection, its implementation within the immigration context remains implicit. In practice, immigration officers often find it difficult to determine whether someone is an immigration violator or a victim of human trafficking. This normative vacuum causes legal disharmony and leads to uncertainty among officers in taking protection-based measures, especially when not supported by clear technical guidelines.

In terms of coordination and inter-agency implementation, the most common structural obstacle is the absence of an integrated system among agencies to comprehensively handle TPPO cases. An interview with an official from the Intelligence and Immigration Enforcement Section revealed that coordination with the police, the Social Services Agency, or NGOs often takes time due to the lack of a joint reporting system or integrated database. For example, when immigration officers identify potential victims of TPPO, the process of transferring them to the relevant agencies is often delayed due to a lack of clarity in the referral system, even though swift and appropriate handling is crucial for victims. In addition, obstacles also arise from the limitations of the internal structure of the Immigration Office, particularly in terms of personnel numbers and technical capacity. Many officers have to handle a heavy workload, especially at ports with heavy passenger traffic, making it impossible to conduct in-depth checks on every individual who is suspected. One officer said that the number of inspectors is not proportional to the number of daily passengers, which reaches thousands, making it difficult to optimally apply accurate profiling methods. This situation leads to the potential for victims of TPPO to be overlooked, especially if there are no obvious indicators.

Another important factor found in this study is the lack of understanding among officers of the principle of human security as the basis for legal protection. Although some officers are aware of the need for a humanitarian approach, in-depth interviews show that the concept of human security is not yet part of official training or technical guidance modules for immigration officers. As a result, most of the protection measures taken are still case-based and depend on the personal initiative of officers, rather than on a system or established theoretical understanding. This shows a gap between policy idealism and its implementation in the field. Using an empirical legal approach and a sociological perspective (socio-legal approach), it can be concluded that obstacles to the implementation of the concept of human security in immigration policy stem not only from weaknesses in legal norms, but also from structural and cultural aspects of the legal system itself. The lack of alignment between regulations, institutional capacity, and legal awareness among officials has resulted in suboptimal policies for the protection of victims of TPPO. To overcome these obstacles, strategic measures are needed in the form of reformulating technical regulations across sectors, providing human security-based training for officials, and strengthening a responsive and collaborative institutional coordination system.

5. Comparison

In terms of policy, regulations such as Law No. 6 of 2011 on Immigration and Law No. 21 of 2007 on the Eradication of Trafficking in Persons provide a strong legal basis. However, both are still more dominant in repressive aspects. In comparison, the concept of human security encourages holistic policies, including strengthening victim identification services, rehabilitation, and safe repatriation. In its implementation in Batam, the Special Class I Immigration Office for TPI has made efforts to conduct document checks, joint operations, and early detection of TPPO. However, obstacles have arisen in the form of overlapping regulations, weak coordination between agencies, and limitations in technology and human resources. Compared to previous studies that tend to focus on technical aspects of immigration supervision or human rights protection, this thesis stands out for presenting a synthesis of both through a human security perspective. Thus, it is evident that while legal norms are adequate, the implementation of human security requires institutional and legal cultural transformation to ensure comprehensive protection for victims.

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6. Conclusions and Suggestion

Based on the discussion in the previous chapter, the following conclusions can be drawn:

- a. Legal regulations regarding the concept of human security in Indonesia's immigration policy have a normative basis through Law No. 6 of 2011 on Immigration and Law No. 21 of 2007 on the Eradication of Trafficking in Persons, as well as a number of implementing regulations such as Permenkumham No. 50 of 2016. However, the integration of human security principles as an approach that places people at the center of protection remains implicit and has not been fully internalized in immigration policy in a systematic manner. Therefore, legal reform is needed to be more responsive to the protection of victims of human trafficking, including harmonization of regulations among relevant agencies.
- b. The implementation of the human security concept at the Batam Special Class I Immigration Office has been carried out through the monitoring of human traffic, the identification of potential victims, and cross-sectoral coordination in handling TPPO cases. Although there have been preventive and repressive initiatives in line with the principles of legal protection, their implementation still faces structural limitations such as a shortage of human resources, an early detection system that is not yet optimal, and an uneven understanding of the essence of human security among officials, so that the protection of victims is still not optimal and highly dependent on the initiative of individual officers.
- c. Obstacles to the implementation of the human security concept include overlapping and gaps in regulations, weak inter-agency coordination, technological limitations, a weak legal culture, and a lack of understanding among officers in the field. To overcome these obstacles, human rights-based regulatory reform, capacity building for officials, strengthening of monitoring and detection systems, and the establishment of solid institutional synergies between immigration, police, social agencies, and NGOs are needed so that protection for victims of TPPO can be implemented in an integrated, responsive, and sustainable manner in accordance with the principles of responsive law and social justice.

From these conclusions, the author can offer several recommendations, namely:

- a. It is recommended that the Directorate General of Immigration and the Class I Special Immigration Office for TPI Batam develop and implement integrated operational guidelines based on human security principles that technically outline preventive and responsive measures in handling victims of TPPO in the field, including regular training for officers so that they have an adequate understanding of the rights of victims and effective crosssector coordination.
- b. It is recommended that the Government harmonize regulations between ministries/agencies and strengthen policies for the protection of victims of TPPO through the establishment of an integrated task force in border areas and the provision of a special budget for strengthening detection technology, safe houses, and inter-agency data integration to ensure the implementation of immigration policies that are fair, inclusive, and responsive to human trafficking issues.
- c. It is recommended that the public increase legal awareness and vigilance against human trafficking modus operandi by actively participating in legal education, reporting information to authorities if indications of human trafficking are found, and strengthening social solidarity through the role of civil society organizations and local leaders in preventing exploitation and illegal recruitment practices in their communities.

Author Contributions: A short paragraph specifying their individual contributions must be provided for research articles with several authors (**mandatory for more than 1 author**). The following statements should be used "Conceptualization: X.X. and Y.Y.; Methodology: X.X.; Software: X.X.; Validation: X.X., Y.Y. and Z.Z.; Formal analysis: X.X.; Investigation: X.X.; Resources: X.X.; Data curation: X.X.; Writing—original draft preparation: X.X.; Writing—review and editing: X.X.; Visualization: X.X.; Supervision: X.X.; Project administration: X.X.; Funding acquisition: Y.Y."

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Data Availability Statement: We encourage all authors of articles published in FAITH journals to share their research data. This section provides details regarding where data supporting reported results can be found, including

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links to publicly archived datasets analyzed or generated during the study. Where no new data were created or data unavailable due to privacy or ethical restrictions, a statement is still required.

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