

JUDICIAL ANALYSIS OF DEFENDANT ACQUITTAL IN HUMAN EXPLOITATION CASES: A STUDY ON EVIDENTIARY PRINCIPLES IN CRIMINAL LAW

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Abstract

This research analyzes the judicial considerations in Decision Number 555/Pid.Sus/2023/PN STB, which acquitted the former Regent of Langkat, TRPA, in a human exploitation case. The study evaluates whether the judges' reasoning aligns with the legal provisions of Law Number 21 of 2007 on the Eradication of Human Trafficking and Law Number 39 of 1999 on Human Rights. This study employs a normative juridical approach, focusing on court decisions, statutory regulations, and relevant legal theories in criminal law and human rights. The analysis is conducted through doctrinal research, examining the legal reasoning behind the verdict and its conformity with established legal principles. The findings indicate that the court ruled the indictment's elements were not legally and convincingly proven. The judges based their decision on the principle of presumption of innocence, emphasizing the lack of sufficient evidence to establish the defendant's direct involvement. The absence of mens rea (malicious intent), material benefits from exploitation, and direct participation in acts of violence further supported the acquittal. Additionally, accountability for the crime had already been attributed to another perpetrator in a prior ruling. This study contributes to the discourse on evidentiary standards and judicial reasoning in human exploitation cases. It offers a critical assessment of the challenges in prosecuting high-ranking officials and the legal gaps that may affect accountability in similar cases. The findings highlight the need for a more robust evidentiary framework in human exploitation trials, particularly in cases involving structural actors. The study suggests that legal reforms and enhanced prosecutorial strategies are necessary to prevent loopholes that could hinder justice in crimes of exploitation and human trafficking.

Keywords: *Judicial Considerations, Human Exploitation, Presumption of Innocence, Criminal Liability, Human Trafficking Law*

INTRODUCTION

A rule-of-law state should guarantee the protection of human rights for all citizens without exception.¹ As a rule-of-law state, Indonesia has the obligation to uphold the supremacy of law and justice for all levels of society. Article 1, Paragraph (3) of the 1945 Constitution of the Republic of Indonesia affirms the principle of equality before the law, while Law No. 39 of 1999 defines human rights as legal rights that must be protected by the state.² In practice, however, numerous cases reveal weak human rights protections, both by individuals and state institutions. Therefore, fair and firm law enforcement is a key element in ensuring human rights for all Indonesian citizens.³

Human rights are fundamental rights inherent to every individual and must be upheld by the state.⁴ The theory of human rights in legal literature emphasizes that the state has a duty as the rights-holder's guarantor to protect and fulfill its citizens' rights. This concept is supported by various international and national legal instruments that affirm the necessity of safeguarding basic individual rights.⁵ Article 1, Paragraph (6) of Law No. 39 of 1999 states that human rights violations can be committed by individuals or institutions, either intentionally or due to negligence.⁶ Therefore, a theoretical understanding of human rights must be concretely implemented through effective legal policies.⁷

This study aims to examine the effectiveness of law enforcement in addressing human rights violations in Indonesia. A notable example is the human cage case involving

¹ Maleha Soemarsono, "Negara Hukum Indonesia Ditinjau Dari Sudut Teori Tujuan Negara," *Jurnal Hukum & Pembangunan* 37, no. 2 (2007): 300–322.

² Bobi Aswandi and Kholis Roisah, "Negara Hukum Dan Demokrasi Pancasila Dalam Kaitannya Dengan Hak Asasi Manusia (HAM)," *Jurnal Pembangunan Hukum Indonesia* 1, no. 1 (2019): 128–45.

³ Anne Cheung, "Doxing and the Challenge to Legal Regulation: When Personal Data Become a Weapon," *The Emerald International Handbook of Technology-Facilitated Violence and Abuse*, 2021, 577–94, <https://doi.org/10.1108/978-1-83982-848-520211041>.

⁴ Seri Mughni Sulubara, T Saiful Bastri, and Iskandar Iskandar, "Analisis Konstitusional Terhadap Perlindungan Hak Asasi Manusia Dalam Sistem Hukum Indonesia," *Jurnal Kabar Masyarakat* 2, no. 4 (2024): 198–211.

⁵ Della Angelica Putri, "Relativisme Hukum Terhadap Kasus Perbudakan Dan Merendahkan Martabat Oleh Bupati Langkat," in *Seminar Nasional-Kota Ramah Hak Asasi Manusia*, vol. 2, 2022, 20–30.

⁶ Sulubara, Bastri, and Iskandar, "Analisis Konstitusional Terhadap Perlindungan Hak Asasi Manusia Dalam Sistem Hukum Indonesia."

⁷ John Abraham Christiaan et al., "Penerapan Teori Conditio Sine Qua Non Dalam Prinsip Apologetika Kristen," 2023.

former Langkat Regent TRPA, who was alleged to have unlawfully detained and mistreated palm oil plantation workers. Despite significant public attention and widespread criticism, the court ruling in Case No. 555/Pid.Sus/2023/PN STB acquitted the defendant of all charges.⁸ This study will analyze how the judicial system handles human rights violations and the factors influencing court decisions. Consequently, the research will provide insights into the challenges of ensuring justice for victims of human rights violations.

The court ruling in the TRPA case reflects the complexity of Indonesia's judicial system in handling human rights violations. Factors such as differing legal interpretations, insufficient evidence, and potential power interference pose significant obstacles to justice enforcement. Criticism from the National Commission on Human Rights and various activists highlights dissatisfaction with the judicial process, which is perceived as failing to deliver justice for victims. Furthermore, the weak legal protection for victims of human rights violations underscores the need for judicial system reforms. Therefore, evaluating existing legal mechanisms is crucial to ensuring that justice is upheld without undue influence.

METHOD

In conducting this research, the author employs a normative juridical research method, which is an approach based on primary legal materials by examining legal theories, concepts, principles, and statutory regulations related to slavery and human confinement as forms of human rights violations. The legal materials used in this study consist of primary, secondary, and tertiary legal sources.

Primary legal materials are binding legal sources, such as the 1945 Constitution, statutory regulations, the Human Rights Law,⁹ court decisions, treaties, jurisprudence, and others. This study specifically refers to the decision of the Stabat District Court, Case No. 555/Pid.Sus/2023/PN STB. Secondary legal materials include legal opinions and theories obtained from legal literature, research findings, scholarly articles, and relevant

⁸ Kontras, "Surat Terbuka Desakan Kasasi Terhadap Kasus Tindak Pidana Perdagangan Orang Oleh Bupati Nonaktif Terbit Rencana Perangin Angin," *Kontras*, July 2024.

⁹ Peter Mahmud Marzuki, "Penelitian Hukum," *Jakarta: Kencana Prenada Media* 55 (2005).

websites. These secondary sources primarily serve to provide explanations and interpretations of primary legal materials.

The data collection technique used in this study is library research. The data analysis method applied is descriptive analysis, which focuses on the legal considerations in the Stabat District Court's decision, Case No. 555/Pid.Sus/2023/PN STB, particularly in assessing whether the judges have correctly applied criminal law principles and human rights protections.

RESULT AND DISCUSSION

1. Criminal Law Review on the Act of Confining Humans

The act of confining humans is an inhumane practice that violates fundamental human rights. Victims experience torture, violence, and deprivation of rights, which reflect slavery practices. When an individual loses control over themselves and is placed in a position of dominance by another party, it constitutes exploitation.¹⁰ Exploitation occurs without the victim's consent and is often for the perpetrator's benefit. Law No. 21 of 2007 defines exploitation as forced labor or similar slavery practices. Additionally, Law No. 39 of 1999 asserts that the right not to be enslaved is an inalienable human right under any circumstances.¹¹ This case meets the elements of exploitation, as the victims were confined and forced to work against their will. Therefore, the act of confining humans should be classified as slavery and subject to criminal sanctions.¹²

Slavery is a form of human trafficking crime prohibited by law. This practice falls under the category of human trafficking, which involves the exploitation of victims. Various regulations have been established to protect human rights and ensure justice. Perpetrators involved in slavery practices may face severe penalties under applicable laws. Law No. 21 of 2007 explicitly regulates human trafficking crimes. Article 4 of Law No. 39 of 1999 affirms that the right to personal freedom and liberty must not be violated.

¹⁰ Novita Novita, Endas Trisniwati, and Yeyet Saputra, "Penegakan Hukum Terhadap Tindak Pidana Eksploitasi Anak," *MORALITY: Jurnal Ilmu Hukum* 8, no. 2 (2022): 209-22.

¹¹ "Undang - Undang Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia" (1999).

¹² Atha Difa Saputri and John Lee, "Law Enforcement of Corruption Crimes in the State-Owned Enterprises Sector in Indonesia," *Law Research Review Quarterly* 9, no. 1 (2023), <https://doi.org/10.15294/lrrq.v9i1.65725>.

Exploitation cases like this often involve the abuse of power by individuals with authority over the victims. Thus, slavery must be legally prosecuted as part of human trafficking crimes.

The crime of human slavery carries serious legal consequences. Perpetrators involved in such practices may face various criminal sanctions. Indonesian criminal law provides strict protection for human trafficking victims. The primary objective of these regulations is to prevent exploitation and ensure justice for victims. Articles 2, 7, and 10 of Law No. 21 of 2007 stipulate criminal penalties for human trafficking offenders. In cases of slavery, perpetrators may be sentenced to up to 15 years in prison or even life imprisonment. These provisions demonstrate the legal system's seriousness in addressing human exploitation cases. Therefore, offenders involved in slavery crimes must receive the maximum penalty under the law.

The slavery case in Langkat reflects a failure of effective law enforcement. Although this act is clearly a human rights violation, some perpetrators have managed to evade punishment. The judiciary's inability to prosecute this case highlights the weak protection of victims. Moreover, the influence of power often hinders the legal process. Court Decision No. 555/Pid.Sus/2023/PN STB revealed that the main perpetrator was acquitted of the charges. The National Commission on Human Rights (Komnas HAM) and human rights activists condemned this decision, considering it a failure of the legal system. This case has sparked widespread discussions on the need for judicial reform in Indonesia. Therefore, improvements in the judicial system are necessary to ensure justice for slavery victims.

Legal regulations must be strengthened to prevent slavery practices. Despite existing laws prohibiting slavery, such cases continue to occur. This indicates loopholes in law enforcement and victim protection. More stringent policies are required to ensure effective law implementation. Data from Komnas HAM show that many exploitation cases remain unaddressed. Although Law No. 21 of 2007 provides a strong legal foundation, its implementation remains weak. Many slavery cases go unreported due to limited oversight and reporting mechanisms. Therefore, strengthening regulations and supervision mechanisms is crucial to preventing slavery practices.

2. Analysis of the Judges' Considerations in Delivering an Acquittal Verdict in Case No. 555/Pid.Sus/PN STB

Judicial consideration is the most crucial aspect in determining the realization of justice (*ex aequo et bono*) and legal certainty in a court ruling.¹³ Moreover, it ensures benefits for the parties involved, requiring judges to exercise thorough, careful, and precise deliberation. If a judge's consideration lacks these qualities, the decision may be overturned by the High Court or the Supreme Court.

The basis for a judge's ruling must be founded on relevant legal theories and empirical research to ensure a well-balanced and comprehensive verdict in both theory and practice. One of the primary efforts in achieving legal certainty in judicial decisions is through the judge's role as a law enforcer, whose rulings serve as a benchmark for legal consistency.¹⁴

An acquittal (*vrijspraak*) signifies that the defendant is absolved from all charges and exempt from the penalties imposed. This type of verdict is rendered when the prosecution fails to present sufficient evidence to establish the defendant's guilt. If the evidence presented in court does not conclusively prove that the defendant committed the alleged crime, the judge must legally and convincingly declare the defendant not guilty and acquit them of all charges.¹⁵

In relation to the judicial ruling in Case No. 555/Pid.Sus/2023/PN STB, the judge must consider witness testimony and other available evidence presented during the trial. The credibility of witness statements must be thoroughly examined, as the judge relies on these testimonies as a reference to determine the appropriate legal ruling.¹⁶

For a judge to be convinced that a crime has indeed occurred and that the defendant is guilty, the Public Prosecutor must substantiate the indictment with valid evidence as

¹³ Yennie K Milono and Lilik Prihatini, "Perbedaan Pendapat Hakim (Dissenting Opinion) Terhadap Putusan Lepas Dari Segala Tuntutan Hukum Tindak Pidana Korupsi Bantuan Likuiditas Bank Indonesia," *PALAR (Pakuan Law Review)* 9, no. 1 (2023): 26–39.

¹⁴ Ryvaldo Vially Korua, "Kajian Hukum Putusan Bebas (Vrijspraak) Dalam Perkara Pidana," *Lex Crimen* 9, no. 4 (2020).

¹⁵ Solahuddin, *Kitab Undang-Undang Hukum Pidana, Acara Pidana & Perdata (KUHP, KUHP & KUHPdt)*, 5th ed. (Jakarta: Visimedia, 2010).

¹⁶ CNN, "MA Batalkan Vonis Bebas Eks Bupati Langkat Di Kasus Kerangkeng Manusia Baca Artikel CNN Indonesia 'MA Batalkan Vonis Bebas Eks Bupati Langkat Di Kasus Kerangkeng Manusia,'" CNN, November 2024.

stipulated in Article 184(1) of the Indonesian Criminal Procedure Code (KUHAP). This includes witness testimonies, expert opinions, documentary evidence, circumstantial evidence, and the defendant's statements, in accordance with the principles of evidentiary law.

In this case, the prosecution charged the defendant with multiple cumulative offenses, including:

- a. Violation of Article 2(2) in conjunction with Article 7(2) in conjunction with Article 10 of Law No. 21 of 2007 on the Eradication of Human Trafficking.
- b. Violation of Article 2(2) in conjunction with Article 7(1) in conjunction with Article 10 of Law No. 21 of 2007 on the Eradication of Human Trafficking.
- c. Alternative charges under Article 2(2) in conjunction with Article 7(2) in conjunction with Article 11 of the same law.
- d. Additional alternative charges under Article 2(2) in conjunction with Article 7(1) in conjunction with Article 11 of the same law.
- e. Other alternative charges under Article 2(2) in conjunction with Article 10 of the same law.
- f. Further alternative charges under Article 2(2) in conjunction with Article 11 of the same law.
- g. Violation of Article 2(1) in conjunction with Article 10 of the same law.
- h. Violation of Article 2(1) in conjunction with Article 11 of the same law.

The Public Prosecutor must provide compelling evidence to establish the actual legal standing of the parties involved, based on arguments presented in court. This process ultimately allows the judge to determine who is right and who is wrong.

In reaching a verdict,¹⁷ the panel of judges carefully examines the charges filed by the Public Prosecutor against the defendant, along with the factual findings that emerged during the trial. Judicial considerations hold significant weight in a court ruling, as the accuracy and fairness of a judge's deliberation reflect the extent of their sense of justice.¹⁸

¹⁷ Leli Tibaka and Rosdian Rosdian, "The Protection of Human Rights in Indonesian Constitutional Law after the Amendment of the 1945 Constitution of the Republic of Indonesia," *FIAT JUSTISIA: Jurnal Ilmu Hukum* 11, no. 3 (2018): 266, <https://doi.org/10.25041/fiatjustisia.v11no3.1141>.

¹⁸ Gill Palmer and Tamilselvi Kandasaami, "Gender in Management: A Sociological Perspective," *The International Journal of Accounting and Business Society* 5, no. 1 (1997): 67-99.

Therefore, judges must be impartial and prudent in making decisions, taking into account the potential consequences of their rulings. Since the charges are structured as alternative indictments, the panel of judges theoretically has the discretion to determine which charge is most appropriate to apply to the defendant, as reflected in Case No. 555/Pid.Sus/2023/PN STB.

Judicial consideration is a vital factor in ensuring fairness (*ex aequo et bono*)¹⁹ and legal certainty in a court ruling.²⁰ Inaccurate or careless deliberations may lead to the decision being overturned by a higher court, reinforcing the necessity for judges to exercise diligence in their verdicts. Judges must base their considerations on legal theory and empirical findings to ensure a well-balanced decision in both theory and practice. As law enforcers, judges play a crucial role in upholding legal certainty through their rulings.

In Case No. 555/Pid.Sus/2023/PN STB, the judge must thoroughly evaluate witness testimonies and evidentiary materials presented in court to ensure the ruling aligns with the factual and legal findings. The precision of judicial considerations significantly impacts the final decision, and any oversight could result in the ruling being overturned on appeal or cassation. Therefore, all aspects of the trial must be meticulously examined to avoid potential legal repercussions.

An acquittal (*vrijspraak*) is granted when there is insufficient evidence to convincingly establish the defendant's guilt. This highlights the fundamental role of strong evidentiary support in criminal trials. Under Article 184(1) of KUHAP, valid evidence includes witness testimonies, expert opinions, documents, circumstantial evidence, and the defendant's statement. If the indictment lacks sufficient supporting evidence, the defendant must be acquitted. In this case, the Public Prosecutor failed to present convincing proof that the defendant committed the crime of human trafficking. Due to the absence of adequate evidence, the judge ruled to acquit the defendant. An acquittal is a direct consequence of the prosecution's failure to substantiate the charges.

¹⁹ Lalu Irawadi, Rodliyah, and Muhammad Natsir, "Motive Element in Planned Murder Criminal Act According to Article 340 KUHP," *International Journal of Scientific Research and Management* 7, no. 11 (2019): 200–207, <https://doi.org/10.18535/ijserm/v7i11.l1a01>.

²⁰ Susi Susilawati et al., "Manifestations of Gender Injustice in Divorced Marriages: The Kabalutan Tradition," *Jambura Law Review* 5, no. 1 (2023): 136–55, <https://doi.org/10.33756/jlr.v5i1.17722>.

Thus, it is essential in legal proceedings to ensure that all elements of a crime are clearly proven.

When delivering a verdict, the judge must evaluate each element of the indicted articles. One critical element is the presence of criminal intent (*mens rea*) in the defendant's actions. In criminal law, the prosecution must establish either intent or negligence to convince the judge of the defendant's involvement in the alleged crime. In this case, the judge determined that there was no evidence demonstrating the defendant's criminal intent or negligence. Although the defendant was affiliated with an organization, there was no sufficient proof indicating their active role in victim exploitation. Without strong evidence of criminal intent, the core elements of the offense remain unproven, leading to the defendant's acquittal.

In assessing the defendant's involvement, the judge must ensure that witness testimonies align with other forms of evidence to establish a solid basis for the ruling. Testimonies based solely on assumptions or speculation, without concrete supporting evidence, cannot serve as a legitimate foundation for conviction. This principle aligns with the standards of justice in criminal law. In this case, many witnesses provided testimonies based on assumptions, such as the defendant's proximity to the crime scene. However, the judge deemed such evidence insufficient to establish the defendant's guilt. Since there was no substantial evidence to corroborate the testimonies, the indictment against the defendant could not be upheld.

CONCLUSION

The acquittal of the Defendant was based on the failure to meet the elements of the charges due to a lack of strong evidence regarding criminal intent, direct involvement in the offense, and personal gain from the crime committed by others. The panel of judges determined that elements of intent, negligence, conspiracy, and personal benefit were not legally proven. Therefore, considering the applicable legal principles, the decision to acquit the Defendant was deemed appropriate and in accordance with criminal justice standards. This study's main strength lies in its analysis of the legal grounds used by the panel of judges to acquit the Defendant. It also highlights the importance of valid and

convincing evidence in the criminal justice system, particularly in cases involving structural roles without direct involvement in criminal acts. Additionally, this research contributes to the understanding of evidentiary standards in criminal law and their implications for fair and transparent judicial practices. However, this study has several limitations, primarily in its scope, which remains confined to a juridical perspective without delving deeper into sociological aspects or broader legal policy considerations. Furthermore, it does not thoroughly explore potential legal reforms concerning the accountability mechanisms for structural actors in criminal offenses. Therefore, further research is needed to examine how the legal system can ensure that no legal loopholes hinder the enforcement of justice.

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