



RESEARCH ARTICLE

RECONCEPTUALIZATION OF LEGAL PROTECTION ON WOMEN AND CHILDREN OF THE HUMAN TRAFFICKING VICTIMS

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ABSTRACT

The problem of human trafficking in Indonesia inseparable from the history of the Indonesia country in the past that is in the era of empires and colonization that growing important role of slavery as well as the tribute in the form of human being in particular women and children to the king in power or the colonist. The victim of human trafficking increase over the day, this condition is certainly contrary to the value of justice. Law No. 21 of 2007 concerning Prevention of Crime in Human Trafficking (UUPTPO) only regulates victims in general but does not specify clearly the victims of women and children. This study is normative legal research using the Conceptual Approach and the Law Approach. The results of the study show that the responsibility of the state for victims of trafficking is not in accordance with the objectives of the Republic of Indonesia based on Pancasila and the 1945 Constitution of the Republic of Indonesia. So that the responsibility of victims of trafficking from the perspective of human rights needs to be emphasized answer, namely institutions, laws and regulations related to human trafficking. Four dimensions of state responsibility for victims of trafficking, namely; (1) Prevention of Human Trafficking, (2) handling of victims, (3). Recovery of victims, (4). reintegration of victims. The concept of state responsibility for victims of Human Trafficking is the concept of passive service responsiveness because it is general in nature, while Human Trafficking is a special transnational crime that is thick with the dimension of crimes against humanity. The conclusion of this study is that there is a need to reconcile the protection of the national law against women and it is often a problem with the victim logical approach, besides that the government needs to optimize the state of the population, which is in fact the Protection and Corruption of Law No. 31 of 2014 in the absence of a loss, restitution and a group of people who were arrested.

INTRODUCTION

In constitutionally, the purpose of the establishment of the Indonesia country is to guarantee protection, respect for and fulfilment of human rights to deliver the entire Indonesian nation towards prosperity, fair and prosperous. In the protection and enforcement of human rights, state have obligations to respect, protect, enforce and promote human rights are further regulated in national laws about human rights (HAM). One of the issues that arise in the implementation of the development is the crime of human trafficking. The victims of human trafficking were mostly citizens who do not have the ability to develop resources, weak in economy and education, they can be categorized a marginalized vulnerable group both in social, cultural, structural and most of them are women and children. One of the state's commitments to achieve the goals and aspirations of standing for the Indonesian state is included in the decision of the people's consultative assembly Number IV

of 1999 concerning the Outline of State Policy which is the direction for development in Indonesia. Furthermore, this commitment was legitimized through the decision of the people's consultative assembly No. 10 of 2001 which gave recommendations to the President of the Republic of Indonesia to address trafficking in particular women and children through the formulation of national legislation, ratification of international conventions and the establishment of action plans and task forces, then the recommendation was reaffirmed through the determination of the people's consultative assembly Number VI of 2002. The issue of the criminal offence of human trafficking in the last decade be highlights from various parties either national or international, observer highlights everything that is related to human trafficking, both from the aspect of prevention of the human trafficking, trafficker, enforcement of law to handling of victims of human trafficking, and the restoration to the rehabilitation and reintegration of human trafficking victims. The problem of human trafficking victims is closely related to the concept of human trafficking with dynamic forms that change from time to time, in accordance with the development of economic,

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social and politic. Beside the problem of human trafficking' victims particularly in indonesia country like the iceberg phenomenon looks is just on the surface is very small but the problem in undergrown rooted in the community life and widened so that the position of the victim it is not clear. The problem of human trafficking in indonesia inseparable from the history of the indonesia country in the past that is in the era of empires and colonization that growing important role of slavery as well as the tribute in the form of human being in particular women and children to the king in power or the colonist. The human trafficking is inseparable from the problem of population growth, high unemployment, poverty and other social problems, how to meet the needs of human life for survival. Correlation of jobs with human trafficking very closely, this condition is supported by the condition of the region that do not have opportunities to advance the economy, in addition the role of scalpers who turned into trafficker get own recognition from the community (Sahala, 2004).

Law No. 21 of 2007 concerning Prevention of Crime in Trafficking in Persons (UUPTPO) only regulates victims in general but does not specify clearly female and child victims. In the level of implementation, traffickers are often released because there is insufficient evidence, while victims are often overlooked, especially in trafficking victims. Victims handled only victims who experienced forms of human trafficking as regulated in Law No. 21 of 2007 concerning Prevention of Crime of Human Trafficking (UUPTPO) while victims of trafficking in disguise are not regulated at all. This situation is very contrary to the purpose of the establishment of the state of indonesia. Any formation of indonesia's legislations should reflect the values of pancasila which refers to the teaching of Hans Kelsen (Kelsen, 1961). Law No. 21 of 2007 on the prevention of the crime of human trafficking (PTPPO) was created based on the values of pancasila and human rights is to protect citizens who are victim of human trafficking. In the context of human trafficking, this is a far from the hopes for in community life flourish the human trafficking practices by all means and style which is considered a destiny or disaster that must be accepted. A sad thing again when the realize that the victim must be face the situation without any significant aid from the government (Naibaho, 2007). During thi time the victim only in the need to appear at the trial testified, without the slightets they be accounted a subject that must be getting protection both from physical aspect, psychic or the physical aspect that makes them become victims so that they can stay alive again.

This condition is exacerbated by the fact that law enforcement in Indonesia tends to be highly legalistic, positivistic, dan formalistic, consider only express in the law that must be implementation, while other things outside the law, as the development of times in terms of protection of victim ignored. This situation aggravated again if the perpetrator was not caught or if it was not punished with the punishment according. In National order one of form the responsibility of state is regulation about human rights namely Law No. 39 of 1999 regarding human rights, Law No. 23 of 2002 regarding child protection, Law No. 13 of 2013 regarding witnesses protection and victim protection , Law No. 21 of 2007 regarding the abolition of the crime human trafficking (PTPPO), Presidential regulation of Republic of Indonesia Number 69 of 2008, Law No. 21 of 2007 regarding the abolition of the crime human trafficking (PTPPO) aims to prevent and handling early the human trafficking. Regulation

of the minister of women's empowerment (Permen PP) No. 2 of 2010 regarding to preparation of the plan of action and the establishment of task force handling of the human trafficking. Before the establishment of the task force of institutional during this in handling for these victim of human trafficking just based on the decision letter together (SKB) with three ministers and national police No:b/3408/x/2002, that happened inthe implementation of the handling of the victims still multi institution so that happens to overlap activities in operational so its not effective because is laden with the ego sectoral. This SKB until recently still used in the handling of human trafficking's victims. The enactment of Law No. 21 of 2007 regarding the abolition of the crime human trafficking (PTPPO) not immediately implement the obligations of the state towards the victims of human trafficking, recalling the mandate is not very clearly affirms the strenght of institutional, duties and obligations of the members of the task force in charge of institutional issue as well as structurally both in central and regional. The obligation of the state is in fact still raises many fundamental issues especially with regard to the prevention and handling of human trafficking's victims.

Situation and this condition certainly differ with the concept of the responsibility in fact. From the description of the conditions above, when talking about the norm which becomes reference with regard to state responsibility occurs fuzziness norm. This means that in the current state, the government has to respect, protect, prevent, fulfill, and only treats Musiusi (Prints, 2001). The concept of country protection, the victim of human trafficking and human rights are regulation or national policy be namely Law No. 21 of 2007 regarding the abolition of the crime human trafficking (PTPPO), Law No. 35 of 2014, regarding children protection and Law No. 31 of 2014, regarding witnesses protection and victim protection has occurred, but this regulation or policy is still not yet possible to protect the victim of human trafficking overall, especially women who are employed commercial sex workers. Based on the description of the background above, the problems in this study are

- Why the formulation of the concept of legal protection in law human trafficking have not provided guarantees of legal protection of woman and children victim of criminal acts of human trafficking?
- How to rekonseptualization of legal protection of women and children victim of human trafficking?

MATERIALS AND METHODS

The type of this research is normative legal research, namely research to examine legal issues (Marzuki, 2005). Research approaches include statute approaches and conceptual approaches (Ibrahim, 2005). The source of the law is that the research originated from people who were primarily primary law, even secondary law and tertiary law. Even primary law consists of the Qur'an and the Hadith, the basic norms of Pancasila, the basic regulations, namely the 1945 Constitution of the Republic of Indonesia, and the uncertainty of the situation. Even tertiary law consists of one day and the internet makes information relevant to the object in this study. The tertiary legal material is a Large Dictionary of Indonesian and the Law Dictionary. Legal collection techniques are carried out by means of document studies of literatures obtained from libraries, archives and publishing institutions, and by

installation, which are related to the topic of research. Research was also carried out by collecting articles, regulations, legal comments via the internet. However, the legal norms that are used are analyzed using the doctrinal method with descriptive optics. Even though laws that have been collected and assessed by the fact that they are diagnosed with correction, are categorized, systemized and interpreted according to one issue or another (Richard & Neumann, 2000). This is why it is critically diagnosed by using methods of theory and the law in a systematic and effective way to get at least one time in research. Analysis in positive law is legal analysis is an open system, meaning that legal rules and decisions must be considered in a relationship and also that legal norms are based on legal principles and can be systematized so that later can be drawn the legal principle of state responsibility for victims of human trafficking (ibrahim, 2006).

RESULTS AND DISCUSSION

Formulation of the Concept of Legal Protection in the Law on the Eradication of Criminal acts of human trafficking Women and Children Victims of human trafficking: In general, the obligation of the country in human rights can be divided in two basic tasks, protection and realisation (Ife, 2001). Protection requires the state to guarantee and protect human rights. This obligation often referred to as negative rights, it means that state be passive, the country only gives constitutionally regulation so that all citizens can enjoy basic right which should be owned. While the realization of an obligation requiring the state to act actively in fulfilling human rights. Comparison with the model of the first time, this type of obligation requires a considerable amount of energy. The Concept of responsibility regulated in the constitution 1945 *pasca amandemen*, about what is called human obligation regulated in article 28J, The concept of human obligations intended to complement that problem the human rights is not just problem of the responsibility of the state, but there is also a duty that must be carried out by every human including areas that are not likely to reach one hundred percent by the state. Even so, the concept of these human obligations is not to invited and confirmed the role of the state, but it is precisely his nature complete the primary role of the state in human rights.

Reconceptualization of the Protection of Law and the Responsibility of the state for Women and Children Victims of Crime in Trafficking in Persons

The Institution of handling the human trafficking's victim. in the context of the human trafficking, the state formed institutionals that its technical operational serve as prevention, services in this case handling and recovery of the victim's condition as well as the repatriation of victims. As for institutions that shoulder the responsibility of the state towards the human trafficking.

The task force prevention and elimination of the crime human trafficking: Regulation of the President of the Republic of Indonesia No. 69 In 2008 concerning the task force prevention and elimination of the crime human trafficking, mandates the establishment of the task force and the sub task force either national or provincial present regencies and cities throughout indonesia. RI Law No. 21 / Year 2007 regarding the eradication of criminal acts of human trafficking

stated in article 58 that the task force PTPPO was formed in the level of national, provinces and districts of the city throughout the indonesia. The purpose of establishment of the task force of handling human trafficking are to guarantee and streamline the implementation of measures to carry out the eradication of criminal acts of human trafficking (article 58 (2) law no. 21 of 2007 about prevention of criminal acts of human trafficking (PTPPO)). in addition the task force prevention and handling of the criminal act of human trafficking provided for in the regulations of the president no. 69 of 2008. The weakness of the task force are these members be cross-sector with coordination mechanism. The other weakness because the flagship program is not primarily the regions so that in practice hampered by budget both in technical as well as operational task force. The other weakness the members of task force are the institutional based on position, so in order of operations is often constrained by a letter of assignment and other administrative, in addition the existence of the ego of each sectoral department related. Lack of budget support in the operations of the task force so that it is in practice not optimal.

The Institution of Protection of Witnesses and Victims (LPSK): The Institution of Protection of Witnesses and Victims set in the law PTPPO in article 45 chapter V witnesses protection and victim protection. As for the LPSK is formed by law no 13 of 2006, as for the purpose of the establishment of the institution of Protection of Witnesses and Victims are protect and ensure the security and the rights of witnesses and the rights of crime victims who did not dare to reveal the actual testimony because there is pressure, treats, intimidation or retaliation from perpetrators of crime. In the operational landscape LPSK is not effective because of the condition of the geographical area of a heavy challenge given the majority of cases coming into the LPSK is a cases stemming from all over indonesia.

Special Servicing Room/Units of Servicing of Women and Children/ Units RENATA: In police offices in each provinces and district / city. The regulation of National Police No. 10 of 2007 about organization and Units of Servicing of Women and Children (UPPA) in the national police environment with the Special servicing room as a place of servicing intended. Its just that there are still many shortcomings in the implementation, namely Units of Servicing of Women and Children (UPPA) just being in the state police area republic of indonesia (in the provinces level and district / city level), While in the police sector not available service.

The legal framework handling Human Trafficking in Indonesia: In the context of prevention human trafficking, the form of the state responsibility is the regulation on preventing criminal act of human trafficking, they are:

Law Number 21 of 2007: The political background of the establishment of law Number 21 of 2007 about prevention criminal act of human trafficking is the problem of bureaucratic government that supports the occurrence of the criminal act human trafficking, state officials involving in particular the involvement of members of the government apparatus so it can disrupt the stability of the country. From the study of the analysis of the act of Law PTPPO there a few things that became the focus of attention of the author with regard to human trafficking's victim, namely;

- Elements of consent of the victim is not a justification deed (ELSAM, 2005)
- The existence value of injustices to victims in article 48
- The vague of rerepatriation norms

In the PTPPO Act, the problems of repatriation of victims was only organized in one article 54 of law PTPPO. In fact, in the protocol format, repatriation not only the problem of repatriation, but also make sure how the victims regain their due rights over temporary travel documents, returns the private rights had, treatment before repatriation, and physical protection of the syndicate pursuit. Thus, norm article 54 paragraph (1) of the PTPPO Act still vague to provide legal ensure to protect victims who are in the foreign.

Escape with the protection of child victims: There are only two chapters that govern punishment weighting. In fact, in factual the victim of daughter (child girls) different from the victim of women, ofcourse even with male victims. With formulas like this, the PTPPO law is very discrimination for child, and it keeps the construction of the same protection with the adult victims.

Law No. 7 of 1984 about Ratification of th convention CEDAW article 6 states that: Participating countries obliged to do the right, including the establishment of regulations law, to eradicate all forms of women trafficking and exploitation of prostitution.

Law No. 6 of 2011 about Immigration: The law of this immigration laws regulating the rights and authorities of the country of republic indonesia in the event of cross people enter or eave the territory of republic indonesia and in supervision order to maintain the sovereignty of upright republic indonesia.

- Law No. 39 of 1999 about Human Rights
- Law No 39 of 2004 about The Placemen And Protection Of Indonesia's Labor In A Foreign Country (Law PPTKILN)

Especially in Law 39 of 2004, PPTKIs were reserved for workers / migrant workers (Indonesia's Labor working in foreign countries). This law actually actually affects the interception and the fact that it has happened to the woman and not to the home country. This law directly with regard to the prevention and countermeasures of women workers trafficking and children in out of indonesia.

Law Number 31 of 2014 about Protection of Witnesses and Victims: Article 7 of Law No. 31 of 2014 concerning Protection of Witnesses and Victims, although the rights and the interests of victim has been delegated at LPSK, but in fact in the criminal justice system, the victim remains as the figure or just a witness (victim) in the trial, because the rights and interest victim in judicial or criminal is still represented by police and prosecutor.

Law No 35 of 2014, About Children Protection: Law No 35 of 2014 about children protection where this law aims to ensure the children's rights in order to life, growth, and development, and participate optimally in accordance with the dignity and the dignity of humanity, and get protection from violence and discrimination, for the achievement of qualifie indonesian children, have a noble character and prosperous.

This UUPA set firmly and clear about the reponsibilities of the state towards children victims of human trafficking.

Law No. 13 of 2003 about Employment: In the employment law regulates children protection especially child workers in order to ensure and prevent children from forms of forms of exploitation, in particula with regard to the worst forms of work done child.

- Law No. 36 of 2009, about Healthy
- Law No 37 of 1999 about Foreign Reations.

Harmony of national legislation regulations related to human trafficking: From the above description so many regulations legislations relatingto human trafficking, there are several components in it that are not in harmony between legislation. The PTPPO law of the prevention of human trafficking more on set about punish perpetrators, the regulation of prevention very minimal even articles that still biased, as for bias PTPPO law no. 21 of 2007 are as follows:

Biased to Regional Regulation: UUPTPPO Socializing very less thus causing the limited understanding of government personnel and the pulic about the human trafficking. Ruth Evelin (2008) explained that, implementation of regional regulation without legal bases the Constitution of the Republic of Indonesia in 1945 and the law of protection (like the regulation of children protection and regulation of PTPPO) very dangerous, because the govenment not only neglect the responsibility of children protection, but also breaking the child rights.

Biased on Meaning of Perpetrator and Victim: The reguation of PTPPO there is a definition of perpetrator and victim, it is just that the definition raises doubt among government staff, this is cause they are not based on good unstanding in determining whether children are traffikerd as victims or perpreators. This led to the perception of biased that only the victim who report get the protection, but is not easy for children trafficking's victim to report.

Biased on Definition of Child Trafficking: The weakness of the PTPPO Lawdid not explain specifically about child trafficking and handling this case, ths is caused by a different understanding of time the process identification.

Moral Bias: The implemenation of the law PTPPO raises the moral bias, unwitting term used in dealing with victims who are trapped in the world of prostitution. They are actually the victim but is considered a perpetrator of wanton (Prostitute), because they do not have another term, because the member of prostitute is called for all those who prostitute.

As for the disharmony of law PTPPO with other law relating to human trafficking is;

- Existence is not the same definition about human trafficking especially also with regard to children trafficking.
- The context of state responsibility towards victims of human trafficking are not imaged clearly.
- There are several institutional that are associated with the prevention of human trafficking are cross-sectoral and in the mechanism of its imlementation are coordination.

Vertical Synchronization: Harmonization of regulatory legislation in the vertically is the legal regulation of the human trafficking in the hierarchy has the consistency of vertically. As for the law in question is the Constitution of the Republic of Indonesia in 1945, law no. 21 of 2007 about the eradication of criminal acts of human trafficking, Presidential Decree 88 of 2002 about presidential regulation no. 69 of 2008 concerning the task force crime prevention of human trafficking and the regulation coordinating minister for people's welfare No. 25 / KEP / MENKO / KESRA / VII / 2009 concerning the national plan of action for the eradication of criminal acts of human trafficking an sexual exploitation of children (ESA) 2009 2014.

As for harmonization of this regulation law are as follows:

- Set concerning criminal acts of human trafficking.
- Accommodate the human trafficking's victim.
- The establishment of institutional dealing with prevention of human trafficking which be called task force prevention and handling of human trafficking.

Horizontal Synchronization: As for the Horizontal Synchronization here viewed the legislation regulation that is correlated with human trafficking, where this law have same position.

- Law No. 39 of 1999 Concerning human rights
- Law No. 39 of 2004 Concerning the placement of the Indonesian labor (TKI) in the foreign country

The placement and protection of Indonesian labor in the foreign country regulated in law no.39 of 2004, unfortunately this law is still not giving sufficient protection. This happens because the substance in law still unclear and the very influential indecision on enforcement and the application of sanctions.

Law No. 23 of 2002 Concerning Children Protection: Article 1 number 1 the law of children protection called that the definition of a child is a person who is not yet 18 years old, including children in the womb. Thus the act provides protection to children since the children were still in the womb. This protection are protection from treatment:

- Discrimination;
- Exploitation, both economic or sexuality;
- Abandonment;
- Cruelty, violence and persecution;
- Injustice; and (f) the wrong treatment other.

From the explanation of some regulatory legislation related to human trafficking can be described the harmony between law as follows: the general purpose of the regulation of the above legislation is to protect all Indonesian citizens and respect and protection of human rights. -The aim in particular is to prevent the occurrence of human trafficking expressly formulated in law no. 21 of 2007, while the problem of child protection and prevention of human trafficking set forth in law no. 23 of 2004, law no. 39 of 2004 organize mechanism placement of Indonesian labor in the foreign country, because the regulation of PTKI LN is the appearance of a filed human trafficking. Law no.9 of 2009 immigration regulated about the immigration traffic from and to foreign country.

Victimology and its relevance against the human trafficking protection: Undeniable in its development, the problem of human trafficking the more widespread and serious. Since the inception of the criminal law, the focus of the subject of the most highlighted is the perpetrator. Whereas from a crime, the greatest loss suffered by the victim of this crime (Wedda, 1995). When examined ignored the problem of casualties were caused among other things because the (Ekotama, et al. 2000):

- The problem of criminal is not visible, understood according to the actual proportion are multidimensional;
- A crime prevention policy (criminal policy) is not based on the concept of integral with the etiology of criminal;
- The lack of understanding that the criminal matter is a matter of humanitarian problem likewise victims.

In Victimology, be known double victim, they are victim who experience a variety of afflictions such as suffering mental, physical and social, that occur when victims experience crimes after and at the time his case was examined by police and court and after the completion of the examination. In the regulation of PTPPO reflected that the protection afforded is the protection of human rights or legal interest of the person to get warranty or compensation of the law top of the suffering person who have become victim of criminal act. Whether this is enough provides a sense of justice for the victim remembers many events experienced by the victim when entangled in human trafficking, and this will be attached to all many time his life. Thus in the end, discussion about the theory of victim in the perspective of psychology and victimology above, not always can be released from the effort of creating the justice that they should be awarded against the victims of human trafficking in criminal law for this neglected. Arief Amrullah (2008) said that the forthcoming criminal law should implement the protection of criminal law are balanced between the community protection, perpetrator and victim (both potential victim and direct victim). In positive law applicable at this time, the most protection of victim is the abstract protection, because a criminal offense according to the law while not seen as any act in violation of legal interests someone personally or concrete, but only seen as an infringement of the norm or law code of conduct in abstracto.

As a result, the protection of victims does not directly and in concrete, but only in abstracto (Arief, 2005). Some form of model protection that was given to victims of human trafficking:

- Indemnification, the giving of restitution and compensation
- Counselling service and medical assistance
- Law assistance
- The Giving of information

Model formulation of arrangements of criminal law towards victims include; the procedural rights (The Procedure Right Model) and the services model (Soponyono, 2010). The Procedure Right Model emphasis on the procedural rights, may be crime victims play an active role in criminal proceedings or in the course of the judicial process. The advantage of this model can meet the feeling to avenge the victim or society. In addition it enable victims regain self-confidence and her self

esteem and can improve the quality of information flow to the judge, because victims rights assigned the rights to play an active role in the judicial process, because this flow of information is usually dominated by the defendant in the trial. While The Services Model emphasis on punitive damages in the form of compensation, restitution, and the attempt returns a victim suffered trauma conditions, fear and depressed due to crime, so needed the standard for construction of the victim that can be used in police. This approach see that the victim as target specifically to serve within the framework of law enforcement. The protection system in the case of human trafficking not yet effectively it caused by several factors, the main factor was commitment stakeholders in an effort to effectuation the functions of service with some of the policie that are associate with this service function. The acces of victims to obtain restitution is very limited given the still numerous constraints and requirements that must be met by victim, moreoer many cases of human trafficking not reported, the perpetrator difficult arrested, if arrested the perpetrator was the person closest to the victim who had a very large influence against victims. As for approach that used in human trafficking context is liberal approach with improvement economic where in te event of the occurrence of human trafficking's victim in the presence of indonesia is the role of the state in particular the failure of countries in fuffilling the rghts of economics, social, and the culture of citizens is passive because the reasons of ability of state.

Conclusion

The formulation of the concept of legal protection in law about human trafficking not yet guarantee legal protection of women and child of human trafficking's victim.

It needs reconceptualization to protect the law of the country against women and ichild victim of human trafficking: The victim of human trafficking often overlooked because of the law more focused to the offender, the victim is often categorized as that caused he incidence of crime, so need for the victimology approach is more emphasized on the importance of the victim.

- The State responsibility for chid and women that human trafficking's victim must be more assertive and in full starting from prevention, service, choice, empowerment and reintegration concept not only in the procurement of services only.
- The optimalization of the state responsibility for the victim in institutional are:
- Institutional of the witnesses protection and victim protection based on Law No. 31 of 2014 in terms of given indemnification, restitution and
- The task force prevention of human trafficking.

Suggestions

- To the Indonesian House of Representatives to immediately formulate improvement of the Law on TPPO so that it can protect victims by more optimistic. It caused be increasingly sophisticated of mode, the method and how the perpetrators of crime human trafficking and the its trans national network. Aspect of the legal regulations of the legislation is revising Law No. 21 of 2007 concerning PTPPO, that is;
- added the article: child protection, women protection,

- Revising article 48 about human trafficking rights
- Revising article 54 about the norm of repatriation.
- The state responsibility in prevention efforts the chil and women human trafficking's victim, more emphasis on:
 - Economic's of improvement efforts.
 - Improvement efforts of poverty alleviation and unemployment.
 - Improvement efforts of educational system.
 - Supervision of administrative system of the population.
 - Socialization human trafficking prevention and the dangers of illegal migration more intensively by involving the information media and involve the entire community.
- The intitusalional aspect revitalize the task force of human trafficking prevention and handling, by forming a national commission for the eradication of human trafficking more effectively.
- Pushing the Government to form Institution of the witnesses protection and victim protection in every area of the province in indonesia.

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