



Modus Operandi and Countermeasures Against Human Trafficking: A Criminal Policy Perspective

Subaidah Ratna Juita^{1, a)}, Muhammad Iftar Aryaputra^{1, b)}, Ani Triwati^{1, c)}, Aziyazah Qurrotu A'yun Sultonu Mas'ad^{1, d)}, and Agung Santoso Pribadi^{2, e)}

¹Faculty of Law, Universitas Semarang, Semarang, Indonesia

²Faculty of Psychology, Universitas Semarang, Semarang, Indonesia

^{a)} Corresponding author: ratna.juita@usm.ac.id

^{b)} iftar.aryaputra@usma.c.id

^{c)} ani.triwati@usm.ac.id

^{d)} aziyazahqr@gmail.com

^{e)} agung84@usm.ac.id

Abstract. Human trafficking is a form of organized crime that violates human dignity and poses a serious threat to both national and international security. This study aims to analyze the modus operandi and countermeasures against human trafficking from the perspective of criminal policy in Indonesia. The research employs a normative juridical approach by examining relevant legislation, legal doctrines, and law enforcement practices. The findings indicate that the modus operandi of human trafficking has become increasingly complex, involving transnational networks and utilizing digital technology for recruitment, transportation, and exploitation of victims. Common forms of modus operandi include fictitious labor recruitment, sham marriages, sexual exploitation, and organ trafficking. From the perspective of criminal policy, countermeasures are implemented through three main strategies: (1) penal policy, which emphasizes law enforcement through investigation, prosecution, and sentencing- (2) non-penal policy, which focuses on prevention, victim protection, and raising public awareness- and (3) integrative policy, which promotes cross-sectoral cooperation at both national and international levels. Effective law enforcement against human trafficking requires strengthening regulations, enhancing the capacity of law enforcement officers, and empowering vulnerable communities economically, so that the root causes of human trafficking can be systematically minimized in a sustainable and socially just manner.

Keyword: Criminal Polic.; Modus Operandi, and Human Trafficking.

1 Introduction

Human trafficking is a form of transnational crime that continues to evolve in line with social, economic, and technological dynamics. This crime not only threatens human safety and dignity, but also deeply damages the social order by treating humans as economic commodities. Its covert and organized nature makes this crime difficult to detect, requiring a comprehensive strategy from a criminal policy perspective. In a global context, human trafficking has become an illegal industry that generates huge profits for criminal networks. The high demand for cheap labor and sexual exploitation are the main factors driving the continuation of this crime. This situation shows that human trafficking has complex roots and is closely related to structures of injustice, both at the global and domestic levels. Therefore, analyzing the modus operandi of the perpetrators is urgently needed to understand how this crime is carried out systematically [1].

Indonesia itself faces a complex situation as it is a source, transit, and destination country for human trafficking. This situation reflects socio-economic vulnerabilities that can be exploited by perpetrators, such as poverty, low levels of education, and high unemployment rates. Perpetrators often exploit the community's lack of understanding of the risks of exploitation by disguising their intentions through promises of employment, marriage, or educational

opportunities outside the region or abroad. The modus operandi used by perpetrators continues to diversify in line with developments in technology and social media. Whereas in the past, victims were recruited directly through local intermediaries, digital platforms and communication applications are now effective tools for human trafficking networks to recruit potential victims. Perpetrators can hide their identities, disguise their locations, and control victims in a more systematic manner [2].

Rapid technological developments not only provide opportunities for perpetrators, but also challenge law enforcement agencies in taking action. On the one hand, digital devices can assist in evidence collection, tracking, and investigation. However, on the other hand, the use of encryption and closed communication patterns makes most networks difficult to uncover [3]. This shows the need to increase technological capacity in the implementation of criminal policies. From a regulatory perspective, Indonesia already has a comprehensive legal framework, particularly with the enactment of Law No. 21 of 2007 on the Eradication of Criminal Acts of Trafficking in Persons. However, the effectiveness of regulations is not only determined by their existence, but also by their implementation, the awareness of officials, and inter-agency coordination [4]. Good regulations become ineffective if their implementation is inconsistent or unable to keep up with developments in criminal methods.

Research on the modus operandi of human trafficking is important to uncover the stages carried out by perpetrators, from recruitment, transportation, and shelter to the exploitation of victims. Understanding these stages is the basis for developing more precise criminal policies. An evidence-based approach is needed so that law enforcement strategies are not only reactive but also preventive [5]. Although various studies have been conducted, research on modus operandi at the local level still shows shortcomings. The socio-cultural characteristics of each region greatly influence the way perpetrators operate and manipulate potential victims. Therefore, analysis that considers the local context is important so that the criminal policies formulated are not generalized.

In criminology studies, human trafficking is referred to as a hidden crime. Many victims are reluctant to report it due to fear, threats, or economic dependence. The low number of reports means that official figures do not reflect the actual situation. In this context, criminal policy must be able to create a reporting mechanism that is safe and empowers victims. The lack of access to information and knowledge about the risks of human trafficking is a factor that increases the vulnerability of the community [6]. Perpetrators often disguise their intentions of exploitation with scenarios that appear convincing. This condition highlights the importance of education and public campaigns as part of prevention efforts.

In addition to economic and educational factors, gender discrimination and the marginalization of vulnerable groups also reinforce human trafficking practices. Women and children are the groups most susceptible to exploitation in various forms, ranging from forced labor to sexual exploitation. Responsive criminal policies must take these social dimensions into account in order to address human trafficking comprehensively. Law enforcement against human trafficking faces complex evidentiary issues. Many cases depend on the testimony of traumatized victims, which can slow down or even halt legal proceedings. Limited evidence and a lack of psychological support for victims often hinder the judicial process [7]. This highlights the need for a victim-centered approach in criminal policy.

Another challenge is coordination between agencies handling human trafficking cases. Handling must involve the police, prosecutors, relevant ministries, local governments, and social institutions. Unfortunately, suboptimal coordination can hamper the process of handling victims and prosecuting perpetrators. Criminal policy needs to be designed to strengthen this pattern of coordination systematically. Efforts to combat human trafficking also require strong preventive and rehabilitative strategies. Prevention must be carried out by reducing risk factors, such as increasing economic opportunities, strengthening digital literacy, and providing better access to information. Meanwhile, victim rehabilitation must include physical and psychological recovery, legal assistance, and social reintegration.

Within the framework of criminal policy, human trafficking cannot be viewed solely as an illegal act, but also as a social phenomenon rooted in structural inequality. Therefore, countermeasures must be integrated with broader social policies, including improving welfare and access to education. The cross-border nature of this crime makes international cooperation an essential part of combating human trafficking. Without synergy between countries, law enforcement will be hampered by jurisdictional limitations. Criminal policy must be directed towards strengthening cooperation mechanisms such as mutual legal assistance, intelligence sharing, and joint operations.

The adaptation of modus operandi by perpetrators shows that human trafficking networks will always look for new loopholes to operate. From the use of false identities, illegal labor agents, to sophisticated digital technology, crime patterns are becoming increasingly varied. This situation requires criminal policy to be continuously updated and adapted to the existing dynamics. Research on human trafficking is of high urgency to strengthen the state's capacity to combat this crime. By analyzing modus operandi and law enforcement challenges, this research provides an empirical basis for the formulation of more effective and responsive criminal policies.

This study also contributes to policymakers in identifying weaknesses in current regulations and law enforcement practices. Thus, the recommendations produced can be used as a reference in strengthening the protection system for victims and improving the effectiveness of action against perpetrators. Ultimately, human trafficking is a crime that requires not only action by law enforcement agencies, but also moral and social commitment from all elements of society. Strict, progressive, and humane criminal policies are the foundation for creating a stronger protection system. Therefore, an in-depth analysis of the modus operandi and efforts to combat it are very important first steps in strengthening criminal policy in Indonesia.

2 Method

The research method in this study was designed to obtain an in-depth picture of the working patterns of human traffickers and the countermeasures implemented through criminal policy. This study uses a qualitative approach with a descriptive-analytical orientation because the nature of the phenomenon being studied emphasizes understanding the processes, patterns, and social contexts that underlie the occurrence of crime [8]. The qualitative approach was chosen to comprehensively explore data on modus operandi, forms of exploitation, and handling dynamics that cannot be adequately explained through a quantitative approach.

In the data collection process, this study relies on complementary primary and secondary data [9]. Primary data was obtained through in-depth interviews with key informants who have competence and direct involvement in handling human trafficking, such as police investigators, prosecutors, officers from the Women and Children Protection Unit, officers from non-governmental organizations that handle victims, and academics who focus on criminal and human rights studies. The interviews were conducted in a semi-structured manner so that the researchers still had a set of guiding questions, but still allowed informants the space to freely explain their experiences and perspectives. Informants were selected purposively, based on their relevance and knowledge of the issues being studied.

In addition, this study also utilizes documentary analysis covering legislation, court decisions, annual reports from the TPPO Task Force, reports from international institutions, official government news, and related scientific publications. These documents are used to obtain factual data on modus operandi trends, case statistics, countermeasures, and evaluations of existing regulatory implementation. This documentary data served as the basis for comparing practices in the field with the policies formulated in official documents.

Non-participatory observation is also conducted to understand the dynamics of the work of institutions involved in handling human trafficking cases. Researchers observe the flow of report handling, coordination mechanisms, and the process of assisting victims. Observations are conducted without intervention so as not to interfere with the work processes of institutions and to allow researchers to see the reality of the handling process as it is.

The data analysis technique used in this study is thematic analysis, which is the process of identifying patterns, categories, and important themes that emerge from interviews, documentation, and observations [10]. The analysis begins with data reduction through the process of selecting, simplifying, and organizing relevant information. After that, the data is categorized into broad themes related to modus operandi, causal factors, obstacles to law enforcement, and the effectiveness of criminal policies in combating human trafficking. These themes are then analyzed comprehensively to produce a complete understanding of the phenomenon under study.

Data validity is maintained through source triangulation techniques, namely by comparing information obtained from interviews, official documents, and observation results [11]. With this technique, the collected data can be tested for consistency and verified for accuracy so that the research findings have a high level of reliability. Triangulation allows researchers to avoid bias from a single source and ensure that each interpretation is supported by sufficient evidence.

The research process was conducted in stages, starting with an initial literature review, identification of the research focus, field data collection, and analysis and formulation of results. The entire process was carried out with consideration of research ethics, especially since the issue of human trafficking involves vulnerable victims. Therefore, interviews with survivors were conducted carefully while upholding the principles of confidentiality, informed consent, and psychological protection. Not all interviews with victims were conducted directly; most of the information was obtained through victim advocates who understood the boundaries of safety and comfort for survivors.

The conceptual framework used in this study is based on the concepts of criminal policy, modern criminology, and a human rights-based approach to law enforcement. This framework helps researchers map the links between the perpetrators' modus operandi, the risk factors that make victims easy to recruit, and the state's response through

criminal law policies. Thus, this study not only describes the facts on the ground but also interprets the findings within a relevant theoretical framework.

This research was conducted over a specific period of time, covering the pre-research process, data collection, and final analysis. The research location was in an area with a high prevalence of human trafficking cases or where there were active institutions handling such cases. The location was chosen to facilitate access to data and to obtain a realistic picture of how cases were handled. With this research design, it is hoped that the findings will provide an in-depth picture of how perpetrators carry out human trafficking crimes and how the state responds to these challenges through criminal policy. The results of this study can then be used as material for consideration to improve regulations, enhance inter-agency coordination, and strengthen protection for victims.

3 Result and Discussion

The results of the study show that the modus operandi of human trafficking in Indonesia continues to evolve over time. Perpetrators no longer rely on traditional face-to-face recruitment patterns, but utilize digital technology as a more effective means of finding victims. Social media and instant messaging applications are the most frequently used platforms because they provide easy access, anonymity, and wide reach. The first finding shows that perpetrators begin their actions by building trust through intensive online communication. Perpetrators usually pose as employers, travel agents, or even potential partners [12]. This approach is used to reduce the victims' vigilance, especially young women and teenagers who are the most vulnerable groups. This strategy has proven successful because victims are unaware of the potential danger during the communication process.

The study also found that the promise of high-paying jobs is the main attraction used by perpetrators to recruit victims. Victims are promised jobs in the informal sector, such as domestic workers, restaurant workers, dancers, or casual jobs with large rewards [13]. These promises are often wrapped in fictional success stories that reinforce the victims' belief. In many cases, victims are not given clear information about the work location, the identity of the employer, or the employment contract. In addition to promises of employment, another modus operandi that has been identified is persuasion through personal relationships. Perpetrators position themselves as romantic partners who offer a new life outside the region or abroad. Several cases show that perpetrators exploit emotional relationships to make victims willing to follow the perpetrator's wishes voluntarily [14]. These pseudo-relationships are one of the most difficult modus operandi to identify because victims feel that they are in a legitimate relationship.

Further research shows that the transportation of victims is carried out through both official and unofficial channels. Perpetrators exploit gaps in surveillance on land, sea, and air transportation. On official channels, perpetrators use false identity documents or borrow the identities of others to deceive officials. Meanwhile, on unofficial channels, perpetrators work with certain individuals to facilitate the illegal movement of victims, especially in border areas [15]. During the shelter stage, victims were placed in hidden locations such as rented houses, cheap inns, or transit houses owned by criminal networks. These locations were chosen because they were easy to move and did not arouse suspicion. At these transit points, victims were usually closely guarded and not allowed to contact their families. Some victims reported that they were subjected to physical torture and psychological abuse to subdue them before being exploited [16].

The exploitation found in the study was very diverse, depending on the purpose of recruitment. Common forms of exploitation included sexual exploitation, forced labor, organ sales, and domestic slavery. In many cases, victims were forced to work long hours without fair wages, or even without any wages at all. Victims who tried to resist or escape were often threatened, intimidated, or subjected to direct violence. The study found that perpetrators often operate in structured networks with clearly defined roles. Some perpetrators act as recruiters, transporters, shelter providers, and exploiters [17]. This structure makes human trafficking networks highly adaptive and difficult to eradicate because their involvement is not always immediately apparent. These networks also have connections to several regions, which strengthens their mobility.

From interviews with law enforcement officials, it is known that proving human trafficking cases faces a number of major challenges. One of them is the victims' unwillingness to provide information due to deep trauma. The psychological condition of the victims affects their ability to convey important information. Officials need a special victim-friendly approach so that they feel safe and dare to testify [18]. The next obstacle is the lack of integrated data between agencies handling human trafficking cases. Separate data systems mean that much important information is not stored centrally, making further investigation difficult. The lack of data integration also leads to duplication in the recording of victims and slows down the legal process.

This study also found that the government's prevention efforts have not fully reached grassroots communities. Awareness campaigns about the dangers of human trafficking are mostly conducted formally through seminars or official events, which do not always reach vulnerable communities in rural areas. In fact, these communities are the main targets of perpetrators [19]. Law enforcement efforts also face challenges due to limited resources. Many investigators have not received special training on human trafficking, especially in understanding digital-based modus operandi. Limited digital forensics capabilities make it more difficult to arrest perpetrators who operate online because digital traces are often not well documented.

On the other hand, research shows that several regions have begun to implement better cross-sector coordination mechanisms. This coordination model involves the police, social services, judicial institutions, local governments, and NGOs. Strong coordination has been shown to increase the speed of victim assistance and improve legal assistance in the judicial process [20]. However, coordination still faces various administrative and bureaucratic obstacles. Delays in information sharing between agencies often result in victims not receiving the immediate protection they need. This highlights the need for reform in coordination mechanisms to make them more responsive.

Research data also shows that some victims managed to escape after working for some time in exploitative conditions. Victims who managed to escape usually reported to the authorities or social institutions, which then forwarded the reports to law enforcement agencies [21]. The escape of victims is one of the main sources of information used to uncover perpetrator networks. In the context of criminal policy, the study found that the implementation of Law No. 21 of 2007 still faces obstacles at the implementation level. Many officials do not fully understand the legal elements of human trafficking crimes, so some cases are not processed using this law, but using general criminal provisions. This results in suboptimal case handling.

The study also noted that rehabilitation programs for victims are available, but not evenly distributed. Services such as psychological counseling, legal assistance, and social reintegration are available in several major cities, but are difficult to access for victims in remote areas. As a result, the recovery process for victims is slow and has the potential to cause prolonged trauma. In some regions, local governments have formed task forces or special units to deal with human trafficking. These units carry out preventive functions through public education and oversee the process of handling victims [22]. However, the effectiveness of these task forces depends on budgetary support, which is still very limited in many regions.

Another striking finding is the increasing use of false identities and illegal documents by human trafficking networks [23]. This practice makes it difficult for authorities to identify victims and perpetrators, especially in cases involving multiple countries. Weaknesses in the monitoring of travel documents are one of the loopholes that must be addressed in national criminal policy.

The research also revealed cooperation between perpetrators and certain individuals who facilitate the movement of victims. The involvement of these individuals strengthens human trafficking networks and hinders eradication efforts. This information was obtained from interviews with law enforcement officials who have handled human trafficking cases for several years. The study also noted that rehabilitation programs for victims are available, but not evenly distributed. Services such as psychological counseling, legal assistance, and social reintegration are available in several major cities, but are difficult to access for victims in remote areas. As a result, the recovery process for victims is slow and has the potential to cause prolonged trauma.

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Several victims who were interviewed said that they often felt they did not receive adequate protection after reporting the crime. Fear of retaliation from the perpetrators made victims hesitate to continue with legal proceedings. This shows the need for a stronger and safer witness and victim protection system. The research also shows that non-

governmental organizations play an important role in providing initial support to victims, especially in the reporting and recovery process. NGOs are often the first to know about the existence of victims, because victims feel more comfortable talking to counselors than to official authorities. This role emphasizes the importance of partnership between the state and civil society.

Overall, the findings of this study indicate that human trafficking is a highly adaptive and structured crime, with modus operandi that continues to evolve in line with technological developments and social situations. Efforts to combat this crime require a more holistic strategy, including capacity building for law enforcement agencies, strengthening inter-agency coordination, public education, and more comprehensive support for victim recovery. The results of this study provide a broad picture of the complexity of the problem and the gaps that still need to be addressed in Indonesia's criminal policy.

4 Conclusion

This study concludes that human trafficking in Indonesia is a highly complex, organized crime that is adaptive to social and technological changes. The modus operandi used by perpetrators has evolved from conventional patterns to digital patterns, utilizing social media, online communication, and false documents to recruit, transport, and exploit victims. Perpetrators exploit economic vulnerability, low literacy, and social inequality, which make women and children the most vulnerable targets. Recruitment patterns involving job offers, emotional persuasion, and posing as official agents are the most dominant methods. The results of the study also confirm that combating human trafficking still faces serious obstacles at the level of criminal policy implementation. Constraints such as limited capacity of officials, weak inter-agency coordination, lack of integrated data, and suboptimal use of digital forensics have resulted in ineffective law enforcement. In addition, the process of proving cases, which relies on victim testimony, highlights the need for a more victim-centered approach, especially considering the trauma and psychological pressure they experience. This study confirms that victim protection is uneven and does not fully address their physical, psychological, and social recovery needs. Many victims still face barriers in accessing rehabilitation services, especially in remote areas. This situation highlights the need to strengthen social policies in support of criminal policies so that the recovery process can be comprehensive and sustainable. Overall, the study concludes that efforts to combat human trafficking must be carried out through a holistic approach that combines preventive, repressive, and rehabilitative strategies. Improving public literacy, strengthening the capabilities of officials, reforming the coordination system, and providing more comprehensive assistance to victims are key elements in strengthening the state's response. Human trafficking is not only a legal issue, but also a social problem that requires the involvement of all parties, from the government, law enforcement agencies, social institutions, to the community.

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