

## HUMAN TRAFFICKING CHILD COMMERCIAL SEX WORKERS AS VICTIMS SEXUAL EXPLOITATION

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### ABSTRACT

This study discusses the factors that underlie a child becoming a victim of human trafficking who are sexually exploited and made Pekerja Seks Komersial (PSK). In Indonesia, cases of children and women who are victims of exploitation continue to increase in number, both in scale and intensity, in the practice of prostitution in Indonesia it is used as a profession that is widely carried out by many people secretly or illegally, such as the phenomenon of prostitution in Indonesia which is now developing in society. In this study, researchers used the theory of victimization, victimization can be interpreted as a process of becoming a victim experienced by someone. This process can occur in various forms, and can also be caused by various factors. Factors that influence children to enter this world of exploitation are due to the inability of the family and family dysfunction that causes children to drop out of school and do not have the skills to work. In addition, the possibility of children receiving wrong treatment, which makes them uncomfortable at home, as a result they feel distant and children choose to hang out with peers who are very risky, meet boyfriends who become protectors who introduce them to sexual activities, and also job offers that earn a lot of money.

**Keywords:** human trafficking, children, sexual exploitation, victimization

### INTRODUCTION

According to the report on the situation of children and women (UNICEF, 2000), between 40 and 70,000 children under the age of 18 have been sexually exploited. Meanwhile, according to the Center for Data and CNSP Center information in 2000, around 75,106 locations of commercial sex workers were disguised or "registered". Meanwhile, according to M. Farid's estimate (2000) 30% of brothel residents in Indonesia are women under the age of 18 or equivalent to 200 to 300,000 children. According to reports, there are 6,750 commercial sex workers in Malaysia. 62.7% of the total CSWs come from Indonesia, around 4,200 people, 40% of whom are children aged 14-17 years. In addition, the problem of prostitution is one of the social problems that exist in community life which with the development of the times continues to develop following the current era.

The phenomenon of prostitution is not a new thing in community life, from ancient times to the present, the habit of prostitution has always existed and so far prostitution has developed from time to time. Prostitution from time to time is considered a serious social problem, which can have a negative impact on society (Sirait, 2008). Prostitution according to Dennis Winn's view that from the perspective of criminology, customs, and religion, from there gave birth to the idea of prostitution as a social phenomenon. Prostitution can cause sexually transmitted diseases (syphilis, HIV / AIDS), broken households, and even tend to lead to violence. Prostitution is an activity with predetermined rules, namely the exchange of money for sex. Therefore according to AS Alam: Prostitution is contrary to the sociological definition of crime ( Sociological Definition of Crime), because prostitution is classified as a criminal act that violates and goes against the norms of social life, because it is not only subject to prohibited legal and religious norms, but also contradicts the morals (norms) in the conscience of every human being (Utami, Asphianto, & Ridwan, 2020).

Every day prostitution in Indonesia can increase. This is in line with the large demand for sexual services by users of prostitution services. The so-called users are parties involved in prostitution, which means they do not follow existing legal regulations. Meanwhile, the Indonesian government is not firm in prohibiting prostitution. Prostitution can involve many groups such as pimps, brokers, commercial sex workers and service users who are mostly men. However, law enforcement officers usually do not pay attention to this, making it difficult to resolve the problem of prostitution. In fact, the more users of prostitution services will be in line with the level of prostitution activity in society (Utami, Asphianto, & Ridwan, 2020). According to the Republic of Indonesia Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, it is stated that a child is someone who has not reached the age of 18 (eighteen) years, including children who are still in the womb.

Children actually have rights and needs that they should have. From the problems above, we can also see that the neglected rights of children are the rights to education, play, protection, health and the desire to have their opinions heard. However, due to cases of child exploitation, they have not been given their rights, especially in the obligation to occupy school seats or get an education, get achievements and avoid all kinds of violence and extortion. Sexual exploitation of children is defined as the inducement or coercion of a child to engage in unlawful activity, the exploitative use of a child in prostitution or other unlawful sexual practices and the exploitative use of a child in pornographic performances and materials. This form of exploitation includes a child performing a sexual acts for payment (a promise) of something of value (money, goods, shelter, food, drugs, etc.). While child prostitution refers to the use of children in sexual activities for payment or other forms of compensation. Child prostitution includes offering, obtaining, getting or providing a child for child prostitution. This sexual exploitation of children can be included in the act of child trafficking. According to the Republic of Indonesia Law Number 21 of 2007 concerning the Crime of Human Trafficking as explained in article 1 paragraph 1 explains the meaning of human trafficking is recruitment, transportation, shelter with threats of violence, use of violence, kidnapping, detention, forgery, fraud, abuse to obtain the consent of the person who controls control over the other person, regardless of whether it is done within the country or between countries for the purpose of exploitation or causing people to be exploited. While in article 1 paragraph 2 explains what is the crime of human trafficking, namely any action or series of actions that meet the elements of a crime as determined in law number 21 of 2007 concerning the crime of human trafficking.

Human Trafficking (TPPO) is a modern form of human slavery and is one of the worst forms of human dignity violations. Therefore, Human Trafficking is categorized as one of the major crimes against humanity. TPPO occurs when there are 3 ways, namely the first process, usually the first thing done is the recruitment and placement of workers in certain ways that result in someone being exploited. In most cases, the victim recruitment process will usually involve a process of moving from their place of origin with the promise of better work and life later. The second way is the way that is done so that the victim will follow the perpetrator, usually done with threats of violence, debt traps, confinement, document forgery, and retention of original documents. And the last is the goal, where later the victim will be sexually exploited, exploited for labor, organ trafficking, pornography, pedophilia, illegal adoption, made a street child, and drug trafficking. In these three elements, if it is done to a child, the method element will not be taken into consideration later (Kementerian PPPA, 2016).

Currently, the rapidly developing TPPO mode is no longer about offers to work abroad, but also deception so that victims are willing to become contract brides, accept jobs in the entertainment and service industries, and even the lure of better education such as student exchanges between countries. In the context of modern business, TPPO can also be found in the production supply chain, from processing raw materials to finished products. Factors that cause vulnerability in Indonesia include poverty, unemployment, gender inequality, and loopholes for easy document falsification. As stated by Andy Ardian (Program Manager of ECPAT Indonesia) on suara.com, namely According to him, most cases of child sexual exploitation (ESA) in Indonesia still use the old methods used by the perpetrators, for example, the method of recruiting children who will become victims remains the same. One example is the recruitment of victims with sweet promises of getting money and fame as a model, in addition to the mode of being promised work in big cities and debt traps still continuing to occur (Sulaiman, 2020).

The main impact of TPPO is the loss experienced by the victim not only in the form of health problems, physical disabilities, HIV infection, sexually transmitted infections, death, but also mental disorders and severe trauma. Both of these impacts have the potential to cause social diseases that can affect various aspects of national and state life. The victims of this crime are also diverse, the victims are not only adult women, but also men and children and teenagers. The above shows how organized and large this crime is. As we see now that from year to year, cases of TPPO have increased sharply. As if, the case trafficking in Indonesia is likened to an iceberg, because the actual number is believed to be much larger than the actual or existing one. So it can be said that TPPO is close, around us but often invisible.

## METHOD

Data collection techniques in writing this research use several data collection methods to deepen the research including: a) Secondary data, by collecting data, which is used to support primary data and the results of interviews conducted. And analyzing from several data sources from: Journals, Books, Online Articles and Regulations; b) Primary Data, which is done by observation and interviews with three different sources. The first source is Wulan (pseudonym), aged 13 years, who at the time of the interview was a child victim of the Crime of Human Trafficking (TPPO) at Balai Rehabilitasi Sosial Anak Membutuhkan Perlindungan Khusus (BRSAMPK) Handayani, Ministry of Social Affairs. Then Febri (pseudonym), aged 15 years, who at the time of the interview was a child victim of the

Crime of Human Trafficking (TPPO) at the Social Rehabilitation Center for Children Needing Special Protection (BRSAMPK) Handayani, Ministry of Social Affairs. Then the last one is Stefani (pseudonym), aged 16 years, who at the time of the interview was a child victim of the Crime of Human Trafficking (TPPO) at the Handayani Social Rehabilitation Center for Children Needing Special Protection (BRSAMPK) of the Ministry of Social Affairs;

**RESULT AND DISCUSSION**



Figure 1. Case Data Trafficking and Exploitation  
Source: [www.kpai.com](http://www.kpai.com)

On the KPAI page, there is an infographic from 2011 – 2020 (until August 30, 2020) which shows case trafficking and exploitation every year. It can be seen that the cases that increased were in 2017 and decreased in 2020 (Maradewa, 2020).

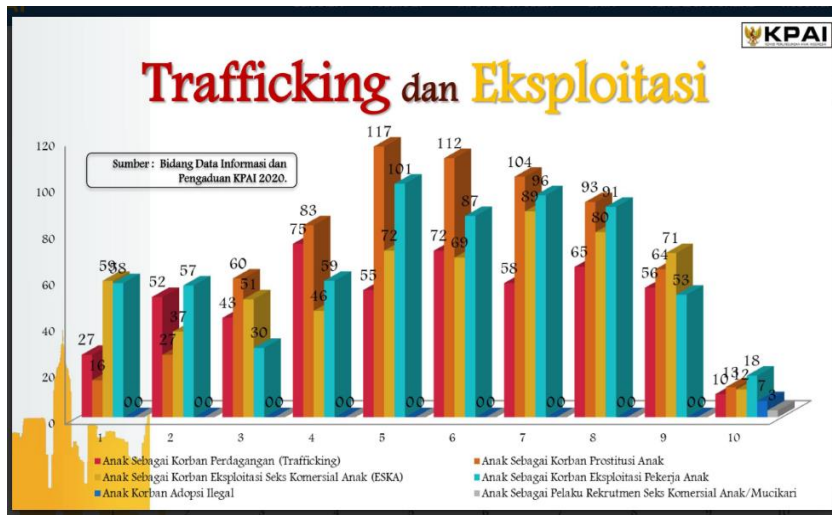


Figure 2. Data Trafficking and Exploitation  
Source: [www.kpai.com](http://www.kpai.com)

From what is seen in the chart, cases of children who are victims of commercial sexual exploitation of children (PSK) increased in 2014 and decreased in 2020. And cases of children as victims of child prostitution increased in 2015 and decreased in 2020 (Maradewa, 2020). From the results press release KPAI findings on the protection of child victims of exploitation and child labor in January - April 2021. The results of KPAI's findings in monitoring child protection in 2020 regarding child victims of Human Trafficking (TPPO) and exploitation obtained cases of up to 149 cases with details of child victims of trafficking as many as 28 cases, child victims of prostitution as many as 29 cases, child victims of PSK (Commercial Sexual Exploitation of Children) as many as 23 cases, child victims of child labor as

many as 54 cases, child victims of illegal adoption as many as 11 cases and children becoming pimps (involved as perpetrators) as many as 4 cases. Then for cases that occurred in January - April 2021, cases of TPPO & Exploitation did not appear to have decreased, because of the 35 cases monitored by KPAI, 83% were prostitution cases, 11% economic exploitation and 6% child trafficking (in infants). From the cases found, the number of victims was 234 children (KPAI; KPAI).

In this case, it can be seen that in the period January – April, there were:

- a. Profile of child victims, where the age of child victims of prostitution is stated to be at least 12 to 17 years old at 98%.
- b. Children's education, the percentage of victims' status who are included in exploitation and child labor is 67% of them are recorded as students who are still actively attending school and 33% of them have dropped out of school.
- c. The medium used, looking at current issues, the medium for children becoming victims of sexual exploitation is explained as 60% using social media and 40% are conventionally brought in, invited and recruited physically. In their actions, the perpetrators (pimps) place advertisements for children, offer intimate relationship services with prices, including manipulating age, and invitations of a nature open booking (the term online prostitution) is entirely facilitated and interacted using electronic transactions and social media software. This effectively facilitates the recruitment process to execution carried out by networks targeting minors.
- d. What are the most frequently used online media. The perpetrators used the Michat application 41%, Whatsapp 21%, Facebook 17%, unknown 17% and a hotel booked virtually called Reddoorz 4%.
- e. Location of the Incident. The presentation of the most frequently used location of the incident is currently in hotels as much as 41%, 23% of apartments are still used as prostitution areas, then boarding houses occupy 18% and in guesthouses 18%. Furthermore, the emergence of hotels that virtually provide hotel businesses but are often used for prostitution activities, even used as shelters and prostitution of children.
- f.

Case of human trafficking which targets children for sexual exploitation to become a commercial sex worker occurs due to lack of control from the family and more to a child who has dropped out of school and has no provisions to continue into the world of work, so that when the child has socialized with the wider community he cannot distinguish between what is good and what is not good for himself. As explained in the journal Alit Kurniasari, entitled Analysis of Risk Factors Among Children Who Are Victims of Sexual Exploitation in the City of Surabaya, mentions the background of children becoming victims of sexual exploitation, including:

"Because of family poverty and family dysfunction. This may result in children dropping out of school and not having the skills to work. In addition, the child may receive mistreatment, which makes him uncomfortable at home, as a result he feels distant and the child chooses to hang out with a very risky peer group, meeting a boyfriend becomes a protector who introduces him to sexual activity. The anxiety of being left by a boyfriend and the demands of daily needs encourage children to get job offers in night entertainment areas which end up becoming a sex service provider." (Kurniasari, 2016).

As explained above, it turns out that the factor itself occurs from within or internally to the average victim, as in the interview conducted by the author with the following sources:

"I haven't been to school since 3rd grade, sis."

"So far, I've only been helping my mother. If I have to go out to work, I'll help her. If not, I'll just stay at home."

"Because my mom and dad are no longer here, I'm looking for work on my own. Because my aunt doesn't want to take care of me anymore, so I'm looking for work on my own, sis."

Furthermore, regarding the victimization that occurs to women and children as victims. it cannot do an action, does not want to be a victim or can say that it did not expect to be a victim. As for the attitude and behavior as well as the situation and conditions, among others, because women and children are often considered physically weak after being tricked either because they are retarded, have mental or spiritual stigma or are physically disabled, those who are called enemies because of a sense of revenge, show off too much using their jewelry or belongings, finally actions that harm women as victims appear, it can also happen because women as victims are in vulnerable areas or because they are considered not to dare to fight back to become adequate retaliation as a result of this weakness is often exploited arbitrarily by the perpetrator who feels he is more powerful, more powerful than the victim. For example, what happened to the source, namely because of trust in his girlfriend and also to people he had just met through social media. Because he was in the lowest position (in this case the age of the child) he finally followed what the pimp ordered at that time.

Then the typology of victimology classified by Mendelsohn (Mendelsohn, 1976), in this case the victim is included in the first typology, namely The Completely innocent victim where the victim is completely innocent and is also

considered an ideal victim and also does not realize when he/ she becomes a victim. In this classification, it is very appropriate to include child victims of sexual exploitation cases, because the child is innocent at first and he/she also does not know what is good for him/herself and what is not good for him/herself. In the association between men and women, there is also often a similarity in the occurrence of forced sexual correlation by one party as a result of which the crime of rape occurs, either committed by the perpetrator individually or collectively. This happens because the victim, namely the woman, allows for misinterpretation by the perpetrator regarding the victim's behavior and attitude in the association which causes the crime of rape to occur. Likewise, concerning prostitutes, whether they are included in heterosexual or homosexual groups, they become parties who provide services that invite users to come to them and use them for the sexual satisfaction of users for payment. However, in reality, the invitation often also provides opportunities for crimes against him/her such as extortion, abuse, theft and fraud (Purwani, 2008).

## CONCLUSION

Human trafficking which causes children to be sexually exploited and become commercial sex workers (PSK) that often occurs in Indonesia is caused by children still not being able to distinguish between what is good and what is not good, therefore children can fall into it. The factors that often occur are because of the inability of the family and family dysfunction that causes children to drop out of school and not have the skills to work. In addition, the possibility The child receives wrong treatment, which makes him uncomfortable at home, as a result he feels distant and the child chooses to hang out with peers who are very risky, meets a boyfriend who becomes a protector who introduces him to sexual activity, and also offers a job that makes a lot of money. Based on the theory of victimization, a person can be harmed by several factors including gender in this case is a woman and also in the age of the child explains the process of becoming a victim that is explored by someone. From this theory, it can explain how the victim's position ends when he enters something that is actually unwanted. In the typology defined by Mendelsohn, it is included in the typethe completely innocent victimnamely, the victim is completely innocent and is considered the ideal victim, which tends to happen to children and they are also not aware when they become victims.

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