

The Role of ASEANAPOL in Tackling Human Trafficking Issue in Indonesia in 2021-2023

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Abstract

This research discusses the role of ASEANAPOL in assisting Indonesia in tackling human trafficking issue by using cases that took place throughout 2021-2023 through series of its agendas and activities. This research uses Clive Archer's role theory which states that international organizations have roles in arenas, instruments, and actors. The method used in conducting this research is descriptive qualitative method with the data obtained from literature review, official documents analysis, interviews with the relevant actors, and secondary sources that relevant to the research topic. The findings of this research reveal that ASEANAPOL has a significant role in assisting Indonesia in tackling human trafficking issue by utilizing its instrument, arena of expertise, and relevant stakeholders to facilitate meetings and exchange information. The maximization of functions can be conducted if the decision-makers of each member state could create a strong legal framework in order to enable some flexibility for ASEANAPOL to deal with human trafficking cases that arise. This research concludes that it is fundamental to acknowledge ASEANAPOL's role in human trafficking eradication in Indonesia. Therefore, this research recommends the Indonesian government, ASEAN member states, and ASEANAPOL to further develop a system with a firm commitment and legal framework to ensure human trafficking eradication is well-executed.

Keywords: human trafficking, Indonesia, ASEANAPOL

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INTRODUCTION

Globalization brings not only the positive impact to the relationships among countries, but also the negative impacts in the form of transnational crime, which is considered as one of the issues that threaten national security and regional stability (Coyne & Bell, 2011), supported by communication technology, economic integration, etc. Koster (2009) states that it would be challenging to find the starting point of the emergence of globalization. However, Cunningham (2009) argues that there was a phenomenon of globalization development in the 1990s where certain borders had been opened up and several countries adopted free trade and regional economies schemes by removing trade barriers among countries.

Although transnational crimes appear to have the negative effect of globalization, the crimes were actually already rampant even prior to the introduction of globalization to the international community. The advancement of technology, the opening of borders, and the rise of business networks have made transnational crimes a new phenomenon that is far more deadly, widespread, and difficult to investigate. According to Boer (2010), categories of transnational severe organized crimes include fraud, forgery, money laundering, human smuggling, human trafficking, drug trafficking, stolen vehicles, environmental crime, cybercrime, child pornography, illegal arms trafficking, and terrorism. With its cross-border nature that involves multiple jurisdictions, the need for formal cooperation between countries often hinders effective response.

A particular concern in the transnational crime is human trafficking, which is often referred to as the crime of modern slavery as it degrades the value of human life (Judith Farbey, 2007) and a violation of human rights. In the development of the democratic atmosphere, liberal political thinkers and constitutional authorities understood that there are fundamental rights that every individual is entitled to where they can fully develop their personality for the purpose of welfare for all humanity (SAHOO, 2012).

The typical scheme of human trafficking is that the victim is deceived with certain lures or promises or even be coerced, and it leads to human exploitation. Human trafficking is different from undocumented immigrants or human smuggling, which oftentimes a voluntary act by the individual themselves, and the smuggling will end once the person in concern has reached their destination. Victims of human trafficking, on the other hand, are usually divided into several types of exploitation, such as sexual exploitation, forced laborers with disproportionate wages or no wages at all, and human organ trafficking.

Human trafficking is also classified as a non-traditional security issue. In General Assembly Resolution 66/290 of 10 September 2012, 3rd paragraph, the United Nations General Assembly has approved an approach related to Human Security at the UN with 6 points, which states in the first point, *"...the right of everyone to live freely and with dignity, free from poverty and despair. All individuals, in particular vulnerable groups, are entitled to freedom from fear and freedom from want, with equal opportunities to enjoy all their rights and to develop their full human potential."* Human trafficking falls into the type of personal insecurity that makes human trafficking as one of the urgencies in the issue of human security ("Human Handbook Security," 2016).

According to Emmaline Soken Huberty (2023), there are ten causes of human trafficking, namely poverty, lack of education, demand for cheap labor, lack of human rights protection, lack of legitimate economic opportunities, cultural factors, conflict and natural disasters, lack of safe migration options, fraud and intimidation, and profit. Indonesia faces a significant issue with human trafficking, driven by extreme poverty and unemployment rates, which makes Indonesia ranked as one of the most vulnerable ASEAN countries to this crime.



According to ASEAN Statistical Yearbook (2022), Indonesia had a poverty rate of 10.1% in 2021, translating to around 27.6 million people living below the poverty line. The country also recorded the highest vulnerability that is reflected in human trafficking statistics: between July 5 and August 14, 2023, where the Indonesian Trafficking Task Force reported 757 cases, with 2,425 victims, including cases of forced labor, commercial sex work, and child exploitation (KEMENPANRB, 2023).

Table 1. ASEAN Below Poverty Level and Unemployment

Country	2018		2019		2020		2021	
Indonesia	9.8%	7,073,4	9.4%	7,104.4	9.8%	9,767.8	10.1%	9,102.1
Malaysia	-	504,3	5.6%	508,2	8,4%	711	-	733
Filipina	16.7%	2,324	-	2,259.1	-	4,500	18.1%	3,711.7
Vietnam	6.8%	1,105.5	5.7%	1,108.2	4.8%	1,233.3	4.4%	1,488.5

Source: ASEAN Statistical Yearbook 2022

Note:

 Below Poverty Levels (in percentage)
 Number of Unemployment (in thousand)

ASEAN acknowledges the severity of human trafficking as a regional issue and addresses it in platforms like the AMMTC and SOMTC. However, as ASEAN itself lacks in law enforcement, it relies on ASEANAPOL, a forum established in 1981 which facilitates police cooperation across ASEAN nations. Through ASEANAPOL, member countries can more effectively collaborate on investigations, information sharing, arrests, and extraditions to combat transnational human trafficking.

The author reviews several previous studies that discuss topics that intersect with this research to deepen the analysis. United Nations General Assembly Resolution 55/25 defined human trafficking as the recruitment, transportation, transfers, harboring, or receipt, of people through force, fraud, or deception, with the aim of exploiting them for profit. One of the main problems about trafficking is how the practice often equated with human smuggling which make it impossible to impose the right sentence based on the law of human trafficking (Organisasi Perburuhan Internasional, 2004).

This research examines ASEANAPOL's role in tackling human trafficking in Indonesia (2021-2023) through the lens of international organization, which have expanded post-WWII to address global issues across security, trade, and more. According to Archer (2001), international organizations are formal structure formed by agreement among two or more countries or non-state actors to pursue shared interest. Key criteria include multi-country membership, a focus on shared goals, and a structured foundation. Archer further classifies these organizations into typed such as IGOs, NGOs, etc. According to Archer's classification, ASEANAPOL is considered as TGO.

Formed in 1981 in Manila by the heads of police department from five Southeast Asian countries, ASEANAPOL aims to enhance police professionalism and strengthen cross-border cooperation in addressing transnational crimes. This organization plays a crucial role in facilitating intelligence sharing and coordinating cross-border investigations among its members, enabling a swift response to regional security threats like human trafficking. ASEANAPOL also holds annual

conferences to discuss the transnational crimes operations, issues Joint Communiques, and implements training and capacity-building programs, modeled after INTERPOL, to support cross-border investigations across Southeast Asia. One of the transnational crimes handled by ASEANAPOL is human trafficking.

Literature related to the role of international organizations against human trafficking is found in the paper from Khairi (2021), which explains the efforts made by ASEAN against human trafficking. In addition, Iskandar & Nursiti (2021) also discuss the role of international organizations looking at case studies of the increase in human trafficking cases in Indonesia in 2020 by looking at IOM and ASEAN as active actors in making various efforts. Then, in the paper, Qiao & Oishi (2018) explain the transfer of policies from the UN to ASEAN in the case of Traffick in person (TIP).

From these three previous studies, there are differences with the object of this research, which focuses on the role of ASEANAPOL in handling human trafficking cases. Not only that, the writing of Isratn et al. (2015), that focuses on the causes of the alarming increase in human trafficking in the South Asia region, also analyses international conventions, regional conventions, and domestic laws of countries that deal with human trafficking. Another study by Silvia (2020) uses descriptive qualitative research, placing the International Convention Against Transnational Organized Crime established by the United Nations (UN) as the basis for the protocol for handling transnational crimes. The author can take examples from previous research that analyzed international institutional conventions to get a primary picture related to the analysis of the ASEANAPOL federated forum for combating human trafficking in Indonesia.

On the other hand, the author also looked at a journal written by Pamungkas (2017) to see ASEANAPOL's efforts against one of the crimes, namely drug trafficking. This study further examines the role played by ASEANAPOL concerning narcotics trafficking in Indonesia. Pamungkas explains that ASEANAPOL had made various efforts to eradicate transnational crimes by conducting several programs and meetings. The study's results also became the author's material to examine the role of ASEANAPOL in handling the transnational crimes in ASEAN. However, differences lie in Pamungkas's research was focused on drug trafficking cases, while this research is attempting to evaluate the ASEANAPOL's role in tackling human trafficking cases.

The previous research mentioned above are expected to assist with this research as references as similarities of their research topics intersect with this research's interest. This also provides direction to ensure a proper examination of the research problem formulation, namely the role of ASEANAPOL in handling human trafficking in Indonesia in the 2021-2023 period. In this research, the concept of international organizations is used to examine the role of ASEANAPOL in dealing with human trafficking, especially in Indonesia in 2021-2023. According to Archer, an International Organization can be defined as, "*a formal and sustainable structure formed by agreement between members (governmental and non-governmental) of two or more sovereign states with the aim of achieving the common interests of the members.*" (Archer, 2001) Archer's concept of International Organizations

explains the essence of the organization's role in discussing and solving problems. In his book, Archer outlines three main roles that International Organizations can play, they are instruments, arenas, and actors.

This research is a qualitative study which emphasizes an approach in which theories and categorizations emerge from data collection and analysis (Alan Bryman, 2012). The focus is on an in-depth understanding of the meaning ascribed to a social or humanitarian problem by individuals or groups (Creswell & Creswell, 2018). Based on the opinions of Alan Bryman and Creswell, it can be said that this research focuses on the search for meaning, concepts, and holistic phenomena, so that the context of the problem studied through a phenomenological approach is understood by the meaning of an event or phenomenon which is different from quantitative research benchmarks by emphasizing descriptive Case Studies, where research aims to identify a phenomenon in detail in the reality that occurs through events or activities carried out.

Qualitative research consists of various forms of data sources such as interviews, observations, documents, and audiovisual information (Creswell, 2018). This study divides data sources into two types, namely primary and secondary data, where the primary data is obtained from interviews conducted by the author with Brigadier Zahara Ulfah as a staff member of the International Organization Subdivision, NCB INTERPOL Indonesia, Divhubinter POLRI, who discussed the perceived role of ASEANAPOL.

In addition, primary data was also obtained from official documents such as meeting reports, laws, and other official documents relating to the role of ASEANAPOL in handling human trafficking cases in Indonesia. Meanwhile, secondary data are acquired from previous research, websites, books, media, and the other sources as the basis of reference for research to strengthen the arguments of the primary data obtained by the author in analyzing the phenomena that occur from ASEANAPOL's role in handling human trafficking cases in Indonesia in the 2021-2023 period. The data will then be analyzed using data analysis techniques with the Miles and Huberman model, which analyses qualitative research data into three main stages: data reduction, data display, and conclusion / verification (Prof. Dr. A. Muri Yusuf, 2014).

DISCUSSION

Human Trafficking in Indonesia

Cases of human trafficking crimes are indeed very detrimental to the victims, both material and immaterial. Material losses can be calculated based on the cost spent by the victims on medical treatment, accommodation, etc. Meanwhile, immaterial losses are in the form of life pleasure, mental conditions, and lives that cannot be liquefied into money (Dr. Riki Perdana Raya Waruwu, S.H., 2017). In human trafficking cases, immaterial losses are the highly likely potential to occur. The United Nations Office on Drugs and Crime states that there are at least eight impacts that can result from human trafficking (UNODC, 2008), these include :

1. Physical Impacts

In actual practice, cruel exploitative activities accompanied by inadequate living support can lead to violence and or side effects for victims physically that have temporary (such as injuries or minor health problems) to permanent impacts (such as severe health problems, paralysis, and disability).

2. HIV/AIDS

Many cases of human trafficking led to sexual exploitation, such as becoming a prostitute or experiencing unwanted sexual exploitation. This trend does not rule out the possibility of spreading HIV/AIDS within the scope of the victim. The loss will be felt by the victim in the healing process, which takes a lot of time and money for the victim. In previous studies, it has also been found that as many as 22.9 percent of human trafficking victims in South Asia are HIV/AIDS positive, especially there are victims at the early age category.

3. Mental Illness

The constant anxiety, fear, and pain of exploitation in human trafficking also impacts the mental health of the victims. The worst situation is that victims suffer from psychological trauma or PTSD (Post-Traumatic Stress Disorder), anxiety, depression, and other psychological illnesses that are deeply imprinted on victims and interfere with the survival of victims.

4. Child Victims

The vulnerability of child victims is also a cause for concern when it comes to harmful treatment. The age of children can affect their life chances, as physical and sexual abuse and violence can affect permanent behavior in infancy. Neglectful treatment of children can also lead to malnutrition and hunger.

5. Substance Abuse

Human traffickers have a high chance of treating victims as they wish without regard for human rights. The possibility of victims being treated inhumanely can lead to opportunities for victims to be given addictive substances, psychotropic substances, other illegal drugs, and also alcoholic beverages. As a result, victims who receive such treatment can experience side effects from excessive substance abuse, such as organ damage, overdose, malnutrition, and death.

6. Impact on behavior

Prolonged physical and mental abuse also affects the victim's behavior, which impacts physical and emotional responses. As a result of experiencing extreme trauma over an extended period, their capacity to act is reduced. As a result, the victim will find it difficult to socialize, usually characterized by the victim's difficulty in explaining what happened to the authorities.

7. Stigma

The social response to victims, especially those who experience sexual exploitation or psychological health problems, also has an impact on victims of human trafficking. The social environment is supposed to help the victim's healing process, but this will increase the victim's pressure due to the social pressure experienced by the victim.

8. Recovery

Repatriation and social reintegration for victims of human trafficking is a complicated process because it requires a long and complicated period. There is no guarantee of recovery for the victims. The physical and psychological harm caused by the inhumane practice of human trafficking makes it difficult for victims to return to society. This means that it will be difficult for victims to live a normal life again.



Figure 1. Human Trafficking Cases in Indonesia

The trend of increasing cases every year makes human trafficking a serious crime and has an urgency for relevant stakeholders. Post-COVID-19 pandemic a significant increase of human trafficking cases occurred in 2022 and continued to increase in 2023; even in the 2021-2023 period, the cases exceed 100% every year. The pandemic that affected Indonesian citizens whose economy has been affected by layoffs, reduction of employment, and economic pressure during the pandemic, creating a situation where people flock to find opportunities to get out of this pressure.

The situation created by the pandemic increases the vulnerability of the victims which attract human traffickers to operate to recruit potential victims who can be exploited. The task of the relevant stakeholders becomes more demanding and strategic plan is needed to tackle the issues as the challenges faced in overcoming human trafficking crimes require different schemes to investigate and prosecute.

The human traffickers have a variety of ways to lure potential victims and/or force them into the human trafficking practice. Most human trafficking cases started with an offer of working abroad. However, there will be irregularities in the process where the actors of human trafficking take advantage of the government's procedural laxity to avoid detection by misusing travel documents such as passports, visas, and other documents (Arbar, 2023). This document abuse is usually in the form of falsifying SKCK, certain certifications, and visas. This is intended to be able to send victims of human trafficking out of Indonesia's borders with falsified permit approval. In June 2020, findings by Polda Metro Jaya on the act of falsifying seafarer certification proved that human traffickers try to falsify the documents of their victims (Kompas, 2020).

Furthermore, the common *modus operandi* of the traffickers is the non-conformity of the provisions regarding the work practices or contracts offered. The traffickers did not provide a clear work contract to the potential victim, or the contract is only provided in a foreign language that the victim did not understand. Thus, the victim agreed or signed by force or already (Arbar, 2023). The very similar tragedy happened to 1,047 students who were the victims of the Ferienjob Program, where they were offered the internship opportunities in Germany.

The Directorate of Public Crime of the Criminal Investigation Unit of the National Police received a report from the Indonesian Embassy in Berlin concerning four students who participated in the Ferienjob program. The investigators of the Directorate of General Crimes of the Criminal Investigation Unit of the National Police spoke to the local mass media, Detiknews news, that the students were trapped in the human trafficking, lured by promotion by PT. CVGEN and PT. SHB. The victims were later on asked to pay a sum of money for documents such as LoA (Letter of Acceptance) and Working Permit, and charged a bailout of 30-50 million Rupiah with a refund scheme from deducting work wages every month.

Upon arrival in Germany, the victims were forced to agree to a work contract in German, making it difficult for the students to understand the clauses of the contract. However, the student signed the employment contract with the consideration that they were already in Germany, only for later they learned that the contract contains a clause to burden the lodging and transportation costs during their stay in Germany on them (Santoso, 2024).

On another case that occurred in Sambas, West Kalimantan, shows that the phenomenon of human trafficking in Sambas occurs in various forms, such as migrant workers, labor exploitation, and sexual exploitation, which has a main *modus operandi*, one of which is sending non-procedural workers, meaning that migrant workers do not fulfill the procedures of migrant workers as they should so that the practice of unpaid labor exploitation or violent practices can possibly occur (Atem, 2017). The prevalence of human trafficking in Sambas makes them top in the rankings with cases of migrant workers and runaways.

The Sambas case shows a pattern that the perpetrators or intermediaries of human trafficking, mostly, have relationships with the victims which makes it easier for them to gain the victims' trust. That situation is exacerbated by the fact the victims who were working with the status of domestic assistants offered in Sambas did not receive an equal treatment as the workers who work in manufacture and agriculture industries by the official agents which leads to the victims' passport detention, salary deductions, and unmet minimum wages as common things committed by human traffickers to their victims added with more pressure and threats if the victims try to report or escape.

Other than that, the victims of human trafficking are also tied by debt bondage as a bailout for accommodation or documents which entraps the victims to keep working in order to be able to pay off the debt they owe (IOM UN Migration, 2020). The cases in Sambas is a reminder that human trafficking that can occur anywhere and anyone can be the perpetrator of human trafficking, such as relatives,

friends, and neighbors. Job offers or direct approaches to potential victims through social media is the modus operandi of human trafficking.

There is 167 million social media users, or 60% of the population in Indonesia in January 2023 (Widi, 2023). With such a high amount social media user in Indonesia, the perpetrators will put any efforts to entrap the victims into believing the false offers displayed on social media. Indonesia's low literacy rate, with only 0.001% according to UNESCO (Devega, 2017), worsens this situation as the potential victims tend to believe any kind of news they receive through social media, including false information that leads to human trafficking, such as job recruitment advertisements, direct invitations through Instagram, Facebook, Line, Twitter, and WhatsApp platforms, and dating applications via short messages (Salsa, 2021).

The VOA Indonesia reported that as many as 1,138 Indonesian citizens were repatriated by the government from Cambodia. Foreign Minister Retno Marsudi stated, *"for the case in Cambodia, I immediately jumped in and held talks with various authorities in Cambodia. With good cooperation and support from the authorities in Cambodia, Indonesia managed to repatriate 1,138 Indonesian citizens (WNI) victims of human trafficking who were employed in online frauds from Cambodia."* Unfortunately, detailed explanation on how many victims affected by online frauds and entangled in other motives, the government's attention on online frauds eradication has increased proven by Indonesia raising the issue of online scams at the 42nd ASEAN Summit (Wardah, 2023).

The Action of the Indonesian Government in Handling with Human Trafficking

The crime of human trafficking has caused extreme losses for the victims in Indonesia. According to data provided by BP2MI, 55 bodies of Indonesian citizens who were the victims of human trafficking have been repatriated to East Nusa Tenggara since January 2023, and as many as 3,600 Indonesian citizens suffer from disabilities, depression, and memory loss as the impact of human trafficking (MPR-RI, 2023). The Indonesian government take a more significant action in human trafficking eradication in the country, as they recognize the vulnerability of Indonesian citizens to human trafficking due to the habit of migrating to improve living standards, high rate of poverty and unemployment, low level of education, as well as increasing transnational crime networks (Gugus Tugas PP-TPPO, 2019).

The development of human trafficking cases in Indonesia has become alarming. In the 2015-2019 period, according to the performance report of the PP-TPPO Task Force, the Bareskrim recorded that there are 2648 victims of human trafficking, with 297 cases of commercial sex workers, and 222 cases of Indonesian migrant workers dominated by adult female as the respondent. SIMFONI PPA (Online Information System for the Protection of Women and Children) recorded 2,605 cases of human trafficking in Indonesia. Meanwhile, the Ministry of Foreign Affairs recorded the number of human trafficking cases involving Indonesian citizens in the 2016-2020 period consecutively as many as 478 cases (2016), 340 cases (2017), 164 cases (2018), 259 cases (2019), and 383 cases (2020) (MPR-RI, 2023).

According to the Director of Indonesian Citizens Protection, Judha Nugraha, in a press conference at the National Police Headquarters on Tuesday (4/4/2023), the Ministry of Foreign Affairs found that the trend of human trafficking cases rose into 752 cases in 2022 compared to the previous year, 2021, which recorded 361 cases (Akbar, 2023). The increase continued in 2023, with a total of 1,061 reported cases involving 3,363 victims (BARESKRIM POLRI, 2024). The Indonesian government responds to the human trafficking cases through the implementation of Law No. 21 of 2007 on the Eradication of the Human Trafficking in Persons, passed by President Susilo Bambang Yudhoyono, to ensure the application of human trafficking laws to protect the victims is in effect today.

Furthermore, Law Number 7 of 1984 concerning the Ratification of the Convention on the Elimination of all Forms of Discrimination Against Women and Law Number 23 of 2002 concerning Child Protection are also passed into law by the Indonesian govern. The existence of such laws that directly regulate the human trafficking eradication will enhance the law enforcement efforts' effectiveness of to catch the perpetrators of human trafficking and provide a deterrent effect on the perpetrators as they will be subjected to punishment if the event intersects with the sentence of the law which is expressly stated in the law itself (Apeldoorn, 2001).

Article 2 paragraph 1 of Eradication of the Human Trafficking in Persons Law rules that,

“Any person who recruits, transports, shelters, sends, transfers, or receives a person with the threat of violence, use of force, kidnapping, detention, forgery, fraud, abuse of power or vulnerable position, ensnared debts or gives payment or benefits despite obtaining the consent of the person who holds control over another person, for the purpose of exploiting such person in the territory of the Republic of Indonesia, shall be punished with imprisonment a minimum of 3 (three) years and a maximum of 15 (fifteen) years and a fine of at least Rp120,000,000.00 (one hundred and twenty million rupiah) and a maximum of Rp600,000,000.00 (six hundred million rupiah).”

Meanwhile, Article 16 and Article 17 of Eradication of the Human Trafficking in Persons Law state that if the crime of trafficking in persons is committed by an organized group, each perpetrator of the crime of trafficking in persons in the organized group shall be sentenced to the same crime as referred to in Article 2 plus 1/3 (one-third), and if the criminal act as referred to in Article 2, Article 3, and Article 4 is committed against a child, then the criminal threat is increased by 1/3 (one-third).

Besides the effort to strengthen the legal framework, The Indonesian government also actively providing holistic support in the form of rehabilitations for the victims of human trafficking, including health and social rehabilitation, reintegration, and repatriation for trafficking victims through social protection houses and trauma centers. The PP-TPPO Task Force also actively conducts coordination with relevant institutions to ensure effective implementation.

In their 2019 Performance Report, Gugus Tugas PP-TPPO (2019), under the Ministry of Foreign Affairs Framework, provides that the rehabilitation, repatriation, and reintegration efforts for the victims of human trafficking have been progressing into a better outcome, as the Task Force claimed that as many as 1,975 victims have been put under Indonesia's protection within the period of 2015-2019. Several programs to empower the victims of human trafficking are also carried out by the Social Welfare Institution (LKS), assisting as many as 3,710 people in 15 districts/cities.

The Ministry of Social Affairs, on the other hand, has handled 2,541 victims of human trafficking through social rehabilitation in collaboration with the Trauma Center Protection House (RPTC). However, the PP-TPPO Task Force expresses that they still experience some obstacles in running the programs, such as limited number of protections for the victims in the areas of origin, transit, and destination, lack of coordination between central and regional parties, trainings for human resources that are deployed to carry out tasks in the field of social rehabilitation of victims of TPPO have not shown any significant impact, case assistance-related to legal proceedings, lack of victims assistance, and victims identification for officials and/or staff of the Ministry of Foreign Affairs for the repatriation process is hampered due to the condition of the victim, and preventing the recurrence of human trafficking papers on the same case.

The Indonesian Migrant Workers Protection Agency (BP2MI) issued various policies to support the current Government's vision, which are applied to 9 BP2MI priority programs that intend to eradicate syndicates that send illegal Indonesian migrants abroad, which is the main focus of the BP2MI Strategic 2020-2024 in the first year of (Andiani & Juned, 2024). Indonesian government is also actively building collaboration in both regional and global in their effort to eradicate human trafficking. It is proven by Indonesia's participation in the United Nations Convention Against Transnational Organized Crime by signing the Convention on December 15, 2000, in Palermo, Italy (DPR RI, n.d.).

This Convention focuses on the prevention, protection of victims, and prosecution of human traffickers which is later ratified through Law No. 5 of 2009, passed on January 12, 2009, by President Susilo Bambang Yudhoyono. In the regional level, Indonesia strengthens its stance in combating human trafficking by initiating the formation of ACTIP (ASEAN Convention Against Trafficking in Person), held in Kuala Lumpur, Malaysia, on November 21, 2015. The agreement is later ratified through Law Number 12 of 2017, passed by President Joko Widodo.

ACTIP aims to establish a strong relationship among ASEAN countries in handling human trafficking crimes. Furthermore, Indonesia also reaffirms its stance on human trafficking eradication by being active in the Bali Process, an international inter-regional forum covering Europe, Asia, the Americas and Africa that was established in 2002 to discuss immigration issues related to transnational crimes such as people smuggling and human trafficking (IOM, n.d.). The last conference of the Bali Process was held on February 10, 2023, in Adelaide, Australia, which has eight focus areas, namely law enforcement, stakeholder engagement, information sharing and public information campaigns,

irregular migration and related transnational crimes, border management, victim protection and migration management, return, and reintegration, and finally coordination and support (The Bali Process, n.d.).

Role Of ASEANAPOL

In practice, every case of human trafficking will be followed up directly by each country concerned. This leaves ASEANAPOL with an indirect role in combating human trafficking case in the region. Meanwhile, human trafficking that occurs in Indonesia do not only happen within ASEAN territory, but Southeast Asia land also possesses the potential to become the transit points for human trafficking practices, according to the performance report of the PP-TPPO Task Force. Subsequently, the report found a pattern of human trafficking routes that include Malaysia and Singapore as the transit countries for the victims to be transferred to the Middle East (Gugus Tugas PP-TPPO, 2019).

Based on that report, the existence of ASEANAPOL as an organization that discusses the issue of transnational crimes, including human trafficking, is important in assisting Indonesia to formulate strategies in dealing with human trafficking cases that occur within the Indonesian jurisdiction. In addition, the relationship between the police institutions of each ASEANAPOL member country is also the main reason that ASEANAPOL is a strategic international organization for Indonesia.

ASEANAPOL's regional cooperation in combating human trafficking has continually increased, as many measures are taken to eradicate human trafficking in Southeast Asia. The trend of human trafficking continues to recede every year. Thus, the main focus of ASEANAPOL's mission is to produce more effective regional cooperation, especially in combating transnational crimes in Southeast Asia. ASEANAPOL itself has the following functions:

1. Prepare and implement joint work plans agreed at the ASEANAPOL Conference through Joint Communiques.
2. Facilitate and coordinate cooperation in the exchange of cross-border intelligence information.
3. Facilitate and coordinate joint operations and other activities, including criminal investigations, building and maintaining databases, training, and capacity building through some technical support.
4. Provide support and assistance in the organization of the ASEANAPOL Conference.
5. Prepare proposals and annual reports of activities for the ASEANAPOL executive committee.

(Pinatih et al., 2023)

From the functions mentioned above, ASEANAPOL seeks to play a significant role in combating transnational crime in the Southeast Asian region by continuing to facilitate and coordinate problems that arise. The role of ASAENAPOL can be seen from the activities or efforts to overcome the issues faced. Following the idea of international organizations, which are the result of efforts to bring order to relations and build cross-border ties between countries where organizations are able to

express their desire to play a role in carrying out their functions so that the role to be played by the international organization will affect the functions carried out (Archer, 2001). Based on the functions of ASEANAPOL listed in the Joint Communiqué, the author concludes that ASEANAPOL has a role in facilitating information exchange, meetings, and other criminal technical support. By adopting the theory of the role of international organizations put forward by Archer, it can be said that ASEANAPOL can be categorized into three roles, which include ASEANAPOL as an arena, instrument, and actor in dealing with human trafficking practices that occur.

Role as an Arena

Archer argues that the role as an arena of International Organizations can be seen in activities such as providing meetings for members to discuss, argue, and cooperate to discuss a problem faced and create a decision in solving the problem (Archer, 2001). Furthermore, in its role as an arena, ASEANAPOL has the main task of facilitating and coordinating the cooperation in the cross-border information exchange, especially related to international crime issues. The annual conference organized by ASEANAPOL, called ASEANAPOL Conferences, is a form of implementation of this main task.

In the conference, ASEANAPOL facilitates the ASEAN member countries in discussing transnational crime issues. The ASEANAPOL Conferences are held alternately among member states as a forum to facilitate the exchange of information related to transnational crimes, including human trafficking. In order to meet the expectations in combating transnational organized crime, ASEANAPOL also invites observers from police agencies of other countries outside of ASEAN and other institutions, which are expected to expand knowledge related to transnational organized crime intelligence information.

The results or resolutions of the conference will later be formed into a Joint Communiqué, which will be adopted by the member states. The ASEANAPOL's joint communiqué has been adopted by the member states, which includes the issue of human trafficking as one of the main topics in the ASEANAPOL Conference led to the 29th ASEANAPOL Conference in Hanoi, Vietnam, in 2009, where the Terms of Reference for the Establishment of the ASEANAPOL Secretariat was approved, and Kuala Lumpur was appointed as the permanent seat of the Secretariat. The ratification of the *ToR* resulted in a resolution where human trafficking became one of the critical issues discussed in point 8.4 on human trafficking.

In a related development, in 2021, ASEANAPOL held a *Virtual Dialogue on the Issues of Tackling Trafficking in Persons* meeting with the Vietnam Police as the chair of ASEANAPOL at the time. During the dialog, each member country shared their recent human trafficking cases as an analysis of the modus operandi of human trafficking during the pandemic (ASEANAPOL, 2021). This Virtual Dialogue was carried out in preparation for ASEANAPOL to face human trafficking cases post

COVID-19 Pandemic, which discussed cases that occurred to fight syndicates of human trafficking crimes in the Southeast Asia region.

The results of the joint draft resolution are the basis for the formulation of discussions for the 40th ASEANAPOL Conference. The meeting was also intended to follow up on the implementation of the phase 1 concept note on training in countering human trafficking and also the implementation of the Joint Committee of the 39th ASEANAPOL Conference in Vietnam based on the ASEANAPOL Joint Communiqué to foster good and intensive cooperation between member and observer countries (NCB-Jakarta, 2021). Along with this meeting, the interviewee explained that ASEANAPOL carried out this activity in response to existing emergencies because different priorities depend on the trend of cases that occur every year. So, the virtual dialogue in 2021 was carried out in response to the urgency.

Between the two meetings, there are capacity-building programs for the law enforcement officials to develop their capacity in handling or preventing transnational crime cases (Dasopang & Juned, 2023) in the form of e-ADS or seminars on handling transnational organized crime cases across borders between countries, especially in ASEAN. In facilitating e-ADS, ASEANAPOL Database System Technical Committee meeting was held, and at the 38th meeting held in Vientiane, Laos, on February 13-14, 2024, the status of the system and the possibility of upgrading the e-ADS 2.0 system were discussed (Anas, 2024).

Previously, on September 13, 2017, ASEANAPOL launched the new development of the e-ADS 2.0 system during the 37th ASEANAPOL Conference in Singapore, which will facilitate better connectivity and information exchange among ASEAN Member States. The database system upgraded to e-ADS 2.0 includes several new features, such as an announcement portal, an electronic library to display multimedia content, a discussion forum, and an event calendar as a way forward in accelerating connectivity between security forces for better sharing of practical information and statistical information (Parameswara, 2017). Furthermore, the conference also recognized the need to leverage technology and creativity in policing, which aligns with the conference theme, "Powered by Innovation: Strengthened by Partnerships."

The development of e-ADS 2.0 has also had a positive impact on the information exchange process; Lieutenant General Chhay Kimkhoeun mentioned this at the 37th ASEANAPOL Database System Technical Committee (ADSTC) meeting in Phnom Penh, Cambodia, who commended the launch of e-ADS 2.0 in reflecting the advanced technological advancements of ASEAN Police. Towards that goal, all delegates were conceptualized to formulate workable principles in establishing the most relevant mechanism for mutual benefit in addition to gathering ideas in developing a Term of Reference (*ToR*) for the future Electronic ASEANAPOL Database System (e-ADS) (Anas, 2023).

Brigadier Zahara Ulfah, a staff of the International Organization Subdivision, POLRI's Divhubinter, explained that e-ADS has the same server as I 24/7 to provide a secure network. POLRI can utilize the modules available from e-ADS in its use to follow up on human trafficking cases as the

system has been integrated with INTERPOL's I-24/7 network, which certainly makes it easier for ASEAN member state police to access INTERPOL's "Notice" data that can be related to human trafficking cases.

Police Chief of Criminal Investigation, Commissioner General Ari Dono Sukmanto, in a written statement on Thursday, September 14, 2017, emphasized that the e-ADS system is one of the solutions to exchange information in facing the challenges of transnational crime. Thus, the creativity of law enforcement officials is needed to tackle the perpetrators (Salim, 2017). Brigadier Zahara also explained the use of e-ADS, which is considered quite effective in combating human trafficking considering how safety the data requests and data input into e-ADS.

Moreover, a capacity-building program for member-state investigators is also constructed by ASEANAPOL. Brigadier Zahara informed that ASEANAPOL has two annual meeting programs, *first*, the ASEANAPOL Training Cooperation Meeting (ATCM), just held in Laos on June 19-22, 2024, discussed the training planning needed by all member countries in 2024-2025. Indonesia proposed several issues, including drugs, fraudulent travel documents, and TPPO or human trafficking, and with the other ASEAN member countries and the ASEANAPOL secretariat, Indonesia formulated one training session to tackle human trafficking cases. The follow-up of this decision will be implemented in the JASPOC (Joint ASEAN Senior Police Officer Course) meeting, which will be held in Laos later.

Second, the interviewee explained that ASEANAPOL cooperates with capacity-building academies such as JCLEC (Jakarta Center for Law Enforcement Cooperation) in Semarang, which is supported by AFP (Australian Federal Police) and the Indonesian government. In the ASEANAPOL Bulletin 12th Edition, a Stakeholders Coordination Meeting (SCM)-JCLEC is conducted annually, and on 9 June 2022, the ASEANAPOL Secretariat was also invited and attended the JCLEC-SCM held in Semarang, Indonesia, to discuss the JCLEC program for 2023 (ASEANAPOL, 2023).

The meeting focused on Southeast Asian program priorities that may have linkages with JCLEC in 2023 and also identified perceived or confirmed opportunities for multilateral cooperation with other stakeholders in 2023. The ASEANAPOL Secretariat proposed that JCLEC acknowledge the possibility of providing capacity building or training with specific participants from ASEANAPOL Member States (AMCs).

Role as an Instrument

Archer defines the role of being an instrument as the use of the organization, where members will use it to achieve their interests. (Archer, 2001). It is common in Archer's view that this role is often misused for personal or national interests. If liberalism perspective is used, it can be understood that organization as an instrument can also be an effort made by a country to increase the urgency of the problems faced by each member country. An example is the issue of human rights, which struggled to develop due to colonialism, colonization, and social status until the end of World War II.

The post-war stability, fortunately, has fostered the international community's attention in highlighting human rights issues that have experienced essential development until today. The development of these issues also periodically attracts the attention of countries that will struggle in using organizations as their instruments to highlight human rights issues. The human trafficking faced by Indonesia, with ASEANAPOL's assistance, also includes the continuation of fighting for the promotion and protection of human rights as stated in the 1st and 4th paragraphs of the Preamble of the 1945 Constitution. Therefore, the increasing trend of human trafficking nationally encourages Indonesia to utilize ASEANAPOL as an instrument in answering the problems faced by the government to eradicate the practice of human trafficking.

Although it seems as if Indonesia is concerned with its national interests in fighting human trafficking practices, the human trafficking eradication is also supported by the other ASEAN member countries as they also experience the same problem in dealing with human trafficking cases beyond the considerable number of cases that occur. ASEANAPOL's role can be categorized as an instrument by Indonesia, considering that a forum can be built to discuss the practice of human trafficking, and the output is in the ASEANAPOL Joint communique related to commitments in handling human trafficking.

On the other side, handling human trafficking cases requires a series of joint cooperation of international community. The Director General of General Legal Administration, Ministry of Law and Human Rights, Cahyo R. Muzhar, stated in a public lecture at Dwijendra University Bali, that Mutual Legal Assistance (MLA) and Extradition are important components for ASEAN countries to be used in the investigation or prosecution of transnational crimes (Humas Administrasi Hukum Umum Kemenkumham, 2024). It is also intended as an instrument amid legal differences between ASEAN countries that need to be bridged to enhance regional cooperation. In the issue of *extradition* and *Mutual Legal Assistance*, ASEANAPOL has a role as an instrument proposed by Archer to create a situation for the exchange of information and ease of extradition and MLA requests. Police-to-police relationships established due to the formation of close relationships among ASEANAPOL member countries can be used as an instrument by the Indonesian government. Therefore, extradition and Mutual Legal Assistance requests are facilitated due to the police-to-police relationship. The interviewee added that coordination requests can be made easier because ASEANAPOL member states have established close relationships. The relationship is established by ASEANAPOL meetings, influencing the police-to-police network and making it easier for POLRI to approach when assistance is needed.

Role as an Actor

Archer argues that international organizations can be independent actors in dealing with problems (Archer, 2001). The point of this statement is that the neutrality created in the concept of International Organizations is important for ASEANAPOL to mediate a problem where the external parties are unable to have influence in it. This role is crucial in the sustainability of international

organizations, because the concept of international organizations itself is for the common good. If the organization's neutrality cannot be guaranteed, then the organization's sustainability will be hampered due to bias toward one party.

While ASEANAPOL has designed a scheme for the organization's sustainability to become an independent actor, the ASEANAPOL Conference held annually is one of the concepts in creating neutrality. The creation of the Joint Committee as one of the products of the conference was based on the conclusions of the discussions that take place. There is also a signing by member states with the intention of ensuring that each party has agreed on what is written on the Joint Communique. ASEANAPOL conferences are also held in turn in each member state so that each member state has the opportunity to prepare for and lead the continuity of the conference.

On the other hand, the rotation is also adapted to select the chairperson of ASEANAPOL, which can be led by any Chief of Police of a member country or a designated party and/or related to the issues discussed by ASEANAPOL. The agreement shows that ASEANAPOL wants to try to create a neutral environment in the organization's continuity so that the decisions or policies produced will not harm one party or member state in its implementation.

CONCLUSION

The poor trend of human trafficking cases in Indonesia over the past 3 years has prompted the Indonesian government to put extra efforts to reduce the human trafficking cases that occur internationally. The presence of the ASEAN Association of Police (ASEANAPOL) as an organization of police unions of ASEAN member states has played a very important role in addressing the challenges of human trafficking in Indonesia. ASEANAPOL has provided an important platform for exchanging intelligence information, training law enforcement officers, coordinating cross-border operations and facilitating meetings between member states. This not only strengthens Indonesia's capacity to deal with cross-border crimes such as human trafficking but also expands the network of cooperation essential to countering complex human trafficking networks.

It can be concluded that ASEANAPOL, as a regional police forum in Southeast Asia, has a significant role in efforts to tackle human trafficking. By adopting the theory of the role of international organizations proposed by Clive Archer, ASEANAPOL acts as an instrument, arena, and actor. In the role as an instrument, Indonesia and ASEANAPOL include the continuation of fighting for human rights. Furthermore, in its role as an arena, ASEANAPOL has the main task of facilitating and coordinating cooperation in the exchange of cross-border intelligence information, especially related to international crime issues.

Through the annual conference and other meetings facilitated by ASEANAPOL, member states can discuss transnational crime issues, especially human trafficking. In the case of human trafficking in Indonesia, ASEANAPOL has created an arena or provided a platform for dealing with human trafficking. At the same time, ASEANAPOL itself has designed a scheme for the organization's sustainability so that it can become an independent actor. The scheme of changing hosts and structural

leadership in ASEANAPOL illustrates the effort to make the country an independent actor. The rotating hosts and structural leadership scheme in ASEANAPOL illustrate the effort to give member states equal opportunity and highlight the organization's neutrality in its functions.

However, when viewed from these three roles, ASEANAPOL dominates in the role as an arena as its main task is merely to facilitate meetings among ASEAN member states in discussing the issue of transnational crimes, especially human trafficking. It is proven that ASEANAPOL often facilitates meetings such as the ASEANAPOL Conference, ATCM, JCLEC-SCM, Virtual Dialogue, and ASEANAPOL Database System Technical Committee Meeting.

Regular meetings, such as the ASEANAPOL Annual Conference, provide an opportunity for member states to exchange information, share the best practices, and develop joint policies. In the context of human trafficking, cross-border coordination facilitated by ASEANAPOL is crucial; Brigadier Zahara also mentioned the ASEANAPOL Workplan always to discuss the trend of transnational crime, especially human trafficking, which has increased after the COVID-19 pandemic. Through this mechanism, the secure and efficient exchange of intelligence information can support joint operations and coordinated law enforcement. ASEANAPOL also plays a role in developing joint policies that include operational guidelines, standard procedures, and law enforcement protocols.

The challenge of ASEANAPOL is the communication among institutions dealing with human trafficking, as countries in Southeast Asia have different systems and organizational structures in handling crime issues. Nevertheless, with strong cooperation and continued collaboration in eradicating human trafficking, can be a high potential for the sustainability and effectiveness of ASEANAPOL as an organization that is responsible as a forum for information exchange.

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