

THE IMPLEMENTATION OF RESTITUTION RIGHT FOR HUMAN TRAFFICKING VICTIMS BASED ON INDONESIAN COURT JUDGMENT IN 2011-2015

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ABSTRACT

Human trafficking, known as a modern slavery, becomes the third most profitable criminal activity after drugs and arms trafficking. Human trafficking also consider as human right abuse. Most of the victims are women and children who are vulnerable. As a protection act for the victims, restitution is regulated in some anti-trafficking law including in Indonesia. Restitution laws attempt to counter the devastating effects of human trafficking crimes. In fact, some prosecutors in Indonesia do not mention about the restitution right for the victims when they are making charging decision before the court. As a result, many of the victims do not receive their right of restitution which is loss of profit, suffering, medical and/or psychological treatment, and other loss as consequences of human trafficking victims. This paper tries to understand the implementation of restitution as one of rights of human trafficking victims in Indonesia based on Indonesian Court Judgment in 2010-2015. The study analyses the international conventions, regional conventions, and the domestic laws of the countries that deal with human trafficking and the protection of the victims. The study will discuss the practice of restitution on human trafficking victims under Indonesian Anti Trafficking Law.

Key words: restitution, human trafficking, victims

Introduction

Human Trafficking is a modern form of slavery which breaches the human right and human dignity. According to Article 3(a) of United Nations Protocol in Human Trafficking, human trafficking is the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. Research indicates that more than 20 million people in the world are being trafficked at any given time (2013 TIP Rep., *supra* note 2, at 7; ILO Rep., *supra* note 2, at 1). Trafficking in persons is the third most lucrative crime in the world after drugs and arms trade with a gain of 36 (thirty six) billion dollars per year (<http://www.un.org/apps/news/story.asp?NewsID=48271#.VRvOTyUeiV>). Indonesia, as the largest archipelagic country in the world, and one of the countries with the largest population in the world, are highly vulnerable to various forms of trafficking. Trafficking in persons is not only troubling developing countries such as Indonesia, but also other countries, the international community, and also has been a concern of the United Nations (UN) (Moh. Hatta, 2012).

Indonesia as one of the UN member states, signed and ratified the international instruments made by the UN, the United Nations Convention Against Transnational Organized Crime through Resolution of the United Nations No. 55/25 as a legal instrument in countering organized transnational crimes and the two protocols, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children and Protocol against the Smuggling of Migrants by Land, Sea and Air, Supplementing the United Nations Convention against Transnational Organized Crime (UNTOC). As the embodiment of Indonesia's commitment to preventing and combating transnational crimes, especially in the crime of human trafficking, the Indonesian arrange Law No. 14 Year 2009 on the Ratification of the Protocol to Prevent, Follow, and Punish Trafficking in Persons, Especially Women and Children, Supplementing the Convention United Nations Against Transnational Organized Crime. Indonesia also has Law No. 21 of 2007 on the Eradication of Trafficking in Persons (Indonesian Anti Trafficking Law) which specifically regulates and combats the trafficking in persons.

The law also governs the protection of witnesses and victims of human trafficking as it is an important aspect of the Indonesia law enforcement, which is intended to give basic protection to victims and witnesses. In addition, the Act also gave considerable attention to the plight of victims as a result of the crime of trafficking in persons in the form of restitution rights should be given by the perpetrators of criminal acts of trafficking in persons as a compensation for the victims. Restitution according to Article 1 paragraph 13 of Law No. 21 of 2007 was the payment of compensation charged to the offender by a court decision that is legally

binding for the loss of material and/or immaterial suffered by the victim or his heirs. Restitution is more geared to the responsibility of the perpetrators of the consequences caused by the crimes committed by the offender. The main target is overcome all the losses suffered by the victim. Filing restitution mechanisms implemented since the victim reported his case to the local Indonesian National Police and handled by the investigator concurrently with the handling of criminal offenses committed. The public prosecutor told a victim of his right to apply for restitution, and then the prosecution conveys the amount of losses suffered by the victim as a result of the crime of trafficking in conjunction with the demands. This mechanism does not eliminate the right of victims to file their own lawsuit against losses.

Other example of the restitution right for the witnesses and victims of human trafficking is The American Act, the Trafficking Victims Protection Act of 2000 (TVPA) also created one of the most expansive mandatory restitution schemes under federal law an acknowledgment that, full restitution is critical to restoring the trafficking victims' dignity, helping them gain power back from their exploiters who took advantage of their hope for a better life. It attacks the greed of the trafficker and the idea of a human being as a commodity. It is a way to ensure that victims receive access to justice. (Unknown. 2013. Ensuring Full Restitution for Trafficking Victims: An Overview of Mandatory Restitution Awards Under the Trafficking Victims Protection Act. National Crime Victim Law Institute. Victim Law Bulletin. November 2013).

According to Trafficking in Persons Report July 2015, Indonesian government has prosecuted 134 suspected traffickers, convicted 79, provided temporary shelter to an unknown number of victims, and conducted anti-trafficking awareness and training events for members of the public and government officials. The Indonesian National Police opened 305 trafficking investigations, but more than 200 were closed with no further prosecutorial action; authorities did not report the number of investigations that led to new prosecutions. A lack of familiarity with the anti-trafficking law's provisions led some prosecutors and judges to decline cases or use other laws to prosecute traffickers. The attorney general's office continued to compile trafficking data from courts across Indonesia and reported the prosecution of 134 defendants, an increase from 126 in 2013. The attorney general's office reported 79 convictions in 2014—a decrease from 118 convictions in 2013. In March 2014, authorities convicted one trafficker for subjecting men to forced labor and debt bondage on a fishing vessel operating in international waters; he was sentenced to one year in prison. A second defendant was convicted of falsifying travel documents but acquitted on trafficking charges and did not receive jail time. During the year, the government organized trainings for police to improve their capacity to investigate trafficking cases. NGOs and government officials reported that endemic corruption among security forces and other authorities remained an impediment to anti-trafficking law enforcement efforts; however, the government did not report any investigations, prosecutions, or convictions of public officials complicit in the facilitation of trafficking

The Concept Of Restitution In Indonesia

Since the end of the 19th century, there was a shift in the context of criminal law that formerly criminalizes perpetrators of criminal acts (offender oriented) and then turned into a victim oriented. The actual conception of restitution or compensation is the oldest approach that reinstated included in traditional Indonesian criminal law. According to Stephen Schafer in Dikdik M. Arief Mansur and Elisatris Gultom (2007), the distinction between restitution and compensation is restitution over criminal nature, arising from the decision of the court criminal and paid by the convict or a form of accountability convicted (the responsibility of the offender). While compensation is more civil, arise from the demand for victims, paid by the community or the state (the responsible of the society).

Siegel (2000) said that restitution is actually part of the restorative justice approach, which is to restore the rights of victims who lost as a result rather than crime, victims' rights were lost due to the occurrence of a crime should be immediately restored. This approach emphasizes the physical loss recovery, security, dignity and worth and satisfaction for victims of crime, and the implementation of justice itself. Restorative justice is also geared to improve offenders with rehabilitation and healing. Indeed the approach of restorative justice in the criminal law is not aims to abolish or merge criminal law and civil law. Restorative justice approaches actually restore the function of criminal law on the original track which is the optimum remedies. The aim of restitution is to restore the victim to the original situation before the violation. It includes restoration of liberty, enjoyment of human rights, identity, family life and citizenship, return to one's place of residence, restoration of employment and return of property. In this respect, the Basic Principles and Guidelines clearly state that restitution involves ensuring that victims can exercise all of their human rights. (Basic Principles and Guidelines, supra note 2, art. 19). According to Galloway (2000) the purpose of the obligation to indemnify is alleviate the suffering of the victims; as a mitigating element of punishment to be imposed; as a way to rehabilitate the convict; simplify litigation; and can reduce the threat or the reaction of the public in the form of retaliation. (Farhana, 2010).

Based on victimology perspective, restitution is related to the repair or restoration repair of physical harm, morel and possessions, status and rights of victims of the criminals. Restitution is an indication of criminal responsibility. Restitution is an act against the perpetrators of criminal acts describes a criminal and correctional purpose in the criminal case (Angkasa, 2013).

Restitution can be given to victims in two approaches, which are the procedural rights and service model. The conception of the rights of procedural emphasis on victims who actively defend its interests start of the investigation, the prosecutor's office to the court, the victim's witness must also be present and be heard in any legal proceedings, victims have the right to sue for damages even make peace with the perpetrator, the victim has a right to pursue his rights which were taken away by the perpetrator. On the other hand, the service model, seen the victim as a common goal to be served. The existence of centers for victim services is provided by the state or civil society. Indonesia adheres to the first model, in which the victims assume should actively demand restitution to offenders through the criminal justice system in Indonesia.

Restitution is regulated in several laws in Indonesia. Law No. 31 of 2004 on the Amendment of Law No. 13 of 2006 on Witness and Victim Protection, regulating the restitution in Article 1 paragraph 11, where restitution is compensation given to victims or their families by the offender or a third party. Article 7a paragraph (1) states that victims of crime are entitled to restitution in the form of:

- a. compensation for loss of wealth or income;
- b. damages caused by the suffering associated directly as a result of a criminal act; and/or;
- c. replacement cost of medical care and/or psychological.

Restitution according to Government Regulation No. 3 of 2002 on Compensation, Restitution, and Rehabilitation Of Victims of Human Rights Violations Its Weight in Article 1 point 5 is compensation given to victims or their families by the offender or a third party, may be the return of property, the payment damages for loss or suffering, or reimbursement for certain actions.

While restitution is based on Government Regulation No. 44 Year 2008 on Provision of Compensation, Restitution, and Assistance to Witnesses and Victims in Article 1 paragraph 5 is compensation given to victims or their families by the offender or a third party, may be the return of property, the payment of compensation for loss or suffering, or reimbursement for certain actions.

Restitution to victims of criminal acts of trafficking in persons has been specifically regulated in Law Number 21 of 2007 on the Eradication of Trafficking in Persons (Indonesian Anti Trafficking Law). Pursuant to Article 48 paragraph (1) of Law No. 21 of 2007, every victim of the crime of trafficking in persons or their heirs is entitled to restitution. Restitution according to Article 1 paragraph 13 of Law No. 21 of 2007 was the payment of compensation charged to the offender by a court decision that is legally binding for the loss of material and / or immaterial suffered by the victim or his heirs. This restitution pursuant to Article 48 paragraph (2) of the Act for damages on:

- a. Loss of wealth or income;
- b. Suffering;
- c. Costs for medical care actions and / or psychological; and / or
- d. Another disadvantage suffered by the victim as a result of trafficking.

The core purpose of the obligation to provide compensation is not to develop the justice and welfare of the victim as a member of society and benchmark their implementation is given the opportunity for victims to develop as human rights and obligations. The refund was given and included simultaneously in the ruling court on criminal case of human trafficking and implemented since the first instance court handed down the verdict. Restitution is done within fourteen days starting from announcing decision which has acquired permanent legal force. The perpetrator was acquitted by the court of appeal or the appeal, the judge ordered in its decision that the restitution of money deposited is returned to the person concerned (Article 48 of Law No. 21 of 2007 on the Eradication of Trafficking in Persons). If the implementation of restitution to the victim was not filled until the time limit of fourteen days, the victims or their heirs to inform the court (Article 50 of Law No. 21 of 2007 on the Eradication of Trafficking in Persons). Restitution is more geared to the responsibility of the perpetrators of the consequences caused by the crimes committed by the offender. The main target is overcome all the losses suffered by the victim.

The Judge Consideration According To The Court Judgement On Human Trafficking

As Indonesian is a law state, it must consider the fundamental principles of a constitutional state applicable today. The basic principles are the main pillars that held up the establishment of the modern state that can be called a state of law (The Rule of Law or Rechtsstaat) in the true sense. The fundamental principles of law states among other things, such as Rule of Law (Supremacy of Law), Equality in Law, Principle of Legality, and Free and Impartial Justice existence of independent judiciary and impartial. In addition, according to Franz Magnis-Suseno in Pontang Moerad BM (2005), one of the important characteristics constitutional state is the freedom and independence of judicial power, especially in its function to enforce law and justice. With the independence of the expected power, the judiciary can exercise control to prevent and reduce the tendency to abuse of authority and power and disregard for human rights.

In carrying out the judicial task, the judge should not be influenced by anyone, either because the interests of positions (political) as well as the interests of money (economy). To ensure fairness and truth, it is not permitted to intervene the decision making process of justice by the judge, whether the intervention of the executive and legislative powers environment or from the public and the media. In performing their duties, judges should not be partial to anyone except to truth and justice. However, in carrying out its duties, the proceedings by the judge should also be open, and in determining the assessment and verdict, the judge must live the values of justice who live in the midst of society. The judge did not simply act as the 'mouth' of laws or regulations, but also the 'mouth' of justice who voiced a sense of justice that lives in the midst of society.

Judges are ordinary people who in carrying out the powers and duties will not be separated from the interests and influences around him, including personal interests, the interests of the family and so on. Such circumstances are vulnerable and may pose a conflict of interest for the private judge concerned, so that the act or conduct of judges can thus tarnish the honor, dignity, and the behavior of judges, for example, a judge shows the attitude and behavior in favor of the one of the parties to the dispute in the line of the judicial duty. In other words, the judge is not affected by the encouragement of internal behavior that can make have to take decisions that are not impartial and neutral due to the mind and conscience is no longer able to speak of honesty. In the

face of such circumstances, the judge must be and are required to have integrity and a personality that is not dishonorable, dishonest, fair, and professional in carrying out the powers and duties (Henry Arianto, 2012).

Indonesia's legal system over the years, due to the influence of the Dutch legal system, adopts the Civil Law. For countries adherents of the Civil Law, jurisprudence is not very binding. When there is a previous court verdict that is used to decide the case in the future then it is not because the earlier verdict has binding force, but because the judge who then assume that the previous decision was indeed considered appropriate and feasible for example. This jurisprudence is not mandatory by the other judges. According to the Indonesian legal system, the decision of this court only has binding force for the case to be tried and the parties to the dispute in the case (<http://www.bppk.kemenkeu.go.id/publikasi/artikel/167-artikel-pajak/20491-kekuatan-mengikat-yurisprudence-dalam-penyelesaian-sengketa-pajak>).

According Muladi in Pontang Moerad BM (2005), the judicial power is not only limited legal authority, but also a legal obligation that the powers attaching to the judges and the courts to carry out the functions of judge and decide. This indicates that the judges also implement the function of the judicial power in which a judge must satisfy the sense of justice in society. One way to meet the public sense of justice is to give restitution to victims of crime by the perpetrator. This is caused by the shift in the context of criminal law that criminalize perpetrators of criminal acts that formerly was turned from a offender oriented to victim oriented. The restitution was adopted by some of the laws and regulations in Indonesia for the fulfillment and realization of justice for the parties. One of the laws and regulations in Indonesia regulating restitution is Act No. 21 of 2007 on the Eradication of Trafficking in Persons. The Indonesian government continued anti-trafficking law enforcement efforts. Indonesia's anti-trafficking law, passed in 2007, prohibits all forms of trafficking and prescribes penalties of three to 15 years' imprisonment and also fines for minimum of 40.000.000 IDR (2.881 USD), which are sufficiently stringent and commensurate with those prescribed for other serious crimes such as rape. Based on Trafficking in Person Report 2015, officials reported ineffective coordination among police, prosecutors, and judges often impeded the government's ability to obtain successful convictions, particularly when cases often involved numerous jurisdictions, including other countries. Extrajudicial mediation hampered successful prosecutions, as victims whose families received settlements from traffickers were usually unwilling to participate in official law enforcement proceedings.

For victim's protection, in October 2014, the government passed Amendments to the 2006 Witness and Victim Protection and the 2002 Child Protection laws which allow victims to Obtain Restitution from their traffickers. The government passed Amendments to existing laws allowing victims to Obtain Restitution from their traffickers, and Restitution was awarded in at least three trafficking cases. The government had policies to provide legal assistance to victims, but it is unknown how many victims received this assistance.

In fact, granting the right to restitution to the victim is not fully earned by the victim. But unfortunately, of many trafficking cases only a few are able to get this right. One of the cases the human trafficking victims who managed to get right through the facilities of the filing of victim restitution to the Witness and Victim Protection Agency which is then handed to the judges on the Court. The right of restitution for victims of human trafficking crime is very difficult to implement. There are still many obstacles encountered in the fulfillment of the rights of witnesses and/or victims at this stage of the investigation, prosecution stage, and the stage of implementation of the decision. Besides a benchmark to determine the number or size of the compensation depends on the social status of the offender and the victim, which the law does not specify explicitly. The law simply explained that restitution is the right of victims or their heirs and the refund is given and included in the ruling of the court, does not explain the large size or indicators of the appropriateness of the amount of restitution and compensation is given.

Based on *International Organization for Migration (IOM)* (<http://www.iom.or.id/sites/default/files/Factsheet%2020-Counter-Trafficking.pdf>), from 2005 to 2014 there were 7193 people who are victims of trafficking in Indonesia where the graph from year to year is rising. Meanwhile, for the purpose of trafficking is 82% of victims trafficked across Indonesia. In addition, 82% are women; including 16% of them are girls. The mode of trafficking in Indonesia according to the IOM is 85% of the labor recruitment agencies. For victim's protection, in October 2014, the government passed amendments to the 2006 Witness and Victim Protection and the 2002 Child Protection laws, which allow victims to obtain restitution from their traffickers. The government passed amendments to existing laws allowing victims to obtain restitution from their traffickers, and restitution was awarded in at least three trafficking cases. The government had policies to provide legal assistance to victims, but it is unknown how many victims received this assistance. There were reports that some victims were awarded restitution during the year, including 55 men subjected to forced labor on fishing vessels in international waters.

According to the Trafficking in Persons Report July 2015, the Indonesian government has prosecuted 134 suspected traffickers, convicted 79,-provided temporary shelter to an unknown number of victims, and conducted anti-trafficking awareness and training events for members of the public and government officials. The Indonesian National Police opened 305 trafficking investigations, but more than 200 were closed with no further prosecutorial action; authorities did not report the number of investigations that led to new prosecutions. The attorney general's office continued to compile trafficking of data from courts across Indonesia and Reported the prosecution of 134 defendants, an increase of from 126 in 2013. The attorney general's office Reported 79 convictions in 2014-a Decrease from 118 convictions in 2013.

Based on some of the court judgments which ruling on the case of human trafficking in Indonesia, a case with the request of restitution for victims only reached no more than 50%. No data field why restitution does not cover the entire judge's decision although in Indonesia the right to restitution has been secured in the Anti Trafficking Law. The authors found the decision number 2044/Pid.Sus/2013, that restitution be decided by the judge can be accomplished with the help of the Witness and Victim Agency (<http://www.tribunnews.com/nasional/2013/10/06/lpsk-fasilitasi-56-abk-korban-perdagangan-manusia-tuntut-ganti>).

ugi). According to The Government Regulation Number 44 of 2008 article 20, noted that the application for restitution of victims of crime may be filed by the victim, the family, or their proxies with a special power through the Agency. But here according to the author, there should be active participation from the Agency to facilitate the right of victims to obtain restitution, including coordinating with the prosecutor.

The next thing to note, the Act human trafficking regulates the confinement substitute for restitution is not paid by the offender. Replacement confinement is relatively low because the threat is only a maximum of one year. While court decisions based on data that writers get, given the replacement of confinement varies between one month and five months to substitute restitution. This lower sanction of confinement does not provide power for the offender forced to pay what the rights of victims because most of them prefer to undergo imprisonment for a replacement rather than have to pay amount of money. There is no detailed settings that can be used as guidelines for judges on the amount of refunds and replacement confinement. This correlation should appear in the regulations under it that justice for the parties can be realized. The inability of the offender to pay restitution becomes a requirement which justified the act for not paying the right of restitution to the victim. In practice, this provision is less fair because the explanation uu no further mention of the inability of actors criteria.

Table 1: The Human Trafficking Court Judgment in 2011-2015 and The Restitution Request

COURT JUDGEMENTS	SENTENCES	RESTITUTION
331/Pid.Sus/2011	Imprisonment for 3 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 6 months	No
71/Pid.Sus/2012	Imprisonment for 3 years and fine 120.000.000 (8.735 USD) , replacing confinement 3 months	No
1554/Pid.Sus/2012	Imprisonment for 3 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 2 months	Yes 64.700.000 IDR (4.710 USD), no replacing confinement
489/Pid.Sus/2013	Discharge	No
2044/Pid.Sus/2013	Imprisonment for 1 year and fine 40.000.000 IDR (2.911 USD), replacing confinement 5 months	Yes 1.100.000.000 IDR (80.070 USD), replacing confinement 5 months
55/Pid.Sus/2014	Imprisonment for 4 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 3 months	Yes 20.000.000 IDR (1.455 USD), replacing confinement 3 months
132/Pid.Sus/2014	Imprisonment for 5 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 2 months	Yes 200.000 IDR (14,5 USD), replacing confinement 1 month
538/Pid.Sus/2014	Imprisonment for 6 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 2 months	No
14/Pid.Sus/2015	Imprisonment for 3 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 3 months	No
18/Pid.Sus/2015	Imprisonment for 3 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 1 month	No
246/Pid.Sus/2015	Imprisonment for 3 years and fine 120.000.000 IDR (8.735 USD), replacing confinement 1 month	Yes 3.000.000 IDR (218 USD), replacing confinement 1 month

Conclusion

In conclusion, the restitution right for the victims is regulated in Indonesian Law according to the Law No. 21 in 2007 and Law No. 31 in 2014 and some government regulations. Restitution is a right, not a mandatory action for the victims. It means that only victims who request the restitution may get the restitution from offenders. On the other hand, for those who do not, they do not get any restitution. The regulation which calculates the amount of restitution for human trafficking victims has not been organized yet. Judges fulfill the request of restitution if only the victims ask for it. Restitution is not a mandatory; the prosecutors only offer the right to the victims. The regulation of confinement as the replacement of inability of the offender to pay the restitution is not set as well.

A benchmark to determine the number or size of the compensation depends on the social status of the offender and the victim, which Act No. 21 of 2007 on the Eradication of Trafficking in Persons not specify explicitly and simply explained that restitution is the right of victims or their heirs. Restitution is provided and included in the ruling of the court, does not explain the large size or indicators of the appropriateness of the amount of restitution and compensation is given.

Indonesia adheres to the first model, in which the victims assume should actively demand restitution to offenders through the criminal justice system in Indonesia. This model has some drawbacks, namely confuse personal interests and the public interest so it is not clear what exactly the juridical rights of the victim. Another drawback is that it can tend to be misused and can cause mental burden for the victim.

References

- 2013 TIP Rep., *supra* note 2, at 7; ILO Rep., *supra* note 2, at 1 (estimating that there are currently 20.9 million victims of forced labor and sexual servitude around the world)
- Angkasa. Makalah disampaikan pada kegiatan Continuing Legal Education di Badan Pembinaan Hukum Nasional Kementerian Hukum dan Hak Asasi Manusia Republik Indonesia tanggal 3 September 2013 di Aula BPHN Jl. Mayjen Sutoyo 10 Ciliitan Jakarta Timur
- BPPK. <http://www.bppk.kemenkeu.go.id/publikasi/artikel/167-artikel-pajak/20491-kekuatan-mengikat-yurisprudensi-dalam-penyelesaian-sengketa-pajak>.
- Didik M. Arief Mansur dan Elisatris Gultom. (2007). *Urgensi Perlindungan Korban Kejahatan Antara Norma Dan Realita*. Jakarta: Rajawali Pers. Hal 167.
- Edwin Firdaus. <http://www.tribunnews.com/nasional/2013/10/06/lpsk-fasilitasi-56-abk-korban-perdagangan-manusia-tuntut-ganti-rugi>
- Farhana. *Aspek Hukum Perdagangan Orang Di Indonesia*. Jakarta: Sinar Grafika. 2010. Hal 121.
- Henry Arianto. *Lex Jurnalica* Volume 9 Nomor 3, Desember 2012. Peranan Hakim Dalam Upaya Penegakkan Hukum Di Indonesia. 151-163.
- International Organization for Migration (IOM). <http://www.iom.or.id/sites/default/files/Factsheet%20-%20Counter-Trafficking.pdf>
- Moh. Hatta. 2012. *Tindak Pidana Perdagangan Orang Dalam Teori dan Praktek*. Yogyakarta: Liberti.
- Pontang Moerad B.M. 2005. *Pembentukan Hukum Melalui Putusan Pengadilan Dalam Perkara Pidana*. Bandung: Alumni.
- United Nations. <http://www.un.org/apps/news/story.asp?NewsID=48271#.VRvOTyUeiV>