



Trafficking in Tech Crimes Against the Study of Vikology at This Time

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Abstract

Human trafficking predators recruit teens as potential victims through online social media where this research is normative juridical research. Human contributions to the future that will come. It is also normative, or empirical, because it relates to science-related study of victims (victimology). Structured modus operandi can also be done online through many online media, such as WhatsApp, Instagram, etc., so that the modus operandi performed by the perpetrators often fluctuates according to black market needs. This item law had a rule of jurisdiction that applied to each person who performed the legal act as prescribed in the law. The assurance of protection of the law used by informatics technology as the victim of the cybercrime crime, which means through our consciousness we have made peace and social welfare the goal of protecting the law against the victim and criminal penalties of the cybercrime. So it should be given to victims of criminal trafficking.

Keywords: *Human Trafficking; Victimology; Modus Operandi; Online Media*

Introduction

Trafficking in people is a modern form of human slavery. Human trafficking is also one of the worst forms of treatment and human dignity and dignity, in itself a violation of human rights.¹ We can see about real life street boy now. Violence is not free, and violence overshadows the steps of the journey. Even sexual violence is often experienced by both boys and girls. Boys are usually sodomites of older or more powerful people.

The desire to prevent and address criminal trafficking is based on high values, national and international commitments to make early prevention efforts, bullying of perpetrators, protection of victims and increased cooperation.² The true trafficking is a new form of slavery in the modern century. In the context of trafficking crimes, at least in Indonesia there are laws guaranteeing respect for humanity.

¹ Riswan Munthe, *Perdagangan Orang (Trafficking) sebagai Pelanggaran Hak Asasi Manusia*, Jurnal Pendidikan Ilmu-Ilmu Sosial, 2015, Universitas Medan Area

² Lopian dan Geru, *Trafficking Perempuan dan Anak, Penanggulangan Komprehensif, Studi Kasus Sulawesi Utara*, Jakarta: Yayasan Obor Indonesia, 2006. hlm 10.

Exploitation was at the very least, the exploitation to prostitute others or other forms of sexual exploitation, forced labor or forced service, slavery or similar practices of slavery, bondage or removal of limbs.³

The 2007 act on eradicating criminal trafficking in article 1 verse 15 defines the same thing. But the true nature of these crimes can occur especially on social networks, where the perpetrators target the victims via online media. Not a few were turned into prostitutes, the organs were removed, even targeting innocent children. Digital literacy plays an important role, specifically digital parenting in order to prevent sexual exploitation and child trafficking through online media.⁴ Events that happen to our children. Unable to bear the psychological burden of children by being forced into the work, coupled with the inhuman treatment that must be received

The ministry of pppa, in accordance with the mandate under section 35 of 2014 on child protection, will ensure that children receive a good service and that perpetrators obtain a maximum legal release according to current legislation.

Frequently asked questions in the study of the problem of crime typically range between why a person commits a crime, what factors cause it, whether or how law enforcement officers act in the face of crime and other kinds of inquiry. While the role and access of victims in crime are often forgotten. When a crime generally involves two parties: the perpetrator and the victim of the crime.⁵

Terminologically, vikology meant a study that studied victims, the causes of victims and the consequences of the victims' removal that constituted a human problem as a social reality.⁶ Article 27 verses (1) and article 45 verses (1) the law on the distribution of content that violates propriety is deleted and arranged in section 407 of the criminal code on pornography. The true content of the current online applications is rife on one of the apps, the real tinder in there is highly complex.

The crackdown on trafficking cases in child sexual exploitation online against 305 children by a French woman in the past, has raised public concerns. In 2016, people were also moved by the revelation of online prostitution involving nearly 100 boys in the Bogor region of West Java. The proliferation of human trafficking in sexual exploitation via online media is a warning and challenge to all parties. The importance of improving public education and socialization, with regard to the development of this person's trade mode, is expected to grow early awareness of and awareness of the country's predominant role in preventing and handling new types of crimes in Indonesia. This makes it necessary for victims in a crime particularly commercial victims to have a protection as well as that of a law umbrella in defense of rights taken by the perpetrator. The victim was under a lot of pressure that made him reluctant to report and even fearful of the police.

Based on data for the women and child protection online information system (the ppa symphony) in January - June 2020, there are 50 cases of sexual exploitation in adult women and 60 children trafficking victims for the purpose of sexual exploitation. This data harmonizes with that of Polri Bareskrim, where 297 people trade for sexual exploitation is revealed through the Internet media. High levels of trafficking in people with the aim of sexual exploitation through online media are a warning and challenge to all parties, especially to the prevention and handling of people's trade crimes (GT PP TPPO). It requires a good public understanding of the new technologies and issues, as well as the importance of

³ Farhana, *Aspek Hukum Perdagangan Orang di Indonesia*, Cetakan Pertama : November 2010, Jakarta: Sinar Grafika, hal 20.

⁴ https://www.kominfo.go.id/content/detail/24448/sinergitas-cegah-eksploitasi-seksual-anak-lewat-media-online/0/berita_satker , diakses pada 16 Februari 2023, pukul 20.11 WIB.

⁵ G. Widiartana, *Viktimologi Perspektif Korban dalam Penanggulangan Kejahatan*, Yogyakarta: Cahaya Atma Pustaka, hlm. 17

⁶ Dikdik M. Arief Mansur dan Elisatris Gultom, *Urgensi Perlindungan Korban Kejahatan Antara Norma dan Realita*, 2008, Jakarta: Raja Grafindo Persada, hlm. 34.

strengthening unified coordination in solving crime. Not only from the standpoint of law enforcement and collective entanglement but also in the process of recovery and reintegration for comprehensive victims.

In the aspects of justice and the "social utility" of justice and profit from the informatics' legal protection of the cybercrime user, meaning by awareness we have made peace and social welfare the goal of law protection against the victim and criminal sanctions of the cybercrime. According to bank Indonesia the central bank/bi governor of bank Indonesia the central bank/bi governor burhanuddin abdullah said here on Tuesday.

Formulation of the Problem

1. How is the trafficking crime mode in the online media?
2. How does human trafficking in the study of modern vicarious crime?

Research Methods

The research approach used in this study is normative juridical research. So this research is based on issues and themes that are raised in current research. Then presents a new view to contribute hokum in the future. The approach is also normative because it relates to science-related study of victims (victimology).

In its application legal research from perspective⁷ Sociological, according to the original purbacaraka and soerjono soekanto, is the essence of the legal effectiveness. In the process of data analysis is done, with the following steps: 1. Data reduction can be interpreted as a research process, attention centralization of simplification, and the transformation of data emerging from written records in the field. 2. Data presentation, at this stage the data obtained will be categorized according to the subject. 3. Conclusion, this step is a step further from the reduction and presentation of data, since that data has been reduced and the presentation of data will be summarized

Discussion

1. Trafficking Crime Mode in Online Media

John Locke developed a modern interest in that premise, and the philosophers have embraced it. Personal identity is a center of moral responsibility on two matters. The first is "synchronous," which basically refers to identity at a given time, criminal and moral responsibility rests on personal identity. How can we know which things in the world are shaping a person, and by extension what one is responsible for Philosophical explanations of the chronic identity of the natural man include a broad scope.⁸

First, people trade in prostitution or sexual exploits. Traffickers besides knowing the emotional side of their victims well know how to use social media to smooth the action. Technology plays a greater role in human trafficking, enabling some traffickers to be able to exploit young people without encountering them. But once relations and trust have been established, the traffickers of this man will bring in a meeting of their potential victims. The main mode used by perpetrators of trafficking criminals

⁷ Amirudin dan Zainal Asikin, Pengantar Metode Penelitian Hukum, Edisi 1, 2006, Jakarta: PT. Raja Grafindo Persada, hlm, 135.

⁸ Alexander, C., & Cohen, M. (2011). The Causes of Corporate Crime: An Economic Perspective. In A. Barkow & R. Barkow (Eds.), *Prosecutors in the Boardroom: Using Criminal Law to Regulate Corporate Conduct II*. New York: New York University Press. P. 231

to offer their services in connection with the current social media abuse that features the "group" features as victims and sexual transaction offers.

Second, trafficking people in illegal labor mode. For illegal use of power or ability modes to make ads appeal to informers through phony labor recruits in medsos that may be a covert trafficking mode.

Third, trafficking people in illegal adoption mode. The process of adoption that did not follow proper procedure would, of course, result in poor supervision of child abandonment cases. Another mode of operation involves the emergence of online systems, and some new cultures that are important to police have developed as a result of the new world, the existence of individual addresses in the world known as electronic mail. More and more people are currently e-mailing mail than using regular mail because it is more practical, economical.

This law has a rule of jurisdiction that applies to any person who performs the legal act as governed under this law, whether within the jurisdiction of the Indonesian law or outside the jurisdiction of the Indonesian law, which has a consequence in the jurisdiction of the Indonesian law and is detrimental to Indonesia's interests. So the trafficking mode is often a result of an online misuse of the application resulting in a new victim.

According to article 1 verse (1) act number 21 of 2007 on the elimination of the vice of trafficking in persons referred to by the merchandising, is as follows: Recruitment, delivery, removal, shelter, or acceptance of a person, by threats or use of violence or other forms of coercion, fraud kidnapping, deceit or abuse of power or position of convenience or of giving or receiving of payment or profit in order to gain approval from someone who has power over another person, for the purpose of exploitation.

So the structured mode of operation can also be done online through various online media, such as wa, michat, tweeting, hiring, instagram, etc., so that the mode of operation performed by the perpetrators often fluctuates according to their need for the black market. So it is important for oneself that both the family and the community be vigilant in every bit of information circulate in society.

2. Human Trafficking in The Study of Modern Victimology on the Crime of Technology

Hans Von hentig as Rena Yulia cited it, assumed that the role of the victim in inflicting crime was:

- a. Crimes are intended by victims.
- b. The cost of criminal crimes may be intended as a sacrifice for greater profit
- c. The victim's loss is a partnership between the perpetrator and the victim
- d. Loss occurred due to the victim's provocation⁹

According to Romli Atmasasmita, there are circumstances in which a person can sometimes be both a perpetrator and a victim.¹⁰ Whereas the victims' positions in the criminal justice system are as follows:

- a. Victim as a victim, in this instance a victim of a passive position meant total innocence, for which the victim had to know his rights. Officials of law enforcement in the criminal justice system include advocates and lawyers telling the victims the rights. The need for socialization by

⁹, Briliyan Erna Wati, Victimologi, Cetakan Pertama, November 2015, Semarang: CV. Karya Abadi Jaya hlm. 17

¹⁰ *Ibid*, hlm. 18.

individuals on their own sacrificial protection process, to open a paradigm of victims and their families so as to have the courage to apply.

- b. Victim as a witness, in this case a person in a position or acting as a witness in a court of law. Such a witness is usually an incriminating witness (a charge), which corroborates the prosecution's claim. The article on the witnesses appeared in 2008 under article 1:1 pp no. 44 is "a person who can testify to the interest of investigations, investigations, prosecution and prosecuting of a criminal case he has heard, sees it for himself and/or has experienced it himself."
- c. Victim as a suspect or defendant. Inside SPP it is possible the victim is a suspect or a defendant. These conditions may occur as follows:
 - 1) Victims and perpetrators are single or dwi single, in this case it is difficult to identify the victim and the perpetrator.
 - 2) The perpetrator performs the role as a victim. In this condition can occur in terms of inclusion (advocate, accomplice, ordering) and aiding (article 55 or section 56 of criminal code), in this criminal case more than one person was involved. 3. The victim in the case was the result of an engineering (as though the victim had committed a crime). This can happen because of fabrication produced by complaints or reports of 36 from law enforcement or certain parties including rulers.
- d. victims, asa result of false arrest and other unlawful ACTS in law enforcement. In this case, one is a victim of arbitrary arbitrariness or the unprofessional absence of law enforcement.

Electronic information and transasportation laws are expected to be used with principles, good will, expecency or leverage and based on legal certainty in the use of technology. That rule is found in chapters 40 verses (1) and verses (2), and it is based on an electronic system of provisions and transactions, and it is necessary to set up rules to enforce the ite bill as the government of 2019 no 17 on what is done in pste.

The government is optimistic the rupiah will continue to strengthen to rp9,100 per dollar, he said. Enlistment mechanisms by private pse are required for the government to know all types of electronic system services within Indonesia. And ensure that private pse can operate in accordance with all regulations of legislation in the Indonesian region. Whereas foreign policy control mechanisms for private sector are required to help governments be able to minimize the risks of cybercrime, data abuse, and content violations that may result from the rapid flow of information and technological growth

Between the victim and the perpetrator are two elements of the crime occurring. It is from this arena that studies of victims are then important for further investigation, particularly with regard to human trafficking victims. This was done to find the proper method to use as a deterrent to further victimization, as well as a complete prerequisite for criminal law review. The victims were only represented by the state. The trafficking threat spreads across the world, especially developing countries like Indonesia. In addition, Indonesia has a strategic geographical position, which often makes it a shipping route and trade between countries. It certainly brings great benefits to the country. However, it cannot be denied that it also had adverse effects on the state.

The importance of providing sustainable advocacy with the granting of children's rights, which is through prevention aspects by providing digital education and literacy education to families, communities and children themselves to run a healthy Internet; Optimizing treatment of victims through social rehabilitation and child recovery by referring to the standardized exploitation of children's recovery; Advocacy and supervision of online providers to be firmly committed to child protection in the cyberworld; Strengthen aspects of the law enforcement of tppo case through increased quality care and human resources.

The crime of sexual exploitation through online media is a fast-moving adaptation of the perpetrators to the development of technology and information especially at this time, even though governments seem to be closed to the trafficking of human trafficking, How can the current use of online applications registered to the organizers of electronic systems still contain contain contain contain contain contain contain contain contain contain

As the increase and prevalence of human trafficking crimes in Indonesia comes after the release of the act, our government and parliament have again published the 2009 no. 14 act on ratifying the protocol to prevent, prosecute and punish, especially women, and children, the UN convention supplement against organised transnational crime. So it should be given to victims of criminal trafficking.

The restitution to the victims of human trafficking crimes according to act number 21 in 2007 on the elimination of criminal trafficking of persons, was the transfer of compensation to the victim/heir charged to the perpetrator of criminal ACTS based on a permanent court ruling on material and/or animal losses suffered by the victim or his heirs. Restitution as intended is restitution: the loss of wealth or income; Suffering; Costs for medical and/or psychological action; And/or the other losses suffered by the victim as a result of human trafficking. Restitution management has been coming to me since the first grade court ruling. Restitution comes in 14 (fourteen) days from the time the verdict has been given that the power of the law remains. Restitution as you can first submit to the court where the case is terminated.

Conclusion

Trafficking crime currently has multiple modus operandi performed not only directly but online media such as wa, ig, fb, online apps such as michat, tinder, etc. So the modus operandi is sometimes altered according to the circumstances of the perpetrator.

It cannot be denied that crime in the online world especially trafficking needs more supervision from the government as the online media continues to develop and innovate, government control in surveillance is required to minimize the online crime in the direction of human trafficking. It is hoped that the promoter of electronic systems is more concerned that online applications need to be tightened in their use, as they are accessible by various circles.

The hokum protection of the victim of this crime needs to be compensated for the ACTS incurred by the victims of the pinda trafficking trafficking act, restitution as a form after the psychic recovery that the victim experienced

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