



POLICY BRIEF

ALSA INTERNATIONAL VIDEO CONFERENCE 2026

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POLICY BRIEF

Analysis of Strengthening Transnational Cooperation to Optimize Law Enforcement and Disrupt Human Trafficking Syndicate Networks

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2026

**ANALYSIS OF STRENGTHENING TRANSNATIONAL COOPERATION TO
OPTIMIZE LAW ENFORCEMENT AND DISRUPT HUMAN TRAFFICKING
SYNDICATE NETWORKS**

KEY MESSAGES

- Victim protection in transnational human trafficking cases must be integrated into intergovernmental cooperation mechanisms to prevent secondary victimization and ensure long-term recovery.
- Differences in Mutual Legal Assistance procedures, evidentiary standards, dual criminality rules, jurisdictional conflicts, and extradition continue to hinder cross-border law enforcement against human trafficking.
- Law enforcement must tie offender prosecution to financial investigations and asset recovery to dismantle the economic foundation of trafficking networks.

TARGET POLICY AUDIENCE

Ministry of Law; Ministry of Foreign Affairs; National Police of the Republic of Indonesia; Attorney General's Office of the Republic of Indonesia; Witness and Victim Protection Agency; Indonesian Financial Transaction Reports and Analysis Center; and relevant stakeholders in legal cooperation and human trafficking countermeasures at the ASEAN level.

CONSEQUENCES

Without strengthening cross-border cooperation mechanisms, procedural discrepancies and weak coordination will continue to impede victim protection, information and evidence sharing, the prosecution of foreign-based offenders, and the tracking and recovery of criminal assets.

I. Executive Summary

Human trafficking is a transnational crime involving the movement of victims, perpetrators, evidence, and criminal proceeds across multiple jurisdictions; consequently, its enforcement cannot rely solely on the domestic authority of individual states. This

policy brief finds that the effectiveness of transnational cooperation still faces three interconnected challenges. First, although the 2025 Criminal Procedure Code (KUHP) has strengthened victim rights and protections, specialized procedural standards remain unavailable to adequately prevent secondary victimization and ensure continuity of protection and recovery when case management involves other jurisdictions. Second, key international cooperation instruments, including the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP) and Mutual Legal Assistance mechanisms, are not fully supported by uniform procedures. As a result, discrepancies in evidentiary requirements, dual criminality rules, jurisdictional conflicts, and extradition mechanisms can delay information sharing and evidence collection.

These obstacles also undermine the ability of law enforcement to target the economic resources that sustain human trafficking networks. Financial tracing through the Indonesian Financial Transaction Reports and Analysis Center (PPATK) and cooperation between Financial Intelligence Units must be linked to cross-border asset freezing, seizure, forfeiture, and recovery to ensure that enforcement actions do not stop at lower-level operational actors. Based on these findings, this policy brief recommends establishing interagency Standard Operating Procedures (SOPs) for victim protection, standardizing ASEAN Mutual Legal Assistance procedures with target timelines while strengthening Central Authority functions, and creating joint protocols for financial investigations and asset recovery. These three steps aim to enhance the continuity of victim support, expedite cross-jurisdictional cooperation, and strengthen the state's capacity to comprehensively dismantle human trafficking networks.

II. Background

Human trafficking has continuously evolved alongside increasing human mobility, global economic interconnectedness, and the utilization of digital technologies. These developments enable criminal networks to operate fluidly across jurisdictional borders. When victims, perpetrators, evidence, and criminal proceeds are scattered across different nations, case management can no longer rely solely on a single national legal authority. Trafficking networks have also become highly adaptive, exploiting gaps in migration governance, law enforcement capacity, and complex intergovernmental procedures to perpetuate exploitation and evade prosecution. It is this transnational characteristic that transforms cross-border cooperation from a mere supporting tool into

a decisive element for successful law enforcement and the dismantling of these criminal chains.

This cross-jurisdictional dimension also directly impacts the status and protection of victims throughout the judicial process. Strengthening victim rights within domestic criminal procedure law does not guarantee continuous protection and recovery if the processes of identification, questioning, assistance, and repatriation involve foreign authorities. Discrepancies in how different nations treat victims, take testimonies, maintain identity confidentiality, and provide access to recovery risk triggering secondary victimization. Furthermore, these disparities can degrade the quality of information crucial to uncovering core networks. Therefore, victim protection must be fully integrated into international legal cooperation mechanisms and cannot be treated as a peripheral issue detached from law enforcement.

Similar challenges impede the processes of information sharing, evidence collection, jurisdictional determination, and the prosecution of mastermind offenders abroad. The existence of various international legal cooperation instruments does not automatically eliminate administrative hurdles, differing evidentiary standards, dual criminality rules, or the rigid bureaucracies of Mutual Legal Assistance (MLA) and extradition. Concurrently, weak cross-border coordination prevents law enforcement from targeting high-level network controllers (masterminds) and tracking illicit assets funneled into other countries. Consequently, law enforcement often stalls at low-level perpetrators within a single nation, failing to reach the operational structures and economic capacities that sustain these syndicates.

These conditions underscore that strengthening transnational cooperation against human trafficking must extend beyond merely adding legal commitments on paper. This effort must address the harmonization of operational procedures, continuity of victim protection, interagency synchronization, efficient information sharing, and aggressive cross-jurisdictional asset recovery. Furthermore, developing an effective cooperation framework must consider the institutional characteristics of ASEAN. Instead of blindly replicating models from other regions with different levels of integration, Indonesia and neighboring states must establish mechanisms that are proportionate, realistic, and applicable within the context of ASEAN state relations.

III. Methodology

This study utilizes a legal-normative approach to analyze the effectiveness of transnational cooperation in managing and dismantling human trafficking networks. Primary legal materials include national laws and regulations, international legal instruments, and ASEAN regional cooperation frameworks concerning victim protection, law enforcement, Mutual Legal Assistance (MLA), extradition, anti-money laundering, and asset recovery. Secondary legal materials comprise academic literature, international organization reports, and relevant policy documents. Qualitative analysis was conducted by examining the interconnectedness of legal instruments while identifying normative gaps and implementation hurdles in cross-jurisdictional cooperation.

To incorporate diverse perspectives, this study utilizes data from a Focus Group Discussion (FGD) organized by the ALSA International Video Conference (AIVC) Local Chapter Universitas Sriwijaya 2026. Conducted on April 19th, 2026, with 105 participants, the FGD gathered various legal viewpoints and practical insights to support the formulation of the findings and final recommendations in this brief. Furthermore, the European Union was selected as a comparative model due to its highly integrated cross-border legal cooperation mechanisms, particularly through the European Investigation Order (EIO). This comparison aims to evaluate the extent to which standardized procedures, uniform forms, and mandatory deadlines can be applied to ASEAN cooperation. Lessons learned from the European Union model are proportionally adapted, keeping in mind the distinct institutional structures and principles governing interstate relations within the ASEAN region.

IV. Key Findings

1. Victim Protection Gaps in Cross Border Human Trafficking Case Management

Managing cross-border human trafficking cases demands more than just the ability of law enforcement authorities to prove criminal acts and identify perpetrators; it requires integrating victim protection as an inseparable component of the entire law enforcement process. The cross-jurisdictional nature of this crime inflicts additional vulnerabilities when victims are outside their home countries, transit through multiple nations, or must provide depositions in legal proceedings involving more than one jurisdiction. Under these conditions, victim protection cannot merely be understood as a guarantee provided during domestic examinations. Instead, it must encompass

victim identification, personal safety, identity confidentiality, access to legal and social assistance, recovery, and the continuity of protection when case management involves foreign authorities.

The reform of criminal procedure law through **Act Number 20 of 2025 on the Criminal Procedure Code (KUHAP)** marks a significant shift in the status of victims within the criminal justice system. This framework no longer treats victim protection as a mere byproduct of law enforcement but provides a clearer normative foundation for fulfilling victims' rights throughout judicial proceedings. This structure is built, among others, through Chapter VII, which specifically regulates the rights of witnesses, victims, persons with disabilities, women, and the elderly. Guarantees for victims are formulated more concretely in Article 144, including the right to testify without pressure, access legal counsel, remain free from entrapment questions, receive updates on case developments and court decisions, secure protection for personal safety, family, and property, and maintain identity confidentiality. This series of guarantees reinforces that victims are positioned as subjects possessing rights within the judicial process, rather than serving merely as sources of information for criminal prosecution.¹

The strengthening of victims' status is also reflected in the regulations concerning the recovery of losses resulting from criminal acts. The recovery framework in the new criminal procedure law does not stop at recognizing victims' rights; it also regulates their implementation mechanisms. Regarding restitution, the law affirms that victims have the right to compensation for lost wealth or income, damages arising from suffering directly caused by the crime, and medical and psychological treatment costs. To ensure this right is enforceable, law enforcement officials are required to inform victims of their restitution rights and facilitate the calculation of the total amount. The provisions even allow for the seizure of the perpetrator's assets as a guarantee for restitution, subject to the approval of the Chief of the District Court. Furthermore, the restitution payment mechanism is regulated by establishing enforcement deadlines and requiring the prosecutor to draw up an official execution report.² This series of provisions embeds victim recovery within procedural law, rather than treating it as an afterthought following conviction.

¹ Undang-Undang Nomor 20 Tahun 2025 tentang Kitab Undang-Undang Hukum Acara Pidana, arts 143–148.

² Ibid, arts 178–182.

This recovery orientation is expanded through regulations on compensation and trust funds. Victims are granted the right to receive compensation if the perpetrator cannot fulfill restitution, covering losses that include lost wealth or income, suffering directly caused by the crime, and medical or psychological treatment costs. Law enforcement officials are also obligated to notify victims of this right and arrange for its execution following a court ruling. On a structural level, a trust fund (Dana Abadi) has been introduced for the payment of damages, rehabilitation, restitution, and compensation. Its funding sources include the state budget, investment income, non-tax state revenue shares from law enforcement, and proceeds from the management of forfeited assets. Further provisions regarding the trust fund mechanism are delegated to government regulations. This sequence of provisions demonstrates that the reform of criminal procedure law has established a normatively more comprehensive framework for victim protection and recovery, concerning both procedural rights and the recovery of losses.

Nevertheless, the normative strengthening of victims' rights does not fully address the specialized procedural protection needs inherent to human trafficking cases. While the rights to testify without pressure, remain free from entrapment questions, secure safety protections, and maintain identity confidentiality are vital foundations, they do not inherently form an operational standard that explicitly links a victim's individual vulnerabilities to interrogation protocols during investigation, prosecution, and trial. In human trafficking cases, this need is critical because the exploitation experienced by victims can cause varying psychological and social vulnerabilities, necessitating procedural protections tailored to each victim's specific condition.

The need for more specific standards can be analyzed through **Article 12 of Directive 2011/36/EU**, which outlines the protection of human trafficking victims during investigations and court proceedings in greater detail. This provision mandates that protection must be provided based on an individual risk assessment and directs authorities to prevent secondary victimization by, among other things, avoiding unnecessary repetition of interrogations, limiting visual contact between victims and defendants, restricting testimony in open court, and avoiding unnecessary questions regarding the victim's private life. This framework shows that victim protection relates not only to the normative existence of rights but also to how those rights are translated into examination procedures that consider the victim's individual circumstances.

This distinction becomes particularly relevant in cross-border human trafficking cases because protections granted within one jurisdiction do not automatically carry over when victim identification, deposition taking, repatriation, assistance, or recovery require the involvement of foreign authorities. Discrepancies in interrogation standards and protection mechanisms across nations can disrupt the continuity of victim protection throughout the law enforcement process. The same issue arises in enforcing recovery rights if the perpetrator, their assets, or portions of the legal proceedings are located outside Indonesian territory. Consequently, strengthening victim protection in cross-border cases cannot be achieved solely by refining national procedural law; it also demands cooperation mechanisms capable of linking identification, protection, referral, repatriation, and victim recovery across competent authorities.

The polemic of victim protection in managing human trafficking, therefore, no longer centers on the absence of legal provisions regarding victims' rights in criminal procedure law. The critical point has shifted to the law's ability to translate the normatively reinforced guarantees of the reformed criminal procedure law into procedural standards that prevent revictimization and can be seamlessly applied when cases involve different nations. This reinforcement simultaneously supports effective law enforcement, as adequate protection creates a safer environment for victims to participate in legal proceedings and provide the information necessary to uncover entire human trafficking networks.

2. Operational Hurdles in Cross Border Cooperation for Managing Human Trafficking Cases

The cross-jurisdictional nature of human trafficking places law enforcement in a position where victims, perpetrators, evidence, and criminal proceeds may reside in different territories. This reality limits a state's ability to rely unilaterally on domestic authority, as actions such as examining victims and witnesses, gathering evidence, tracing perpetrator identities, freezing assets, and arresting fugitives outside national borders require the involvement of foreign authorities. The primary challenge is not merely the availability of cooperation instruments, but rather the capacity of these instruments to be translated into procedures that can be executed swiftly, consistently, and in compliance with the domestic laws of each respective state.

At the regional level, Indonesia possesses a fairly broad normative foundation to construct such cooperation. Indonesia ratified the ASEAN Convention Against Trafficking in Persons, Especially Women and Children through **Act Number 12 of 2017 on the Ratification of the ASEAN Convention Against Trafficking in Persons, Especially Women and Children (ACTIP)**.³ This convention positions regional cooperation as a core element of anti-trafficking efforts, including through the reinforcement of joint investigations and prosecutions. In the realm of mutual legal assistance, Indonesia is also bound by the **Treaty on Mutual Legal Assistance in Criminal Matters**, signed in Kuala Lumpur on November 29th, 2004, and enacted via **Act Number 15 of 2008**.⁴ While both instruments provide a legal basis for interstate relations among ASEAN members, their existence does not automatically yield uniform procedures at the operational level.

At the national level, the execution of mutual legal assistance in Indonesia is anchored by **Act Number 1 of 2006 on Mutual Legal Assistance in Criminal Matters**. This statute provides the statutory framework for sending and receiving assistance requests to or from foreign states, thereby acting as a bridge between national law enforcement needs and international cooperation mechanisms.⁵ This foundation is further reinforced by **Article 18 of the United Nations Convention against Transnational Organized Crime (UNTOC)**, which regulates mutual legal assistance for various needs, including taking statements, searches and seizures, asset freezing, document provision, and tracking criminal proceeds.⁶ **Article 27 of UNTOC**

Also encourages direct agency to agency cooperation among law enforcement authorities. Concurrently, **Article 10 of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children** emphasizes the exchange of information regarding the identity of perpetrators and victims, travel documents, as well as trafficking methods and networks.⁷ Moreover, **Act Number 21**

³ Undang-Undang Nomor 12 Tahun 2017 tentang Pengesahan ASEAN Convention Against Trafficking in Persons, Especially Women and Children (Konvensi ASEAN Menentang Perdagangan Orang, Terutama Perempuan dan Anak).

⁴ Treaty on Mutual Legal Assistance in Criminal Matters (signed 29 November 2004, ratified by Undang-Undang Nomor 15 Tahun 2008).

⁵ Undang-Undang Nomor 1 Tahun 2006 tentang Bantuan Timbal Balik dalam Masalah Pidana.

⁶ United Nations Convention against Transnational Organized Crime (adopted 15 November 2000, entered into force 29 September 2003) 2225 UNTS 209 (UNTOC) art 18.

⁷ Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime (adopted 15 November 2000, entered into force 25 December 2003) 2237 UNTS 319, art 10.

of 2007 on the Eradication of the Crime of Human Trafficking explicitly recognizes the transnational dimension of this offense and provides a baseline for international cooperation in its adjudication.⁸

The interconnectedness of these instruments demonstrates that the core issue does not lie in the absence of a legal foundation, but rather in the gap between that legal baseline and its operational execution. Assistance requests must still navigate strict prerequisites determined by both requesting and requested states. These include the format of the request, completeness of information, evidentiary standards, document authentication, the authority of the requesting and receiving bodies, and the specific legal procedures of the requested state. These discrepancies present potential bottlenecks that prolong the process whenever a case demands multi-jurisdictional action. The **ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases** similarly identifies that mutual legal assistance requests must satisfy several criteria, including sufficient information and specific evidentiary standards, which vary according to the laws and cooperation frameworks of each nation.⁹

A comparison with the **European Investigation Order (EIO)** mechanism within the European Union reveals that procedural streamlining can be achieved through a higher level of institutional integration. The EIO operates on the principle of mutual recognition and utilizes standardized forms to request investigative actions in other member states. The instrument also imposes strict timeframes: a decision on recognition or execution must generally be made within 30 days of receiving the request, and the investigative action must be executed within 90 days following that decision, supported by specific adjustment mechanisms if deadlines cannot be met.¹⁰

However, this mechanism cannot be directly transplanted into ASEAN. The EIO developed within a highly integrated legal ecosystem featuring structural and institutional uniformity. Conversely, ASEAN continues to prioritize national sovereignty, the non-intervention principle, and consultation- and consensus-based decision-making as foundational tenets of member state relations. Therefore, these hurdles do not justify blindly copying the EIO mechanism; rather, they serve as a

⁸ Undang-Undang Nomor 21 Tahun 2007 tentang Pemberantasan Tindak Pidana Perdagangan Orang.

⁹ ASEAN, *ASEAN Handbook on International Legal Cooperation in Trafficking in Persons Cases* (2nd edn, ASEAN Secretariat 2018).

¹⁰ Directive 2014/41/EU of the European Parliament and of the Council of 3 April 2014 regarding the European Investigation Order in criminal matters [2014] OJ L130/1.

rationale for identifying specific procedural elements that can be adapted without altering the unique cooperative character of ASEAN.

A more proportionate approach would focus on standardizing mutual legal assistance request forms, establishing target timelines for each processing phase, reinforcing central authority functions as central coordination points, and providing direct communication channels between authorities to resolve administrative deficiencies before requests are returned or rejected. Police-to-police cooperation through mechanisms like **ASEANAPOL** can supplement law enforcement communications without replacing formal mutual legal assistance procedures, which remain necessary for actions requiring judicial authorization. This approach aligns better with ASEAN's framework because it tightens procedural connectivity without assuming the creation of a supranational law enforcement authority.

Obstacles also stem from **dual criminality** requirements. Under this principle, the conduct underlying the assistance request must constitute a criminal offense under the laws of both the requesting and requested states. Variations in offense formulations, legal elements, or statutory boundaries within domestic laws can render a request unexecutable, particularly when the requested aid involves coercive actions such as searches, seizures, or asset freezing. Within the ASEAN context, dual criminality is an essential condition that can impact the execution of aid, although the **ASEAN MLAT** framework still leaves room for a requested state to provide assistance if permitted by its domestic laws.¹¹

Similar issues emerge regarding extradition and jurisdictional conflicts. Cross-border human trafficking cases can simultaneously trigger territorial, active nationality, and passive nationality jurisdictions, meaning multiple states may have grounds to exercise criminal authority over different parts of the offense chain. This reality requires coordination regarding which state will prioritize prosecution, perpetrator location, evidence availability, and the potential transfer or surrender of suspects. Regional developments indicate an effort to address these issues through the signing of the **ASEAN Treaty on Extradition** on November 14th, 2025.¹² However, as of September 2026, this treaty remains *not in force*, meaning the region's

¹¹ Treaty on Mutual Legal Assistance in Criminal Matters (Kuala Lumpur, 29 November 2004), art 3.

¹² ASEAN Treaty on Extradition (signed 14 November 2025).

extradition mechanisms cannot yet rely on a single, effectively operational regional instrument.

This complexity is concretely illustrated by the evolution of human trafficking linked to online scamming operational centers in the Mekong region. **The United Nations Office on Drugs and Crime (UNODC)** highlights the rise of human trafficking for **forced criminality**, where victims are recruited with fake job offers and subsequently coerced into cyber-enabled fraud.¹³ Such operations have proliferated across Southeast Asia, particularly along the border regions of Mekong nations, involving networks that connect recruiters, transporters, site managers, and actors handling criminal proceeds. This dynamic reflects a convergence of human trafficking, cybercrime, and money laundering within a single chain of transnational criminal activity.

This phenomenon also directly intersects with the management and protection of Indonesian nationals. In March 2025, the **Ministry of Foreign Affairs** repatriated 554 Indonesian citizens suspected of being human trafficking victims within an online scam network in Myawaddy, Myanmar, routing them through Thailand. The operation demanded extensive cross-border coordination, as the repatriation process required transiting through Thai territory while navigating highly volatile security conditions inside Myanmar. During the same period, the **Criminal Investigation Department of the Indonesian National Police (Bareskrim Polri)** designated a suspect in an alleged trafficking case involving 699 Indonesian citizens who had been repatriated from Myanmar via Thailand. The victims were initially recruited under the guise of customer service jobs in Thailand but were subsequently trafficked to Myawaddy and forced to work as online scam operators.¹⁴

These cases demonstrate that managing cross-border human trafficking does not conclude with victim repatriation. Once victims are secured, authorities still face the necessity of identifying recruitment patterns, securing testimonies and evidence located in foreign jurisdictions, unmasking network actors, establishing prosecutorial jurisdiction, and tracing the flow of illicit funds. Each phase entails distinct procedural requirements and may involve multiple nations. Consequently, successful repatriation

¹³ "UNODC, Casinos, Cyber Fraud, and Trafficking in Persons for Forced Criminality in Southeast Asia (Policy Report, UNODC Regional Office for Southeast Asia and the Pacific 2023).

¹⁴ Polri, 'Polri Tetapkan Satu Tersangka TPPO dari 699 WNI yang Dipulangkandari Myanmar' (Tribrata News, 21 March 2025) <https://tribrataneews.polri.go.id/blog/hukum-4/polri-tetapkan-satu-tersangka-tpo-dari-699-wni-yang-dipulangkan-dari-myanmar-85605> accessed 17 September 2026.

does not inherently mean that cross-border law enforcement mechanisms have successfully disrupted the broader network structures driving victim exploitation.

These conditions underscore that the barriers to cross-border cooperation are multi-layered, spanning from discrepancies in administrative procedures and evidentiary standards to dual criminality rules, extradition hurdles, and jurisdictional allocations. While regional and international instruments have established a baseline for mutual assistance, this normative alignment does not automatically translate into swift and effective legal assistance for every individual case. The primary challenge lies in how ASEAN member states can forge sufficient procedural common ground to expedite information sharing, evidence collection, victim management, and offender prosecution without disregarding the jurisdictional boundaries of each state.

3. Consequences of Cross Border Cooperation Barriers on the Effectiveness of Human Trafficking Law Enforcement

Barriers to cross-border cooperation do not only impact the speed of information sharing and evidence collection; they dictate the ability of law enforcement to target the criminal proceeds that constitute the economic lifeblood of trafficking networks. In offenses involving the recruitment, transportation, harboring, and exploitation of victims across multiple jurisdictions, perpetrators can transfer, disguise, or integrate their profits through diverse financial instruments. Consequently, dismantling these networks cannot merely focus on arresting offenders; it must implement a "follow the money" approach to ensure that criminal proceeds can be traced, frozen, seized, and ultimately forfeited or recovered in accordance with applicable laws.

This approach is legally grounded in **Act Number 8 of 2010 on the Prevention and Eradication of the Crime of Money Laundering**, which frames money laundering as a mechanism to trace and prosecute the proceeds of underlying predicate offenses. By tracking financial transactions designed to conceal or disguise the illicit origin of wealth, this statute enables law enforcement in human trafficking cases to shift from proving the trafficking offense toward uncovering the underlying financial structures that sustain the network. This capability remains critical even

when proceeds from victim exploitation are funneled through foreign accounts, business entities, third parties, or cross-border transactions.¹⁵

Within this mechanism, the **Indonesian Financial Transaction Reports and Analysis Center (PPATK)** occupies a strategic position as Indonesia's Financial Intelligence Unit (FIU) by executing financial intelligence analysis and dissemination functions to support asset tracing, investigation, prosecution, and judicial examinations.¹⁶ For assets stowed abroad, PPATK can exchange information with foreign FIUs based on bilateral cooperation or the principle of reciprocity via mechanisms developed under the **Egmont Group**, thereby assisting in tracing criminal proceeds located outside Indonesian jurisdiction.¹⁷

Nevertheless, agency-to-agency information sharing among FIUs does not automatically result in asset forfeiture or repatriation. Financial intelligence must be translated into formal law enforcement actions based on the statutory authority of each respective nation. Because asset freezing, seizure, forfeiture, and repatriation remain dependent on domestic laws and applicable mutual legal assistance frameworks, the success of the "follow the money" approach hinges not only on uncovering financial flows but also on transforming that intelligence into legally binding actions recognizable and enforceable across jurisdictions.¹⁸

This limitation becomes increasingly acute when criminal proceeds are located outside Indonesian jurisdiction. While a PPATK trace can successfully map financial footprints and inter-account connections, asset recovery still requires subsequent phases involving the host country where the assets reside. Therefore, financial intelligence outputs must be seamlessly linked to formal asset freezing, seizure, forfeiture, and repatriation mechanisms through available international legal channels.¹⁹

Concurrently, the absence of a comprehensive asset forfeiture law in Indonesia undermines the state's capacity to optimize cross border recovery of criminal

¹⁵ Undang-Undang Nomor 8 Tahun 2010 tentang Pencegahan dan Pemberantasan Tindak Pidana Pencucian Uang.

¹⁶ Pusat Pelaporan dan Analisis Transaksi Keuangan, *Laporan Tahunan PPATK 2025: Memperkuat Intelijen Keuangan dalam Menanggulangi Kejahatan Transnasional* (PPATK 2026).

¹⁷ Egmont Group of Financial Intelligence Units, *The Egmont Group Principles for Information Exchange Between Financial Intelligence Units for Money Laundering and Terrorism Financing Cases* (Egmont Group Secretariat 2021).

¹⁸ FATF, *International Standards on Combating Money Laundering and the Financing of Terrorism & Proliferation: The FATF Recommendations* (FATF 2023) Recommendation 29.

¹⁹ United Nations Office on Drugs and Crime and World Bank, *Asset Recovery Handbook: A Guide for Practitioners* (2nd edn, World Bank 2021).

proceeds. As of October 2026, the **Asset Forfeiture Bill (RUU Perampasan Aset)** remains under deliberation within the House of Representatives (DPR) and has not been enacted into law,²⁰ its provisions regarding the scope of offenses, forfeiture mechanisms, and asset management continue to face ongoing debate without a finalized formulation. Consequently, the recovery of illicit proceeds continues to rely on fragmented instruments scattered across various existing laws, even as the necessity to manage fast moving, cross border assets grows increasingly urgent.

Ultimately, these cumulative cross-border cooperation barriers carry systemic consequences that extend far beyond mere law enforcement delays. When information sharing is not immediately coupled with financial tracing, actions against criminal proceeds will inevitably lag behind the speed at which criminal networks transfer and disguise their profits. In human trafficking cases, this disconnect risks preserving the economic capacity of syndicates even after lower-level operational actors have been apprehended.

These findings underscore that the effectiveness of transnational cooperation against human trafficking cannot be measured solely by successful information sharing or offender prosecution. Instead, it must be evaluated by the cooperation framework's ability to follow the criminal structure down to the resources that sustain its survival. Strengthening the nexus between human trafficking enforcement, anti-money laundering frameworks, inter-FIU information exchange, and asset recovery mechanisms is paramount to ensuring that criminal proceeds do not remain within the control of networks after enforcement actions conclude.

V. Recommendations

1. Integrating Cross Border Victim Protection into Human Trafficking Case Management Mechanisms

The government must establish an interagency Standard Operating Procedures (SOPs) for the protection and recovery of cross-border human trafficking victims. These SOPs will serve as an operational tool bridging victim rights guarantees under the **Criminal Procedure Code (KUHAP)** with the demands of managing cross-jurisdictional cases. At a minimum, the SOPs must regulate individual risk

²⁰ Dewan Perwakilan Rakyat Republik Indonesia, 'Daftar Rancangan Undang-Undang Program Legislasi Nasional (Prolegnas) Tahun 2025–2026: Rancangan Undang-Undang tentang Perampasan Aset Tindak Pidana <https://www.dpr.go.id> accessed 17 September 2026.

assessments, victim referral and assistance mechanisms, deposition procedures that minimize repetitive interviews, identity protection, translation and counseling support for victims located in or repatriated from foreign countries, and interagency coordination on restitution when perpetrators or assets reside outside Indonesia. The drafting process must involve the Witness and Victim Protection Agency (LPSK), the Indonesian National Police, the Attorney General's Office, the Ministry of Law, the Ministry of Foreign Affairs, line ministries and agencies for women and child protection, and local victim service units, with LPSK and law enforcement authorities serving as the primary executors within their respective jurisdictions.

In the short term, within a maximum of 12 months, the government needs to draft and pilot these SOPs through cross-border case management involving victim repatriation and referral mechanisms. In the medium term, spanning 1 to 3 years, needs not accommodated in the SOPs must serve as a baseline for evaluating and refining Act Number 21 of 2007 on the Eradication of the Crime of Human Trafficking and its implementing regulations. The primary prerequisites for this effort are a clear division of authority, interagency points of contact, information-sharing procedures that protect victim personal data, and coordination mechanisms with authorities in destination countries. Policy success can be measured by the percentage of victims who receive risk assessments and referrals from the initial stage of case management, the time required to connect victims with protection services after identification, the number of followed-up repatriation requests, and the proportion of cases incorporating restitution mechanisms into their proceedings.

2. Standardizing Cross Border Legal Cooperation Procedures through the ASEAN Mutual Legal Assistance Mechanism

The government needs to initiate an ASEAN protocol or guideline to accelerate Mutual Legal Assistance (MLA) in managing human trafficking cases, without directly adopting the European Investigation Order model, which relies on a level of institutional integration different from that of ASEAN. This instrument can focus on standardizing request forms, checklists for required documents, authentication prerequisites, Central Authority points of contact, request tracking mechanisms, and target timelines for completeness reviews, submission to competent authorities, and response delivery. At the national level, the Ministry of Law, as the Central Authority, needs to lead the drafting of SOPs and a joint request tracking

system alongside the Indonesian National Police, the Attorney General's Office, the Ministry of Foreign Affairs, and related agencies. Meanwhile, police-to-police cooperation through ASEANAPOL can serve as a supporting channel for preliminary information exchange without replacing formal mutual legal assistance mechanisms. This model preserves the domestic legal frameworks of each state while reducing unnecessary procedural bottlenecks in execution. The Ministry of Law currently operates as the Indonesian Central Authority for Mutual Legal Assistance and extradition, providing MLA request forms as part of the applicable mechanism.

In the short term, within a maximum of 12 months, the Ministry of Law, together with related agencies, needs to map the administrative deficiencies that most frequently cause MLA requests to be delayed or returned, using this data as a baseline to develop a national checklist and a request monitoring system. In the medium term, spanning 1 to 3 years, Indonesia can introduce this standardization proposal to the ASEAN legal cooperation forum to be developed into guidelines or protocols agreed upon by member states, whereas in the long term, its implementation can be evaluated based on offense categories and request complexity. The primary prerequisites for this effort are member state consensus on minimum standards, data protection and confidentiality safeguards, and compatibility with the domestic laws of each country. Policy success indicators include a reduction in requests returned due to administrative deficiencies, a decrease in average processing time for MLA requests, an increase in the percentage of successfully executed requests, and the availability of a tracking system that enables relevant authorities to monitor the stages and status of each request.

3. Integrating Financial Investigations and Asset Recovery into Human Trafficking Network Dismantling Strategies

The government needs to establish a joint protocol for financial investigations and asset recovery in managing cross-border human trafficking cases, linking the prosecution of the predicate offense to the tracing, freezing, seizure, forfeiture, and repatriation of criminal proceeds. This protocol must place the Indonesian Financial Transaction Reports and Analysis Center (PPATK), the Indonesian National Police, the Attorney General's Office, the Ministry of Law as the Central Authority, and the Ministry of Foreign Affairs within a coordination mechanism ensuring that financial intelligence can be immediately acted upon through formal law enforcement and MLA

channels when assets are located abroad. Information exchange between Financial Intelligence Units can be optimized through the Egmont Group network, which PPATK already utilizes to exchange financial intelligence with foreign FIUs for cross-jurisdictional asset tracing.²¹

In the short term, within a maximum of 12 months, PPATK together with law enforcement authorities needs to establish risk indicators and financial investigation procedures from the initial stage of human trafficking investigations, including mechanisms for disseminating information to the Financial Intelligence Unit of the destination country when there are indications that criminal proceeds have been moved abroad. In the medium term, spanning 1 to 3 years, this mechanism needs to be integrated with MLA procedures for asset freezing, seizure, forfeiture, and repatriation, while simultaneously being aligned with developments in the enactment of national asset forfeiture regulations. The primary prerequisites for this effort are a strict division of authority, secure information exchange mechanisms, investigator capacity to conduct financial investigations, and the willingness of partner states to provide assistance in asset tracing and recovery. Success can be measured by the proportion of human trafficking cases accompanied by financial investigations, the volume of assets successfully identified and frozen, the number of cross-border requests regarding asset tracing or recovery followed up, and the value of criminal proceeds successfully forfeited or repatriated. Strengthening this mechanism is necessary so that enforcement actions do not stop at lower-level operational actors, but instead target the economic resources that sustain the network's survival.

²¹ Financial Intelligence Unit Indonesia (PPATK), 'Kerjasama Internasional Pertukaran Informasi Keuangan Melalui Aplikasi Egmont Secure Web' (Pusat Dokumentasi Hukum PPATK, 2025).

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