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## The Effectiveness of Providing Restitution for Victims of Trafficking Crime in Batam City Based on Perma No. 1 Year 2022

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**Abstract:** Trafficking in Persons (TPPO) is a complex transnational crime with significant impacts on victims, both economically and psychosocially. Batam City, as a major transit area in the TPPO network in Indonesia, faces major challenges in the implementation of restitution for victims in accordance with Perma No. 1 Year 2022. This study aims to analyze the effectiveness of restitution provision in Batam City, identify the main obstacles in its implementation, and evaluate the role of law enforcement officers in ensuring victims' rights are fulfilled. Using both qualitative and quantitative approaches, this study collected data through in-depth interviews and surveys with victims, lawyers, and relevant stakeholders. The results show that although regulations on restitution<sup>2</sup> have been established, its implementation still faces obstacles in legal, administrative, and social aspects. The low fulfillment of restitution is caused by the ineffectiveness of legal mechanisms, weak law enforcement against TPPO intellectual actors, and lack of public awareness of victims' rights. This study recommends policy reform, strengthening the capacity of legal apparatus, and increasing victims' access to restitution in order to create a more effective and equitable protection system for victims of TPPO.

**Keywords:** Human Trafficking Crime, Restitution, Batam City, Victim Protection, Legal Effectiveness

### INTRODUCTION

Batam City, located in Riau Islands Province, has a strategic geographical position with its proximity to Singapore and Malaysia, making it the largest investment center in Indonesia and part of the IMS-GT (Indonesia-Malaysia-Singapore Growth Triangle) (Afifah & Mahyani, 2022). However, this condition also makes it an area that is very vulnerable to the practice of Trafficking in Persons (TPPO). Batam City not only serves as a transit location for TPPO victims who are about to depart to various countries, but also as a repatriation point for victims who have been rescued (Alfian Eka Saputra et al., 2023). Based on data from the Ministry of Women's Empowerment and Child Protection (KEMENPPPA) in 2021, of the ten main trafficking routes originating from Indonesia to Middle Eastern countries, six of them used Batam as a transit point (Agusduka, 2022; Santoso, 2019). This is reinforced by the findings of

the Riau Islands Regional Police which revealed that in the period from June 5 to July 22, 2023, there were 31 cases of TPPO, of which 28 cases occurred in Batam, while the rest were spread across Tanjungpinang, Karimun, and Bintan, with the number of suspects reaching 52 people (Alfian Eka Saputra et al., 2023; Sultan, 2023). This fact confirms that Batam City is the main center of TPPO in the Riau Islands.

One of the factors causing the high number of TPPO cases in Batam City is the low access to formal employment for individuals with low education levels, which then encourages them to seek alternative employment abroad without going through official procedures. In addition, high economic pressure forces some people to seek loans from moneylenders, which in turn traps them in human trafficking networks (Dinata et al., 2023). It is not uncommon for victims of TPPO to experience severe exploitation, including physical abuse, as experienced by nine victims of TPPO who were trapped in an online fraud scheme in Cambodia and successfully repatriated to Indonesia through Batam with the assistance of the Indonesian Embassy in Cambodia (Pengadilan Negeri Batam, 2023)

Indonesia has long been known as one of the international sex tourism destinations, where sexual exploitation of women and minors is not just an issue, but an ongoing phenomenon, especially in Batam City, Bali, and Riau Islands (Dinata et al., 2023). Batam City not only serves as a destination for commercial sex worker trafficking, but also as a transit point for international sex industry recruitment networks. The modus operandi often used is to promise jobs as restaurant or shop waiters in Singapore and Malaysia, but after arriving at the destination location, the victims are forced to work in the prostitution industry (Mursyidan et al., 2023).

In order to provide protection to victims of TPPO, the Indonesian government has regulated the rights of victims through Law No. 21/2007 on the Eradication of Trafficking in Persons, one of the points of which emphasizes that victims are entitled to restitution. Further provisions regarding this restitution mechanism are regulated in Supreme Court Regulation (Perma) No. 1 of 2022, which includes the victim's right to compensation for loss of income, physical and psychological suffering, as well as the cost of medical and legal treatment. However, although restitution has become a normative right for victims, its realization is still far from optimal. According to the Deputy Chair of the Witness and Victim Protection Agency (LPSK), in 2021, the amount of restitution actually received by victims of TPPO was less than 12% of that granted by the court (Zulfikar & Soebanto, 2022).

The implementation of restitution for victims of TPPO faces significant structural challenges, especially in the long and complex legal process. TPPO often involves transnational criminal networks that require intensive inter-agency coordination, both at the national and international levels, resulting in slow investigation and law enforcement processes. Another obstacle that prolongs the legal process is the psychological trauma experienced by victims, making it difficult for them to provide clear and consistent testimony during the judicial process. In addition, geographical factors are also an obstacle, especially for victims who come from remote areas, because they have to return to the location of the investigation to provide additional information. The Supreme Court, through Circular Letter No. 2 of 2014, has set a time limit for case resolution at the first instance level of a maximum of five months, but this only covers the judicial stage in the district court, while the investigation and prosecution process often takes much longer (Afifah & Mahyani, 2022; Anisa Puspitasari & Rasji, 2024).

The phenomenon of TPPO in Batam City further clarifies the urgency of more effective protection for victims, especially in the aspect of restitution. Given Batam's role as a major transit city in human trafficking networks, it is important to assess the effectiveness of the implementation of Perma No. 1 Year 2022 in guaranteeing restitution rights for victims of TPPO in this region. Therefore, this study aims to analyze the effectiveness of restitution in TPPO cases in Batam City and identify the main obstacles in the implementation of the policy.

Restitution for victims of TPPO not only has an economic dimension, but also has a significant impact on the psychosocial recovery of victims. In this context, restitution serves as

a form of restorative justice that can assist victims in the process of rehabilitation and social reintegration (Afifah & Mahyani, 2022; Anisa Puspitasari & Rasji, 2024). In addition, the successful implementation of restitution also reflects the state's commitment to ensuring the protection of human rights and eradicating human trafficking as a whole (Suryadi Pane & Dame Panjaitan, 2023). Therefore, this study will not only evaluate the effectiveness of the restitution mechanism from the legal aspect, but will also explore the impact of restitution on the welfare of victims of TPPO in Batam City. The results of this research are expected to contribute to the improvement of protection policies for victims of TPPO as well as to increase the effectiveness of the legal system in handling TPPO cases in Indonesia.

## **METHOD**

This research employs a normative juridical approach to analyze the effectiveness of providing restitution for victims of human trafficking in Batam City based on Perma No. 1 of 2022. The normative juridical approach focuses on examining legal norms, statutory regulations, and judicial decisions relevant to the implementation of restitution in trafficking cases. This approach is used to evaluate the adequacy, clarity, and consistency of legal provisions related to restitution, as well as their application in practice. The study primarily relies on secondary legal materials, including national and international legal instruments, court rulings, legal doctrines, and academic literature (B. J. Nasution & Sunggono, 2016; Sugiyono, 2019). Primary legal sources such as Law No. 21 of 2007 on the Eradication of Human Trafficking and Perma No. 1 of 2022 are analyzed to determine the legal framework governing restitution. Additionally, secondary legal sources, including books, journal articles, and reports from institutions such as the Lembaga Perlindungan Saksi dan Korban (LPSK) and the U.S. Trafficking in Persons (TIP) Report, are examined to provide context and comparative insights. Legal interpretation methods such as systematic interpretation and comparative analysis are utilized to assess how the restitution mechanism aligns with international human rights standards and best practices in other jurisdictions. The research also evaluates judicial decisions and legal precedents to identify challenges in implementing restitution and gaps in enforcement. By adopting a normative juridical method, this study aims to provide a comprehensive legal analysis of the effectiveness of restitution for trafficking victims in Batam City. The findings are expected to offer policy recommendations to strengthen the legal framework and improve the enforcement mechanisms for ensuring that victims receive the compensation they are entitled to under Perma No. 1 of 2022.

## **RESULTS AND DISCUSSION**

### **Crime of Trafficking in Persons**

Trafficking in Persons (TPPO) is a form of modern slavery that includes labor trafficking and sex trafficking, making it one of the most lucrative global illegal businesses after drug and arms trafficking. In the context of transnational crime, TPPO not only involves the exploitation of individuals through threats, violence, or deception, but also places people as commodities in the criminal economic system (Benanzer et al., 2023; Khan et al., 2022). In Indonesia, including Batam City, TPPO has become a very complex problem that requires serious attention from various parties. The government has regulated the protection of victims of TPPO through Law No. 21/2007 on the Eradication of the Crime of Trafficking in Persons, which in Article 1 paragraph 1 explains that TPPO involves the act of recruitment, transportation, harboring, sending, transferring, or receiving a person with various modus operandi, both domestically and internationally, for the purpose of exploitation or resulting in exploitation (Indri Afrita Mars & Joko Setiyono, 2023). This crime is categorized as a crime against humanity, given its far-reaching impact on individuals and communities as well as its underlying economic aspects.

The 2024 Trafficking in Persons (TIP) Report (U.S. Departemen of State, 2024) issued by the U.S. Department of State shows that Indonesia is still in Tier 2, which indicates that there

are efforts to improve in combating TPPO, but still does not meet the minimum standards as a whole. One of the main obstacles raised in this report is the low realization of restitution for victims, even though the court has issued a legally binding decision. In Indonesia, restitution can be replaced with imprisonment for perpetrators, which in practice becomes an option for perpetrators to avoid their financial obligations to victims, as stipulated in the legislation (Anisa Puspitasari & Rasji, 2024; Respati Paramudhita, 2024).

The high rate of TPPO in Indonesia, especially in Batam City, is inseparable from various structural factors that affect the level of vulnerability of individuals to exploitation. Batam City, which has a strategic geographical location and a high level of population mobility, is the main transit point for trafficking victims, both those who want to be sent abroad and those who are returned to their hometowns (Benanzer et al., 2023; Diaz et al., 2022). The social and economic structure of a region greatly influences the prevalence of TPPO, where areas with high poverty rates, large population mobility, and low social heterogeneity tend to be more vulnerable to this crime. Furthermore, the phenomenon of migration is also a dominant factor contributing to TPPO. Many individuals seek employment abroad without adequate understanding of their rights, making them vulnerable to exploitation, either through labor fraud or sexual exploitation (Ghazinyan, 2023).

In order to tackle TPPO, a comprehensive approach is needed that includes law enforcement, victim protection, and rehabilitation and social reintegration programs (Indri Afrita Mars & Joko Setiyono, 2023; E. S. Nasution et al., 2022; Respati Paramudhita, 2024). Strong law enforcement plays an important role in providing a deterrent effect for TPPO perpetrators, but its effectiveness is often hampered by law enforcement officials' lack of understanding of the characteristics of this crime (Bello & Olutola, 2022). Therefore, training for law enforcement officers is necessary to increase their capacity to effectively identify, handle and follow up on TPPO cases. In addition, victim protection should be a top priority in anti-trafficking policies, where restitution and rehabilitation serve not only as economic compensation but also as psychosocial recovery mechanisms for victims (Indri Afrita Mars & Joko Setiyono, 2023; Respati Paramudhita, 2024). However, in many cases, the legal system still fails to optimally guarantee victims' rights, so policy reforms are needed to ensure justice for victims of TPPO.

In the context of Batam City, which is strategically positioned as a transit point for human trafficking, there is a need for active engagement of various stakeholders, including the government, non-governmental organizations (NGOs) and civil society, to develop more effective prevention and protection strategies (Noorikhshan et al., 2022; Mohammad et al., 2023). This multisectoral approach is necessary considering that TPPO is not only a legal issue, but also relates to social and economic aspects. Therefore, further research on the dynamics of TPPO in Batam is very important to understand the factors that influence this crime and to design more targeted policies.

### **Restitution and Offenders of Trafficking in Persons (TPPO)**

Restitution is one of the fundamental remedies for victims of Trafficking in Persons (TPPO) regulated in the Indonesian criminal justice system. Based on Article 1 point 13 of Law No. 21/2007 on the Eradication of TPPO, restitution is defined as the payment of compensation imposed on the perpetrator based on a court decision with permanent legal force for material and/or immaterial losses suffered by the victim or his/her heirs. The government further regulates the restitution mechanism in Supreme Court Regulation (Perma) No. 1 Year 2022, which outlines that restitution can be provided by the perpetrator or a third party willing to pay compensation to the victim. However, the provisions regarding third parties in this regulation are still very limited, leading to various interpretations regarding entities that can act as third parties in restitution payments (Bui et al., 2024; Novita Apriyani, 2021).



The implementation of restitution in TPPO cases still faces various obstacles, including legal, procedural aspects, as well as weaknesses in law enforcement. Data from the Riau Islands Regional Police shows that in 2023 there were 91 TPPO cases with 138 suspects, while in 2024 there were 66 cases with 96 suspects, of which more than 50% of the cases occurred in Batam City (Kepolisian Daerah Kepulauan Riau, 2024). However, of the 58 TPPO criminal cases handled by the Batam District Court during the 2023-2024 period, only 7 requests for restitution were granted by the Panel of Judges (Pengadilan Negeri Batam, 2025). One of the main problems in the TPPO justice system is that law enforcement generally only targets lower-level perpetrators, such as recruiters, transporters, or harborers, while intellectual TPPO actors who have control over human trafficking networks often escape the law (Junginger et al., 2024; Vitasari et al., 2020). The Institute for Criminal Justice Reform (ICJR) emphasizes the need for further evaluation of the TPPO legal framework to ensure that investigations are not only limited to field perpetrators, but also include confiscation of assets and blocking of accounts of the main perpetrators to ensure restitution payments for victims (Islam et al., 2024).

One of the main challenges in implementing restitution is the low level of fulfillment of victims' rights, even though the court has issued a legally binding decision. TIP Report Indonesia 2024 notes that in 2022, the Witness and Victim Protection Agency (LPSK) applied for IDR 11.4 billion (USD 741,580) in restitution for 389 victims of TPPO, but the court only approved IDR 1.8 billion (USD 117,090) for 56 victims and witnesses. In many cases, even when restitution has been approved, the perpetrators of TPPO do not pay restitution to the victims and prefer to substitute it with a custodial sentence, as permitted in the court decision (Ramadania, 2021; Riyadi et al., 2024). This shows that there are loopholes in the justice system that allow perpetrators to avoid financial obligations to victims, resulting in weak aspects of victim recovery in TPPO cases.

Restitution is not only financial compensation for victims, but is also part of their psychosocial rehabilitation and recovery process after experiencing exploitation. Victims of TPPO experience losses that are not only material, but also lose the opportunity to live a life without exploitation for a certain period. Therefore, although restitution cannot fully restore the victim's original condition, it remains an important legal instrument to restore the victim's dignity and give them the opportunity to return to life in better conditions (Kriswiansyah, 2023). Unfortunately, many victims of TPPO are unaware of their rights, including the right to apply for restitution, so it is necessary to increase awareness and access to legal information for victims (Ramadania, 2021).

In the context of Batam City, where TPPO is a significant problem, reforms in the restitution system are needed to make the victim recovery mechanism more effective. Given that Batam is a major transit point for human trafficking, the role of law enforcement officials, government, and non-governmental organizations (NGOs) is crucial in ensuring that victims receive their full rights (Noorikhsan et al., 2022; Mohammad et al., 2023). Collective efforts from various stakeholders can increase the effectiveness of the restitution system and narrow the legal loopholes that have been utilized by perpetrators of TPPO to avoid their responsibilities.

### **Legal Effectiveness**

Legal effectiveness in the context of restitution for victims of Human Trafficking Crime (TPPO) in Batam City, based on Perma No. 1 Year 2022, is a multidimensional and complex issue. Restitution, as one of the forms of legal compensation provided to victims, aims to recover the losses suffered due to exploitation committed by the perpetrators of TPPO. In an effort to assess the effectiveness of the implementation of regulations related to restitution, a holistic legal approach is needed to ensure that the policies that have been designed can be implemented optimally and provide substantive justice for victims (Soekanto, 2008). In

Soerjono Soekanto's perspective, the effectiveness of law enforcement is determined by five main factors, namely the law itself, law enforcement officials, facilities, society, and culture.

### 1. The Legal Factor itself

Legal substance is one of the indicators in terms of law enforcement that cannot be separated from the application of sanctions (Kriswiansyah, 2023). The TPPO Eradication Law in Article 32 regulates the blocking of perpetrators' assets which can be requested by law enforcement officials to financial service providers. Perma 1/2022 in Article 7 regulates the deposit of restitution money, but there is no regulation regarding the confiscation of restitution guarantees that can be carried out by law enforcement officials since the initial examination is carried out, which only exists if after the verdict when the perpetrator does not provide restitution within the specified time period (Amardhotillah & Harefa, 2023). When law enforcement officials wait until the perpetrator is proven guilty to protect the perpetrator's assets for the benefit of the victim, there will be enough time for perpetrators who do not have good faith to transfer their assets. The success rate of restitution implementation in Batam is still relatively low. Based on data from the Batam District Attorney's Office, out of 12 TPPO cases handled by the Attorney's Office in 2023, after the enactment of Perma 1/2022, there were 2 cases in which the victims received restitution from the perpetrators. Suhaimi bin Muchtar was sentenced to pay restitution to the victims based on Decision No. 742/Pid.Sus/2023/PN Btm dated December 14, 2023. Suhaimi paid half of the restitution amount decided by the Judge to the victims on February 2, 2024. Although the restitution paid was not full, Suhaimi's action needs to be appreciated because it shows the fund's good faith in fulfilling its obligation to provide compensation to the victims.

Article 1 point 6 of Perma 1/2022 reads:

*“Third Party is a party other than the perpetrator of a criminal offense who is willing to pay restitution”.*

There is no further regulation on who the third party is and who determines the third party who is responsible for the loss suffered by the victim. Article 25 paragraph (2) of Government Regulation No. 44/2008 on the Provision of Compensation, Restitution, and Assistance to Witnesses and Victims states: “In the event that Restitution payment is made by a third party, the perpetrator of the criminal offense in providing information to LPSK as referred to in paragraph (1) must present the third party.” This regulation shows the impression that the third party is a person known by the perpetrator.

Article 1 point 2 of Perma 1/2022 states:

*“Compensation is compensation provided by the state because the perpetrator of a criminal offense is unable to provide full compensation for which he is responsible.”*

Article 17 stipulates that compensation can be provided to victims of gross human rights violations. However, there is no further explanation of what constitutes gross human rights violations. Is TPPO included in it? If TPPO is not a gross human rights violation, can the government be categorized as a third party that can be asked for its consent to play a role in paying restitution when the perpetrator is unable to provide it?

When the perpetrator is just a messenger and is not economically capable, then if the third party is determined by the perpetrator, it is unlikely that this third party will appear in the examination, because he is too low in the chain of crimes so it is risky to involve people

who are at the top of the chain, or indeed because the perpetrator is at the bottom of the chain, it is likely that he does not have much wealth to be able to pay restitution. This makes it more likely that the victim will not receive restitution from either the perpetrator or a third party. There is no regulation that forces the third party to be responsible for providing restitution because the third party's involvement in the restitution payment is based on their consent.

## **2. Law Enforcement Factors: Those Who Form and Apply The Law**

Law enforcement officials in pursuing recovery efforts are still considered ineffective, this can be seen from the small amount of restitution received by victims, and this is due to the fact that the perpetrators caught are not those in the upper chain of trafficking, so they do not have the ability to pay restitution. Another thing that needs to be observed is that in his research on several decisions on TPPO cases, when the decision states that the defendant is guilty but there is no penalty to pay restitution, the author found that there is always a fine imposed on the defendant. In addition, it was also found in several decisions that the assets of the perpetrators were confiscated to become state property. This shows that the state does not prioritize the interests of victims or the protection of the rights of victims of TPPO or as if they are taking advantage of crimes that occur to victims. Judges based on their experience, of course, can know or assume that there is a tendency for victims of TPPO not to get restitution, therefore such a judge's decision does not support the effectiveness of providing restitution to victims. In this case the author will also discuss the culture of court decisions in TPPO cases (Junginger et al., 2024; Vitasari et al., 2020). In the cases studied, all of the TPPO cases that did not include restitution, in their decisions determined that the defendant was guilty of committing a crime against the victim and the elements of the TPPO article were fulfilled. However, in the judge's consideration, there was not a single mention of protecting the rights of the victim, but instead the judge's decision considered protecting the rights of the defendant. When the judge does not affirm or recognize the victim's loss for the crime that befell him, this will affect the effectiveness of law enforcement, especially restitution because this is one of the efforts to protect the rights of victims as regulated in Perma 1/2022.

## **3. Facilities That Support Law Enforcement**

In the context of TPPO, what is meant by facility factors here include professional human resources, good institutions or organizations, or it can also include victim assistance facilities.

Perma 1/2022 in Article 8 paragraphs (1) and (2) regulates:

- A. The request for restitution to the Court, apart from being submitted through LPSK, investigators, or public prosecutors, can be submitted by the victim;
- B. In the event that the application is submitted through the investigator or LPSK, the investigator or LPSK shall submit the restitution application file as referred to in Article 5 to the Public Prosecutor along with the LPSK Decision regarding the amount of the Restitution value if there is an LPSK Decision and consideration regarding the amount of the restitution value before the case file is submitted to the Court or at the latest before the Public Prosecutor reads out the criminal charges.

The above regulation shows that LPSK plays an important role in the restitution application process and there is a time limit related to the application process (Kahagi et al., 2020). LPSK has attempted to build synergy with law enforcement officials, but in the absence of an LPSK representative office in Batam, this has in fact become an obstacle to the restitution application process (Rahman & Sitorus, 2024). The mechanism of witness

protection in areas far from the national capital is certainly no different from the mechanism in the center, the difference being the reach of LPSK and the speed of handling, considering the existence of LPSK is still in the center.

Therefore, the presence of LPSK representatives in Batam will provide more maximum services and assistance to victims, both protection related to restitution and also to ensure victims to get assistance. This will help the effectiveness of protection for victims if there are regulations governing the need for LPSK representative offices in each provincial capital, or in cities with high TPPO rates, such as Batam City.

#### **4. Community Factors, I.E. The Environment in Which The Law Applies or is Applied**

Batam's multicultural society is one of the things that influence the implementation of regulations related to human trafficking. The geographical location of Batam City, which borders Singapore and Malaysia, contributes to the high rate of TPPO in this city. Batam City becomes a transit point for trafficking victims going to a number of countries as well as a transit point to be repatriated to their hometowns. In addition, Batam is a destination for trafficking for labor and sexual exploitation.

From a socio-economic perspective, Batam is known as an industrial city, which contributes to the high level of urbanization in the region. The development of the industry has brought positive impacts, especially with the increasing variety of business opportunities that create many jobs. However, this condition also opens a gap for traffickers to exploit. They often abuse the economic attractiveness of Batam by offering jobs to people from outside the region, who in the end become victims of exploitation (Muhtarom et al., 2022).

From the 14 TPPO cases studied, the author found that many victims do not realize that they are entitled to restitution, this can be seen from the number of decisions that do not include restitution in them, because there is no application for it. The increase in restitution applications after Perma 1/2022 was enacted needs to be appreciated, but there are still TPPO cases that do not include restitution. This shows the lack of understanding of the community, especially victims, about restitution so that they do not submit applications, especially if they do not get support or education from law enforcement officials (Shaqila et al., 2023).

Even if the perpetrator is in good faith, it may be difficult for him to make restitution when he has not been convicted. This does not mean that law enforcement officials in Batam have a culture of corruption, but the author can understand if the perpetrator would object to entrusting restitution money to law enforcement officials because the history of corruption in this country has reduced public trust in government officials.

#### **5. Cultural Factors, Namely as A Result of Work, Creation and Taste Based on Human Nature in The Association of Life.**

The culture of a society plays an important role in how it views victims of human trafficking and the practice of trafficking itself. In some cases, victims who do not fight for their right to restitution are seen as resigned or even considered responsible for their own fate. Lack of legal awareness and social pressure discourage many victims from claiming their rights. The lack of public understanding of restitution affects the effectiveness of law enforcement for victims. The low level of legal awareness in Indonesian society means that some victims are satisfied with the prison sentence handed down to the defendant. In addition, there is an assumption that if the victim makes a claim for compensation, the compensation is still not proportional to the suffering that has been experienced so that some victims tend to be apathetic (Arui et al., 2024; Bunga et al., 2019).

There are also perpetrators who, due to economic factors or a lack of understanding of the negative impacts of human trafficking, willingly trafficked their own children or



relatives, as in the case of a child handled by the Batam District Court with decision No. 890/Pid.Sus/2018/PN Btm where his own uncle sold this child so that he was exploited for 2 years. Normalization of human trafficking in certain environments further exacerbates the situation, causing the practice to continue in the absence of critical awareness and adequate prevention efforts.

There are structural challenges in the implementation of restitution. TIP Report Indonesia 2024 notes that in 2022, LPSK applied for IDR 11.4 billion (USD 741,580) in restitution for 389 victims of TPPO, but the court only approved IDR 1.8 billion (USD 117,090) for 56 victims and witnesses. In fact, in practice, TPPO perpetrators often replace the obligation to pay restitution with a custodial sentence, as allowed in court decisions (Ramadania, 2021; Riyadi et al., 2024). This shows that the mechanism for fulfilling restitution is still not running optimally, so that the main purpose of restitution as an instrument of victim recovery has not been fully achieved.

From Wirjono Prodjodikoro's perspective, the law should function to restore balance in society after a violation of rights (Saodana et al., 2023). However, if restitution is not received by victims of TPPO, then the rule of law fails to achieve its purpose. Therefore, an in-depth evaluation of Perma No. 1 Year 2022 is needed to ensure that this regulation can be applied more effectively and equitably. This includes the creation of additional regulations that require the confiscation of the perpetrator's assets from the beginning of the investigation, as well as the establishment of a transparent mechanism for third parties who can be held liable for restitution payments. In the context of Batam City, a more comprehensive reform of the legal system is needed so that the implementation of restitution is not just a regulation that is difficult to realize in practice. By improving inter-agency coordination, strengthening the capacity of law enforcement officers, and increasing public awareness, it is hoped that the rights of victims of TPPO can be better protected. Ultimately, an effective legal system that is responsive to the needs of victims will contribute to creating a fairer and more recovery-oriented justice system for victims of TPPO.

## CONCLUSION

Trafficking in Persons (TPPO) is a complex transnational crime with significant economic, social, and psychological impacts on victims, particularly in Batam City, a major transit area in Indonesia. Despite the existence of restitution mechanisms under Perma No. 1 Year 2022 to compensate victims for their losses, the implementation of these provisions remains ineffective due to various legal, administrative, and social challenges. Key issues include an inadequate legal framework that fails to guarantee restitution rights, a focus on lower-level perpetrators while higher-level actors evade justice, and limited support facilities such as the absence of the Witness and Victim Protection Agency (LPSK) in TPPO-prone areas. Additionally, low legal awareness among victims and high corruption levels within government and law enforcement institutions further hinder access to restitution. To address these challenges, comprehensive legal reforms are necessary, including improved restitution regulations, mechanisms for asset confiscation from perpetrators, and enhanced law enforcement capacity. Increasing legal awareness among victims and the community, along with fostering multisectoral collaboration among government, law enforcement, and non-governmental organizations, is essential to create a more equitable and effective restitution system that provides justice and protection for TPPO victims in Batam City.

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