

HUMAN TRAFFICKING AND GOVERNMENT EFFORTS IN FIGHTING FOR HUMAN RIGHTS

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ABSTRAK

Human Trafficking (perdagangan manusia) pada dasarnya merupakan praktik kejahatan atas kemanusiaan. Dalam seluruh proses praktik kejahatan yang bernama perdagangan manusia ini, manusia memperlakukan sesamanya seperti “barang” yang bisa diperjualbelikan. Martabat manusia yang luhur dihancurkan dalam rupa-rupa bentuk eksploitasi dari kejahatan perdagangan manusia. Pengalaman penderitaan bahkan kematian tak terhindarkan bagi para korban. Perdagangan manusia ini merupakan suatu ancaman yang sangat serius khususnya dalam hak-hak asasi manusia. Dihadapkan dengan tragedi kemanusiaan ini, untuk itu artikel ini bertujuan untuk membabarkan informasi terkait definisi human trafficking, permasalahan human trafficking di Indonesia, faktor penyebab terjadinya human Trafficking dan upaya pemerintah dalam menangani korban Human Trafficking.

Kata Kunci: Perdagangan manusia, Hak Asasi Manusia, dan upaya Pemerintah.

ABSTRACT

Human Trafficking is basically a crime against humanity. In the entire process of this criminal practice called human trafficking, humans treat each other like "goods" that can be bought and sold. Sublime human dignity is destroyed in various forms of exploitation and the crime of human trafficking. The experience of suffering and even death is inevitable for the victims. Human trafficking is a very serious threat, especially to human rights. Faced with this humanitarian tragedy, this article aims to provide information regarding the definition of human trafficking, the problem of human trafficking in Indonesia, the factors that cause human trafficking and the government's efforts to deal with victims of human trafficking.

Keywords: Trafficking, Human Rights, and Government efforts.

INTRODUCTION

feels very important to listen to Einstein's call to the world of life today which is colored by a variety of problems and suffering. In his call, Einstein actually wanted to proclaim one main value that must exist in every person, namely caring. Concern is more pointedly emphasized, especially when witnessing other people suffering, being oppressed and humiliated. This concern is always the opposite of an attitude of indifference or allowing situations and witnesses that cause suffering and destruction of human dignity to continue to mushroom. Caring can also reduce the tendency to be mean to others. This concern is the key that can open a space for respect and appreciation for others while simultaneously taking a stand to save situations of misery and suffering.

Among the many problems that endanger the world of life today, human trafficking is one of the biggest threat problems that demands deep concern from all of us. It cannot be denied that human trafficking has become widespread in various parts of the world, including Indonesia. In Indonesia, quite a lot of efforts have been made to eradicate the problem of human trafficking, both at the national and local levels. Nevertheless, these efforts are still ongoing. This is because the human commodities mentioned continue to exist, in fact they are increasingly becoming the best-selling commodities. Human trafficking is an act of recruiting, transporting, harboring, sending, transferring or receiving someone with the threat of violence, use of violence, kidnapping, confinement,

fraud, abuse of power or a vulnerable position, debt bondage or providing payments or benefits, so as to obtain the consent of the person involved. holding control over other people, whether carried out within countries or between countries, for the purpose of exploiting or causing people to be exploited. In this article, the author intends to examine the facts of the human trafficking problem, especially in Indonesia, and read it from a human rights perspective.

METHOD

In this paper the approach taken is an empirical juridical approach. The approach intended is that human rights and the government are seen as a middle way to solve this problem, because in the discussion the materials used are materials taken from books that discuss human rights. So the approach intended is that in analyzing the problem that has been formulated it is carried out by combining secondary materials. Secondary data is a collection of information that previously existed and was used in research. This data also relates to information from pre-existing sources such as important documents, sites, websites, books and so on

DISCUSSION

Facts about Human Trafficking in Indonesia

After we have tried to know and understand human trafficking and the ins and outs of the problem, at least by reviewing some of the descriptions above, we are now invited to take a closer look at it in the context of our country, Indonesia. It cannot be denied that the reality of human trafficking has plagued Indonesia. Not a few victims have fallen as a result of human trafficking crimes that occur in our country.

There are many sources of information that we can obtain regarding the number of victims of human trafficking in Indonesia. One of them is the International Organization for Migration (IOM). According to the IOM, there are 500,000 women trafficked in western Europe and in ASEAN it reaches 250,000 every year. Especially in Indonesia, victims of human trafficking reach 74,616 to 1 million people per year.

Referring to the information above, we have actually got an idea of the reality of the problem of human trafficking in Indonesia. This picture will certainly be further enriched with more detailed data and information regarding cases of human trafficking from a number of provinces and districts that experience it. However, for the purposes of this article, the description above seems adequate in order to state that human problems really do occur in our country. With this picture, we are invited to see and feel more closely, more concretely, and more deeply about the sad facts that are befalling our nation. At the same time, we are invited to care; side with the victims and take joint efforts to overcome this crime.

Human Trafficking from a Human Rights Perspective

In order to discuss the issue of human trafficking from a human rights perspective, it is necessary for this section to examine several basic concepts regarding human rights. Basically, human rights are rights that are inherent in humans wherever, whenever they are, regardless of who they are. Here, the existence of human rights does not depend on contingent factors such as origin, race, gender, nation and religion. The emergence of the concept of human rights as an important global issue coincides with the development of human awareness of the importance of recognizing, respecting and realizing human sovereignty and integrity. In subsequent developments, human rights discourse increasingly echoed throughout the country. Without intending to ignore the depravity of

upholding human rights during the New Order era, our nation has now been quite significant in discussing human rights in national and state life. This significance specifically began in the reform era where human rights principles were re-established and a number of ratifications of international human rights instruments were implemented to support the implementation of human rights in Indonesia. Human rights (HAM) or in fact should be called simply human rights, are rights that are (should be) universally recognized as rights inherent in humans because of the nature and square of human birth. that as a human.

Understanding Human Rights in General

Theoretically, human rights are rights inherent in humans which are natural and fundamental as a gift from God that must be respected, guarded and protected. UU no. 39/1999 concerning Human Rights defines human rights as a set of rights that are inherent in the nature and existence of humans as creatures of God and are His gifts which must be respected, upheld and protected by the state, law, government and everyone for the sake of honor and protection of human dignity. (Article 1 paragraph Law No. 39/1999). The essence of human rights itself is an effort to maintain the safety of human existence as a whole through actions to maintain a balance between individual interests and the public interest. Likewise, efforts to respect, protect and uphold human rights are a shared obligation and responsibility between individuals and individuals, individuals and groups and groups and groups.

The community trusts the government to safeguard and protect their rights. The government, in this case the state apparatus, both civil and military, is responsible for safeguarding the rights of every citizen. Therefore, human rights are essentially understood as a very fundamental condition that must be possessed by every intelligent and conscientious human being. The understanding and concept of human rights has been developed by many parties along with developments over time. Joel Feinberg argues that human rights are sometimes understood as ideal rights, other times as conscience rights, and often both. However, human rights are believed to be closely linked to actual claims. If certain human rights are ideal rights, then the holders of human rights actually have or will submit a demand to political legislators to change their moral rights into positive general rights.

Types of Human Rights

Several kinds of rights that must be accepted and recognized include personal human rights, economic human rights, and the right to receive equal treatment in law and government. Human rights are generally understood as things that are absolutely owned by every person because he is a human being and is inherent in himself. These rights must not be limited by elements of SARA (ethnicity, religion, race and between groups) because these rights are given and based on mutual consensus

- **Personal Rights**

Personal human rights are rights that are related to human life itself and are inherent in them from birth. Article 28 of the 1945 NNRI Constitution formulates:

“Everyone has the right to live and the right to defend their life and life. “ These provisions are still general and do not determine the scope of the right to live alone. UU NO. 39 of 1999 contextually formulates the right to a certain life. From Law NO. 39 by observing that the right to life is very fundamental.

- **Economic Human Rights (Property Rights)**

Economic human rights relate to a person's activities in social life in relation to the economy. Basic economic rights include the right to have and get a decent job, the right to

own goods, the right to carry out buying and selling transactions, the right to improve the quality of life, the right to enjoy natural resources, and the right to a decent life. A person uses these rights in their daily lives which are related to the economy and a person's survival. Human Rights to Get Equal Treatment in Law and Government (Rights of legal equality)

The right to have a state of affairs in government and law is a right that is worth fighting for because this right is related to legal life and government. These rights include, the right to obtain public services and legal protection, the right to obtain and have legal defense in court, the right to become a civil servant and the right to receive equal treatment in law and government.

Government Efforts to Fight for Human Rights

The worsening and clearly visible condition of society means that the government must play an extra role in carrying out outreach and general understanding of the people around them. Not only that, outreach activities can be carried out in schools, considering that children are among the main victims of human trafficking activities.

The purpose of this outreach and seminars is to ensure that the public is aware of Article 297 of the Criminal Code which states that "Trafficking in women and men who are underage is punishable by imprisonment at most. Stopping human trafficking not only requires an effective regulatory framework, but also a mechanism stronger law enforcement and intergovernmental cooperation. In addition, prevention also focuses on supply and demand factors and addressing the main causes of human trafficking, including poverty and unemployment.

The government is specifically paying attention to the protection of victims, encouraging officials and the public to seek firmer legal action against perpetrators of human trafficking to create a deterrent effect. There are also ongoing awareness-raising efforts, campaigns and efforts to increase public awareness to prevent manipulation of vulnerable groups in human trafficking as well as empower women and children in the economic sector.

Human rights violations in the form of slavery often take the form of deprivation of liberty by economically strong groups against weak economic groups. Therefore, on that basis, prevention of human trafficking in terms of human rights violations must be carried out comprehensively and completely, which can be carried out at the criminal policy level through various agencies, law enforcement, law enforcement and the judiciary.

Another effort that must be made by the Indonesian government is to make improvements to the education system that applies in this country. The cause of trafficking is also suspected to be caused by a lack of education for the people who become victims. So the government, through the Department of Education and Culture, not only maintains a large number of school buildings in various regions but also needs to equip them with professional and competent teachers. Every school should have adequate facilities such as laboratories, libraries and others that can support the smooth teaching and learning at school. Apart from that, every school should build student dormitories by implementing the education system of mission schools (seminaries) in order to implement learning discipline but through a heart-to-heart education pattern for its educators

CLOSING

The problem of human trafficking has become a global problem that has plagued our nation. This problem arises due to various factors and is born in various destructive faces. Not a few victims are caught in his manipulative actions. The face of the world became

blurry. From a human rights perspective, human trafficking is a form of crime against human dignity. Protests in the name of human rights encourage many parties, all of us, to stop the brutal acts of human trafficking. Humans are not commodities. Humans are creatures whose existence in the midst of the world has noble dignity. No one has the right to injure this dignity, but everyone must recognize, respect and uphold the dignity of others.

All of us, as stated in the meaning of Einstein's call, are required to care about the problem of human trafficking which is increasingly endemic today. Therefore, the role of all parties involved is needed to eradicate this crime of human trafficking, because it is true in this era. Current globalization makes it very easy for any type of crime to develop. Eradicating poverty is absolutely necessary because this is the trigger for its existence trafficking. This of course will be closely related to resilience people. A nation will be able to grow as a great nation if the humans within it have resilience in their livelihoods and do not fall into the act of human trafficking.

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