



Indonesia's strategy in ASEAN in handling the issues of human Trafficking in Cambodia

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ABSTRACT

This research aims to obtain the Indonesian Government's strategy for dealing with the problem of human Trafficking in Cambodia. This research uses a qualitative approach that is descriptive and analytical. The research technique used is a literature review. This research procedure consists of three steps, namely (1) preparation in determining the topic, (2) implementation in searching for relevant reference sources, and (3) writing down findings from various reference sources. Data was taken from Indonesian government websites that report on the problem of human trafficking, ASEAN or UN organizations, news, and research results published in journals. Triangulation techniques are used to check the validity of the data and obtain reliable data. The data analysis consists of three stages: data reduction, data presentation, and conclusion. The results of the study found that the strategy for handling the problem of human Trafficking in Cambodia is 1) cooperation not only at the Southeast Asian level but also internationally, such as with the United States embassy, 2) the formation of special working teams both internally in Indonesia and with countries in ASEAN, 3) strict implementation of government regulations, 4) strict implementation of the MoU and involving all parties involved to the maximum extent, and 5) consistent communication. The results of this research have implications for a deeper understanding of how governments can build comprehensive cooperation to deal with the problem of human Trafficking.

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1. INTRODUCTION

Human Trafficking has been carried out since the beginning of human civilization. Even human Trafficking is considered normal by society. However, the development of human civilization has brought changes to human life; human Trafficking is regarded as a form of violation of human rights, so since the 1880s, human Trafficking has been prohibited. However, human Trafficking has reappeared after three decades of human civilization (Syamsuddin, 2020). Until now, human Trafficking has become an international issue and

is considered a form of crime. Actions of human Trafficking in various countries around the world have a variety of motives, such as economic instability, demanding lifestyle needs, non-existent and difficult job opportunities, socio-cultural life, and people's mindsets and lives. Indonesia is one of the countries that has paid great attention to the issue of human Trafficking to date.

Data recorded at the Ministry of Women's Empowerment and Child Protection of the Republic of Indonesia in the Online Information System for the Protection of Women and Children (*SIMFONI PPA*) shows that from 2017 to 2022, 2,605 cases of Criminal Trafficking in Persons were documented in Indonesia. Around 50.97% were children, 46.14% were women, and 2.89% were men. International Labor Organization (ILO) data also reveals that of a total of 21 million individuals experiencing forced labour throughout the world, there are 11 million victims in the Asia Pacific region. In the big picture, the majority of human trafficking victims in the Southeast Asia region are women (as many as 83%) who experience sexual exploitation. At the same time, men who are forced to work by force account for 82% of these statistics. The 2020 Global Report on Human Trafficking also stated that for every ten TIP victims identified, five were women and girls (UNODC, 2020).

Existing data in ASEAN countries related to human Trafficking is also the focus of these countries, including Indonesia. Human trafficking cases have become a significant issue in the current ASEAN context. At the 42nd ASEAN Summit in May and the 43rd Summit in September, the Indonesian Government included discussions on eradicating human Trafficking on the agenda of the ASEAN Summit. Indonesia, which serves as chairman of the 2023 ASEAN Summit, seeks to strengthen the eradication of human Trafficking throughout the ASEAN region through bilateral and regional cooperation. In the context of the Political and Security Pillar related to the crime of Trafficking in persons, one of the deliverables of the Indonesian Chairmanship issued the ASEAN Leaders' Declaration on Combating Trafficking in Persons Caused by the Abuse of Technology. The document was adopted at the 42nd ASEAN Summit on 10 May 2023 in Labuan Bajo. This document confirms ASEAN's commitment to jointly address the crime of Trafficking in persons, especially those related to the misuse of technology, through the implementation of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP), identification of perpetrators and potential victims, identification of causal factors The Crime of Human Trafficking, cooperation at the border, and sharing information regarding the Crime of Human Trafficking. ASEAN leaders have agreed to work together to improve law enforcement in each member country. This agreement aligns with ASEAN's goal to strengthen and be independent in addressing mutual concern and interest issues. Therefore, Indonesia, as the leader of the 2023 Summit, is expected to work closely with ASEAN member countries to combat all forms of human Trafficking (Puspitasari & Iqbal, 2023).

With increasing migration flows between ASEAN countries from year to year, there is a greater possibility of human trafficking incidents. The data above shows clearly that human Trafficking is not only a global issue but also a challenge that must be overcome by the Indonesian Government (Cordisco Tsai et al., 2021). Cambodia ranks high as a country of origin for human Trafficking, while Thailand is the leading destination country in Southeast Asia in this regard. Cambodia acts as a country involved in various stages of human Trafficking, namely as a country of origin, transit country and recipient country. According to a report released by the International Organization for Migration (IOM), around 43% to 50% of Indonesian citizens living abroad have become victims of human Trafficking, and the victims come from various regions. In 2017, data from IOM also recorded that 970 girls and 5,907 other women had become victims of human Trafficking (Anderson, 2021).

From these data findings, the Indonesian Government is also paying great attention to overcoming the problem of human Trafficking. In the ASEAN region, cases of human Trafficking not only harm society but also disrupt the region's national and regional

security as in the cases of online gambling fraud syndicates and organ trafficking syndicates uncovered by the Republic of Indonesia Police. With these cases, it is interesting to research again regarding the handling and prevention of human trafficking crimes through Indonesian efforts, which have implications for ASEAN. This study is interesting because trade problems have still occurred since the beginning of human civilization.

Several previous studies have also been conducted regarding the discussion of human Trafficking. Fikhri et al. (2021) and Khairi, (2021) have examined various efforts made by ASEAN to show its concern for human Trafficking and eradicate it through issuing declaration documents, conventions and foreign policies for ASEAN members. This is done because the impact of human Trafficking is tremendous and can cause long-term problems. Other research concludes that workers abroad who choose illegal networks or access to make it easier to work overseas and who want to improve their welfare of life have a significant opportunity for human Trafficking to emerge, such as migrant workers in the Southeast Asia region, especially the case of human Trafficking of Indonesian migrant workers in Malaysia. The impact of this situation is an increase in the population of children without national identity, which is detrimental to the individual child (Ahlina et al., 2020). So, the factor of poverty or economic difficulties is comprehensive in human Trafficking (Daniel et al., 2017). Victims of human Trafficking do not realize that they have become victims because of the lure of money or the promise of getting a job abroad (Sa'diyah et al., 2021).

Therefore, ASEAN created a strategy to resolve the problem of human Trafficking, such as collaborating with the United States and making various agreements to handle transnational crime (Bakker et al., 2020; Fikhri et al., 2021b). IOAM and ASEAN also address human Trafficking through regulation, diplomacy and coordination with local governments and police. The Indonesian Government must further increase efforts to prevent and protect victims and determine penalties that can deter perpetrators (Iskandar & Nursiti, 2021). Even the UN as an international institution gave great attention through the Palermo Protocol in 2000, and ASEAN countries have a big responsibility to deal with the problem of human Trafficking, especially that which occurs in women and children. The Indonesian Government has implemented these values in various policies. However, the number of victims of human Trafficking in Indonesian society, especially women and children, is still high (Salamah, 2018).

From the data findings on human trafficking problems and previous research, this research presents a different study through the novelty it wants to obtain. This research examines the strategies used by the Indonesian Government in handling human trafficking cases that occurred in Cambodia. The right strategy can resolve or reduce human trafficking crimes that occur against Indonesian citizens. Thus, strategy becomes an essential key to solving this problem. Previous research shows that Indonesia as a country that focuses on resolving human Trafficking, especially that which occurs among Indonesian citizens, uses four strategies to overcome the problem of human Trafficking, namely 1) Indonesia has ratified the Palermo Protocol, 2) Indonesia has collaborated with other countries, 3) Indonesia has consistent control and evaluation of the resolution of human trafficking problems, and 4) institutionalization to be able to handle this problem (Pratiwi & Yunda, 2020). However, other research shows that the ASEAN Regional Forum has an inappropriate strategy for handling human trafficking cases in Southeast Asia (Rafitri, 2021).

So, from previous research, there is no discussion of appropriate strategies in dealing with human trafficking cases, especially those that occur in Cambodia. In previous research, there were many strategies for dealing with human trafficking crimes through cooperation between countries, so this research does not only focus on these strategies. Moreover, with changes in human civilization amidst the development of science and technological progress, the crime of human Trafficking is getting stronger. Therefore, this research tries to present new research related to the Indonesian Government's strategy for

dealing with the problem of human Trafficking in Cambodia comprehensively, looking at the regional situation and the cooperation that has occurred so far.

Consider using Cambodia as a place to study the Indonesian Government's strategy in dealing with the problem of human Trafficking because many Indonesian citizens have experienced this crime. Some of the data that has been found is 1) the Indonesian Embassy in Phnom Penh and the Directorate for the Protection of Indonesian Citizens at the Ministry of Foreign Affairs again repatriated 52 Problematic Indonesian Migrant Workers and 172 Indonesian migrant workers were victims of TIP in Cambodia (KBRI, 2022), 2) there were 62 Indonesian citizens are victims of human Trafficking (Arbar, 2022), 3) in the 2020-2023 period there are 267 reported cases of suspected human Trafficking (SBMI, 2023), 4) in the May 2023 report there are 1,138 Indonesian citizens who are victims of human Trafficking who are employed in fake companies promoted via the internet or online scams (Wardah, 2023). The data found on human trafficking cases in Cambodia is quite interesting to study. Apart from that, this newness is also understood in the context of ASEAN's role as an international organization that handles human Trafficking. The limitations of this context are the focus of the research so that the Indonesian Government's strategies that have been implemented can be found and new strategies can be found to contribute to handling the problem of human Trafficking. This research is also limited to data obtained from existing documents.

Thus, this research aims to obtain the Indonesian Government's strategy to overcome the problem of human Trafficking in Cambodia. It is hoped that the results of this research can contribute to handling the situation of human Trafficking in Cambodia or in other countries through finding appropriate strategies. Apart from that, the research results can also be used as a reference for activists dealing with human trafficking crimes.

2. RESEARCH METHOD

This research is a political and Government study related to the analysis of the Indonesian Government's strategy for handling the problem of human Trafficking that occurs in Cambodia. This research uses a qualitative approach that is descriptive and analytical. This research begins with explaining human trafficking problems in Indonesia or international organizations such as ASEAN or the UN. Then this research continued by extracting data related to the strategies used by the Indonesian Government in dealing with the problem of human Trafficking in Cambodia. The research technique used is literature review, which plays an essential role as a basis for all types of research. It can serve as a basis for developing knowledge, establishing policy and practice guidelines, providing evidence of effectiveness, and if done well, can generate new ideas and directions for a particular field (Snyder, 2019). This technique also examines sharing data sources from various documents to produce new concepts from phenomena (Budiwanto, 2017).

This research procedure consists of three steps, namely (1) preparation in determining the topic, (2) implementation in searching for relevant reference sources, and (3) writing down findings from various reference sources (Creswell & Creswell, 2018). Data was taken from Indonesian government websites that report on the problem of human trafficking, ASEAN or UN organizations, news, and research results published in journals. Triangulation techniques are used to check the validity of the data and obtain reliable data. The data analysis technique consists of three stages: data reduction, data presentation, and conclusion (Miles et al., 2014). Data reduction is used from the initial stage of data collection by research needs, the data presentation stage is used to categorize data and analysis, and the conclusion drawing stage is used after the analysis process is complete and the main conclusions are drawn to answer the research problem.

3. RESULTS AND DISCUSSIONS

From an in-depth analysis of data on the human trafficking problem that has been obtained, several strategies used by the Indonesian Government to overcome the problem of human Trafficking in Cambodia include;

3.1 Issuance of Presidential Regulation Number 19 of 2023 concerning the National Action Plan for the Prevention and Handling of Human Trafficking Crimes for 2020-2024.

This Presidential Regulation stipulates provisions related to the National Action Plan for Preventing and Handling the Crime of Human Trafficking as a form of the Indonesian Government's strategy as a national-level action, which includes a series of activities carried out in a planned and systematic manner to prevent and deal with the crime of human Trafficking. Ministries/agencies are responsible for implementing the National Action Plan for the Prevention and Handling of Human Trafficking Crimes by their duties and functions. The reported data from the Coordinating Ministry for Human Development and Culture of the Republic of Indonesia shows that the Government's targets in the National Action Plan for the Crime of Trafficking in Persons are adjusted to the 2020-2024 National Medium Term Development Plan to protect children, women and marginalized groups. The strategy for issuing this Presidential Regulation is to achieve the Government's target of the National Action Plan for the Prevention and Handling of the Crime of Human Trafficking by the 2020-2024 National Medium Term Development Plan, namely 1) in 2024, the target for the social functioning index of the socially disabled and victims of Trafficking is 0.41 %, an increase from the previous figure of 0.34% in 2019. 2) The target for the Gender Development Index (IPG) in 2024 ranges from 91.24 to 91.54%, an increase from 90.06% in 2020, and 3) the prevalence of violence against women aged 15-64 years in the last 12 months (2024) continues to decline from 9.4% (SHPN, 2016) to 8.7% (SHPN, 2021) (Wahyu, 2023).

The legal basis related to human Trafficking in Indonesia includes Law Number 21 of 2007 concerning the Eradication of the Crime of Human Trafficking, the Criminal Procedure Code and its derivative regulations. Meanwhile, rules regarding the protection of witnesses and victims in cases of criminal acts of human Trafficking are regulated based on Law Number 13 of 2006 concerning the Protection of Witnesses and Victims, unless other provisions are regulated in Law Number 21 of 2007. Victims, in this context, refer to individuals who experience psychological, mental, physical, sexual, economic and/or social suffering as a result of criminal acts of human Trafficking. Law No. 21 of 2007 has formulated criminal sanctions of up to 15 years in prison and a fine of hundreds of millions of rupiah. So, with this regulation, it is hoped that the handling of human Trafficking will be more precise and can be resolved appropriately.

3.2 Formation of a Memorandum of Understanding (MOU) regarding employment between Indonesia and Cambodia

Data from the Ministry of Foreign Affairs website shows that on August 22 2023, the Indonesian and Cambodian police agreed to work together to prevent and control transnational crime and increase capacity. This agreement was realized by signing an MoU, which occurred within the framework of the ASEAN Ministerial Meeting on Transnational Crime (AMM TC) in Labuan Bajo, East Nusa Tenggara, Indonesia. Both parties agreed that technical teams from the police of both countries would soon hold a meeting to discuss various issues, including joint investigative cooperation, mutually supportive legal assistance, the appointment of a contact person to handle cases quickly, and the signing of a memorandum of understanding (MoU) between the two police forces. Regarding handling human trafficking cases. On September 4 2023, the Indonesian Embassy in Phnom Penh met with the Head of the Phnom Penh Regional Police, Major General Chuon Narin. The Indonesian Embassy in Phnom Penh and the Phnom Penh Regional Police hope to continue strengthening communication and cooperation to support the development of

positive relations between Indonesia and Cambodia. The focus includes increasing collaboration in the context of Police-to-Police cooperation, which was recently established by signing a Memorandum of Understanding (POLRI, 2023).

3.3 Building communication across the Asian region

In the Trafficking in Person report released by the United States Department of State in 2017, it was stated that Indonesia plays a role as a source, destination and main transit route for men, women and children who are victims of forced labour and Trafficking. Humans for the last five years. Each of the 34 provinces in Indonesia is also involved as a source and destination in human trafficking practices (United States Ministry of Foreign Affairs, 2017). Human traffickers abuse various forms of labour from Indonesian citizens; they are involved in acts of exploitation through violence and pressure. Statements from the US Embassy and Consulate in Indonesia indicate that many Indonesian citizens work abroad illegally, so they do not get the protection that should be guaranteed by labour laws in the countries where they operate, and they often experience various forms of human trafficking, such as excessive working hours, absence of a formal contract, and non-payment of wages (US Embassy & Consulates, 2022). Chart 1 shows the development of Indonesian citizen trade cases from 2020-2022. So, the communication strategy carried out by the Government with various consulates from countries outside Southeast Asia is an aspect that can support the Indonesian Government in resolving the problem of human Trafficking.

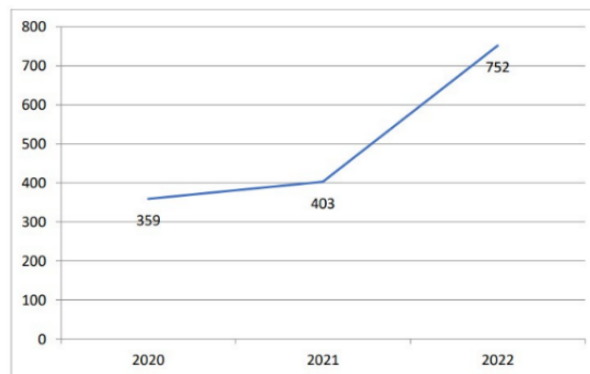


Chart 1. Number of reports of human Trafficking affecting Indonesian citizens from 2020 to 2022
Sumber: Directorate of Protection of Indonesian Citizens, Ministry of Foreign Affairs of the Republic of Indonesia (2022)

Every year, the Indonesian Government sends a delegation to collaborate with international institutions. This delegation participated in the meeting to voice aspirations, raising problems, explaining policies and programs that had been implemented, and exchange information and experiences with representatives from other countries. Interpol Indonesia also provides data regarding how human traffickers operate by monitoring their potential victims to identify specific patterns. These patterns will be used by the Indonesian Government to take appropriate steps to deter the perpetrators, both with restrictions at the domestic level and through coordination with the authorities in Cambodia. This is Interpol's main function, which is to track individuals and enable the use of data for the benefit of the state (Alifia, 2023).

3.4 Establishment of a particular working group to handle human trafficking issues in ASEAN

At the 22nd SOMTC meeting, which took place in mid-July 2022, Interpol Indonesia firmly submitted a request to increase cooperation between ASEAN countries to overcome the increase in human trafficking cases that occurred after the COVID-19 pandemic.

Collaboration between countries will have a significant positive impact if all parties carry out their duties with full responsibility. In response to NCB Interpol Indonesia's request, other ASEAN countries agreed to form a new working group that focuses explicitly on transnational crimes with recent trends or patterns so that they can be detected early by countries in the ASEAN region. This new working group is known as the ASEAN Senior Official Meeting on Transnational Crime (SOMTC) Working Group on General Transnational Crime Matters (WG on GTCM), and its first meeting was held in Indonesia with NCB Interpol Indonesia as the organizer. From the results of this meeting, a mutual understanding was formed that transnational crime remains a significant threat to global security. There is high optimism regarding the role of the ASEAN Ministerial Meeting on Transnational Crime (AMMTC) in continuing and leading regional efforts to overcome the threat of transnational crime and positively contribute to maintaining global peace and security (Interpol, 2023).

Task Force for Handling Human Trafficking with the National Central Bureau or NCB Interpol Indonesia. Interpol Indonesia, which is within the organizational structure of the International Relations Division of the Republic of Indonesia Police, is a supervisory element and assistant leader in the field of international relations under the Republic of Indonesia Police. In the four months since it was formed, it succeeded in saving 2,778 people from 861 reports. On July 23 2023, the Human Trafficking Crime Task Force succeeded in uncovering a human trafficking crime syndicate with an international network involved in selling kidney organs to Cambodia. The victims of this human trafficking case, who were involved in the kidney trade between Bekasi and Cambodia, underwent a transplant process at Preah Ket Mealea Hospital. The majority of these victims were affected economically as a result of the pandemic, with most losing their jobs and so on. In response, Polda Metro Jaya succeeded in arresting 12 suspects in the case of human Trafficking in the sale of kidneys to Cambodia (POLRI,2023). Regarding the issue of human Trafficking, the Secretary of NCB Interpol Indonesia and the Chief of the Cambodian Police have discussed planning a Memorandum of Understanding (MoU) between the National Police and the Cambodian Police. The aim is so that, if a similar situation occurs in the future, both parties can know what actions should be taken (Alifia, 2023)

3.5 The Republic of Indonesia Police on July 5 2023 formed a special team to handle human trafficking cases. This team is the Human Trafficking Crime Task Force under the coordination of the National Police Criminal Investigation Agency (POLRI, 2023). Since April 21 2021, the Indonesian Embassy in Phnom Penh received 75 reports indicating there were victims of human Trafficking in several companies spread across Cambodia. These victims are used as online scam workers and are given the task of looking for potential victims who are willing to invest in the company or are commonly known by the public as online gambling activities. Information related to indications of human Trafficking affecting Indonesian citizens in Cambodia began to emerge when the Indonesian Ministry of Foreign Affairs issued news about the many reports of Indonesian citizens who were trapped and asked to return home from Cambodia around August 2021. According to reports received, this incident stemmed from job offers given directly to victims by relatives or friends, or they find the offer through social media such as Facebook and Twitter.

The emergence of human Trafficking affecting Indonesian citizens in Cambodia appears to be caused by several factors, including an increase in the number of Indonesian citizens who are looking for work but are faced with limited employment opportunities within the country. This encourages them to seek opportunities abroad to improve their economic conditions. Then, Indonesian citizens' lack of understanding of the procedures for working abroad creates weaknesses that are exploited by human trafficking criminals to deceive victims. This situation is further exacerbated by the ineffectiveness of management and supervision mechanisms for labour recruitment by the responsible

parties, including lack of education and outreach, lack of delivery of employment information to job seekers, and lack of monitoring mechanisms for sending workers abroad.

The analysis of the data studied it shows that there are five strategies carried out by the Indonesian Government in handling human trafficking cases in Cambodia. These five strategies are adapted to the problems that arise. The Indonesian Government has created a plan to follow developments in the current context. This means that the Indonesian Government is oriented towards the environment or conditions that occur so that the resolution of this problem can be on target. Thus, there is a novel value that can be understood from this analysis regarding strategies for handling the issue of human Trafficking in Cambodia, namely 1) cooperation not only at the Southeast Asian level but also internationally, such as with the United States embassy, 2) the formation of special work teams both internally Indonesia or with countries in ASEAN, 3) strict implementation of government regulations, 4) strict implementation of the MoU and involving all parties involved to the maximum extent, and 5) consistent communication.

A consistent form of collaboration with stakeholders is a factor that can support success in dealing with the problem of human Trafficking. The Indonesian Government can even involve organizations such as the Indonesian Migrant Workers Union to prevent problematic Indonesian migrant workers from becoming part of human trafficking syndicates (Septia et al., 2022). From these findings it can also be understood that the Indonesian Government has used a normative approach in dealing with illegal problems related to human Trafficking so that cooperation with countries involved in human Trafficking is maintained, as is the case between the Indonesian and Malaysian governments (Wangke, 2016).

4. CONCLUSION

From the results of the data analysis, it was concluded that the Indonesian Government developed the right strategy to resolve the problem of human Trafficking in Cambodia. This strategy is created according to the problems that arise so that the solutions are right on target. So the Indonesian Government has a target to resolve the problem of human Trafficking by paying attention to several things, namely 1) the situation of the Cambodian Government, 2) prioritized forms of cooperation to deal with the problem of human trafficking, 3) involvement of all stakeholders at the Indonesian government level, and 4) involvement of international organizations that maximized. The results of this research have implications for a deeper understanding of how governments can build comprehensive cooperation to deal with the problem of human Trafficking. This research also provides answers about strategies for resolving the problem of human Trafficking in Cambodia, which is realized through real cooperation and proper implementation of regulations made by the Government. The strategy found shows that the Indonesian Government is also building this cooperation for the long term against human trafficking crimes. However, this research is still limited to analyzing the Indonesian Government's strategy in resolving the problem of human Trafficking in Cambodia. Thus, future researchers can still refine or use the findings of this research for further research. Future researchers can collect data through direct interviews with victims of human Trafficking and interviews with stakeholders at the Ministry of Foreign Affairs or other ministries involved in handling human Trafficking. So, the data obtained can be more accurate and deeper..

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