



SEXUAL EXPLOITATION IN MARRIAGE TOURISM: JUSTICE AND LEGAL PROTECTION FOR VICTIMS IN CIANJUR AND JEMBER

Muh Faisol,^{1} Sri Lumatus Sa'adah,² Martha Eri Safira,³ Lailatul Mufidah⁴*

^{1,2}Faculty of Sharia and Law, UIN KH Achmad Siddiq Jember, Indonesia

^{3,4} Faculty of Sharia, IAIN Ponorogo, Indonesia

Email: ¹mfaisol18@gmail.com, ²srilumatus.iainjember@gmail.com,

³martha@iainponorogo.ac.id, ⁴mufidahlailatul1097@gmail.com

**Corresponding Author*

DOI: 10.21154/justicia.v21i1.7338

Received: Oct 10, 2023

Revised: May 30, 2024

Approved: June 20, 2024

Abstract: This article aims to provide recommendations for establishing regional regulations related to tourist marriage, the imposition of strict sanctions, and efforts to protect victims. The urgency of this research is because, in several tourist areas, there has been a practice of contract marriage involving women and children with tourists for years. This research uses descriptive-qualitative data analysis with a case study approach. In contrast, data collection techniques are done through interviews and a literature review of online source data. Based on the results of the research, it was found that contract marriage cases in the Puncak Bogor area and the Jember area are one type of sexual trafficking with child victims involving marriage brokers, parents, and tourists. This marriage is motivated by economic factors to save themselves and their families from poverty. Victims are primarily virgin girls aged 14-18 years who are married off on a transactional basis in exchange for half of the promised dowry. In practice, marriages are conducted are not registered. The local government in Jember has passed a local regulation on protecting women and children, while in Cianjur a district head regulation on the prohibition of contract marriages was passed. Socialization from the Religious Affairs Office and local government is still done in tourist areas. However, some contract marriage practices can still be found because women do not feel they are victims of sexual trafficking. This research provides a basis for local government policy towards handling and minimizing the practice of contract marriage.

Keywords: tourist marriage; legal protection; sexual trafficking.

Abstrak: Artikel ini bertujuan untuk memberikan rekomendasi agar ditetapkan regulasi daerah terkait nikah wisata, pemberlakuan sanksi yang tegas dan upaya perlindungan terhadap korban. Urgensi penelitian ini karena di beberapa daerah wisata terjadi praktik kawin kontrak yang melibatkan perempuan dan anak dengan

turis selama bertahun-tahun. Penelitian ini menggunakan analisis data deskriptif-kualitatif dengan pendekatan studi kasus. Sedangkan teknik pengumpulan data dilakukan melalui wawancara dan literature review data sumber online. Berdasarkan hasil penelitian, menghasilkan temuan bahwa, kasus kawin kontrak di kawasan Puncak Bogor dan Daerah Jember adalah salah satu jenis perdagangan seksual dengan korban usia anak, yang melibatkan calo pernikahan, orang tua dan turis. Perkawinan ini dimotivasi oleh faktor ekonomi untuk menyelamatkan diri dan keluarga dari kemiskinan. Korban kebanyakan adalah gadis perawan usia 14-18 tahun yang dinikahkan berdasarkan asas transaksional dengan imbalan setengah dari mahar yang dijanjikan. Dalam prakteknya pernikahan dilaksanakan tidak dicatatkan. Pemerintah Daerah di Jember telah mengesahkan Perda Perlindungan Perempuan dan Anak, sedangkan di Cianjur disahkan Perbup tentang larangan menikah secara kontrak. Sosialisasi dari pihak Kantor Urusan Agama dan Pemerintah Daerah masih dilakukan di wilayah wisata, namun praktek nikah kontrak beberapa masih bisa ditemui karena pihak perempuan tidak merasa sebagai korban perdagangan seksual. Penelitian ini berkontribusi dalam memberikan dasar kebijakan pemerintah daerah terhadap penanganan sekaligus meminimalisir praktik kawin kontrak.

Kata Kunci: nikah wisata; perlindungan hukum; perdagangan seksual.



Copyright: © 2024 by author (s). This work is licensed under a [Creative Commons Attribution-ShareAlike 4.0 International License](https://creativecommons.org/licenses/by-sa/4.0/).

INTRODUCTION

Data on the number of contract marriages cannot be found with certainty; almost all are not recorded at the Civil Registry Office or the Office of Religious Affairs. Specifically, they are carried out covertly and are increasingly developing into a clandestine prostitution business.¹ The perpetrators formed a structured and organized syndicate, starting with women, customers, and transportation providers. As happened in Cianjur, West Java, *Biyong* (another name for marriage brokers in Cianjur) becomes an intermediary in introducing and making contract marriages successful. The perpetrator offered the girls to foreign tourists from the Middle East by providing a list of names and photos.² Once approved, the dowry becomes a negotiation space between parents, *biyong*, and tourists. In this case, *Biyong* got a share of the dowry and distributed it to the people involved.

As in the Jember area, marriage brokers usually offer marriage to parents in exchange for a large dowry. Limited access to information, economic conditions, and

¹ AK, *Interview*, Puger Jember, May 29, 2024.

² RH, *Interview*, Cianjur, West Java, June 1, 2024.

low educational backgrounds make parents voluntarily give up their children in marriage. The new opinion that emerged with the marriage raised the status of the parents. The implementation of contract marriages does not go through an application; consent is a formality and is never registered. The average girl who is married is between 14 and 18 years old.

Poverty is the main factor in tourist marriages.³ In poor households, early marriage is used to escape this financial burden⁴ And protective gear for women.⁵ A poorly prepared marriage and a lack of maturity in the household can cause many problems.⁶ Victims of contract marriages are vulnerable to experiencing domestic violence.⁷ In addition, they have the potential to become victims of sexual harassment and exploitation by depriving them of their rights and causing physical and mental harm.⁸

The National Commission on Violence Against Women states that there are two forms of trafficking in women through marriage, namely marriage, by deceiving women and then channeling them into the sex industry and commercial marriage or mail-order brides – the importance of law as a guarantee of community protection and a reflection of community desires.⁹ The law contains standards that are considered appropriate and inappropriate, one of which is the criminal offense of prostitution.¹⁰ Women and children become victims of sexual exploitation in the

³ Ridwan Arifin, Yehezkiel Lemuel, and Ngaboawaji Daniel Nte, "International Legal Instruments in Responding to Human Trafficking," *Lentera Hukum* 8, no. 3 (November 30, 2021): 417–46, <https://doi.org/10.19184/ejlh.v8i3.22137>.

⁴ Rahmi Hidayati et al., "Dynamics of Child Marriage in Suku Anak Dalam Community," *Justicia Islamica* 20, no. 2 (October 30, 2023): 261–80, <https://doi.org/10.21154/justicia.v20i2.5975>.

⁵ Anak Agung Istri Ari Atu Dewi et al., "The Role of Human Rights and Customary Law to Prevent Early Childhood Marriage in Indonesia," *Sriwijaya Law Review* 6, no. 2 (July 19, 2022): 268, <https://doi.org/10.28946/slrev.Vol6.Iss2.1885.pp268-285>.

⁶ Umi Supraptiningsih, "Pro and Cons Contestation on The Increase of Marriage Age in Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 1 (June 30, 2021): 232, <https://doi.org/10.22373/sjhk.v5i1.9136>.

⁷ Kamarusdiana Kamarusdiana and Naili Farohah, "Reform on The Marriage Age Limit by Jakarta Women's Health Organizations in Maqāṣid al-Syarī'ah Perspective," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 198, <https://doi.org/10.22373/sjhk.v6i1.12892>.

⁸ Yayan Sopyan et al., "Child Exploitation by Parents in Early Marriage: Case Study in Cianjur West Java, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 30, 2023): 1921–42, <https://doi.org/10.22373/sjhk.v7i3.14804>.

⁹ Kemenppa.go.id, "KEMENPPA Pastikan Perlindungan dan Pemenuhan Hak Korban TPPO Modus Pengantin Pesanan," accessed May 20 2024.

¹⁰ Yaris Adhial Fajrin and Ach. Faisol Triwijaya, "Perempuan Dalam Prostitusi: Konstruksi Perlindungan Hukum Terhadap Perempuan Indonesia Dari Perspektif Yuridis Dan Viktimologi," *Jurnal Negara Hukum* 10, no. 1 (2019): 67–88, <https://doi.org/10.22212/jnh.v10i1.1203>.

practice of prostitution.¹¹ The rules for eradicating criminal acts of trafficking in persons in Law Number 21 of 2007 clearly state that the parties involved or mail-order brides can be charged under Article 2, Paragraph 1 and Paragraph 2 with the threat of a sentence of at least three years and a maximum of 15 years. and a fine of at least 120 million and a maximum of 600 million.

Trafficking has various meanings, according to the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women, and Children, article 3 states:

Trafficking in Persons shall mean the recruitment, transportation, transfer, harboring, or receipt of persons using the threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power, or a position of vulnerability or the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for exploitation. Exploitation shall include, at a minimum, the exploitation of prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of human organs.¹²

The emphasis of the definition above confirms that human trafficking is a form of modern slavery. This phenomenon is categorized as a violation of Human Rights and falls into the realm of criminal crimes that must be resolved.¹³ The process is structured systematically and uses covert methods, with the ultimate goal being exploitation.¹⁴ Where many women are promised a better life, but this leads to sexual exploitation and domestic violence.

This article aims to look at the crimes of prostitution and trafficking sexual relations in cases of tourist marriage. Analyze legal protection for victims and provide recommendations to local governments to form regulations regarding tourist marriages and take action against perpetrators with strict sanctions. This research uses a descriptive-qualitative analysis method by presenting research data

¹¹ Mariani Amberi, "Efforts to Prevent Child Age Marriage in The Study of Islamic Legal Philosophy and Indonesia Positive Law," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 239-60, <https://doi.org/10.22373/sjhk.v7i1.12404>.

¹² OHCHR (Office of the United Nations High Commissioner for Human Rights), "Protocol to Prevent, Suppress, and Punish Trafficking in Persons," 2020, <https://www.bing.com/> accessed May 20 2024.

¹³ Andre Edwin Johannes et al., "Human Trafficking: A Systematic Review and Future Research Agenda," *JKAP (Jurnal Kebijakan Dan Administrasi Publik)* 27, no. 2 (December 15, 2023): 107, <https://doi.org/10.22146/jkap.84709>.

¹⁴ Robert G Blanton, Shannon Lindsey Blanton, and Dursun Peksen, "Confronting Human Trafficking: The Role of State Capacity," *Conflict Management and Peace Science* 37, no. 4 (July 2020): 471-89, <https://doi.org/10.1177/0738894218789875>.

descriptively. It also uses a case study approach to gather information from individuals involved in contract marriages in Jember and Cianjur. The data collection technique was carried out in two ways, namely by interviewing via WhatsApp and online data tracking. Interviews were conducted with victims and several community figures. At the same time, data was searched *online*, focusing on articles/news related to the topic being studied and similar research that supports the validity of the research data.

PROSTITUTION BUSINESS AND TRAFFICKING IN TOURISM MARRIAGES

In the Cianjur area of West Java, contract marriages take place between minors and Arab tourists. According to the two informants the author interviewed, namely RH (15 years when married) and EV (16 years when married), both of them had had unregistered marriages with Arab men aged between 45-60 years. RH was married to his father, while EV was married to *Biyong*, who brought it. Tourist marriage begins when *Biyong* approaches low-income families who have virgin children. They promised a large dowry and increased the family's social status.

Like the marriage transaction experienced by EV and Mr. A (52 years), in this marriage, EV's parents received a dowry of 25 million. This amount is quite large after deducting intermediary and transportation costs. The marriage only lasted two months, and Mr. A returned to his country.¹⁵ This was different from what happened to RH. Initially, he was invited to the city to work, giving him 15 million. Unbeknownst to her, it turned out that she was married to an Arab tourist in a contract marriage for five months and was often forced to have sexual relations.¹⁶ Whether it happens to EV or RH, *Biyong* does not work alone but has established business relationships with other intermediaries who function as tourist searchers and transportation providers.

Contract marriage cases also occur in Jember, especially in the Puger beach tourist area, namely Watuulo, Puger, and Gumukmas. SL (14 years old when married) was married off by her parents with a dowry of 15 million. Unknown to her, her future husband was a local tourist who happened to be on holiday in Jember. Through a well-known marriage broker in the area, the two were married within three years weeks before it was finally abandoned.¹⁷ In contrast to what FN experienced (15 years when married), it started with her parents having a debt of 10

¹⁵ EV Interview, Cianjur West Java, June 1 2024.

¹⁶ RH Interview, Cianjur West Java, May 30 2024.

¹⁷ SL Interview, Puger Jember, May 28 2024.

million with loan sharks and being forced to enter into a contract marriage with a Chinese person so that the debt was paid off.¹⁸ The marriage only lasted two months, and they often experienced sexual harassment.

The cases of tourist marriages that occurred in Cianjur and Jember show that marriages are transactional and provide financial benefits for parents in the form of dowries. Meanwhile, as an intermediary, the marriage broker also gets a share of the agreed dowry. Marriages arranged through brokers are often motivated by economic factors. These factors cause families to choose to find husbands for their daughters based on wealth so that women are perceived as goods that can be traded.¹⁹ This kind of marriage is vulnerable to low-income families, where women are forced to marry to save themselves and their families from poverty.

Contract marriage is a form of economic and sexual exploitation which is vulnerable to violence and sexual harassment.²⁰ Tourists marry to seek temporary pleasure, not to build a lasting home. Marriage brokers use this condition to encourage poor parents to force their children to marry by giving promises of beautiful and prosperous lives.²¹ This is also exacerbated by the mistaken belief that parents will be free from all burdens when their children are married,²² which also increases social stratification and strengthens bloodlines.²³ One of them is contract marriage.²⁴ Most of them have low-income family backgrounds, are in debt, and have low education and skills, so they are unemployed and have low religious quality.²⁵

Sex trafficking is the most extreme form of slavery in the modern era,²⁶ Where

¹⁸ FN, *Interview*, May 28 2024.

¹⁹ Sopyan et al., "Child Exploitation by Parents in Early Marriage," 1921.

²⁰ Sopyan et al., 1921-22.

²¹ International Organisation Migran (IOM) dan Kejaksaan Agung RI, *Panduan Penanganan Perkara Tindak Pidana Perdagangan Orang* (Jakarta: International Organization for Migration (IOM), accessed May 20 2024.

²² Supriyadi Supriyadi and Siti Suriyati, "Judges' Legal Culture in Dealing with High Number of Applications for Child Marriage Dispensation during Covid-19 Pandemic at the Kudus Religious Court," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 1 (June 30, 2022): 273-98, <https://doi.org/10.19105/al-lhkam.v17i1.6060>.

²³ Qodariah Barkah et al., "Abandonment of Women's Rights in Child Marriage; An Islamic Law Perspective," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 2 (December 31, 2022): 383-411, <https://doi.org/10.19105/al-lhkam.v17i2.6725>.

²⁴ Arifin, Lemuel, and Nte, "International Legal Instruments in Responding to Human Trafficking," 417.

²⁵ Elfi Muawanah, "Trafficking Dalam Perspektif Al-Qur'an (Sebuah Kajian Sematik Atas Teks-Teks Al-Qur'an)," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 2, no. 1 (September 28, 2019): 84-114, <https://doi.org/10.19105/al-lhkam.v2i1.2616>.

²⁶ Arifin, Lemuel, and Nte, "International Legal Instruments in Responding to Human Trafficking," 417-18.

women and children are used for prostitution and sexual exploitation.²⁷ Prostitution is included in the category of sexual trafficking when there are elements of coercion and fraud. When it involves children, even if there is no element of coercion or fraud, the act is considered sexual trafficking.²⁸

Prostitution is understood as a form of prostitution that exchanges sexual relations for money or trade transactions.²⁹ Mansour Fakih, in his book *Gender Analysis and Social Transformation*, calls prostitution a type of violence due to gender bias (*gender-related violence*), which is a form of violence against women organized through economic mechanisms.³⁰ Prostitution is a crime that violates morals and decency, is considered unlawful, and violates morals. A societal phenomenon where women sell themselves to perform sexual acts for a living.³¹

Prostitution falls into the category of acts of sexual exploitation³² and human trafficking.³³ There is an element of sexual exploitation that involves the victim's sexual organs to obtain both material and immaterial benefits.³⁴ The element of human trafficking in tourist marriages can be seen from three aspects: 1) There is a process, namely the broker contacts the parents to marry off their child or for work reasons in exchange for a certain amount of money; 2) There are methods, namely brokers use various methods such as persuading, forcing and deceiving; 3) exploitation aims to sell the victim for material gain.

Prostitution and human trafficking under the guise of contract marriage in Jember and Cianjur have been going on for a long time. Marriage contracts generally only last briefly while tourists travel on vacation. It could be one week, three weeks, one month, or three months. Some only last a few days with a specific rate as the

²⁷ Elfi Muawanah, "Trafficking Dalam Perspektif Al-Qur'an (Sebuah Kajian Semantik Atas Teks-Teks Al-Qur'an)," *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 2, no. 1 (September 28, 2019): 84, <https://doi.org/10.19105/al-lhkam.v2i1.2616>.

²⁸ Sayid Muhammad Rifqi Noval, Soecipto Soecipto, and Ahmad Jamaludin, "Modus Operandi Dan Strategi Pencegahan Kejahatan Perdagangan Seksual Anak Secara Daring," *Undang: Jurnal Hukum* 5, no. 2 (December 30, 2022): 419-51, <https://doi.org/10.22437/ujh.5.2.419-451>.

²⁹ Fredi Yudiantoro, "Eksplorasi Seksual Sebagai Bentuk Kejahatan Kesusilaan Dalam Peraturan Perundang-Undangan," *Justitia Jurnal Hukum* 2, no. 1 (April 20, 2018), <https://doi.org/10.30651/justitia.v2i1.1227>.

³⁰ Mansour Fakih, *Analisis Gender Dan Transformasi Sosial* (Sleman: INSISTPress, 2016).

³¹ Alfitra, et. all, "Decency Norms in Law Enforcements to Online Prostitution in Indonesia: An Islamic Law Perspective," *Al-Istinbath: Jurnal Hukum Islam* 8, no. 195-214 (2023), <https://doi.org/10.292/jhi.v8i1.7044>.

³² Nurhayati, et. All, "Human Trafficking In The Perspective of Maqhasid Al-Shari'ah," *Jurnal Ilmiah Islam Futura* 22, no. 2 (2022): 150-63, <https://doi.org/10.22373/jiif.v22v2.12304>.

³³ Ridwan Arifin, et. All, "International Legal Instruments in Responding to Human Trafficking," *Lentera Hukum* 8, no. 1 (2021): 417-46, <https://doi.org/10.19184/ejh.v8i3.22137>.

³⁴ Yaris Adhial Fajrin and Ach. Faisol Triwijaya, "Perempuan Dalam Prostitusi: Konstruksi Perlindungan Hukum Terhadap Perempuan Indonesia Dari Perspektif Yuridis Dan Viktimologi," 67.

dowry. This type of marriage is better known as a tourist marriage.³⁵ End-of-time contract means the end of the marriage bond without divorce, decision trial, or death. The existence of this contract and its purpose have deviated from the purpose of marriage as stated in the Marriage Law and Compilation of Islamic Law, so this type of marriage is not valid, and strict action must be taken against the perpetrators.

The Indonesian Ulema Council, through its fatwa in the "VIII International Conference of the Indonesian Ulema Council" dated July 27, 2010, has prohibited tourist marriages. This type of marriage is temporary and is one form of marriage, *mut'ah* marriage.³⁶ Its many meanings for the wife can be seen from her intentions and interests (have fun) during the trip. This decision is taken to answer community unrest amidst the widespread practice of tourism marriages in Puncak Bogor. The concept of marriage is not far from the model of prostitution that is labeled "Marriage" to legalize adultery, infidelity, and attempts to get out of poverty pressure.

Integrated Service Center for the Empowerment of Women and Children Cianjur Regency recorded that during the last three years, there were three cases of human trafficking under the guise of contract marriage. The average victim is a dozen girls a year.³⁷ Economic factors are why many girls are trapped in covert trade. Poverty and limited employment opportunities, in particular for women, as well as the presence of foreign tourists who bring prosperity, encourage the practice of marriages like this to continue. Poverty creates vulnerability to various exploits. On the other hand, patriarchal cultures, such as restrictions on access for girls and the wishes of parents for their children to immediately work without adequate education and skills, also provide significant contributions.³⁸

Minimal information from victims and the environment around them makes this case difficult to find. Several victims admitted that they never felt disadvantaged and were grateful to be able to help their parents through economic

³⁵ bangkapos.com, "Mengungkap Kawin Kontrak Di Bogor, Tarif Per Hari, Nikah Cuma 5 Hari Ditinggalkan Tanpa Talak," accessed May 20 2024.

³⁶ Abdullah Abdurrahman Bahmid and Akhmad Husaini, "Tinjauan Maqashid Syariah Perspektif Ibnu Taimiyyah Terhadap Fatwa Majelis Ulama No. 2/MUNAS-VIII/MUI/2010/Tentang Nikah Wisata," *Al-Mada: Jurnal Agama, Sosial, Dan Budaya* 6, no. 3 (2023): 440–54.

³⁷ detik.com, "Kawin Kontrak Di Cianjur Yang Bikin Turis Kaya Di Cianjur Tergiur." www.detik.com accessed May 20 2024.

³⁸ Tati Sarihati, et. All, "The Evaluation Of Prevention And Handling Program Policy For Human Trafficking," *International Journal of Psychosocial Rehabilitation* 24, no. 2 (2020): 2002–10, <https://doi.org/10.37200/IJPR/V2412/PR200500>.

difficulties.³⁹ Unscrupulous individuals use this to exploit women and children by giving them large amounts of money, where the victims are economically very deprived. In this case, the Cianjur Regency Government has passed a regulation Regent of Cianjur Regency Number 38 of 2021 concerning the Prevention of Contract Marriage as an effort to prevent the practice from spreading between foreign tourists and residents, especially in the Cipanas-Puncak area, which is considered disturbing for women.⁴⁰ Meanwhile, the Jember government's efforts through the KUA in Puger, Ambulu, and Districts Gumukmas often conduct outreach about the impact of marriage contracts. Apart from that, Regional Regulation Number 4 of 2008 concerning the Protection of Women and Children Victims of Violence, and Regional Regulation Number 1 of 2023 concerning Child-Friendly Districts. The Jember government tightened the requirements for marriage dispensation, namely having to attach a letter of recommendation from the Health Service, psychologists, the Women's Empowerment Service, Child Protection, and Family Planning.

JUSTICE AND LEGAL PROTECTION FOR VICTIMS

Order is an essential (fundamental) need to create an orderly society. Legal certainty is required to create order. This kind of function is necessary in every society, including developing societies.⁴¹ In the sense of regulation legislation, the law functions as a tool or means of development, channeling the direction of human activities in the context of development. That direction is desired by development and renewal.⁴² The existence of law as a tool Regulations generally guarantee order, justice, legal certainty, and legal protection in society.⁴³ Legal protection includes honor and dignity, recognition of human rights by legal subjects, and functions to protect human interests.⁴⁴

Satjipto Rahardjo interprets legal protection as protecting human rights

³⁹ EV, *Interview*, Cianjur West Java, June, 1, 2024

⁴⁰ "Pemkab Cianjur Rancang Perbup Larangan Kawin Kontrak," <https://rejabar.republika.co.id/berita/>, accessed May 2 2024.

⁴¹ Annisa Justisia Tirtakoesoemah and Muhammad Rusli Arafat, "Penerapan Teori Perlindungan HUKUM Terhadap Hak Cipta Atas Penyiaran," *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 18, no. 1 (2019): 1-14, <https://doi.org/10.31941/pj.v18i1.1084>.

⁴² Tirtakoesoemah and Muhammad Rusli Arafat, 1.

⁴³ Kornelius Benuf, "Urgensi Kebijakan Perlindungan Hukum Terhadap Konsumen Fintech Peer to Peer Akibat Penyebaran Covid-19," *Rechts Vinding: Media Pembinaan Hukum Nasional* 9, no. 2 (2020): 203-17, <https://doi.org/10.33331/rechtsvinding.v9i2.427>.

⁴⁴ Benuf, 203.

harmed by others, which society offers to achieve all rights guaranteed by law.⁴⁵ Philipus M. Hardjon and Soetiono also presented a similar definition. Meanwhile, according to Muchsin, it aligns relationships with values or rules that manifest in attitudes and actions. Apart from that, it also contains the meaning of protection that someone gives to a weaker party.⁴⁶

In criminal law, legal protection is part of crime prevention and law enforcement efforts or policy.⁴⁷ The aim is to achieve prosperity while protecting society, which is done through a balance between the application of criminal sanctions and fines. Legal protection in its implementation requires adequate means. Philipus M. Hadjon said there are two types:⁴⁸ Preventive legal protection, where subjects can express their objections or opinions before a court decision. *Second*, repressive legal protection aims to resolve disputes by directly handling them by law enforcement and judicial institutions. Also, in the form of rule of law.

Law Number 16 of 2019 concerning Marriage limits the age of marriage, tightens administrative requirements, and provides public education. In Article 7, paragraph 2, child marriage is permitted with the approval of the Religious Court.⁴⁹ However, the process is relatively complicated and lengthy, causing tourist marriage practitioners in Jember to choose to marry by contract. This type of marriage is not recognized in marriage law and is considered to have never occurred.⁵⁰ In addition, forced marriage of children in tourist marriages violates children's rights,⁵¹ where they should receive protection from the government,

⁴⁵ Dewa Gede Sudika Mangku and Ni Putu Rai Yuliantini, "Legal Protection Of Women and Children in Buleleng District," *South East Asia Journal Contemporary Business, Economic and Law* 24, no. 3 (2021): 41-46, <https://doi.org/10.23887/jpku.v9i1.31431>.

⁴⁶ Ni Nyoman Muryatini, "Legal Protection of Women Victims of Psychological Domestic Violence Based on Enactment Number 23 of 2004," *Prasada: Jurnal Hukum* 10, no. 1 (2023): 28-35, <https://doi.org/10.22225/jhp.10.1.2023.28-35>.

⁴⁷ Henny Nuraeny and Kuswandi, "Legal Protection For Contract Marriage Victims in Indonesia," *Journal of Legal, Ethical and Regulatory Issues* 22, no. 3 (2019): 1-7.

⁴⁸ Henny Saida Flora, "Legal Protection Againsts Girl of Trafficking for Prostitution," *International Journal of Business, Economic and Law* 24, no. 5 (2021): 44-49.

⁴⁹ Any Ismawayati and Inna Fauziatal Ngazizah, "Criminal Acts in Completing Early Marriage Requirements: Tuku Umur Practices in Islamic Communities in Central Java, Indonesia," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 449, <https://doi.org/10.22373/sjhk.v6i1.13001>.

⁵⁰ Akrimatil Izat, "Contract Marriage In Indonesia: Controversial And Contemporary Issue On Law And Its Impact," *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (December 2020): 407-20, <https://doi.org/10.15294/ijicle.v2i4.43158>.

⁵¹ Dewi et al., "The Role of Human Rights and Customary Law to Prevent Early Childhood Marriage in Indonesia," 268.

family, and society.⁵²

There is a context of regional autonomy from a progressive legal perspective. It should be the starting point for preventing tourist marriages from occurring, especially in the tourist areas of Bogor and Jember, where a regulation that regulates the protection of women and children has been passed. One of them is with rules regarding the prohibition of tourist marriages and their sanctions. This shows the seriousness of the Regional Government itself in protecting women and children.

Cianjur Regent Regulation Number 38 of 2021 regulates prevention efforts with prevention, sanctions, and financing. There is no clarity regarding sanctions by applicable laws and regulations; sanctions are only in the form of community social sanctions, and unless there is violence, sanctions can be imposed criminally. Meanwhile, regarding Jember Regional Regulation Number 4 of 2008 and Number 1 of 2023, no article explicitly regulates one form of exploitation of women and children, namely tourist marriage, both in general provisions and explanations in the regional regulations. Even though many occurred, the victims were women and children.

All forms of child trafficking are prohibited, followed by severe punishment.⁵³ This requires cooperation and solidarity from many parties, including the government, law enforcement officials, community organizations, and so on, the community to overcome this.⁵⁴ *Bangkok Agreement and Action Plan to Combat Trafficking in Women*, a consensus of countries in the Asia Pacific region to combat trafficking in women, sets 4 (four) minimum standards, namely: 1) The government must prohibit human trafficking and punish this activity; 2) The government should enact laws equivalent to punishment for serious crimes involving death (*serious crime*), such as sexual assault with violence/coercion or acts of human trafficking in its most despicable forms, namely sexual exploitation (prostitution), rape, kidnapping or other things that cause death; 3) The government must impose punishments that are severe enough to reflect the heinous nature of the crime; 4) The government must make severe and sustainable efforts to eradicate human

⁵² Henny Yuningsih, "Ratio Legis of Chemical Castration to the Perpetrators of Sexual Violence against Children," *Sriwijaya Law Review* 4, no. 2 (July 31, 2020): 285-303, <https://doi.org/10.28946/slrev.Vol4.Iss2.652.pp285-303>.

⁵³ Taufik Hidayat et al., "Tradisi Jual Beli Anak Di Kabupaten Padang Pariaman Perspektif Al-'Urf Dan Hukum Pidana," *JURIS (Jurnal Ilmiah Syariah)* 18, no. 2 (December 30, 2019): 189, <https://doi.org/10.31958/juris.v18i2.1694>.

⁵⁴ Nathalia Naibaho, "Victim Protection and The Dynamic Situation of Human TRafficking: Indonesia Experience," *Indonesia Journal of International Law* 20, no. 4 (2023): 697-718.

trafficking.⁵⁵

Children who are victims of *sex trafficking* are regulated explicitly in Law Number 35 of 2014 concerning amendments to Law Number 23 of 2003 concerning Child Protection.⁵⁶ All forms of sexual exploitation of children under the age of 18 require legal protection through monitoring, security, prevention, care, and rehabilitation efforts (Article 59 of the PA Law). Deprivation of children's rights such as freedom of movement, freedom of assembly, and freedom to have and have fun, enjoy, or play.⁵⁷

Prostitution is regulated in Law Number 1 of 2023 concerning the Criminal Code (KUHP) in Article 296 with a maximum penalty of imprisonment of 1 (one) year and 4 (four) months or a fine of Rp. 15,000.00 (fifteen thousand rupiah), which is converted into Rp. 15,000,000.00 (fifteen million rupiah). Sanctions for pimps are also regulated in Article 506 of the Criminal Code, with a maximum prison sentence of 1 (one) year. The same thing also applies to customers; witnesses of adultery are threatened with imprisonment for 9 (nine) months.⁵⁸

Apart from that, pimps, according to positive law in Indonesia, can also be charged under Law Number 21 of 2007, whose regulations are divided into several articles. Pimps fulfill the elements of human trafficking because they recruit women, both adults and minors, by exploiting them as prostitutes, forcibly or unwillingly by sending them to customers.⁵⁹ By Article 2 point 1, he is imprisoned for a minimum of 3 (three) years, a maximum of 15 (fifteen) years, and a fine of at least Rp. 120,000,000.00 (one hundred and twenty million rupiah) and a maximum of Rp. 600,000,000.00 (six hundred million rupiahs). Similar penalties also apply to those who import victims into the territory of the Republic of Indonesia (Article 3) or send them abroad (Article 4). Perpetrators of sexual abuse or sexual intercourse with victims of human trafficking crimes, continuing the practice of prostitution, and taking profits are also charged with similar crimes (Article 12).

The perpetrator can be subject to an additional 1/3 (one-third) of the criminal

⁵⁵ Romli Atmasasmita, "International Cooperation On Combating Human Trafficking Especially Women and Children: A View from Indonesia," *Indonesia Journal of International Law* 1, no. 4 (2021): 673-92, <https://doi.org/10.17304/ijil.vol1.4.562>.

⁵⁶ Intan Syapriyani, "Legal Protection of Children as Commercial Sex Workers in Human Trafficking Crime," *Ius Poenale* 1, no. 2 (2020): 93-106.

⁵⁷ Syapriyani, 92.

⁵⁸ Regulated in Article 284 of the Criminal Code, applies to married men who commit adultery with married women.

⁵⁹ Alfitra, et. all, "Decency Norms in Law Enforcements to Online Prostitution in Indonesia: An Islamic Law Perspective."

threat above if the victim suffers serious injuries, severe mental disorders, or infectious diseases that endanger life and reproductive function (Article 7 paragraph (1)). Apart from that, it is stated in Article 7 paragraph (2) that if the victim dies, the perpetrator can be sentenced to imprisonment for a minimum of 5 (five) years and a maximum of life with a fine of at least Rp. 200,000,000 (two hundred million rupiah) and a maximum of Rp. 5,000,000,000.00 (five billion rupiah).

Apart from that, the government also ratified the agreement *Convention on the Elimination of All Forms of Discrimination against Women* (CEDAW) in Law Number 7 of 1984 concerning the Elimination of Discrimination against Women and Law Number 21 of 2007 concerning TIP. The perpetrator can be subject to Article 2, with a minimum prison sentence of a minimum of 3 years, a maximum of 15 years, and a fine of at least 120 million and a maximum of 600 million. Meanwhile, the perpetrator (a tourist who wants a contract marriage) can be charged under Article 412 of the Criminal Code with a maximum prison sentence of 6 months and a maximum fine of 10 million. In this case, positive law is, above its nature, a complaint offense; when the victim and family do not feel like they are victims and no one reports it, then cases of tourist marriage are difficult to prosecute.

There are still cases occurring in Cianjur and Jember, indicating that law enforcement is still weak. The element of law enforcement includes the substance of the law, where existing regulations cannot be appropriately implemented due to weak law enforcement officials, lack of understanding of public law, and poor legal culture. Substantially, laws, regional regulations, and their implementers have prohibited tourist marriages, accompanied by strict sanctions. Tourist wedding cases are included in exceptional criminal cases; without reports from victims and families, it is difficult for local governments to protect victims. The child, as the victim in this child marriage, does not feel like a victim and is happy to be able to get money for his family. Even though the rules are stringent, prohibiting child marriage. This is made worse by parents as the main actors and intermediaries so that this marriage can be realized. Apart from that, the people of Jember, predominantly Madurese, think that marrying off their daughters is a very noble and honorable thing.

Legally and firmly opposes all forms of human trafficking, including women. *Human trafficking* in all its forms is the third largest business after *drug trafficking* and

arms trade.⁶⁰ CEDAW is a comprehensive convention recognized worldwide as *the Bill of Rights for Women*, emphasizing equality and justice between women and men. This ratification was carried out as a form of state responsibility as mandated by the 1945 Constitution of the Republic of Indonesia, which mandated that all citizens have the same position in law and government. Therefore, all forms of discrimination must be eliminated.

Poverty and limited job opportunities are the most dominant reasons, in addition to increasing demand from service users.⁶¹ The impact is more significant, starting from psychological, physical, and social effects.⁶² From a physical perspective, victims often suffer from contracting a sexually transmitted disease and being exposed to HIV (Human Immunodeficiency Virus)/AIDS (Acquired Immunodeficiency Syndrome). The victims are not uncommonly experiencing permanent reproductive disease due to the use of contraceptives and forced abortion. Victims of prostitution often experience violence and coercion. Unfortunately, it also affects underage teenagers. Behind that, there is also the psychology of the victim, shaken to the point of experiencing stress and depression. Not a few, in the end, isolate themselves from social life and family life.⁶³ Causing Victims are isolated if they return to society, losing the meaning and purpose of life.⁶⁴

Protection of women and children victims of trafficking under the pretext of tourist marriages can be done by accelerating treatment and psychological empowerment of victims through the Women and Children Empowerment Agency (P2TP2A), providing legal protection to victims through Organizational Relations, Legal Institutions, and Advocacy (LHOHA), building temporary shelter,⁶⁵ seek rehabilitation. Rehabilitation measures include training, skills, health and welfare services, and employment opportunities to restore the victim's self-confidence.⁶⁶

⁶⁰ Atmasasmita, "International Cooperation On Combating Human Trafficking Especially Women and Children: A View from Indonesia."

⁶¹ Evie Ariadne, et. All, "Human Trafficking in Indonesia, The Dialectic of Proverty and Corruption," *Sosiohumaniora: Jurnal Ilmu-Ilmu Sosial Dan Humaniora* 23, no. 3 (2021): 356-63, <https://doi.org/10.24198/sosiohumaniora.v23i3.31806>.

⁶² Angka, et. All, "Development of a Restitution Model in Optimizing Legal Protection for Victims of Human Trafficking in Indonesia," *Journal of Indonesia Legal Studies* 8, no. 1 (2023): 93-128, <https://doi.org/10.15294/jils.v8i1.67866>.

⁶³ Atmasasmita, "International Cooperation On Combating Human Trafficking Especially Women and Children: A View from Indonesia."

⁶⁴ Ridwan Arifin, et. All, "International Legal Instruments in Responding to Human Trafficking."

⁶⁵ Ridwan Arifin, et. All; Sabirin, "Perdagangan Perempuan Dengan Dalih Perkawinan," *Raheema: Jurnal Studi Gender Dan Anak* 4, no. 1 (2017): 54-62, <https://doi.org/10.24260/raheema.v4i1.833>.

⁶⁶ Abdul Rahman et al., "Government Legal Policy And Society's Role In Overcoming The Practice Of Commercial Sexual Exploitation Of Children," *Russian Law Journal* 11, no. 3 (2023): 67-80; Rianda Dirkareshza, Eka NAM Sihombing, and Rosalia Dika Agustanti, "The Problem of Criminalization of

Apart from that, as a repressive measure, it is necessary to raid women's and children's shelters, brothels, and nightclubs, as well as arrest the perpetrators and expose their networks to be prosecuted by applicable law.⁶⁷ In the context of marriages under the guise of a marriage business, it is also necessary to supervise and monitor tourist locations where it is suspected that there are transactional agreements between tourists and pimps.

CONCLUSION

Until now, contract marriages in tourist marriages still exist in Puger, Gumukmas, and Watuulo in the Jember and Cianjur tourist areas of West Java. The motivation is economic factors and pressure from parents to increase social stratification. Even though in Cianjur, Regency Regulation Number 39 of 2023 concerning the Prohibition of Marriage has been stipulated. However, at the practical level, the contract is still not running optimally, and the sanctions regulated are also unclear. Likewise, in the Jember Regency, the existing Regional Regulations still focus on protecting Children and Women. Still, nothing explicitly governs the prohibition of tourist marriages and the sanctions. In practice, tourist marriage cases are included in the crime of human trafficking and child protection. However, it is difficult for the perpetrators to be prosecuted when there are no complaints from the victims and their families, and they never feel like they are victims.

REFERENCES

- Alfitra, et al. "Decency Norms in Law Enforcements to Online Prostitution in Indonesia: An Islamic Law Perspective." *Al-Istinbath: Jurnal Hukum Islam* 8, no. 195-214 (2023). <https://doi.org/10.292/jhi.v8i1.7044>.
- Amberi, Mariani. "Efforts to Prevent Child Age Marriage in The Study of Islamic Legal Philosophy and Indonesia Positive Law." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 239-60. <https://doi.org/10.22373/sjhk.v7i1.12404>.
- Angka, et al. "Development of a Restitution Model in Optimizing Legal Protection for Victims of Human Trafficking in Indonesia." *Journal of Indonesia Legal Studies* 8, no. 1 (2023): 93-128. <https://doi.org/10.15294/jils.v8i1.67866>.

Commercial Sexual Workers and Users of Prostitution Services," *Jurnal Penelitian Hukum De Jure* 22, no. 4 (December 16, 2022): 525-36, <https://doi.org/10.30641/dejure.2022.V22.525-536>.

⁶⁷ et. all Abdul Rahman, "Government Legal Policy And Society's Role In Overcoming The Practice Of Commercial Sexual Exploitation Of Children," *Russian Law Journal* 11, no. 3 (2023): 67-80.

- Ariadne, Evie et al. "Human Trafficking in Indonesia, The Dialectic of Poverty and Corruption." *Sosiohumaniora: Jurnal Ilmu-Ilmu Sosial Dan Humaniora* 23, no. 3 (2021): 356–63. <https://doi.org/10.24198/sosiohumaniora.v23i3.31806>.
- Arifin, Ridwan, Yehezkiel Lemuel, and Ngaboawaji Daniel Nte. "International Legal Instruments in Responding to Human Trafficking." *Lentera Hukum* 8, no. 3 (November 30, 2021): 417–46. <https://doi.org/10.19184/ejlh.v8i3.22137>.
- Atmasasmita, Romli. "International Cooperation On Combating Human Trafficking Especially Women and Children: A View from Indonesia." *Indonesia Journal of International Law* 1, no. 4 (2021): 673–92. <https://doi.org/10.17304/ijil.vol1.4.562>.
- bangkapos.com. "Mengungkap Kawin Kontrak Di Bogor, Tarif Per Hari, Nikah Cuma 5 Hari Ditinggalkan Tanpa Talak," accessed May 20 2024.
- Bahmid, Abdullah Abdurrahman and Akhmad Husaini. "Tinjauan Maqashid Syariah Perspektif Ibnu Taimiyyah Terhadap Fatwa Majelis Ulama No. 2/MUNAS-VIII/MUI/2010/Tentang Nikah Wisata." *Al-Mada: Jurnal Agama, Sosial, Dan Budaya* 6, no. 3 (2023): 440–54.
- Barkah, Qodariah, Arne Huzaimah, Siti Rachmiatun, Andriya, and Zulmi Ramdani. "Abandonment of Women's Rights in Child Marriage; An Islamic Law Perspective." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 2 (December 31, 2022): 383–411. <https://doi.org/10.19105/al-lhkam.v17i2.6725>.
- Benuf, Kornelius. "Urgensi Kebijakan Perlindungan Hukum Terhadap Konsumen Fintech Peer to Peer Akibat Penyebaran Covid-19." *Rechts Vinding: Media Pembinaan Hukum Nasional* 9, no. 2 (2020): 203–17. <https://doi.org/10.33331/rechtsvinding.v9i2.427>.
- Blanton, Robert G, Shannon Lindsey Blanton, and Dursun Peksen. "Confronting Human Trafficking: The Role of State Capacity." *Conflict Management and Peace Science* 37, no. 4 (July 2020): 471–89. <https://doi.org/10.1177/0738894218789875>.
- detik.com. "Kawin Kontrak Di Cianjur Yang Bikin Turis Kaya Di Cianjur Tergiur," April 22, 2024. <https://www.detik.com/jabar/berita/d-7302707/kawin-kontrak-di-cianjur-yang-bikin-turis-kaya-di-cianjur-tergiur> accessed May 20 2024.
- Dewi, Anak Agung Istri Ari Atu, Ni Ketut Supasti Dharmawan, Anak Agung Istri Eka Krisnayanti, Putu Aras Samsithawrati, and I Gede Agus Kurniawan. "The Role of Human Rights and Customary Law to Prevent Early Childhood Marriage in Indonesia." *Sriwijaya Law Review* 6, no. 2 (July 19, 2022): 268. <https://doi.org/10.28946/slrev.Vol6.Iss2.1885.pp268-285>.
- Dirkareshza, Rianda, Eka NAM Sihombing, and Rosalia Dika Agustanti. "The Problem of Criminalization of Commercial Sexual Workers and Users of Prostitution Services." *Jurnal Penelitian Hukum De Jure* 22, no. 4 (December 16, 2022): 525–36. <https://doi.org/10.30641/dejure.2022.V22.525-536>.

- Fajrin, Yaris Adhial and Ach. Faisol Triwijaya. "Perempuan Dalam Prostitusi: Konstruksi Perlindungan Hukum Terhadap Perempuan Indonesia Dari Perspektif Yuridis Dan Viktimologi." *Jurnal Negara Hukum* 10, no. 1 (2019): 67–88. <https://doi.org/10.22212/jnh.v10i1.1203>.
- Fakih, Mansour. *Analisis Gender Dan Transformasi Sosial*. Sleman: INSISTPress, 2016.
- Flora, Henny Saida. "Legal Protection Againsts Girl of Trafficking for Prostitution." *INTERNATIONAL JOURNAL OF BUSINESS, ECONOMIC AND LAW* 24, no. 5 (2021): 44–49.
- Henny Nuraeny and Kuswandi. "Legal Protection For Contract Marriage Victims in Indonesia." *Journal of Legal, Ethnical and Regulatory Issues* 22, no. 3 (2019): 1–7.
- Hidayat, Taufik, Yusri Amir, Yovidal Yazid, and Arif Fansuri. "Tradisi Jual Beli Anak Di Kabupaten Padang Pariaman Perspektif Al-'Urf Dan Hukum Pidana." *JURIS (Jurnal Ilmiah Syariah)* 18, no. 2 (December 30, 2019): 189. <https://doi.org/10.31958/juris.v18i2.1694>.
- Hidayati, Rahmi, Illy Yanti, Muhammad Farhan Hr, and Shahrul Hilmi Othman. "Dynamics of Child Marriage in Suku Anak Dalam Community." *Justicia Islamica* 20, no. 2 (October 30, 2023): 261–80. <https://doi.org/10.21154/justicia.v20i2.5975>.
- Ismawayati, Any, and Inna Fauziatal Ngazizah. "Criminal Acts in Completing Early Marriage Requirements: Tuku Umur Practices in Islamic Communities in Central Java, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 449. <https://doi.org/10.22373/sjhc.v6i1.13001>.
- Izat, Akrimatil. "Contract Marriage In Indonesia: Controversial and Contemporary Issue On Law And Its Impact." *The Indonesian Journal of International Clinical Legal Education* 2, no. 4 (December 2020): 407–20. <https://doi.org/10.15294/ijicle.v2i4.43158>.
- Johannes, Andre Edwin, Bevaola Kusumasari, Agus Heruanto Hadna, and Nunuk Dwi Retnandari. "Human Trafficking: A Systematic Review and Future Research Agenda." *JKAP (Jurnal Kebijakan Dan Administrasi Publik)* 27, no. 2 (December 15, 2023): 107. <https://doi.org/10.22146/jkap.84709>.
- Kamarusdiana, Kamarusdiana, and Naili Farohah. "Reform on The Marriage Age Limit by Jakarta Women's Health Organizations in Maqāsid al-Syarī'ah Perspective." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 6, no. 1 (June 27, 2022): 198. <https://doi.org/10.22373/sjhc.v6i1.12892>.
- Kemenppa.go.id. "KEMENPPA Pastikan Perlindungan Dan Pemenuhan Hak Korban TPPO Modus Pengantin Pesanan," accessed May 20 2024.
- Mangku, Dewa Gede Sudika and Ni Putu Rai Yuliantini. "Legal Protection Of Women and Children in Buleleng District." *South East Asia Journal Contemporary Business, Economic and Law* 24, no. 3 (2021): 41–46. <https://doi.org/10.23887/jpku.v9i1.31431>.

- Muawanah, Elfi. "Trafficking Dalam Perspektif Al-Qur'an (Sebuah Kajian Sematik Atas Teks-Teks Al-Qur'an)." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 2, no. 1 (September 28, 2019): 84-114. <https://doi.org/10.19105/al-lhkam.v2i1.2616>.
- Muryatini, Ni Nyoman. "Legal Protection of Women Victims of Psychological Domestic Violence Based on Enactment Number 23 of 2004." *Prasada: Jurnal Hukum* 10, no. 1 (2023): 28-35. <https://doi.org/10.22225/jhp.10.1.2023.28-35>.
- Naibaho, Nathalia. "Victim Protection and The Dynamic Situation of Human TRafficking: Indonesia Experience." *Indonesia Journal of International Law* 20, no. 4 (2023): 697-718.
- Noval, Sayid Muhammad Rifqi, Soecipto Soecipto, and Ahmad Jamaludin. "Modus Operandi Dan Strategi Pencegahan Kejahatan Perdagangan Seksual Anak Secara Daring." *Undang: Jurnal Hukum* 5, no. 2 (December 30, 2022): 419-51. <https://doi.org/10.22437/ujh.5.2.419-451>.
- Nurhayati, et al. "Human Trafficking In The Perspective of Maqhasid Al-Shari'ah." *Jurnal Ilmiah Islam Futura* 22, no. 2 (2022): 150-63. <https://doi.org/10.22373/jiif.v22v2.12304>.
- OHCHR (Office of the United Nations High Commissioner for Human Rights). "Protocol to Prevent, Suppress, and Punish Trafficking in Persons," Accessed May 2024. <https://www.bing.com/>.
- Rahman, Abdul, Nurfaika Ishak, Nur Akifah Janur, Ardiansyah, Aminuddin, and Nuzha. "Government Legal Policy And Society's Role In Overcoming The Practice Of Commercial Sexual Exploitation Of Children." *Russian Law Journal* 11, no. 3 (2023): 67-80.
- RI, International Organisation Migran (IOM) dan Kejaksaan Agung. *Panduan Penanganan Perkara Tindak Pidana Perdagangan Orang*. Jakarta: International Organization for Migration (IOM), 2021.
- Sabirin. "Perdagangan Perempuan Dengan Dalih Perkawinan." *Raheema: Jurnal Studi Gender Dan Anak* 4, no. 1 (2017): 54-62. <https://doi.org/10.24260/raheema.v4i1.833>.
- Sarihati, Tati et al. "The Evaluation of Prevention And Handling Program Policy For Human Trafficking." *International Journal of Psychosocial Rehabilitation* 24, no. 2 (2020): 2002-10. <https://doi.org/10.37200/IJPR/V24I2/PR200500>.
- Sopyan, Yayan, Zezen Zainal Muttaqin, Cucu Solihat, and Jaenal Aripin. "Child Exploitation by Parents in Early Marriage: Case Study in Cianjur West Java, Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 3 (November 30, 2023): 1921-42. <https://doi.org/10.22373/sjhc.v7i3.14804>.
- Supraptiningsih, Umi. "Pro and Cons Contestation on The Increase of Marriage Age in Indonesia." *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 5, no. 1 (June 30, 2021): 232. <https://doi.org/10.22373/sjhc.v5i1.9136>.
- Supriyadi, Supriyadi and Siti Suriyati. "Judges' Legal Culture in Dealing with High Number of Applications for Child Marriage Dispensation during Covid-19

- Pandemic at the Kudus Religious Court." *AL-IHKAM: Jurnal Hukum & Pranata Sosial* 17, no. 1 (June 30, 2022): 273-98. <https://doi.org/10.19105/al-ihkam.v17i1.6060>.
- Syapriyani, Intan. "Legal Protection of Children as Commercial Sex Workers in Human Trafficking Crime." *Ius Poenale* 1, no. 2 (2020): 93-106.
- Tirtakoesoemah and Muhammad Rusli Arafat, Annisa Justisia. "Penerapan Teori Perlindungan HUKUM Terhadap Hak Cipta Atas Penyiaran." *Pena Justisia: Media Komunikasi Dan Kajian Hukum* 18, no. 1 (2019): 1-14. <https://doi.org/10.31941/pj.v18i1.1084>.
- Yuniantoro, Fredi. "Eksplorasi Seksual Sebagai Bentuk Kejahatan Kesusilaan Dalam Peraturan Perundang-Undangan." *Justitia Jurnal Hukum* 2, no. 1 (April 20, 2018): 105-26. <https://doi.org/10.30651/justitia.v2i1.1227>.
- Yuningsih, Henny. "Ratio Legis of Chemical Castration to the Perpetrators of Sexual Violence against Children." *Sriwijaya Law Review* 4, no. 2 (July 31, 2020): 285-303. <https://doi.org/10.28946/slrev.Vol4.Iss2.652.pp285-303>.

