

ABSTRAK

KAJIAN KRIMINOLOGI KEJAHATAN PERDAGANGAN ORANG TERHADAP PEKERJA MIGRAN ILEGAL UNTUK PERBUDAKAN MODERN (Studi Kasus di Kepolisian Daerah Lampung)

Oleh

Bunga Manisa

Pesatnya peningkatan mobilitas pekerja migran Indonesia, khususnya melalui jalur nonprosedural, telah meningkatkan risiko terjadinya tindak pidana perdagangan orang yang berujung pada praktik perbudakan modern. Meskipun telah terdapat regulasi yang mengatur yaitu Undang-Undang Nomor 21 Tahun 2007 tentang Pemberantasan Tindak Pidana Perdagangan Orang dan Undang-Undang Nomor 18 Tahun 2017 tentang Pelindungan Pekerja Migran Indonesia, tetapi praktik perdagangan orang terhadap pekerja migran ilegal masih terus terjadi. Permasalahan dalam penelitian ini yaitu bagaimanakah kajian kriminologi terhadap faktor penyebab terjadinya kejahatan perdagangan orang terhadap pekerja migran ilegal untuk perbudakan modern dan bagaimanakah upaya penanggulangan kejahatan perdagangan orang terhadap pekerja migran ilegal untuk perbudakan modern.

Metode penelitian yang digunakan penulis adalah pendekatan yuridis empiris dan yuridis normatif. Data yang digunakan adalah data primer dan data sekunder. Narasumber dalam penelitian ini adalah Penyidik Ditreskrimum Polda Lampung, Pelaku Tindak Pidana Perdagangan Orang, Dosen Bagian Hukum Pidana Universitas Lampung, Ahli Kriminologi Fakultas Ilmu Sosial dan Politik Universitas Lampung. Analisis data ini menggunakan analisis kualitatif.

Hasil penelitian ini menunjukkan bahwa kajian kriminologi terhadap faktor penyebab terjadinya kejahatan perdagangan orang terhadap pekerja migran ilegal untuk perbudakan modern dipengaruhi oleh beberapa faktor. Faktor lingkungan dan interaksi sosial, pelaku mempelajari perilaku kriminal melalui interaksi dengan lingkungan yang mendukung perekrutan ilegal (teori *asosiasi diferensial*). Faktor lemahnya pengawasan dan ikatan sosial dari keluarga, teman dan masyarakat (teori kontrol sosial), serta faktor tekanan ekonomi, rendahnya pendidikan, dan minimnya pemahaman agama mendorong pelaku melakukan kejahatan (teori *anomie*).

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Upaya penanggulangan kejahatan perdagangan orang terhadap pekerja migran ilegal untuk perbudakan modern dilakukan melalui upaya penal dan non-penal. Upaya penal yang dilakukan dengan menindak tegas pelaku untuk memberikan efek jera dan memutus jaringan perekrut ilegal. Adapun upaya non-penal dilakukan melalui sosialisasi migrasi aman, edukasi kepada masyarakat, pengawasan daerah rawan perekrutan, patroli dan koordinasi lintas lembaga seperti Pihak Kepolisian, BP2MI, dan Dinas Tenaga Kerja.

Saran dari penelitian ini adalah perlunya penguatan koordinasi antara pemerintah, keluarga, masyarakat, dan aparat penegak hukum untuk menekan faktor penyebab perdagangan orang. Selain itu, perlu peningkatan pengawasan, pemberdayaan ekonomi masyarakat, serta edukasi berkelanjutan mengenai prosedur migrasi resmi guna mencegah pekerja migran terjatuh ke praktik perbudakan modern.

Kata Kunci: Kriminologi, Perbudakan Modern, Upaya Penanggulangan Kejahatan.

ABSTRACT

CRIMINOLOGICAL STUDY OF HUMAN TRAFFICKING AGAINST ILLEGAL MIGRANT WORKERS FOR MODERN SLAVERY (Case Study at the Lampung Regional Police)

By

Bunga Manisa

The rapid increase in the mobility of Indonesian migrant workers, particularly through non-procedural channels, has increased the risk of human trafficking crimes that lead to modern slavery practices. Although there are regulations governing this, namely Law Number 21 of 2007 concerning the Eradication of Criminal Acts of Human Trafficking and Law Number 18 of 2017 concerning the Protection of Indonesian Migrant Workers, the practice of human trafficking against illegal migrant workers continues to occur. The problem in this research is how the criminological study of the factors causing the crime of human trafficking against illegal migrant workers for modern slavery and how efforts to overcome the crime of human trafficking against illegal migrant workers for modern slavery.

The research methods used by the author are an empirical legal approach and a normative legal approach. The data used are primary data and secondary data. The sources in this study are investigators from the Lampung Regional Police Criminal Investigation Unit, perpetrators of human trafficking crimes, lecturers from the Criminal Law Department of the University of Lampung, and criminology experts from the Faculty of Social and Political Sciences of the University of Lampung. The data analysis uses qualitative analysis.

The results of this study show that criminological studies of the factors causing human trafficking of illegal migrant workers for modern slavery are influenced by several factors. Environmental and social interaction factors, perpetrators learn criminal behavior through interaction with an environment that supports illegal recruitment (differential association theory). Factors such as weak supervision and social ties from family, friends, and the community (social control theory), as well as economic pressure, low education, and lack of religious understanding encourage perpetrators to commit crimes (anomie theory).

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Efforts to combat human trafficking crimes against illegal migrant workers for modern slavery are carried out through penal and non-penal measures. Penal measures are taken by cracking down on perpetrators to deter them and break up illegal recruitment networks. Non-criminal efforts are carried out through the dissemination of information on safe migration, public education, monitoring of areas prone to recruitment, patrols, and coordination between institutions such as the police, BP2MI, and Manpower Office.

This study recommends strengthening coordination between the government, families, communities, and law enforcement agencies to reduce the factors that cause human trafficking. In addition, there is a need to increase surveillance, empower the community economically, and provide ongoing education on official migration procedures to prevent migrant workers from falling prey to modern slavery practices.

Keywords: Criminology, Modern Slavery, Crime Prevention Efforts.