

# ANALYSIS OF THE SEXUAL EXPLOITATION VICTIMS' RIGHTS FULFILLMENT IN HUMAN TRAFFICKING CRIMES THROUGH THE ROUTINE ACTIVITY THEORY PERSPECTIVE

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## Abstract

Human trafficking (Tindak Pidana Perdagangan Orang—TPPO), which includes sexual exploitation, is a form of organized crime that is on the rise and has serious consequences, particularly for vulnerable groups such as women and children. This study aims to analyze sexual exploitation as the modus operandi in human trafficking and to assess the extent to which the fulfillment of victims' rights has been implemented, with the focus of the study area at the Kebayoran Baru Police. The research method is a descriptive qualitative approach, with data collected through interviews, observations, and document studies. The findings indicate that economic factors are the primary motivator for victims to become involved in this crime, followed by inadequate parental supervision, a lack of active community involvement, and minimal intervention from law enforcement officers. In terms of fulfilling victims' rights, the police have implemented protection and assistance measures in accordance with Law Number 21 of 2007 concerning the Eradication of Human Trafficking. However, actual implementation continues to face challenges with regard to institutional coordination and the long-term viability of victim protection.

**Keywords:** *Human Trafficking, Victims' Rights Fulfillment, Sexual Exploitation, Routine Activity Theory*

## INTRODUCTION

Human Trafficking (TPPO) refers to serious crimes involving the recruitment, transportation, harboring, transfer, or receipt of individuals through illegal means for exploitative purposes. These exploitations include forced labor, sexual exploitation, or other forms of abuse that result in harm or loss to the victim (Kadek, Komang, Si, & M, 2022). According to Law Number 21 of 2007 Concerning the Eradication of the Crime of Human Trafficking (UUPTPO), Article 1 Paragraph 2 defines human trafficking as any act or series of acts that comply with the elements of a criminal offense as specified by the law. Furthermore, Article 2 Paragraph 1 elaborates that any individual who recruits, transports, harbors, transfers, or receives another person through threats, violence, abduction, confinement, forgery, deception, abuse of power, exploitation of vulnerability, debt bondage, or providing payments or benefits, even with the consent of a person in control of the victim, for the purpose of exploitation within the territory of Indonesia is subject to imprisonment for a minimum of three (3) years and a maximum of fifteen (15) years, along with a fine ranging from IDR 120,000,000 to IDR 600,000,000 (Law No 21, 2007). The same sanctions apply to any actions that result in a person being exploited.

Sexual exploitation is defined as the abuse of power, authority, or trust for sexual purposes, which benefits the perpetrator either financially, socially, or politically. Victims are typically trapped, forced, or scammed into engaging in commercial sexual activity, with the perpetrator controlling all outcomes (Nations, n.d.) In practice, victims of sexual exploitation often experience violations of their basic rights, including the right to feel safe, the right not to be tortured, the right to health, and the right to recovery (WOMEN, 2020). This situation highlights the importance of a comprehensive protection system for victims of human trafficking based on sexual exploitation. Human trafficking is currently prevalent in a number of countries, including Indonesia and other developing countries. This case is making headlines both at the national and international levels. The perpetrators look for targets among young women, the majority of whom are still minors. Fraud with promises of work, seduction or romantic relationships, fake marriages, kidnapping or direct trafficking, coercion or violence, online exploitation, and pornography are the most common methods used (Samodro, 2019). Although, in reality, many young women who become trapped are forced into prostitution, the majority of victims accept their fate. However, some women are willing to report or expose the

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person who led them to the authorities, specifically the police. These women are vulnerable to becoming victims due to several factors, the most significant of which is the element of demand, where women are needed as sex workers (PSK). Children, like women, are inseparably associated with human trafficking crimes because they are the most vulnerable group to be trafficked. Many children become victims because of negative associations and exposure to nightlife activities (Kadek, Komang, Si, & M, 2022). According to the Online Information System for the Protection of Women and Children (KemenPPPA, 2024), 51 percent of TPPO victims were children (1,156), 47 percent were adult women (1,073), and 2 percent were adult men (46 people).

The Ministry of Women Empowerment and Child Protection (MoWECP) or Kementerian Pemberdayaan Perempuan dan Perlindungan Anak (KemenPPPA), as reported by Natsir (2024), Head of the Public Relations Group of the Financial Transaction Reports and Analysis Center (PPATK), identified 44 suspicious transaction reports between 2014 and the first semester of 2024. These reports relate to child exploitation, pornography, and human trafficking. The estimated number of child victims of sexual exploitation is 24,049 children aged 10 to 18, and the frequency of related financial transactions increased to 130,812, with a total turnover of IDR 127 billion (Humas, 2024). These alarming statistics highlight the seriousness of human trafficking cases, particularly those targeting minors. The growing number of human trafficking cases reported in Indonesia suggests the inability of the existing legal system to provide maximum protection to victims (Tiara Okta Yanti, 2024). This phenomenon not only violates victims' rights, but it also demonstrates the weaknesses of the legal protection system in Indonesia. Law enforcement often prioritizes punishing perpetrators over victim recovery and rehabilitation. Victims of trafficking for sexual exploitation frequently face stigma, long-term trauma, and difficulty accessing health care, psychological support, and social reintegration.

Among the many cases of TPPO against women and children, the Kebayoran Baru Police in South Jakarta recently discovered a case of sexual exploitation involving a teenager in South Jakarta. Two teenagers were sexually exploited and forced into prostitution with a target of 70 men. The victims will receive their wages only after the target of Rp. 3,500,000 has been met. This case has a total of five suspects (Noviansah & Mulianingsih, 2025). This case shows that an increasing number of cases, particularly human trafficking through sexual exploitation, are emerging that have various modes of operation. The perpetrators use multiple kinds of methods to carry out their actions, such as seduction, fraud, and threats of violence. The objective of this study is to examine how victims of human trafficking experience sexual exploitation and how the perspective of the authorities on protecting and fulfilling victims' rights is applied in this context. This study is important because it provides a broader overview of how human trafficking case is handled from the victim's perspective, as well as feedback for improving policies that are more responsive to the needs of the victims. Thus, this study employs the theory of routine activities, which explains how crimes can occur through three components: motivated offenders, suitable targets, and a lack of capable guardianship. These three elements strengthen the factors that contribute to human trafficking crimes, and the focus of this study is on the victims' perspective and the treatment they received after their case was revealed.

## METHOD

This study employed qualitative descriptive research methods. In this study, the author emphasizes detailed descriptions and in-depth understanding through methods such as informant interviews and the analysis of various types of documentation from internet sources. This study aims to systematically, factually, and accurately describe or explain the facts and characteristics of a specific population. It is so because the study seeks to investigate or analyze symptoms, phenomena, or existing social realities. Descriptive research is designed to demonstrate a number of different factors related to the problem and the unit under study; however, it fails to try to look into the relationship between these variables (Syahrizal & Jailani, 2023). In qualitative research, data collection typically involves observation, in which researchers observe objects or phenomena, in this case, the methods of sexual exploitation within human trafficking cases. The data collection process also includes a number of supporting activities, such as selecting informants and recording relevant data or information gathered during the research.

## RESULTS AND DISCUSSION

### Victims' Rights Fulfillment in Human Trafficking Crimes

Although Indonesian law ensures protection for children, the rights of child victims of sexual exploitation are not yet fully fulfilled. As a result, court decisions play an important role in ensuring the fulfillment of these rights for child victims of sexual exploitation, which can be accomplished through several mechanisms (Nur, 2025):

#### 1. Victim Assistance

Child victims of sexual exploitation require assistance during court proceedings to protect their rights, avoid additional trauma, and ensure a fair trial. Companions or legal representatives can offer emotional support and inform children about their rights throughout the legal process.

**2. Maximum Criminal Sanctions Against Perpetrators**

The imposition of maximum criminal sanctions on perpetrators of child sexual exploitation represents the state's strong commitment to protecting children in such situations.

**3. Provision of Restitution to Victims**

Court decisions should mandate restitution for victims, which requires perpetrators to compensate victims for both material and immaterial losses they have suffered.

**4. Orders for Victim Rehabilitation**

The court decision should assist in the recovery of victims by directing medical and psychological rehabilitation for victims through appropriate institutions.

Victims are consistently the most disadvantaged parties in Indonesia's legal system. The legal bias against victims is frequently visible, particularly when compared to the treatment of the accused, as several legal provisions tend to grant "special rights" to the accused rather than the victims. In fact, victims and their families should have access to comprehensive legal protection aimed at alleviating their suffering, such as security, legal assistance, information, medical services, restitution, and compensation (Krisnamurti, 2021). Generally, women are one of the most vulnerable groups when it comes to violence and crime. Thus, it is important to ensure that women receive adequate psychological support (Fitryantica, Kemala, & Sutrisno). Vulnerability is often rooted in structural inequalities that keep women trapped in situations that expose them to exploitation and abuse.

Traffickers can easily exploit these conditions, especially when women face poverty or lack social protection. Cases of sexual exploitation occur when the perpetrator takes advantage of the victim's vulnerability due to financial difficulties to exploit them sexually for personal gain (Fadillah, Muammar, & Antio, 2022). This case also involved a teenage victim from Tangerang who was still a minor. This gained public attention after it was revealed that the victim had been persuaded by the perpetrator's network and forced to serve up to 70 men. This series of exploitation began when the victim joined the live broadcast of a friend who was already a part of the exploitation network. Victims of human trafficking have the right to obtain protection and fulfillment of their rights during and after the legal process, as stated in the applicable laws and regulations, particularly Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking and Law Number 13 of 2006 concerning the Protection of Witnesses and Victims, as amended by Law Number 31 of 2014. Some of these rights include physical and psychological protection, medical and psychological care, restitution and compensation, and social rehabilitation. The purpose of restitution is to provide victims of TPPO with material and immaterial recovery, though its implementation faces a number of challenges, including the courts' disregard for the rights of the victims (Maryam & Prasetyo, 2025). The important role of the prosecutor's office in the implementation of restitution is also reflected in its responsibility to provide information regarding the victims' right to restitution, as well as assisting and accompanying victims in submitting restitution applications to the court (Soebesky Uras, Manuain, & Fanggi, 2024).

Victims in the cases examined in this study have obtained certain rights according to legally regulated mechanisms. The state and law enforcement officers are responsible for protecting and fulfilling these rights (Wenas, Seba, & Fretes, 2024). They must ensure that victims are treated not only as victims in the legal process, but also as individuals with rights that must be respected and recognized (Safitri, Ali, & Hidayat, 2024). In the case studied, the victim's statement displayed that they had received initial assistance from relevant institutions such as the Indonesian Child Protection Commission (KPAI), the Ministry of Social Affairs through its Social Services, and shelters for victims. Based on these findings, the Kebayoran Baru Police's implementation of victims' rights fulfillment in human trafficking cases involving sexual exploitation is in line with existing legal provisions.

### **Legal Follow-up Against Human Traffickers**

Economic problems are frequently a motivating factor for perpetrators of human trafficking, particularly those who exploit victims sexually. According to a study conducted by Bahtiar and Saebani (2025), individuals who become traffickers are frequently motivated by poverty and a lack of employment opportunities, leading them to engage in human trafficking in the belief that it will provide a quick solution to their economic difficulties. This is consistent with the current research's findings, which show that economic factors are the main reason for perpetrators who commit human trafficking through sexual exploitation. Based on interviews with Kebayoran Baru Metro Police officers, the majority of perpetrators are economically disadvantaged and in debt. In such cases, these people tend to

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take shortcuts by involving themselves in human trafficking networks for financial gain, despite the high risks involved. These findings correlate with research by (Zuliana & Sujarwo, 2018), who concluded that external factors, particularly economic pressure, are among the primary reasons people are drawn into human trafficking. Law enforcement efforts include a follow-up process for perpetrators of human trafficking who use sexual exploitation methods. Based on the observations and interviews with police officers at the Kebayoran Baru Police Station, the perpetrators were immediately processed in accordance with applicable legal provisions after being arrested. Law Number 21 of 2007 Concerning the Eradication of the Crime of Human Trafficking (UUPTPO) establishes a specific legal framework for handling human trafficking crimes in Indonesia, enacting prison sentences ranging from three to fifteen years and fines of up to IDR 600 million. According to the statement of the informant, one of the perpetrators in this case was sentenced to 15 years in prison and turned over to the Public Prosecutor (Jaksa Penuntut Umum—JPU). It was also noted that the sentences imposed on the other perpetrators varied depending on their respective roles in the crime and the judge's decision-making during the trial. The law regulates the definition, scope, and form of the crime of human trafficking. It also determines how perpetrators are prosecuted. One of the main advantages of this law is its comprehensive approach, which includes aspects like prevention, victim protection, and prosecution of perpetrators. Hence, the UUPTPO is the primary legal tool for addressing the complex problem of human trafficking in Indonesia (Puspawati, 2025). The effective implementation of this law, however, is highly dependent on the role and commitment of law enforcement agencies to ensure that its provisions are applied consistently and fairly.

### Law Enforcers as Capable Guardians in the Perspective of Routine Activity Theory

In general, every country that upholds the rule of law follows three basic principles: the supremacy of law, equality before the law, and law enforcement utilizing legal procedures. As a law-based state, Indonesia reflects these principles in Article 27, Paragraph 1 of the Republic of Indonesia's Constitution, which states: "All citizens have equal standing before the law and government and are obliged to uphold the law and government without exception." As a result, all individuals in Indonesia, whether citizens or foreigners, must base their behavior and policies on and abide by the law. Law enforcement against human trafficking in the form of sexual exploitation is carried out through a variety of efforts involving law enforcement agencies, non-governmental organizations, and the general public (Latif, Isnaini, Arif, & Febrianti, 2025). Indonesia is continuing to strengthen its legal system in response to the public's desire for justice and security. Law enforcement also includes efforts to monitor the proper application of the law, prevent violations, and reestablish legal authority when it occurs (Candra & Sinaga, 2021). In this context, the intervention and active role of law enforcement officers are crucial, and they must be handled effectively and in accordance with the law.

Law enforcement intervention is an important step in efforts to eradicate human trafficking (TPPO), particularly those involving sexual exploitation. According to observations and interviews with officers from the Kebayoran Baru Police, repressive interventions have been carried out beginning with the investigation stage, arrest, examination, and prosecution of perpetrators in accordance with Law Number 21 of 2007. These actions include severe criminal sanctions and the confiscation of several pieces of evidence, including cash worth IDR 1,050,000, four mobile phones, and printed bank account statements. In the context of law enforcement, dealing with human trafficking cases involving sexual exploitation goes beyond merely arresting and punishing the perpetrators. It also includes preventative, repressive, and rehabilitative measures (Imigrasi, 2023). Public outreach, legal counseling, and raising community awareness about the dangers of human trafficking are all examples of preventive efforts. Meanwhile, repressive actions must be accompanied by rehabilitative components, such as restoring victims' rights, providing psychological support, and reintegrating survivors into society.

This approach aligns with the research of Rajwa, Marhcel, and Diana (2022), who emphasize that law enforcement in human trafficking cases will only be effective if it is carried out in an integrated manner that prioritizes not only the prosecution of perpetrators but also the fulfillment of victims' rights (Adudu, Maramis, & Rondonuwu, 2022). In practice, the Kebayoran Baru Police do not rely solely on repressive measures, but also use preventive measures such as community outreach and socialization carried out by the Community Guidance Unit (Binmas). According to interviews with police officers, one of the strategies used is to deliver public appeals and awareness campaigns through educational sessions in schools and neighborhoods (Rukun Tetangga). The purpose of these initiatives is to raise public awareness of the dangers of human trafficking, support individuals in recognizing common recruitment tactics used by perpetrators, and encourage community members to report any signs of human rights violations in their community. The Routine Activity Theory, developed by sociologists Marcus Felson and Lawrence E. Cohen in 1979, states that three key elements must converge in time and space for a crime to occur. These elements include: (1) a motivated offender: an individual who is willing and capable of committing a crime;

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(2) a suitable target or victim: a person, object, or condition that allows the offender to carry out their criminal intent; and (3) the absence of a capable guardian: individuals, authorities, or mechanisms that could prevent the crime (Ungvarsky, 2024). If one of these components is absent, the crime cannot occur. In other words, simply having an offender present does not constitute a criminal act. For example, even if a motivated offender intends to commit human trafficking, the crime cannot take place without a vulnerable victim, such as a woman or a child facing financial hardship. Similarly, even when both are present, the crime can still be prevented with the help of capable guardians such as law enforcement or community members. Routine Activity Theory emphasizes that the interaction of these three elements creates the conditions necessary for a crime to occur (Mahardika, 2020). As a result, strengthening capable guardianship, particularly through active law enforcement and victim protection mechanisms, is critical to preventing human trafficking and ensuring victims' safety and recovery.

Although the police have implemented preventive measures such as public awareness campaigns and law enforcement actions, the third element of this theory has failed to function effectively due to inadequate community supervision, low public awareness, and the insufficient role of relevant institutions. Current legal institutions' prevention efforts typically focus only on "potential" victims or the general public, leaving significant gaps in more strategic protective measures (Sibuea & Sari, 2024). In addition, one of the most critical gaps is a lack of parental involvement, which is essential for providing capable guardianship. Parents serve as primary guardians and play an important role in preventing children from becoming targets of traffickers. However, field findings, particularly from interviews with victims and their parents in the Tangerang area, show that factors such as inadequate parental supervision, a lack of parental knowledge about the dangers of child trafficking, and economic pressures that cause some parents to neglect their children's safety increase children's vulnerability to sexual exploitation disguised as human trafficking (Dewi & Baiquni, 2021). This is supported by statements from Miss A, a victim, who explained that inadequate parental supervision and the limited involvement of law enforcement as capable guardians have significantly weakened the protective system against human trafficking crimes that use sexual exploitation as a *modus operandi*.

## CONCLUSION

Based on the findings of this study, it can be concluded that human trafficking (TPPO) with the *modus operandi* of sexual exploitation remains a prevalent crime in Indonesia, including in the Jadetabek area. Economic factors are identified as the primary motivators for perpetrators to commit these crimes, as they exploit victims' vulnerabilities, particularly women and children, for quick financial gain through illegal means. In response to the recurring nature of these crimes, law enforcement efforts have included both repressive measures, such as arrests, investigations, and legal proceedings, as well as preventive initiatives like public awareness campaigns and community outreach. However, from the perspective of Routine Activity Theory, this study observed that the third element of the theory, the presence of capable guardians, has not been fully implemented, allowing perpetrators to commit these crimes. In terms of victim rights, law enforcement officers have made efforts to protect and assist victims of human trafficking, as required by Law Number 21 of 2007. Victims have been given access to health care, psychosocial support, and other types of assistance. As a result, reducing human trafficking cases, particularly those involving sexual exploitation, necessitates comprehensive efforts that include strict law enforcement, improved supervision, community empowerment, and the ongoing fulfillment of victims' rights.

This study is not without limitations. The research was primarily conducted within the jurisdiction of the Jadetabek area and focused on specific case samples, which may not fully represent the national context of human trafficking in Indonesia. Furthermore, the study relied heavily on qualitative methods such as interviews and observations. To gain a more comprehensive understanding of human trafficking patterns, future research should be expanded to other regions of Indonesia. Quantitative approaches could also be used to supplement qualitative data, providing more comprehensive and measurable results. Furthermore, additional research is needed to investigate the efficacy of prevention programs and the long-term impact of victim assistance programmes in breaking the cycle of exploitation.

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