

Juridical Analysis of Judges' Considerations in Denying the Rights of Restitution to Victims of Human Trafficking Crimes (Study Decision No. 359 / Pid.Sus / 2020 / PN Cbi)

Nancy Natalia Dharmawan, Aris Prio Agus Santoso, Aryono
S1 Hukum, Fakultas Hukum dan Bisnis, Universitas Duta Bangsa Surakarta

Article Info

Article history:

Received : 28 May 2024

Published : 31 May 2024

Keywords:

Restitution, Crime of Human

Trafficking, Judge's Consideration

Abstract

The implementation of providing restitution is not easy for the court to grant. assist in fulfilling the rights of restitution to victims because prosecutors in carrying out loans have difficulty presenting evidence of expenditure to determine the size of compensation. Settlement case No. 359 /Pid.Sus/2020/PN Cbi is one of the cases where the panel of judges rejected the request for restitution requested by public submission. This research aims to determine the legal provisions governing restitution as a right for victims of human trafficking crimes in Indonesia, analyze the considerations of judges who deny the right to restitution for victims of TIP and enforce the judge's decision that refuses to grant the right to restitution for victims of TIP in the case of Decision No. 359 / Pid.Sus / 2020 / PN Cbi. This research is included in normative juridical research with data obtained from literature studies or library research. The results of this research are that the legal provisions governing restitution as a right of victims of criminal acts of human trafficking in Indonesia are regulated in Article 48 of Law 21/2017 which basically regulates a series of mechanisms for implementing provisions for providing restitution for criminal acts of human trafficking. The panel of judges was correct in providing a legal opinion in rejecting the request for restitution. This causes general lending to not follow the terms, procedures and procedures for requests for restitution, and the panel of judges cannot decide on its own general order regarding the amount of restitution without being based on the provisions regarding restitution which are considered correct and in accordance with applicable regulations so that the panel of judges must request restitution. what is being requested is not in accordance with the applicable law and the impedance of a judge's sentence who refuses to grant a TIP victim the right to restitution. The victim will suffer either physical injury or physical or mental deterioration due to the absence of compensation given to him as a victim of the criminal act of trafficking in persons.

This is an open access article under the [Lisensi Creative Commons Atribusi-BerbagiSerupa 4.0 Internasional](#)



Corresponding Author:

Nancy Natalia Dharmawan

S1 Hukum, Fakultas Hukum dan Bisnis, Universitas Duta Bangsa Surakarta

Email: natnath2312.nn@gmail.com

1. INTRODUCTION

Poverty is synonymous with a weak economic condition in society, making it easy for someone to fall into economic problems. Crime cases in society are increasing, making it possible for people to look for shortcuts to meet their urgent life needs. In such circumstances, a person will be easily persuaded to commit crimes, and among the crimes that many people commit is carrying out human trafficking or even themselves becoming the object of human trafficking. Trafficking phenomenon[1]. Several views also suggest that the crime of human trafficking is a complex problem, in the sense that this case is not only a domestic concern, but human trafficking has also become a universal issue involving other countries.[2]. Apart from

that, another view states that the crime of human trafficking is increasingly complex because it is an extraordinary crime that crosses countries and uses increasingly varied methods, and has even spread to various sectors.[3].

Quoted from data on TPPO handling by Bareskrim and Polda ranks in 2023 (TPPO data as of 31 December 2023), the number of criminal cases of human trafficking in Indonesia is 3,363 cases.[4]. This figure is worrying because it is an indication of the proliferation of practices human trafficking in Indonesia. One of the government's efforts to suppress the practice of human trafficking includes implementing Law Number 21 of 2007 concerning the Eradication of the Criminal Act of Human Trafficking in order to anticipate and arrest all types of actions in the process, method, or all forms of exploitation that may occur in the practice of human trafficking. Law No. 21 of 2007 strictly prohibits all forms of human trafficking, even the punishment for perpetrators who are proven guilty is a minimum prison sentence of 3 to 15 years plus a fine of 120 million to 600 million rupiah, if the victim dies the threat of the sentence increases to life. plus a fine of 200 million to 5 billion rupiah. These penalties are quite severe and comparable to those imposed for other serious crimes[5]. In Law no. 21 of 2007 also guarantees the confidentiality of the identity of TIP victims up to the second degree, solely as a form of the state's seriousness in guaranteeing the victims' rights.

Restitution is the right of victims of criminal acts of human trafficking which is guaranteed in Law no. 21 of 2007. So, TIP victims are not only given protection in the form of punishment and punishment of the perpetrator, but the state also guarantees material compensation suffered by the victim in the form of providing restitution to TIP victims. Even though Law no. 21 of 2007 provides various forms of legal protection for TIP victims, especially restitution, but restitution itself in many cases and studies is seen as not fulfilling a sense of justice for the victim.

The difficulty in fulfilling the right of restitution to the victims is because prosecutors, when carrying out prosecutions, have many difficulties presenting witnesses, requests for restitution must be supported by evidence of expenditure and expert witnesses to determine the size of the compensation. And also if the suspect does not pay and chooses additional imprisonment, the additional imprisonment as a substitute for restitution is very light, namely a maximum of one year in prison.[5]. Government Regulation Number 43 of 2017 (hereinafter referred to as PP No. 43 of 2017) regarding restitution for child victims of TIP does not explain how to resolve it if restitution is not paid, so that the law enforcement process does not run as it should. Judges always do not consider the losses experienced by victims as a result of which restitution is never provided through litigation (court). Apart from that, the restitution regulations do not explain in detail the mechanism for applying for restitution for TIP victims[6]. The provisions regarding the difficulty of fulfilling restitution mentioned above create a gap or deviation between *das sollen* and *das sein*, where the law wants to provide restitution as compensation for material losses to victims but its implementation is very difficult to grant. Of course, this is very detrimental to victims of TIP, where they should have the right to receive compensation for all physical, psychological and material suffering, but due to the lack of clarity in the law, the fulfillment of their right to restitution is very unclear.

In this research, the empirical case that the author examines is the case of decision No. 359 /Pid.Sus/2020/PN Cbi, where in the judge's decision, the judge did not grant the request for restitution to a TIP victim, namely in the case of decision No. 359 /Pid.Sus /2020/PN Cbi. The public prosecutor in one of the points of his demands is "...and the payment of restitution to the victim Irma Yanda in the amount of Rp. 22,300,000,- (twenty two million three hundred

thousand rupiah) Subsidaair 3 months imprisonment", but the judge in his legal considerations refused to determine restitution in case No. 359/ Pid.Sus/2020/PN Cbi until his decision was not granted. the request for restitution. Based on the description of the empirical phenomenon of criminal acts of human trafficking in Indonesia, the fact that there is *das sollen* and *das sein* between the right to restitution of TIP victims in Law No. 21/2007 and its implementation in case No. 359/ Pid.Sus/2020/PN Cbi, the author is interested in discussing it. in more detail with the urgency to find out the legal certainty of guarantees for granting the right to restitution to victims of TIP, in this thesis with the title "Judicial Analysis of Judges' Legal Considerations in Rejecting the Right to Restitution for Victims of the Crime of Human Trafficking. Study of Decision No. 359 / Pid.Sus / 2020 / PN Cbi ”.

The aim of this research is to find out the legal provisions governing restitution as a right of victims of criminal acts of human trafficking in Indonesia, to find out the analysis of the judge's considerations in denying the right to restitution for TIP victims in the case of Decision No. 359 / Pid.Sus / 2020 / PN Cbi. and to find out the implications of the judge's decision refusing to grant the victim the right to restitution for TIP victims in the case of Decision No. 359 / Pid.Sus / 2020 / PN Cbi. Several previous studies that also discussed similar issues were research conducted by Sariyulis (thesis) with the research title "Fulfillment of the Rights of Restitution for Rape Victims (Study Decision Number 16/JN/2021/MS.Jth and 1/JN/2022/MS .Jth[7], research conducted by Tekila Pramita Amboina(thesis)with the research title "Implementation of the Fulfillment of the Rights of Restitution for Victims of Crimes of Sexual Violence as a Form of Victim Protection". Lampung University, 2024[8], and research conducted by Farikhatul Afifah (thesis) with the research title "Restitution for Victims of the Crime of Human Trafficking" University of 17 August 1945 Surabaya, 2022[6].

2. RESEARCH METHOD

This research is normative juridical, namely research carried out by examining library materials or secondary data. The approaches used are the statutory approach and the case approach. The statutory approach is carried out by reviewing all laws and regulations related to the legal issue being handled.[9]. The case approach in this research is the case of decision No. 359/Pid.Sus/2020/PN Cbi. The specifications of this research are analytical descriptive, while it provides arguments from the research results obtained or also to provide an assessment regarding whether it is right or wrong or what should be done from a legal perspective regarding the results of the research obtained.[10].

Legal materials are obtained from literature studies or library research. Collecting data on legal materials using library techniques is carried out by collecting and analyzing related legislation, namely the Criminal Law Book, Law Number 21 of 2007 concerning the Crime of Human Trafficking, Law Number 31 of 2014 concerning the Protection of Witnesses and Victims, Regulations Government Number 7 of 2018 concerning Providing Compensation, Restitution and Assistance to Witnesses and Victims, and Decision No. 359 / Pid.Sus / 2020 / PN Cbi. The collection of legal materials was also carried out on books that were in line with the problem under study, namely the book with the title "Trafficking in Persons, Prevention, Handling and Protection of Victims" by Sali Susiana et al, as well as the book with the title "Reconstruction of Criminal Restitution and Substitutive Imprisonment in Trafficking Crimes People” By Dr. Ika Dewi Sartika Saimima. Data search is carried out by carrying out a series of activities such as reading, viewing and searching related literature. Then make a review of library materials related to the problem being studied. Analysis of legal materials uses

qualitative juridical analysis, namely the data obtained is described and connected to the problem being studied, then explained in detail and clearly. By separating and selecting the data obtained based on its quality, from very relevant data to data that is additional data, from general to specific.

3. RESEARCH RESULTS AND DISCUSSION

3.1. Legal Provisions Regulating Restitution as a Right of Victims of Human Trafficking Crimes in Indonesia

There are several other regulations outside Law Number 21 of 2007 concerning Eradication of the Crime of Human Trafficking which discusses restitution provisions including:

1. Law Number 39 of 1999 concerning Human Rights

Human Rights (HAM) related to the criminal act of trafficking in persons, relate to the human rights of every human being, especially in the protection of victims. Victims of criminal acts of human trafficking should be protected as stated in the Human Rights Law Number 39 of 1999 Article 1, Article 4 and Article 20.

2. Law Number 35 of 2014 concerning Child Protection

Children have human rights that must be protected by the state, so children have the right to receive legal protection for all activities that lead to the growth and development of the child. Both children and women are two legal subjects who are very vulnerable to exploitation and even criminal acts of human trafficking are committed against them, because generally women and children are individuals who are seen as weak in society.

3. Law Number 31 of 2014 concerning Amendments to Law Number 13 of 2006 concerning Protection of Witnesses and Victims

Provisions regarding the protection of victims of criminal acts of human trafficking in Indonesia are implemented based on Law Number 31 of 2014 concerning Protection of Witnesses and Victims, unless otherwise stipulated in Law Number 21 of 2007 concerning Eradication of Criminal Acts of Human Trafficking (hereinafter referred to as the PTPPO Law) in accordance with Article 43. The law regulates victim protection as an important aspect in law enforcement, which is intended to provide basic protection to victims. Apart from that, this law pays attention to the suffering of victims as a result of criminal acts of human trafficking, as compensation and restitution for victims, also regulates medical and social rehabilitation, repatriation and reintegration which must be carried out by the state, especially for victims who experience physical, psychological and social suffering. as a result of criminal acts of human trafficking [11].

4. Government Regulation Number 9 of 2008 concerning Procedures and Mechanisms for Integrated Services for Witnesses and/victims of Human Trafficking Crimes

In PP No 9/2008 it was formulated and ratified with the aim of implementing the provisions contained in Article 46 paragraph (2) of the TPPO Law. Integrated services aim "to implement the protection and fulfillment of the rights of witnesses and/or victims of criminal acts of human trafficking" [12]. PP No. 9/2008 regulates integrated services for witnesses and victims, where witnesses and victims have the right to receive health rehabilitation, social rehabilitation, repatriation, social reintegration and legal assistance for witnesses and/or victims of criminal acts of human trafficking organized by the government and regional governments.

Regarding restitution as a right of victims of human trafficking in Law no. 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking, the presence of Law No. 21/2007 is expected to prevent and guarantee law enforcement against various forms of criminal acts of human trafficking more effectively, because in Law No. 21/2007 a series of provisions have been regulated such as the threat of punishment, as well as provisions for legal protection obtained by TIP victims. There are several rights of victims the criminal act of trafficking in persons as regulated in Law No. 21 of 2007, namely the right to confidentiality of the identity of victims of criminal acts of trafficking in persons and their families to the second degree (Article 44), the right to confidentiality of the identities of victims of criminal acts of trafficking in persons and their families to the second degree (Article 44), the right to receive restitution (Article 48), the right to obtain health rehabilitation, social rehabilitation, repatriation and social reintegration from the government (Article 51), the right to obtain health rehabilitation, social rehabilitation, repatriation and social reintegration from the government (Article 51), Counseling services and Medical Services/Assistance[13].

3.2. Analysis of the Judge's Considerations Who Denied the Right to Restitution for TIP Victims in Decision Case No. 359 / Pid.Sus / 2020 / PN Cbi

One of the points in the public prosecutor's petition is the payment of restitution to the victim Irma Yanda amounting to Rp. 22,300,000, Air Subsidy 3 months imprisonment. However, the panel of judges refused to grant the request for restitution for the victim of the crime of human trafficking. Basically, restitution is the right of victims of criminal acts of human trafficking in addition to other rights such as the right to obtain and choose forms of protection for personal security, family, property and threats; the right to obtain a translator, information regarding the progress of the case, information regarding court decisions, information in the event that the convict is released, a new identity, temporary residence, financing reimbursement for transportation costs, legal advice, assistance with temporary living costs, assistance, requesting confidentiality of his identity and freedom from questions which ensnares, the right to compensation which includes compensation, restitution and rehabilitation; as well as procedures for applying for and executing compensation for victims of criminal acts and victims of serious human rights crimes[14]. Article 48 paragraph (2) of the TIP Law indicates that the law specifically pays attention to the right to restitution as compensation for loss of wealth or income, suffering, costs for medical and/or psychological treatment, and/or other losses suffered by the victim as a result. as a result of human trafficking.

Restitution as an effort to fulfill victims' rights can be interpreted as compensation for losses to victims due to the suffering they have experienced. The definition of restitution adopted in all related regulations, both the TPPO Law, the PP on Providing Restitution, Compensation and Assistance to Witnesses and Victims, and the PSK Law have the same legal politics and philosophical basis, namely civil compensation, arising from requests for losses. suffered by the victim or a form of community/state responsibility, therefore restitution arises from a court decision[15]. So, the granting of restitution is purely based on the court's decision, whether it is granted or not, or whether the nominal value is granted by the judge.

In the case of decision Number 359 / Pid.Sus / 2020 / PN Cbi, the panel of judges rejected the request for restitution submitted by the public prosecutor based on the

consideration that the Public Prosecutor at the time of trial could not show and prove the calculation of restitution to the victim amounting to IDR 22,300,000, 00 which was formulated by the victims' companions to help formulate the values of material and immaterial losses during their time as victims of TIP, because during the trial the Public Prosecutor could only present the victim witness Irma Yanda, while the other victims' witnesses and the victims' companions were not presented by The Public Prosecutor, and in the trial itself, witness Irma Yanda also stated that they were not aware of any restitution. Based on these considerations, the Panel of Judges considered that in this case the calculation of restitution would not be considered and determined in the decision in case Number 359/Pid.Sus/2020/PN Cbi.

In analyzing the judge's considerations above, we must pay attention to the provisions for requests for restitution in positive law in Indonesia, as a definite reference in obtaining the right to restitution. Apart from being regulated in the TIP Law, the procedure for applying for restitution for victims of criminal acts of human trafficking, in implementation also refers to the PP on Providing Restitution, Compensation and Assistance. Based on Article 48 paragraph (1) of the TPPO Law, victims or their heirs can apply for restitution from the time the case is reported, namely starting from the investigation stage involving LPSK as supervisor. Applications can be submitted by victims or families; proof of costs incurred during care and/or treatment; and a statement from the National Police[14].

If a request for restitution is submitted based on a court decision that has permanent legal force, the LPSK submits the request along with the Decision Letter and considerations to the competent court for examination within 7 (seven) days. Then, the court issued a decision to grant restitution to LPSK. The copy was then handed over to the victim[15]. After the court's decision or final decision, the defendant will be given a deadline of 30 days to pay the restitution, and if within the 14 day period the defendant is unable to pay the restitution, then his property will be auctioned off to pay the restitution which is the victim's rights, and if they are still unable to pay restitution, the perpetrator must undergo a substitute sentence in the form of imprisonment for a maximum of one year.

Based on the description above, it can be understood that the public prosecutor in requesting restitution to the victim amounting to IDR 22,300,000.00 did not meet the criteria as outlined above. The public prosecutor did not attach documents that are conditions for restitution, nor did he attach proof of costs incurred during care and/or treatment and a certificate from the National Police and did not involve LPSK as the authorized institution in issuing a Decree containing a decision to grant or reject restitution along with the considerations. The public prosecutor should accompany the victim of the crime of human trafficking to collect all the evidence needed for the purpose of granting the victim compensation. Because restitution must be seen as an integral part of the public prosecutor's demands, proof of the victim's losses must also be seen as part of the proof of the crime of human trafficking as a whole.

Because the public prosecutor cannot present evidence to show the judge how much suffering the victim has experienced, as a result, the panel of judges cannot decide on the public prosecutor's own wishes regarding the amount of restitution without being based on the calculation provisions regarding restitution which are considered correct and in accordance with the rules. applicable. In article 48 of Law no. 21 of 2007 explains that the form of compensation called restitution is in the form of money, so it can be understood that the purpose of restitution is to meet claims for loss of wealth or income, suffering of

victims, costs for medical and/or psychological treatment and/or other losses suffered. victims as a result of human trafficking, in the case of this decision, the public prosecutor did not attach various documents that could be used as a reference in proving the existence of physical, material, immaterial and other suffering suffered by victims of criminal acts of human trafficking. The author agrees with the judge's consideration which contains a description of the reasons for rejecting the request for restitution for victims of TIP, namely because the public prosecutor did not attach various documents needed to determine the calculation of the amount of restitution, because basically the judge is bound by existing procedural law, including in terms of rules and examinations regarding the determination to grant it. or rejection of restitution in the decision.

3.3. Implications of the Judge's Decision Who Refuses to Grant Restitution Rights to TPPO Victims Case Decision No. 359 / Pid.Sus / 2020 / PN Cbi Against Victims

Indonesia as a legal state seeks to provide legal protection to all its citizens by providing protection for human rights. This form of protection of human rights is carried out by providing protection for the interests of every human being. When someone experiences a violation of the law, the state is obliged to implement and enforce the law in order to provide a sense of justice for the victim. Legal protection for all citizens is a universal concept, it can be ensured that each country has its own way of realizing legal protection for its citizens[16].

Victims of criminal acts of human trafficking certainly hope that with the promulgation of the PTPPO Law no. 21 of 2007 can provide justice for them in asserting their rights. Victims of human trafficking have their rights protected in accordance with Articles 43 to 47. In addition, the PTPPO Law contains elements and a system of legal protection for victims by providing compensation, restitution, repatriation and rehabilitation for victims.[16] Failure to grant the public prosecutor's request for restitution amounting to IDR 22,300,000.00 will have legal impacts, namely the mandate in Law No. 21 of 2007 concerning Criminal Trafficking in Persons regarding the victim's right to restitution, namely Article 48 paragraph (1) of the TIP Law which reads "Every victim of a crime human trafficking or their heirs have the right to receive restitution" becomes unrealized, even though restitution functions as recovery for losses suffered as a result of cases of human trafficking. By not providing restitution to the victim, the victim cannot accommodate the victim's rights for the losses they have suffered.

In Decision Case No. 359 / Pid.Sus / 2020 / PN Cbi, the public prosecutor did not follow the Government Regulation of the Republic of Indonesia Number 7 of 2018 concerning Providing Compensation, Restitution and Assistance to Witnesses and Victims which contains a description of the procedures and procedures for requesting restitution for victim. Because the provisions and procedures for requesting restitution are not fulfilled, the rights of victims of criminal acts of human trafficking to obtain restitution guaranteed in the constitution, the PSK Law and the TIP Law will not be fulfilled.

In fact, with the promulgation of Law No. 21 of 2007 concerning Criminal Trafficking in Persons, Republic of Indonesia Government Regulation Number 7 of 2018 concerning Provision of Compensation, Restitution and Assistance, Law No. 31 of 2014 concerning Protection of Witnesses and Victims and Jampidum Letter Number 371/E/EJP/11/2012 dated 28 November 2012 concerning Restitution in Human Trafficking Crime Cases which states that:

"....reminded the Public Prosecutors (JPU) who handle cases of the Crime of Trafficking in Persons where the victim has not submitted a request for restitution at the Investigation stage: (i) For the Public Prosecutor to notify the victim of their right to request restitution in the form of compensation for: (a) Loss of wealth or income; (b) Suffering; (c) Costs for medical treatment; (d) Other losses suffered by the victim as a result of human trafficking; (ii) In the criminal complaint, the Public Prosecutor shall simultaneously state the amount of loss suffered by the victim as a result of human trafficking."

The public prosecutor should be guided by studying the elements of the legal protection system, especially the mechanism for providing restitution, so that all victims of criminal acts of human trafficking can be guaranteed their rights to obtain the victim's restitution rights through proactive actions that side with the victim. In the case above, government officials and enforcement officials, including public prosecutors, must receive outreach and training regarding human trafficking and its handling.[17], so that all victims of criminal acts of human trafficking can be guaranteed their rights to obtain restitution. The legal consequence of not fulfilling the right of restitution for victims of criminal acts of human trafficking is that the victims will increasingly suffer either serious physical injuries or physical or mental deterioration as a result of the criminal acts of human trafficking they suffer. Losses to victims are basically caused by the public prosecutor's incompetence in calculating immaterial compensation, such as: loss of income, suffering while being a victim, costs paid, namely medical and psychological, as well as other immaterial losses, presenting testimony from experts, psychologists or accompanying witnesses, family, clergy, close friends, or women's and children's service unit officers, as well as a lack of understanding of how to include restitution in the minutes of examination or prosecution and public prosecutors focus more on proving the suspect's criminal actions and never sought proof of the losses suffered by the victim, so that the panel of judges, who were basically passive in the trial, could not grant the request for restitution with a flawed application procedure.

4. CONCLUSION

- 1) The legal provisions governing restitution as a right of victims of criminal acts of human trafficking in Indonesia are regulated in Article 48 of Law no. 21 of 2007 concerning the Eradication of the Crime of Human Trafficking, which basically regulates a series of mechanisms for implementing provisions for providing restitution for criminal acts of human trafficking.
- 2) Analysis of the judge's considerations in rejecting the right to restitution for TIP victims in the case of Decision No. 359 / Pid.Sus / 2020 / PN Cbi in positive law, namely that the panel of judges was correct in the view of the law in rejecting the request for restitution. This is because the public prosecutor does not follow the terms, procedures and procedures for requests for restitution, and the panel of judges cannot decide on the public prosecutor's own wishes regarding the amount of restitution without being based on the calculation provisions regarding restitution which are considered correct and in accordance with applicable regulations, so the panel of judges must reject the request. the requested restitution does not comply with the applicable law.

- 3) The implication of the judge's decision refusing to grant the right to restitution to victims of TIP Case Decision No. 359 / Pid.Sus / 2020 / PN Cbi on victims is that it has an impact in the form of non-fulfillment of the provisions of Law No. 21 of 2007 concerning Criminal Trafficking in Persons regarding the victim's right to restitution, in addition The victims will suffer either serious physical injuries or physical or mental deterioration due to the absence of compensation given to them as victims of the crime of human trafficking.

5. ACKNOWLEDGEMENT

The author would like to thank God Almighty for the blessings of free time and health so that this journal can be completed well. As well as to the supervisors who have guided the author to complete this journal and all friends who have contributed to helping the author, whom the author cannot mention one by one.

6. BIBLIOGRAPHY

- [1] Y. P. Ginting, "Tindak Pidana Pencucian Uang Hasil Dari Korupsi Yang Mendapat Pengampunan Pajak," *J. Litigasi*, Vol. 2, No. 1, pp. 266–285, 2020.
- [2] S. Rachmad, *Dagang Manusia; Kajian Trafficking terhadap Perempuan dan Anak di Jawa Timur*. Yogyakarta: Lappera Puataka Utama, 2003.
- [3] M. L. SUGIYANTO, "Pemenuhan Hak Restitusi Korban Tindak Pidana Perdagangan Orang," 2022.
- [4] "Data TPPO Tahun 2023," *Kepolisian Negara Republik Indonesia*, 2023. <https://katalog.data.go.id/dataset/data-tpo-th-2023>.
- [5] A. Hasanudin, "Penerapan Ketentuan Restitusi Kasus Tppo Dalam Sistem Peradilan Pidana," *Nestor Tanjungpura J. Law*, vol. Vol. 11, no. 2, 2015.
- [6] F. Afifah, "Restitusi Terhadap Korban Tindak Pidana Perdagangan Orang," 2022.
- [7] Sariyulis, "Pemenuhan Hak Restitusi Terhadap Korban Jarimah Perencanaan Studi Putusan Nomor 16/JN/2021/MS.Jth dan 1/JN/2022/MS.Jth)," 2023.
- [8] T. P. Amboina, "Pelaksanaan Pemenuhan Hak Restitusi Terhadap Korban Tindak Pidana Kekerasan Seksual Sebagai Bentuk Perlindungan Korban," 2024.
- [9] P. M. Marzuki, *Penelitian Hukum*. Jakarta: Kencana, 2005.
- [10] M. F. ND and Y. Achmad, *Dualisme Penelitian Hukum Normatif dan Penelitian Hukum Empiris*. Yogyakarta: Pustaka Pelajar, 2010.
- [11] A. Zuliah, *Hak Restitusi Terhadap Korban Tindak Pidana Perdagangan Orang*. Bandung: Refika Aditama, 2005.
- [12] M. D. Manullang, "Analisis Penjatuhan Putusan Bebas (Vrijspraak) Dalam Tindak Pidana Perdagangan Orang Bidang Ketenagakerjaan Oleh Hakim Pengadilan Negeri Semarang (Studi Putusan Nomor 49/Pid.Sus/2018/Pn.Smg)," 2020.
- [13] R. Setiawan, "Perlindungan Hukum Terhadap Korban Tindak Pidana Perdagangan Anak," 2009.
- [14] S. Permatasari, "Mekanisme Pemenuhan Restitusi Oleh Pelaku Tindak Pidana yang Mengakomodir Kepentingan Korban Tindak Pidana Perdagangan Orang Sebagai Bagian Integral dari Sistem Peradilan Pidana Indonesia," *Padjadjaran Law Rev.*, vol. Vol. 6, pp. 74–88, 2018.
- [15] A. Wibowo, *Adhi Wibowo, Perlindungan Hukum Korban Amuk Massa (Sebuah Tinjauan Viktimologi)*. Yogyakarta: Thafa Media, 2013.

- [16] I. D. S. Saimima, *Rekonstruksi Pidana Restitusi dan Pidana Kurungan Pengganti dalam Tindak Pidana Perdagangan Orang*. Yogyakarta: PENERBIT DEEPUBLISH (Grup Penerbitan CV BUDI UTAMA), 2012.
- [17] S. Susiana, D. Wahyuni, D. Martiany, F. Alawiyah, and A. M. Fahham, *Perdagangan Orang: Pencegahan, Penanganan, dan Pelindungan Korban*. Yogyakarta: Azza Grafika, Anggota IKAPI DIY, 2012.
- [18] Rina Arum Prastyanti, "Urgensi Pengaturan Artificial Intelligence Untuk Mendukung Bisnis UMKM." *Rio Law Jurnal*, Vol. 5, No. 1, 2024.
- [19] Nugrahaningsih, Widi, and Novemy Triyandari Nugroho. "Analisis Yuridis Pemanfaatan Aset Kripto untuk Kepentingan Investasi dan Transaksi di Indonesia." *Sosial Simbiosis: Jurnal Integrasi Ilmu Sosial dan Politik*, Vol. 1, No. 2, 2024.