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Trafficking In Border Regions Case Study On Violence Against Women And Children Victims Of Trafficking At The West Kalimantan Border

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Abstract: Violence against women and children victims of trafficking in Indonesia continues to increase. Trafficking in persons referred to in humanity is not feasible, every person has basic rights related to human dignity that should not be taken away by anyone. Trafficking is a social phenomenon when people try to find a decent life, so they try to travel a considerable distance to the outside of the national boundary, so there is a population movement or what is called international migration which is generally influenced also by economic factors. Along with the development of globalization it turns out that it has direct consequences in the economic field in various countries. International migration will always take place at any time. Trafficking cases in Indonesia are like icebergs, the numbers hidden below the surface are far greater than those seen on the surface. Trafficking is an organized crime, this crime involves several people who have networks or linkages with each other and have the purpose of exploiting the victim for the sake of unilateral gain (perpetrators), so that in overcoming this trafficking case, the government has a stake and must determine a firm attitude in handling and eradicate it. In this agreement, a model for handling Victims of Trafficking is needed as well as evaluating and improving the system for cases of comprehensive handling of trafficking victims. Research on "Trafficking in Border Areas Case Study on Violence Against Women and Children Victims of Trafficking in the West Kalimantan Border" uses a methodology qualitative research with a case study approach through four main techniques of data collection, namely observation, documentation studies, in-depth interviews, and focus group discussions (FGD) on various parties and various related objects, to obtain actual, accurate, and complete data and information on violence against women and children victims of trafficking (trafficking) on the border of the Entikong-West Kalimantan region. The West Kalimantan border area is the focus of the research target because Entikong Sub-district is geographically directly adjacent to Sarawak, Malaysia. Cases of violence against women and children victims of trafficking on the border of West Kalimantan are placed as a contemporary phenomenon, which is new, is happening, and has a strong potential to continue to occur as long as prevention and eradication do not reach the target, are not effective, and are not systematic.

Keywords: Trafficking, violence against women and children, Entikong-West Kalimantan Border Area

1. INTRODUCTION

Violence against women and children victims of trafficking in Indonesia, continues to increase from year to year. This is of course very worrying because human trafficking is certainly not feasible, everyone has basic rights related to dignity and dignity from the human side that cannot be taken by fellow human beings. Trafficking is a social phenomenon when humans try to find a decent life so they try to travel a considerable distance to the outside of national borders, so there is a population movement or so-called international migration which is generally influenced by economic factors. Along with the development of globalization it turns out that it has direct consequences in the economic field in various countries. International migration always last until any time. Modernization with the advancement of transportation and information technology has a very significant effect on the increasing volume of migrants. The spirit of globalization has led to an expansion of the global capitalist system that has created a dualism of the labor market (Abdul Haris, 2005: 91). The dualism of the labor market can be explained as follows: that the global capitalist system has opened wider employment opportunities without considering certain national identities.

Furthermore, the global capitalism system on the other side closes the possibility of entering unskilled workers into the market competition it has created. It is this second dimension the cause of the development of labor black markets. The existence of a black market for labor is a fertile ground for trafficking. Many migrants are entangled in a network of labor mafias that control the black market. The strong network of labor mafia on the black market causes migrants who have been trapped in it difficult to get out. Even state-level institutions are often helpless against the mob network. Indonesia is part of a country that has quite a lot of migrant workers in the world, spread in several countries. In 2011, based on data from the National Agency for Placement and Protection of Indonesian Workers (BNP2TKI), there were around 3.8 to 4 million Indonesian migrant working in outside the country. In the same year there were around 581,081 Indonesian migrant workers work out abroad. There are 5 biggest destination countries, namely; Malaysia, Taiwan, Hong Kong, Singapore, Saudi Arabia. Most of them are women who work as domestic workers (see BNP2TKI data in 2010, 2011. There is a slight decrease in 2012 but the number workers of "informal" is still significant). As a real image can be seen in the following table:

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- Gefarina Djohan; UIN Syarif Hidayatullah Jakarta, Indonesia
- Dwi Surya Admaja; IAIN Pontianak, West Kalimantan, Indonesia
- Burhanudin Sanusi; IAIN Cirebon, Indonesia
- Haris Sumadiria; UIN Sunan Gunung Jati Bandung, Indonesia

Table I.1 Number of TKI in the Formal and Informal Sector Served by BNP2TKI Year 2006 – 2012

No	Year	the number of TKI served	TKI Formal	%	TKI Informal	%
1	2006	680.000	177.495	26	502.505	74
2	2007	696.746	196.191	28	500.555	72
3	2008	644.731	182.439	29	462.292	71
4	2009	632.172	103.918	17	528.254	83
5	2010	575.804	124.683	27	451.121	73
6	2011	581.081	264.756	46	316.325	54
7	2012 s.d Sep	362.510	188.765	52	173.745	48

Data source: BNP2TKI development and information research center

From the phenomenon of international migration there are two categories de jure namely legal and illegal economy. Legal economy refers to economic processes that are formal contractual. Illegal economy is a informal, non-contractual. Trafficking is a very prominent part of the non-contractual informal economy between drug trafficking and weapons. The phenomenon of trafficking is something that is global in nature (not only a feature of developing countries). The occurrence of trafficking is rooted of the helplessness of migrants in entering the commodity labor market and other socio-political factors. Referring to the ILO data above, among migrants helpless in the flow of global trafficking are women and children. They become migrants who are vulnerable to becoming trafficking commodities. This vulnerability is caused by social and cultural relations factors which weaken the position of both. The main trafficking problem is the practice of violence, based on the National Commission on Violence Against Women record, sexual violence is the most terrible specter. In 2014, out of 3,860 cases of violence against women in the community, 2,183 cases or 56% were cases of sexual violence in the form of rape, sexual abuse and sexual intercourse. the National Commission on Violence Against Women also noted that in 2015 there were 321.752 cases of violence against women in 34 provinces throughout Indonesia, or an average of 881 cases every day. This figure was obtained from religious courts totaling 305,535 cases and National Commission on Violence Against Women's partner institutions totaling 16,217 cases. So far the number of violence against women in 2015 has increased 9% compared to 2014. Sexual violence, it turns out, is among the most prominent forms of violence. It is understandable if later a number of people consider Indonesia is in an emergency state of sexual violence. In National Commission on Violence to Women annual record contains cases of violence against women handled by service provider institutions for the past year. The number of violence against women since 2010 has continued to increase every year. A very high number increase occurred between 2011 to 2012 which reached 35%. Whereas for 2015 the number of cases increased by 9% from 2014. The total of cases violence against women in 2016 amounted to 259,150, mostly from data on cases or cases handled by religious courts. The data

was collected from three sources namely, first from the religious court or the Religious Courts Agency (PA-Badilag) totaling 245,548 cases; second from the National Commission on Violence Against Women's partner service institutions with 13,602 cases, third from the Service Referral Unit, which is a unit deliberately formed by the National Commission on Violence Against Women to receive complaints from victims who came directly to and fourth from the monitoring division that manages complaints that enter through letters and electronic mail. Based on the collected data, the most prominent type of violence against women as in the previous year was domestic violence (Domestic Violence) which reached 75% (10,205). The second position is in the community with a percentage of 22% (3,092), and the last is in the state domain with a percentage of 3% (305). In the realm of domestic violence the most prominent were physical violence 4,281 cases (42%) which occupied the first position, followed by sexual violence 3,495 (34%) cases, psychological violence 1,451 cases (14%), and economic violence 978 cases (10%) For violence in the context of national relations in the household, violence against wives was ranked first 5,784 cases (56%), followed by courtship violence 2,171 cases (21%), violence against girls 1,799 cases (17%), and the remaining violence from ex-husbands ex-boyfriend violence, as well as violence against domestic workers. Still in the realm of personal relations, the 2017 National Commission on Violence Against Women presents data on marital rape of 135 cases. Marital rape is a serious matter and still not widely recognized even though it has a legal umbrella (article 8) of the PKDRT Constitution. Some issues need special attention from state and community institutions regarding the high rate of marital dispensation, where the number reaches 8488 cases of dispensation. This means there are 8,488 underage marriages authorized by the state. Various studies of early marriage show negative effects especially for women. These negative impacts include the removal of access to education for girls, such as girls who are married and / or pregnant after marriage, most likely to drop out of school. In the 2017 Annual Note, the National Commission on Violence Against Women found 259,150 cases against women consisting of 24,548 cases originating from cases handled by 359 religious courts, and 13,602 cases handled by 233 service provider partner institutions spread in 34 provinces. Data on reported violence has declined due to changes in the pattern of documentation in a several of state institutions, uneven access to services in a some of regions and reluctance of victims to report because of the complexity of justice access. In order to create Justice and Gender Equality which are the fundamental principles of human rights protection as stipulated in the Universal Declaration of Human Rights (UDHR) 1948, International Covenant on Civil and Political Rights (ICCPR) 1966, and International Covenant on Economic, Social, and Cultural Rights (ICESCR) 1966. As a country participating in the convention, in accordance with Article 2 of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), Indonesia must punish every form discrimination and strive to stop all forms of violence against women. CEDAW also recommends that all programs and aspects of development must accommodate efforts to prevent discrimination against women. This is also reinforced by the International Community as outlined in the Millennium Development

Goals (MDGs) about gender equality and justice. The current problem on trafficking has become a public problem that must be addressed immediately by the central and regional governments, because without any action taken by the government in anticipating and handling cases of trafficking in persons, it is feared that it will continue to extend the trafficking cases. In the Regional Autonomy Framework, the Trafficking Management Program is also a Regional Authority. Regions must be able to implement central policies related to the program. The implementation can be in the form of regulations, policies, and programs, even sustainable management models. Therefore, the Regional Government of West Kalimantan, showed its seriousness in efforts to eliminate trafficking through policy. It is also the authority of the government, in connection with that the West Kalimantan Provincial Government has considered that trafficking in persons as objects of trade and exploitation is an act that is contrary to human dignity and violates human rights and is a threat to the norms of people's lives, nation and state ; that the geographical location of the West Kalimantan region which is directly adjacent to Sarawak in eastern Malaysia, has placed this area as a crossing area between countries by land which is very **1**herable and vulnerable to trafficking in persons, especially **women and children**; that the **trafficking activities in West Kalimantan** are at a very alarming level with the victims of the majority of women and children exploited through employment and marriage, requiring guaranteed protection by carrying out prevention, service, rehabilitation and social reintegration of victims; and based on these considerations, the Province of Kalbar has issued REGIONAL REGULATION OF THE PROVINCE OF WEST KALIMANTAN NUMBER 7 in 2007 CONCERNING PREVENTION AND ERADICATION OF TRADE OF PEOPLE ESPECIALLY WOMEN AND CHILDREN. In the Regional Regulation of West Kalimantan Province Number 7/2000 Article 15 (1) affirms that the Provincial Government and Regency / City Government are obliged to provide convenience services for each candidate worker who will work outside the region or abroad to obtain information, receive education / skills training and travel documents. (2) The Provincial Government is obliged to determine the technical and standards for skills training / education for prospective workers as determined by the Governor's Regulation in accordance with the laws and regulations. (3) The Provincial Government must determine the official doors / land ports for the departure of workers sent abroad. (4) In providing service facility for troubled workers, the Provincial Government cooperates with Regency / City Governments. (5) Cooperation as referred to in paragraph (4) shall be further regulated by the Governor's regulation. Although local regulations already contained in terms of adequate protection but is in fact a case of trafficking in the region Sanggau Police Law and Police Entikong border region was still increasing. criminal and detective unit Entikong District Police in July 2018 (interview via FGD in STKIP Melawi Entikong Border Area on 18 July 2018) is currently handling 2 cases of cross-border trafficking through the "rat road" (not through official border gates) with 17 suspects in the group from Makassar and the next two victims from NTB. The police chief in Entikong border took action to repatriate potential victims who would be sent to Malaysia to their home areas, and those who were potential trafficking victims

were underage children aged between 15 and 16 years. Generally trafficking victims claim to be tempted by the cukong's invitation for economic reasons. They also confessed, the offer given at that time to work in a restaurant **2** but in reality they were worked on in cafes and places of **prostitution**.

2. STUDY OF LITERATURE

2.1. Human Trafficking

Conventional theories and methods, in fact, recommend that the strategy of conducting research on migrant workers requires a kind of approach that is comprehensive, **multi-disciplinary, and inter-disciplinary, which** is sometimes, at the same time, different (Bruckett, C., & Parent, C, 2002). In the United Nation Protocol Article 3 of 2000, human trafficking, or also known in Indonesian as human trafficking, is defined as follows;

...the recruitment, transportation, transfer, harbouring or receipt of person, by means or threat or use of force or other form or coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other form of sexual explanation, forced labour services, slavery or practices similar to slavery, servitude or forced labour services, slavery or practices similar to slavery, servitude or the removal of organs.

An attempt to recruit, transport, transfer, shelter or accept someone, using threats, violence, coercion, kidnapping, forgery, fraud, or abuse of power or vulnerable positions, or giving and receiving wages, or obtaining profits to get approval from people who get someone to be exploited. Such as sexual exploitation, forced labor or service, slavery and servitude or organ harvesting. From the definition, it can be noted, there are several important points that are emphasized. This is to get attention in understanding the definition, factors, elements that drive the occurrence of trafficking: First, the large of productive age in the region or country of origin that is very potential. This condition directly encourages competition to be very tight among them in seeking employment. This kind of condition also directly encourages productive age to look for work outside their territory or country; Second, the demand for services from destination countries seems endless. This means that the provider country and the user country are still continuing to provide and make new victims; and Third, the character of the trafficking network organization is usually organized neatly and the organization is very varied, there is a large scale and some are small. These organizations, economically, take control of the situation of requests and offers. Meanwhile, in the Working Paper of the International Organization for Migration (IOM), the Return and Reintegration of Victims of Trafficking in Persons (Addendum Models), Jakarta, in 2005, used terms in trafficking. These terms are: first, recruitment. The word means leaving an area or country of origin to go to an area or destination in the hope of getting a high-paying job. The

word recruitment also means referring to victims with the lure of work and ultimately not being paid. Second, transportation. This means that the delivery range occurs in one country or between countries. It is said to be a case of trafficking if, first, the delivery causes the victim to be a stranger, alien and physically and psychologically isolated, experience a shock culture (differences in language and culture), and has no access to justice. In addition to these conditions, it is said to be a case of trafficking, second, if the process of shipping and the occurrence of exploitation after the delivery process. Third, transfer, harboring or receipt of platform (transfer, shelter, and receipt). Usually, traffickers move, accommodate or accept trafficking victims when sending from the region / country of origin to the region / country of destination. Fourth, forced labor services (physical coercion). This means, people who do some kind of coercion with physical and psychological strength at the same time. Someone, psychologically under pressure because they are forced to obey and oppose their own desires. Fifth, abduction and fraud. Kidnapping is taking incorrectly and lawfully. Usually, this is done by force or by fraud. Meanwhile, fraud is to provide false or incomplete information to someone who is done intentionally and with the aim of personal gain and benefit. Trafficking perpetrators often misuse information to deceive the vulnerability of victims. Sixth, the abuse of power or of a position of vulnerability (abuse or torture). The purpose of abuse here is to exploit one's competence for certain targets and benefits without providing choices. Abuse (including abuse of power) clearly involves a dependency condition where people have power over others and do not recognize the rights of others. Seventh, exploitation and prostitution. It means that exploitation is an action to take advantage of someone else for their personal purposes and interests. Meanwhile, in prostitution, women and girls are victims. They undergo prostitution as a profession usually because three backgrounds are different; voluntary servitude, coercion or debt.

2.2. Sexual and Women's Exploitation

Article 3 of the 2000 UN Protocol underlines that the definition of sexual exploitation, or other forms of it, is at least forced to marry and sex slaves. The focus of this research is on women and girls as victims of trafficking and sexually exploited people. Therefore, in prostitution, prostitute are not commonly equated with sexual exploitation. In this study also, it must be admitted that prostitutes could be included in the category of trafficking, but the focus of this study is on young women who are victims of trafficking. Meanwhile, the concept of women is to refer to gender over the age of eighteen. Meanwhile, girl (girl) refers to girls under the age of eighteen. In this chapter, women are categorized as between 18 and 24 years old. Meanwhile, girls are women aged between 10 and 18 years. Research on trafficking in South Africa around women and girls, for example, shows that 10-year-old children are also trafficked. Although young women of all ages and nationalities can be traded. The 2005 ILO affirmation stated that the need for prostitutes was slightly focused on girls under the age of 24.

2.3. Previous research

In his study in Northern Thailand, entitled The Changing Situation of Child Prostitution in Northern Thailand: A Study of Cangwat Chiang Rai published by ECPAT International, Simon Baker found a significant reduction in the number of children at risk of entering the prostitution sector. However, due to various factors, especially the economy, there are also people who have survived in the world of prostitution. For Baker, children who are involved in prostitution are those with low educational backgrounds. So, for them, it is very difficult to find decent jobs. The practice of prostitution in certain areas in Thailand, prostituted children usually operate in secret. Julia O'Connell Davidson in her research on trafficking was particularly concerned with trafficking in girls in China, and was subsequently recorded in her academic work entitled Children in the Sex Trade in China and published in 2002. In her study Davidson raised things encourage the rise of involvement teenage girls in the sexual industry. In his study, Davidson explores men's views on gender, especially those involved in prostitution. Conditions in China, Davidson sees, is indeed a paradox. On one side, in 1957 a law was issued banning prostitution and the threat of severe punishment for perpetrators (male and female). Meanwhile, along with progress China's economic accompanied by the development of prostitution business. In the law, punishment for women involved in prostitution is a physical sentence of 3-10 years imprisonment. In fact, the death penalty is often imposed on pimps and guards. An estimated 30 thousand prostitutes were relocated as workers in camps in the decade of 1991. However, this is very paradoxical, even though the penalties for prostitution are getting tighter and tend to be repressive, but the business of prostitution in a number of regions still continues to flourish. Especially after the regional government argued in order to improve regional economic development. Furthermore, the results of Sachiyo Yamato's research entitled Prostitution and Feminisms: Integrating the Subjective Accounts of Power for Women in the Philippine Sex Industry was conducted in the Philippines which focused its research on the factors that encourage the involvement of girls in prostitution. Yamato concluded that the involvement of girls in prostitution was very complex. This kind of situation, there is a difference in reading this situation. First, structuralist feminists who argue that women's decisions to be involved in the sexual trafficking industry occur due to poverty and patriarchal factors. Second, liberal / neo-liberal feminist groups who see that women, regardless of their socio-economic background, have the choice to enter or not in the world of prostitution. In the Philippines, according to Yamato, women who are involved in prostitution generally do not always have prominent physical beauty. Most of them are around 16-20 years old, who try to look beautiful by going to beauty salons every day, using excessive make-up, dressing sexy and doing manicure-pedicure every week, but the various efforts seemed futile when they jumped to the streets, work in brothels, work at karaoke or pubs with wages below the minimum. In the City of Angeles Pampanga, for example, women who work in bars are generally devoted to military prostitution, namely serving US Clark Air Force Base. There, young Filipino women with brown coconut skin danced, danced half naked at the center of the main podium, surrounded by foreign customers (mostly troops from Australia and the United States) who

intentionally came to Angeles City to seek sexual services. These foreign men who come to the red regions of the Philippines, although not rich in their home countries, but generally have the financial power to buy sexual services from young women in the Philippines that are relatively cheap. In the Philippines, not a few women who are involved in the sexual industry use drugs and alcohol to kill shame to be insulted by customers, both words and behavior.

2.4. The Mindset Theory

2.4.1 Rational choice theory

Consider this theory (rational choice theory) to be used more because of the reason that traffickers base their decisions and actions on rational calculations. In other words, decisions and actions involving themselves in trafficking are based on rational economic calculations, especially in costs, benefits, and risks. Deterministic, criminal decision making processes, for example, are often based on free will, which requires sharpness in capturing opportunities, circumstances, and situations that can affect their success in carrying out planned crimes. This means that crime is related to decisions rational also involves the choice of the victim. These choices tend to be determined by the type of crime, the modus operandi, where and when to do it, and what to do afterwards. For the success of their work plans, usually, traffickers first conduct a kind of initial field observation and measure accessibility to potential victims, location, time of weakness of victims, ways to influence or who can provide input to potential victims easily, strategies and patterns in safeguarding their activities from the capture of law enforcement authorities. Meanwhile, on the other side, some rational theorists see that traffickers are different in making these choices based on perceptions, motives, skills, and abilities in seeing opportunities in the decision-making process. In this study, rational decision-making is free willingness, cost, benefit, or risk are three variables that will help in formulating the integrated framework in providing explanation for human trafficking. The method adopted by traffickers is based on the benefits they can get from the crimes and vulnerabilities and weaknesses of potential victims.

2.4.2 Demand Theory

One of the contributing factors to the perpetuity of trafficking activities that continues to be this is of several things, one of which is still the market demand for commercial sex workers (CSWs). Meanwhile, the presence of CSWs cannot be seen only on certain aspects. For example, the male side only. However, it is driven by many factors that can be classified into three categories: sex users or buyers, pimps from selling sex, and socio-cultural attitudes towards sex (Hughes, M. D, 2004). Sex users or buyers refer to people who pay for sex services; Brothel owners and pimps consist of professionals from sex and academics and media reports and writing about Prostitute are part of the socio-cultural attitude towards sex. The need for sex, the cultural meaning associated with prostitution and violence against trafficking victims will be four different characteristics of Prostitute users. First, whatever the reason, attracting people to prostitution is a heterogeneous group with different needs and motives for sex. The most important thing for users of prostitution is that they need to fulfill their shortcomings,

needs, or personal desires. At present, intimate relationships, the desire to engage in new sex styles, the acceptance of the myths of rape and sexual violence against commercial sex workers, perceptions of commercial sex workers and prostitution, and a lack of emotional relationships can motivate men to seek sex workers. The need for prostitute can also contribute to trafficking. However, some prostitute users can go beyond the experimental point and sexual fulfillment by committing acts of physical, emotional, and sexual violence against sex workers. Second, seems, there is a kind of cultural meaning related to prostitution. The norms and self-esteem of men who obtain sex and the moral significance they place on prostitution are other important factors that contribute to the demand for prostitution. In other words, perceptions of users of prostitution generally equate male superiority with sexual aggression and rights as cultural values that define maturity. It may also be that prostitute users, mentally dominating women, use prostitutes to take revenge on women who have persecuted them in the past. In addition, our society, prostitute are seen as amoral and tend to receive sympathy for the violence that may be a natural prostitution in the hands of its users. Clients consider CSWs to be morally different from other women who sell their bodies to get money because it deserves violence against them. Third, although to fulfill personal shortcomings that cannot be fulfilled in a normal relationship, prostitutes seem to experience physical, emotional, and sexual violence from the user. However, gender violence experienced by victims trafficked in the hands of users must be seen differently from intimate partner violence. In this transactional context, the victim and the perpetrator are foreigners. Short-term agreements are the basis of their interactions. However, the similarity between intimate partner violence and violence against trafficking victims is defined by the fact that men are known to use violence against women as a strategy to reaffirm the authority weakened by their daily experiences. On the other side, giving away the victimization experience from the victim's perspective is compounded by the types of work that are forced to do, user violence and violence encountered by human traders. Finally, a woman's body as an object to fulfill men's desires for sex and the independence of prostitute for client violence is an important element that illustrates the vulnerability of trafficked women and girls.

3. RESEARCH METHODOLOGY

This study uses qualitative research methods with a case study approach. (Bogdan and Taylor, 1975: 5; Kirk and Miller, 1986: 9; Kirk and Miller (1986: 9; Moleong, 2000: 3; Robert K. Yin, 2002; Van Wynsberghe and Khan, 2007; Creswell, 2007; Creswell, 2002: 61) On this basis, qualitative research methods with a case study approach are considered appropriate, effective, and representative in further examining the phenomenon of violence against women and trafficking children in the West Kalimantan border region. there are many real realities and hidden realities behind the dark veil of various acts of violence against women and children victims of trafficking that have often been blurred in mass media coverage for the past few years. The object of research is about violence as a victim of trafficking in women and children in the West Kalimantan border region, with a focus on the research target of

Entikong District which is geographically directly adjacent to Sarawak, Malaysia. Cases of violence against women and children victims of trafficking at the border of West Kalimantan are placed as contemporary phenomena, which have just happened, are happening, and have strong potential to continue to occur as long as prevention and eradication do not reach the target, ineffective and not systematic. Research priority speakers, among others, are as follows: 1) Regional Secretary of West Kalimantan Province, M. Zeid Hamdi Yusuf; 2). Dr. Mohamad Rif'at, Chair of the College of Teacher and Education (STKIP) Entikong West Kalimantan; 3). Yulita, SPd, Assistant Chairperson of Academic Affairs STKIP Entikong West Kalimantan; 4) Widiya, MPd, Suzy, MPd, and Ardi, MPd, all three graduates of Sanata Dharma University Yogyakarta, UNS Semarang, and USM Solo; 5) Some of the senior students of STKIP Entikong, especially Ragil, who were also pioneering as travel operators of Indonesian-Malaysian tourists and vice versa, Dedi from East Java who were devoted to becoming honorary elementary school teachers in Entikong, and Amonius, a native of West Kalimantan Dayak who is half of his family settled in Malaysia because they lived in the same village but were divided because they were in two countries in the Indonesia-Malaysia debate; 6) Kosmas M, Envoy of Entikong Sub-District; 7) Judi Susilo and Indra Idris from the Entikong PLBN Immigration; 8) Victor FP and Deny from P4TKI Entikong; 9) John C. Lumbagi, Kasubsi Entikong Kejari Branch Office; 10) Bripka Y. Sandu and Ryan Arbi from Entikong Sector Police; 11) Serka J. Sijaligi from Entikong Military District Command; 12). Mrs. Arsinah, Chair of the West Kalimantan Children Nation Foundation. Using the four main techniques of data collection, namely observation, documentation study, in-depth interviews, and focus group discussions (FGD). Data analysis (Moleong, 2000: 103-104). The data analysis technique schemes in this study are as follows: a) Establishing research theories and methods; b) Categorizing text based data and data based non-text field findings; c) Identify various data relating to the theory used; d) Cross checking (triangulation) of all relevant data; e) Define and compare all non-text based data and text-based data that intersect with the subject matter and focus of the research; f) Ensuring the process of drawing conclusions is in accordance with the objectives and objectives of the study.

4. RESULTS AND DISCUSSION

4.1 TRAFFICKING; ISSUES AND HANDLING IN THE ENTIKONG BORDER AREA

4.1.1 Data based on the Sex of the Trafficking Case

When focus group discussions were held at the Entikong College of Teacher Training and Education (STKIP) involving many speakers as described in the previous chapter, quantitative data on trafficking cases based on sex in West Kalimantan was not much revealed. Only admittedly, almost 90 percent of the perpetrators and victims consisted of men. The reason is especially very difficult for women to be able to conquer the ferocious terrain of West Kalimantan, so that they can get to Entikong, then finally break through the streets of rats splitting the mountains and hills to reach the land of Malaysian dreams. Likewise, almost no cases related to violence against minors were found. Usually cases

of verbal and physical violence against minors, more often refer to sexual exploitation. But the place is not in West Kalimantan but in Batam Riau Province. A number of female speakers or panelists in focus group discussions guided by the head of the research team, were unable to provide explanations and moreover convincing quantitative data on cases of violence against women and children trafficked. Only in passing, is illustrated about the existence of illegal female workers from Indonesia, in an insignificant number (not significant), who returned to Indonesia were already pregnant, or even brought "illegitimate children". The birth of the child could be the result of a local marriage with fellow illegal workers from Indonesia, or because of an "accident" after being overthrown by a masher host the Malaysian citizen. The West Kalimantan Provincial Government, immigration, police, and Military District Commander officials and local sub-districts, cannot show figures and exact data regarding these cases. Answers tend to be normative and diplomatic, because the facts are not as easy as finding a wild animal in a zoo. For example, based on the narrative and recognition of trafficking victims volunteers in Entikong, none of the women trafficking victims were pregnant out of wedlock or even gave birth to "illegitimate children" while working in Malaysia, who were openly courageous and took the initiative to report the case to the police, Koramil, or the nearest sub-district. This is certainly considered a disgrace to himself and his family.

4.1.2 Analysis of the Causes of Trafficking

Analyzing the causes of the emergence of trafficking, especially in West Kalimantan as a province directly adjacent to Malaysia, especially the State of Sarawak, said a high official in the West Kalimantan Provincial Government in a special interview with the research team, it was not simple. The causes are very complex, and involve many parties, many elements, and many stakeholders, starting from the sub-district government to the central government in Jakarta. The policy made by Jakarta, which only places itself as superior and powerful, and considers the provincial government in West Kalimantan as inferior and powerless, in the end more places trafficking as an endless national political issue and commodity. Called endless, because a lot of the authority of the provincial government and district government or city government, which was cut and taken over by the central government in Jakarta. As a result, the local government is more a spectator, and is like a paper tiger. You have no teeth at all when you have to execute a decisive, immediate action, and give birth to a deterrent effect. This is what later gave birth to symptoms of bureaucratic frustration among provincial governments and local governments. Frustration, because even though cases occur before the eyes and even within one's own home, their handling and execution remains the authority of the central government. But if simplified, the cause of trafficking in West Kalimantan, points to a number of important factors. First and foremost historical factors in relation to bilateral relations with and Indonesian foreign policy on Malaysia and vice versa after the Indonesia-Malaysia confrontation. Second, the attitude of the central government in Jakarta to neglect the sociological, economic, and geographical reality in the border areas of West Kalimantan and North Kalimantan so that the socio-economic disparity that is gaping is very sharp between the Indonesian people on the border, and the

Malaysian state. Third, there are still very strong tendencies in the attitude and behavior of sectoral egos among stakeholders in the provincial government and district governments and related ministries that have regional offices in West Kalimantan. Fourth, the carrying capacity of road infrastructure, land and river traffic and air is not prioritized from the start, so that local communities experience a lot of lagging in many aspects of socio-economic life. For example, more and more West Kalimantan residents seek treatment in Kuching Malaysia because all hospital infrastructure and medical facilities are available there rather than in Pontianak as the capital of West Kalimantan. In fact, hospital fees in Kuching Malaysia are much cheaper compared to Pontianak Indonesia

4.1.3 Pattern of Handling Trafficking Victims: Shelter and Victim Returns

As explained earlier, the handling of trafficking victims at the West Kalimantan border is done sporadically, not methodically, and not systematically. This all happened, once again, as a result of the authority of the central government in Jakarta which was too large, while the authority of the provincial government and district governments in the regions was too small and even almost without power. The next impact, various cases of trafficking that arise, are not handled systematically and thoroughly. There are indeed special regulations on trafficking as well as other special rules and policies with the intention of strengthening authority and handling. But still in the implementation on the field many things are constrained. For example, orders for assignments to an agency or agency do not necessarily include specific and adequate carrying capacity of funds and resources and regulations. Finally, back to the paper tiger theory. Due to the absence and unclear source of funds and the legal regulations that bind them, the parties in the regions, especially in West Kalimantan, are more likely to take shortcuts without risk. The shortcut is to make temporary shelter for trafficking victims. But the emergency shelter period did not last long. Always pursued time and lack of carrying capacity of funds. As a result, the shortcut policy is always taken, namely the return of victims and the suspected traffickers to their respective hometowns. This is an emergency charitable policy. Such a policy actually does not solve the problem seen from a long-term perspective.

4.1.4 Government Interventions in the Handling Program and Trafficking Case Management

It must be acknowledged, at least since the last five years, or since 2014, the central government's policy towards the provincial government has begun to change significantly. The center wants to glance at the area. Regions also do not hesitate to communicate with the center. There is a positive and productive dialogue process. As a result, for example, and this is the most visible concrete example, the central government disbursed large amounts of funds to build and organize road infrastructure and office buildings. The Trans-boundary Post Building of the Republic of Indonesia in Entikong, West Kalimantan, for example, looks so magnificent and encouraging. Indonesians don't feel inferior when they have to go in and out of Malaysia. The face of Indonesia as a big country, looks very convincing and proud. That is, the central government begins to intervene with local

governments in a positive and productive understanding. The region began to rediscover its passion as part of the NKRI which was very rich in natural resources and its geographical area. Very large population. Very large economic potential. Central government intervention in the form of building office buildings, road and bridge infrastructure, ports and airports, even stations and the construction of new railroad roads hundreds and even thousands of kilometers throughout Indonesia, will inevitably arouse Indonesia's new passion and face. So, what and how is the impact of trafficking cases, both in West and North Kalimantan and in other provinces such as Batam, Riau Province in particular? From the recognition of the panelists in the focus group discussion guided by the research team at Entikong, the cases of trafficking are now significantly decreasing. Indeed, there are also cases of trafficking, but the mode and type and shape are totally different. For example, interstate human trafficking, or more specifically between borders in Entikong and Kuching Malaysia, is now being replaced by trade in goods. Many Indonesians shop for nine basic necessities (groceries) to Malaysia. Conversely, many Malaysians are fond of shopping for clothes, jewelry, and even motorbikes and cars in Indonesia. Indonesia is considered a paradise of mode and fashion. So is the culinary. Now, at the crossroads of cross-border posts in Entikong, there are at least a thousand people entering and leaving every day in Malaysia. Most for economic and social purposes. Not for political purposes. In fact, in border communities, jokes are often laden with meaning: "On my chest there is an eagle, but in my stomach there is Malaysia". But because of this arrangement, trafficking cases on the Indonesia-Malaysia border will still emerge even if they don't rush to the surface. Except it might occasionally be viral on social media. Even the pattern of handling, in the next five years will not experience significant changes. Only gradual, will not be radical. One of the volunteer leaders and founder of the trafficking victim training center and training center in Entikong, even admitted that now the foundation he leads is not much preoccupied with trafficking cases. The foundation's office is even quiet. It was different from 10-15 years ago, when even he was often physically threatened and expelled to leave Entikong. He may not live in the hometown that raised him. "But there is no revenge in me," he said softly.

4.1.5 Field Analysis

4.1.5.1 Trafficking Case

Data from Home Women (Rumah Perempuan) shows that in the 2014-2016 period there were 157 cases of trafficking violence. Meanwhile, the East Indonesia Women's Network (Jaringan Perempuan Indonesia Timur (JPIT)) revealed the same thing that in the last 3 years there were 50 cases. Because this study uses qualitative methods with a case study approach, the problems that occur in the field are more seen as phenomena that do not stand alone, but are related to one another. Indeed, numbers or quantitative data are needed both formal and informal. Formal data is sourced from government agencies or state institutions such as immigration, police, and district governments and sub-district governments. The pattern of presenting the report is thus more argumentative narrative, rather than serving descriptive quantitative data. Informal quantitative data come

from community leaders, a leader of a non-governmental organization or records and reports found in non-governmental organizations engaged in handling victims of trafficking and victims of violence against women and children. But so far, based on a three-day field search in Pontianak and especially in Entikong, West Kalimantan, the two types and categories of quantitative data except very difficult to obtain, are also very diverse versions. As the name implies, human trafficking, as well as violence against women and children in border areas, is not a formal program launched by the government. On the contrary, trafficking in persons and acts of violence against women and children are illegal acts. Something that is very contrary to the positive law that exists, as well as contrary to the rules of ethics and socio-cultural norms that apply in Indonesia and even throughout the world. Because of its nature, which is illegal and against the law, cases of trafficking in persons and acts of violence against women and children at the border create many versions and perceptions. There is a version that sees trafficking in persons is not so bad as long as it is carried out with a vision and humanitarian motives and a clear economic background. In this perspective, trafficking in persons is more an administrative matter. That is, because trafficking in persons is carried out on the principle of mutual benefit, there is no party who feels disadvantaged, then the people in West Kalimantan, especially in the border region, do not question or even sue it sociologically and juridically. There was an impression that the surrounding community seemed to turn a blind eye to reality as such. Even in this phenomenon according to some of them there is a kind of symptom of hyperbole. The meaning is greatly exaggerated, even containing the content of provocation, because what really happened was not trafficking in persons but rather the process of handling the management and delivery of people from the West Kalimantan border area to the State of Sarawak, Malaysia. If you examine who that person is, then in layman's language, in layman's language, they are integrated as cross-country job seekers. Just say cross-country lines. There is also a black-and-white version that confirms, all this time, the Entikong people, as the outermost sub-districts directly bordering Malaysia, especially along the borders of Sarawak State, Malaysia, have only become victims of the hustle and bustle of trafficking cases and victims of violence against women and children. Because in fact, according to a number of sources interviewed, there were no Entikong residents who became traffickers, especially those who were perpetrators of violence against women and children. Even if they did, they said, the perpetrators were not them, but rather what they called cukong from Malaysia. They are Malaysian citizens, not Indonesian citizens. The cukong did indeed carry out silent operations, by recruiting Indonesian people who were also not known to come from which regions or provinces. Only in later case development, based on the findings of law enforcement officials, from the immigration authorities to the Military District Commander (Komandan Distrik Militer/Koramil), Subdistrict, and Sector Police (Polsek) parties, in fact most of the distribution agents came from several provinces in Sulawesi. These distributors also carry out silent operations. They consist of several groups divided into several subgroups. Each group and subgroup do not know each other. They use a system called a disconnected network system. Actors in one group for

example, do not know the other group. So it is exactly like the drug delivery and distribution network system, both from abroad to domestic, and between provinces in Indonesia itself. Between foreign cukong (Sarawak, Malaysia) and domestic channeling agents (Entikong, West Kalimantan), there is a very close cooperation, even though among them do not always know each other. Even in many cases, it is found the fact that among them is indeed made or conditioned to not know each other. They are connected by the law of supply-demand, and not by the pattern of traditional communication networks that are informal in nature. The case of trafficking in persons and acts of violence against women and children victims of trafficking have actually occurred, and indeed are the most prevalent, within Malaysia itself. So it's not like in Indonesia as many have been suspected so far. Some of the interviewees, including several speakers at the focus group discussions, mentioned that many cases of trafficking in persons and acts of violence against job seekers from Indonesia were found in a number of cities in Malaysia. The modus operandi, workers from Indonesia, which Malaysia calls illegitimate migrants, have not been given clear and accurate information from the start regarding their rights and obligations as workers. Even written evidence stating that they are Indonesian workers, who the company sent them, was employed when and where, who their employer was, also what kind of work they would do, they did not have. Only briefly notified, they will get a wage for example 800-1000 Malaysian ringgit per month. Of that amount, they each month have to pay installments to the cukong 30 percent, including for "guarantee of safety and security" while in Malaysia. If converted, 1000 Malaysian ringgit, equal to IDR 3.6 million. If it is cut by 30 percent, the illegal workers only get Rp. 2.4 million. Compare this with the wages of household staff in major cities in Indonesia today, such as Medan, Jakarta, Bandung, and Surabaya, which have obtained no less than Rp. 1.2 million. Thus, the wages of illegal workers from Indonesia in Malaysia are not tempting. "It's just mediocre," said a panelist in the focus group discussion in Entikong. To get such a wage, they must risk their lives, because from their departure from their home villages, to then entering West Kalimantan, and carrying out "guerrilla warfare" with security forces along the Indonesia-Malaysia border in Entikong, they must go through and even sneak infiltrate the path of rat holes. Its position is behind rows of mountains and hills that are steep, dark, and prone to deadly wild animals like poisonous snakes. Before reaching the hills, they also had to make a very dangerous journey through rivers and creeks and swamps in the middle of the inland wild forests of West Kalimantan. They ride traditional small boats that are very improper to use to travel far with steep and steep river currents. On the way before even reaching the edge of the border, their supplies were often the target of piracy. The question arises, how many of them were caught by the Indonesian security forces, or Malaysian security forces, and what sanctions did they receive? From the results of data tracking and a series of interviews with various related parties as described in the previous chapter, it is known, the numbers are very few. They were arrested by security forces, then processed by law ranging from investigation to prosecution, and finally the judge in the court sentenced him to sentence. Penalties against them vary, ranging from six to 12 months, even 24 months. But most


often, they were returned to their respective villages outside Kalimantan. Most of them come from Sulawesi, followed by Central Java and East Java. Handling in a positive or juridical manner towards illegal job seekers from Indonesia, as long as they are still in Indonesian territory, more specifically in the border area in Entikong, is not as scary as many people imagine. Instead, it should be more humanistic. The policy of forced repatriation to the city or village of origin, shows that prospective illegal workers from Indonesia who want to depart and have just returned from Malaysia, are based more on humanitarian considerations. They, according to law enforcers, also other state officials in the West Kalimantan Provincial Government, are not intellectual trafficking actors. They are actually victims or even deliberately sacrificed by certain parties who place them as objects of economic and business exploitation. With this explanation, it can be concluded that the thesis that states that many Indonesian officials, especially those on the border who commit acts of violence and even extortion of illegal job seekers, turns out to be untrue or broken by itself. It is precisely the opposite. Violence, trafficking in persons, and even exploitation of illegal workers from Indonesia, are often carried out within the territory of Malaysia. Small cases that are not massive, certainly there must or still occur in the field. That is, not then the state apparatus at the border has 100 percent clean. Everywhere, the hands of individuals are always there. Illegal workers from Indonesia actually become cash cows of cukong or Malaysian tycoons, who indeed intentionally trade "illegal immigrants". By law, their position is very weak and even helpless. Let alone doing wrong, even when doing the right thing, they were often hurt by their hearts, fed to Malaysian security forces who often hunted them when sweeping from house to house.

4.1.5.2. Factors Causing High Trafficking Cases

In the document, the United Nation Global Initiative formulates several factors and causes that encourage trafficking. These points are as follows, gender violence, discriminatory labor practices, partisan hierarchical structures, waning family ties, ethnic, racial and religious marginalization, corrupt and failed governments, status issues (as citizens or legal settlers), relating to work, roles and positions of women in the family, hierarchy of social power and order, responsibilities and roles of children, early marriage, high rates of divorce and accompanying social stigma, damage to personality development, limited achievements or educational achievements, limited opportunities economy (Nur Iman Subono, 2011). The points referred to as the United Nation Global Initiative above seem to be summarized to be, first, the entry of the spirit of hedonism and consumerism into the souls of today's modern people. As we know, modernization and globalization have a big influence, for example in the Southeast Asia region which has caused a surge in economic growth in the region. However, economic growth tends to be uneven, creating a wide gap between the rich and the poor and between the rural and urban communities. This condition, therefore, causes and directly encourages the village community to migrate to the city and abandon the village lifestyle. Second, there is a kind of culture that demands and requires obedience and obligation to serve parents. So, there is a kind of belief that a child must work hard to help his parents or siblings. A child must thank parents by paying good to

their parents. This kind of trust directly drives the emergence of trafficking practices. This condition is an important factor to explain the phenomenon of the migration of young people abroad. Third, the non-functioning of the family's role in society. Family violence and other family problems affect children's growth and development. Culture in countries in the Southeast Asian region does adhere to male domination. Such conditions encourage practices of gender injustice. Parents provide opportunities for boys to gain access to education.

5. Conclusion

- 1) Entikong sub-district and its border area are very potential, strategic and prospective to be developed, but have not been managed optimally. There is no adequate road along the border connecting the sub-district capital to the village for 42 km. Infrastructure is inadequate besides the quality of Human Resources is low because 70% are elementary school graduates.
- 2) Development of the border area has not involved all parties in an integrated manner. The limited authority / involvement of the Sanggau District Government in managing Entikong PPLB.
- 3) Development of border communities must be carried out through a welfare approach. The socio-economic gap between the Indonesian border community and Sarawak in East Malaysia is still very sharp, there is no land ready for use when construction is carried out. Economic sluggishness in the border region.
- 4) In relation to  border situation and organized trafficking crime, the government has a stake and must determine a firm attitude in handling and eradicating it.

6 Recommendations

- 1) It is necessary to establish a Border Development Center (BDC) Management Body as the Center for Economic Growth in the Entikong Border. Creating a conducive economic climate in the border area.
- 2) It is necessary to encourage the process of accelerating the construction of roads along the border that connects cities to villages such as from Entikong to Suruh Tembawang. Professional Management of Local Resources to improve community welfare, especially in isolated areas.
- 3) Construction of supporting facilities and infrastructure in the field of transportation and communication to support the business world. The development of border communities needs a welfare approach which needs to be encouraged by agriculture, plantations so that the future orientation of the community is not to neighboring countries (Malaysia).
- 4) In relation to Handling and efforts to eradicate trafficking, integrated efforts are needed from the elements of stake holders (Stakeholders; Government, Civil Society and the private sector).

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