THE IMPLEMENTATION OF PALERMO CONVENTION IN INDONESIA: CASE STUDY OF PROSTITUTION IN ALEXIS HOTEL (2010-2016)

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This thesis entitled “The Implementation of Palermo Convention in Indonesia: Case Study of Prostitution in Alexis Hotel (2010-2016)” prepared and submitted by Mentari Rizka Rahmawati in partial fulfillment of the requirements for the degree of Bachelor in the School of International Relations, Communication, and Law has been reviewed and found to have satisfied the requirements for a thesis fit to be examined. I therefore recommend this thesis for Oral Defense.

Cikarang, Indonesia, May 29th, 2017.

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DECLARATION OF ORIGINALITY

I declare that this thesis, entitled “The Implementation of Palermo Convention in Indonesia: Case Study of Prostitution in Alexis Hotel (2010-2016)” is, to the best of my knowledge and belief, and original piece of work that has not been submitted, either in whole or in part, to another university to obtain a degree.

Cikarang, Indonesia, May 29th 2017

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ABSTRACT

The Implementation of Palermo Convention in Indonesia: Case Study of

Prostitution in Alexis Hotel (2010-2016)

Alexis Hotel Indonesia is a place where high-class prostitution is currently the pros and cons associated with permission of its existence. Alexis Hotel Indonesia is suspected of having an international network in the prostitution, so Alexis Hotel Indonesia has foreign sex workers from China, Thailand, Vietnam, Ukraine and Uzbekistan. The high level of demand for entertainment in prostitution is causing the international network to enter human trafficking at Alexis Hotel Indonesia. The biggest factor, which becomes the background of the prostitution world, is economic factor. Even after the existence of the rules of the United Nations Convention against Transnational Crimes, such as the Palermo Protocol which is an international provision to prevent, suppress and punish traffickers, especially women and children, has not yet made the international network stop to supply and doing human trafficking in Alexis Hotel Indonesia. This international network is recognizing as Transnational Organized Crime, which is a crime that crosses the border of the State. International networks arise also because of the globalization. This thesis is significant in providing detailed information and analysis on how international networks can enter Indonesia and traffic Uzbekistan women related with prostitution in Alexis Hotel Indonesia.

Keyword: Prostitution in Indonesia, Prostitution in Alexis Hotel, Transnational Organized Crime, International Prostitution, Alexis Hotel Indonesia, Uzbekistan.
ABSTRAK

Implementasi Konvensi Palermo di Indonesia: Studi Kasus Prostitusi di Alexis Hotel Indonesia (2010-2016)


Keyword: Pelacuran di Indonesia, Pelacuran di Alexis Hotel, Transnational Organized Crime, Prostitusi Internasional, Alexis Hotel Indonesia, Uzbekistan.
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Cikarang, May 29th, 2017

Mentari Rizka Rahmawati
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LIST OF ACRONYMS

ADB = Asian Development Bank
USD = United States Dollar
TOC = Transnational Organized Crime
UNCTOC = United Nations Convention against Transnational Organized Crime
IOM = International Organization for Migration
US = United States
UAE = United Arab Emirates
CEDAW = Convention on the Elimination of all forms of Discrimination Against Women
UNODC = United Nations Office on Drugs and Crime
ICEM = Intergovernmental Committee for European Migration
UNCATOC = United Nations Convention Against Transnational Organized Crime
AIDS = Acquired Immune Deficiency Syndrome
KUHP = Kitab Undang-undang Hukum Pidana (Book of the Criminal Code)
HT = Human Trafficking
UK = United Kingdom
VOC = Verenigde Oostindische Compagnie (United East Indies Company)
ID = Identity.
CHAPTER I

INTRODUCTION

I.1. Background of Study

In the era of globalization, every individual is widely not bound by state or territorial boundaries so they can connect and exchange information anywhere and anytime through electronic and print media. The era of globalization is also making easy access across borders such as migration, globalization sometimes also provide a loophole for criminals, including international crime. Globalization and interdependence between states with other states bore the welfare and progress of civilization, but no doubt also bring a negative impact because it has encouraged the birth of cross-border crime in all parts of the world. The progress of science, information and communication technology that makes each individual is not bound by state boundaries so that they can stay connected and make any displacement of people, goods and services are becoming more easily to another country. Global developments have changed the characteristics of the original crime in the domestic sphere shifted to cross-border or transnational. One of the things that often happen is human trafficking.

Currently, human trafficking is a global issue that surfaced in development, human trafficking is a modern form of slavery that is spacious and has been happening around the world. Human trafficking is the third largest criminal industry in the world after drug trafficking and arms trafficking. Humans are traded, like any other commodity, the human simply sell human beings. In the system of organized human trafficking into the industry and takes place not only in the country, but also pass across borders. Human trafficking crimes like this can happen anywhere, especially in countries that still have a problem in the country that have not been resolved, such as poverty and corruption.
According to the Asian Development Bank (ADB) estimates that one until two million people are trafficked every year across the world. Even up to the year 2008 is estimated profits earned by the traffickers have reached USD 40 billion. One of the victims in trafficking issue becomes the focus of migrant workers, especially women migrant workers.¹ Women and children become part of the sources of human trafficking activity. The women were also used like commodity. Women are more often trafficked because women are weak and easily become victims of scams, fraud, and coercion by agents who wants target in home country to be employed abroad. Victims were forced to work without pay or, if they are paid they will get very low wages, or with provisions that are exploitative. Market demand for commodities women much more than men and therefore have a higher selling price than men. Women trafficked for the purposes intended as a sex worker in the prostitution industry where consumers in this industry is dominated by men and therefore prostitution industry is the most demand in sex trafficking case. Not only that, women are also trafficked as slaves, workers, wives, and even for the benefit of the sale of organs. Victims of trafficking in women are usually obtained through coercion, fraud, deception, and abuse of power.

Poverty and lack of prosperity in general to be the reason of increase the migration, whether legal or illegal, and also trigger the human trafficking. Illegal immigration increased precisely because of the strict regulations on the Border States and the extent of the spread of the world population. The illegal human trafficking are triggered by Transnational Organized Crime. The involvement of criminal groups in this migration has led to smuggling and trafficking victims in proportion to the increasing violations of human rights (including prostitution and slavery).² In addition, because of weak supervision of the state border and advancement of communication technology also triggers human trafficking. This condition causes the scope of human trafficking is a matter between the states and

are particularly vulnerable. Unlike the drug trade or arms smuggling, human trafficking can be traded many times and rolling to various places. The opening of the free market in some Asian countries, because of the break up of the Soviet Union such as Uzbekistan made the increasing globalization of the problem human trafficking.

The international community has put great attention to this issue, as evidenced by the emergence of various rules in the form of protocols. Palermo Protocol is an international regulation to prevent, suppress, and punish human trafficking, especially women and children. This protocol is an initiative of the United Nations Convention against Transnational Organized Crime (UN Convention) confirmed that the problem of human trafficking, including in the realm of crime prevention.

Based on data of International Organization for Migration (IOM) until now within the period in March 2005 to December 2010 there were 3,943 cases of human trafficking which have been handled by IOM, which consists of 3,559 women and 384 men. Almost 90% are women and more than 25% of them were children which most vulnerable to being trafficked and only 144 victims who received legal aid, while not one of that number who managed to bring the case to the court. The data certainly did not reflect the true number of victims, because trafficking is under reported crime types. This is caused by many victims do not have the opportunity to report the case to the police or afraid to report the cases that happened.

Indonesia is not only known as a sending country, but also as a transit country and recipient. This means that some areas in Indonesia, known as the victim comes and there are some areas, which became the victims, are exploited. Indonesia as a destination country, mostly women and children into commodities originating

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from the People's Republic of China, Thailand, Uzbekistan, the Netherlands, Poland, Venezuela, Spain, and Ukraine. They are scattered in several parts of Indonesia by using tourist visa or a business trip, but when he got in Indonesia they become commercial sex workers.\(^5\)

Indonesia that has many places of entertainment (prostitution), one of them is Jakarta. Jakarta itself is a place that holds a lot of problems trafficking in women and children, exploitation in the form of sexual trafficking in places of entertainment. This is because Jakarta is a metropolis city that can be described as a magnetic field, and at any moment can attract anyone into it, even plunged into a life. Various pleasures of life can be found everywhere, such as in a number of sexual entertainment venues scattered in almost every corner of the city, from the lower class, middle class to the high class. On the other hand with regard to the geographical position of Indonesia area consisting of several islands that allow human trafficking networks smuggling illegal migrants.

With the signing of the United Nations Convention against Transnational Organized Crime in Palermo, Italy, in December 2000, the international community demonstrated the political will to answer a global challenge with a global response. If crime crosses borders, so must law enforcement. If the rule of law is undermined not only in one country, but in many, then those who defend it cannot limit themselves to purely national means. If the enemies of progress and human rights seek to exploit the openness and opportunities of globalization for their purposes, then we must exploit those very same factors to defend human rights and defeat the forces of crime, corruption and trafficking in human beings. Palermo convention is a written law against illegal acts such as human trafficking (prostitution).\(^6\)

In addition, from background of the problem, the author considers the problem of human trafficking, in this case women, it is important to assess.

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Therefore, the author lifting the title, "The Implementation of Palermo Convention in Indonesia: Case Study of Prostitution in Alexis Hotel (2010-2016)".

In Jakarta there are many places for entertainment that called "Prostitution", one of the famous prostitution in Jakarta is Alexis Hotel. Alexis Hotel is the pioneer that sets the benchmark for adult one stop entertainment hotel. Known as the dreamland for men, Alexis Hotel reflects the essence of Jakarta entertainment, offering 74 lavishly appointed suite rooms, as well as gastronomic delight in its international restaurant and the amazing entertainment area that comprises of 4Play Club & Bar Lounge, XiS Karaoke, and talk-of-the-town BathHouse Gentlemen Spa. Alexis Hotel itself Strategically located in the Ancol area, North Jakarta.

In addition, Alexis Hotel have some entertainment, that is: 4Play Club & Bar Lounge which located on level 1, XiS Karaoke, and the BathHouse Gentlemen Spa is located on level 7 of Alexis Hotel.7

I.2. Problem Identification

Actually, in Indonesia foreign commercial sex workers have existed in entertainment places in Jakarta.8 They are here because the role of an organization that has a broad network in a number of countries, namely the mafia trafficking in women. In Indonesia, foreign women commercial sex workers mainly from Uzbekistan, it is a network of organized international trafficking in women. The women sex workers itself controlled by groups that have an extensive network. The mafia trafficking persuades the girl in the Uzbekistan region, which is a poor region. Uzbekistan also has been famous with the pretty women. The beautiful woman is placed in a one country in certain time. After that, they moved to another country for refreshment. Indonesia is one of the easy targets mafia trafficking in women issues, because they are easily found locations nightly entertainment. From the results of the police investigation, almost all commercial sex workers came to

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Indonesia with official passports and visas, however they then misuse the visa. They came transported by members of the syndicate trafficking in women. All needed including immigration documents maintained by the network. After arriving in Jakarta, most of them housed in an apartment as well as a place to stay while in Jakarta.

Prostitution is present almost in every state of Central Asia, one in Uzbekistan. This is a source country for women and children trafficked to Kazakhstan, Russia, Middle East, and Asia for the purposes of commercial sexual exploitation. Data from the US Department State report, Human Trafficking in 2010 said that in 2009, Uzbekistan produces about 1,200 victims, and increased by 150% in the previous year.

The increasing numbers of victims in human trafficking issue have caused a problem to receive greater attention from international opinion. According to the Uzbekistan Department of Internal Affairs, covert crime like this has investigated in recent years, but the number of people trafficked and abused constantly increasing. In most cases, women are committed to earn a living abroad because they are very aware of the fact that they can not get anything in their regions, this proves that the high unemployment rate has the effect of forcing many women from Uzbekistan to look for the source income abroad. Thus, the problem of human trafficking in addition, to calling for the attention of the international community, exposing some internal problems of Uzbekistan, they route usually lead to the United Arab Emirates (UAE), Turkey or Thailand, until Indonesia.

Statistical Department explained a thousand girls Uzbekistan smuggled abroad for commercial prostitution every year. On average, the price of an Uzbek girl smuggled for the purpose of sexual exploitation was reported up to $ 10,000.

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For transportation and shipping, agencies received approximately $2,500 - $5,000.\textsuperscript{12}

I.3. Research Question

The statement of this thesis is focused on one specific question:

“How did Indonesia Government implement the Palermo Convention in the case study of prostitution in Alexis Hotel (2010-2016)?”

I.4. Research Objective

In this Research Objectives the author believes that research will be fulfilled to establish a common ground on the particular issue, as follow:

- To investigate what is underlying human trafficking in Indonesia. Whether because of crime syndicate (TOC), fraud or because of their own willingness (economic problems).
- To investigate how does Indonesia Government implementation the Palermo Convention in case study of prostitution in Alexis Hotel.

I.5. Significance of Study

The author convinced that this research would be contributive in International Relations studies. This thesis could expectedly to contribute ideas and information for students of International Relations in particular and observers of international affairs in general about how the phenomenon of trafficking in Indonesia and the forms can occur in Indonesia and worldwide.

In addition, to find out causes of the trafficking and to determine the implemented of Palermo convention in Indonesia, case study of prostitution in Alexis Hotel Indonesia.

\textsuperscript{12} Ibid
I.6. Theoretical Framework

![Diagram of the theoretical framework]

**Figure 1.1 The Framework of The Theory**

I.6.1. Palermo Convention

Palermo Convention is a law created by United Nations against Transnational Organized Crime, adopted by General Assembly resolution in 15 November 2000, is the main international instrument in the fight against transnational organized crime. The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition. Countries must become parties to the Convention itself before they can become parties to any of the Protocols.\(^\text{13}\)

**Article 2.** The purposes of this Protocol are:

(a) *To prevent and combat trafficking in persons, paying particular attention to women and children*;

(b) *To protect and assist the victims of such trafficking, with full respect for their human rights*; and

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(c) To promote cooperation among States Parties in order to meet those objectives.¹⁴

According to the purpose of this protocol is to prevent and combat trafficking in persons and to provide protection into women and children. Besides this, protocol helps victims of human trafficking and to respect their human rights.

I.6.2. Transnational Organized Crime

Transnational Organized Crime (TOC) is one of organized crime in international coverage which involving many countries. The TOC is the same as an international organization, but TOC is having purposes to doing the illegal acts like human trafficking, arms trafficking and even drugs trafficking. TOC has a special system in carrying out their mission and vision with violence and fraud. TOC also runs the crime by organized that makes it difficult for the government to find out. They also grow up in every country and they make alliances for cooperation in committing crimes in various countries.¹⁵

The rapid development of transnational crime has been knocked awareness of the countries in the world to work together in handling transnational crime, which has scope. Among other things initiated by United Nations which through the United Nations Convention against Transnational Organized Crime in Palermo in 2000 or better known as the Palermo Convention.

“Transnational Organized Crime (TOC) is a transnational crime that is committed by a structured group of three or more persons, existing for a certain period and acts organized with the aim to commit one or more serious crimes in order to obtain direct, gain financial or other material.”¹⁶

Under the Palermo Convention, TOC is a crime that meets the following characteristics:

a) It is committed in more than one State.

b) It is committed in one State but a substantial part of its preparation, planning, direction or control takes place in another State.

c) It is committed in one State but involves an organized criminal group that engages in criminal activities in more than one State.

d) It is committed in one State but has substantial effects in another State.¹⁷

I.6.2. International Prostitution

There is no specific explanation about international prostitution, so the authors conclude that international prostitution is illegal activity conducted by Transnational Organized Crime where they (group) trafficking women on an international scale (worldwide) or committing crimes that cross national borders by fraud such as using Fake passports or visas (for Vacation activities or visit visas), whereas the women will work as commercial sex workers.

Two binding UN Conventions prohibit the exploitation of The prostitution of others: first, the UN Convention on the Elimination Of All Forms of Discrimination against Women (CEDAW-1979) and the second, UN Convention for the Suppression of The Traffic in Persons and the Exploitation of the Prostitution Of Others (1949). Both Conventions have been adopted by the General Assembly of the United Nations and thus have universal Scope. Furthermore, they are directly legally binding Upon the States that have ratified, or acceded to, them.¹⁸

The Parties to the present Convention agree to punish any person, to gratify the passions of another:

(1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person; (2) Exploits the prostitution of another person, even with the consent of that person.

Article 2

The Parties to the present Convention further agree to punish any person who:

(1) Keeps or manages, or knowingly finances or takes part in the financing of a brothel;


(2) Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.\textsuperscript{19}

I.6.3. Human Trafficking

The definition of Human Trafficking has been discussed in international forums and subsequently by the United Nations has established a special unit of United Nations Office on Drugs and Crime (UNODC), which concentrates on human trafficking, and smuggling of illegal immigrants. Human trafficking under UNODC is "the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them".\textsuperscript{20}

According to the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime, trafficking in persons is defined as follows:

" Trafficking in persons " shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs. "\textsuperscript{21}

The Protocol contains a definition of trafficking that is quite comprehensive, as the recruitment, transportation, transfer, harboring or receipt of persons by threat or use of force, or other forms of coercion, such as abduction, fraud, deception, abuse of power or get permission from people who has authority


over another person for the purpose of exploitation. In addition, exploitation is the purpose of all forms of human trafficking, at least will include the exploitation in the form of prostitution or in other forms of sexual exploitation, such as forced labor, and slavery.

I.7. Scope and Limitation

The phenomenon of trafficking in women in international relations is an interesting phenomenon to be studied; especially those occurring in Indonesia are very apprehensive. Indonesia as the largest archipelagic country in the world is acutely vulnerable to traffic of women and children in particular foreign nationals of Uzbekistan. Many factors behind the phenomenon of trafficking women, one of the most important are the wide economic gap. It is certain that a trafficking victim was initially hoping to enjoy a better life and finally fell into trafficking networks. This thesis will be specifically and more deeply on the how to International Network can traffic the Uzbekistan women in Alexis Hotel not as well as traffic in the other place of prostitution in Jakarta. The author will also be more focus on discussing the trafficking Uzbekistan woman not a woman from Thailand, China or Ukraine, and the author also did not discuss about her profile of the respondents except in gender and income.

I.8. Research Methodology

Research methodology in this research classified into explores the most common methods of data collection used in qualitative research, which based on interview. The paper examines each method in detail, focusing on how they work in practice, when their use is appropriate and what they can offer. Examples of empirical studies that have used interviews are also provided. Qualitative methods, such as interviews, are believed to provide a deeper understanding of social phenomena than would be obtained from purely quantitative methods, such as questionnaires. Therefore, interview is most appropriate where little is already known about the study phenomenon or where detailed insights are required from
individual participants. Qualitative data analysis techniques also includes the issues raised will be described based on the facts that exist and then be in sync between the fact that one other fact that can be drawn a conclusion and as a complement.

In addition, in this research the authors also do library research by collecting data from the literature that supports research and interviews. This literature in the form of journals, books, documents, magazines, newspapers and Internet sites or reports relating to the cases studied.

1.9. Definition of Terms
- Globalization: is a process of global community order and no longer recognizes the boundaries of a country's territory.
- Human Trafficking: all acts involving the removal, smuggling or selling of people both domestically or internationally through mechanisms of force, threats, kidnapping, fraud and deception, or placing a person in situations of forced labor such as prostitution and slavery.
- Asian Development Bank: is a regional development bank established on 19 December 1966, [3] which is headquartered in the Ortigas Center located in Mandaluyong, Metro Manila, Philippines.
- Prostitution: the exchange of sexual relations with money or gifts as a trade transaction.
- International Prostitution: is illegal activity conducted by Transnational Organized Crime where they (group) trafficking women on an international scale.
- Migration: is the movement of the population with the aim of settling from one place to another across administrative boundaries (internal migration) or political / country boundaries (international migration).

Transnational Organized Crime: Transnational Organized Crime (TOC) is one of organized crime in international coverage which involving many countries.

Palermo Protocol: The Palermo Convention (Protocols are three protocols) adopted by the United Nations to supplement the 2000 Convention against the Transnational Organized Crime (the Palermo Convention). They are:
- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children; And
- The Protocol against the Smuggling of Migrants by Land, Sea and Air.
- The Protocol against the Illicit Manufacturing and Trafficking in Firearms, Their Parts and Components and Ammunition

These protocols and conventions fall within the jurisdiction of the United Nations Office on Drugs and Crime.

International Organization for Migration: is an intergovernmental organization in the field of migration, established under the name of the Intergovernmental Committee for European Migration (ICEM) in 1951, initially, IOM was intended to help re-locate refugees from World War II.

Alexis Hotel Indonesia: Hotel in Jakarta, which has an entertainment place such as spa, club, bar and prostitute.

CEDAW: The Convention on the Elimination of All Forms of Discrimination against Women, adopted in 1979 by the United General Assembly, is often described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination.

United Nation: an intergovernmental organization to promote international co-operation and to create and maintain international orders.

I.10. Thesis Structure
In this part this thesis will be describe in 5 chapter as follows:
Chapter 1: Introduction
This chapter describes the background of the study, problem identification, research question, research objectives, significance of the study, theoretical framework, scope and limitation, research methodology, definition of terms.

Chapter 2: Theoretical Basis
In this chapter, will explain the theories used by the author while doing research mainly theories relating to the Transnational Organized Crime, International Prostitution, Human Trafficking and Literature Review.

Chapter 3: International Prostitution in Indonesia
Contains specific and detailed explanation regarding international prostitution in Indonesia and the history of Alexis Hotel Indonesia.

Chapter 4: Analysis
This chapter contains a discussion of the whole chapter and analyzes the data obtained by the author from the interview, the data become the core from this thesis because it is the primary data obtained by the authors from the informant.

Chapter 5: Conclusion
This is the last chapter from this thesis, which contains a summary of the research.
II.1. Palermo Convention

Palermo Convention is a law created by United Nations against Transnational Organized Crime, adopted by General Assembly resolution in 15 November 2000, is the main international instrument in the fight against transnational organized crime. It opened for signature by Member States at a High-level Political Conference convened for that purpose in Palermo, Italy, on 12-15 December 2000 and entered into force on 29 September 2003. The Convention is further supplemented by three Protocols, which target specific areas and manifestations of organized crime: the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children; the Protocol against the Smuggling of Migrants by Land, Sea and Air; and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition. Countries must become parties to the Convention itself before they can become parties to any of the Protocols.23

In addition, related with Transnational Organized Crime, the United Nations Convention against Transnational Organized Crime has rules and law to control and make the peoples in the world safe, which called by Palermo Protocols. The Palermo Protocol is an agreement that contains a binding legal instrument that creates obligations for all countries that ratify or approve it to prevent, suppress and punish human trafficking, in particular women and children.24

Article 2. The purposes of this Protocol are:

(a) To prevent and combat trafficking in persons, paying particular attention to women and children;
(b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
(c) To promote cooperation among States Parties in order to meet those objectives.\textsuperscript{25}

According to the purpose of this protocol is to prevent and combat trafficking in persons and to provide protection into women and children. Besides this, protocol helps victims of human trafficking and to respect their human rights.

Article 3 (a) and (d):

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.\textsuperscript{26}

(d) “Child” shall mean any person under eighteen years of age.\textsuperscript{27}

The Protocol contains a definition of trafficking that is quite comprehensive, as the recruitment, transportation, transfer, harboring or receipt of persons by threat or use of force, or other forms of coercion, such as abduction, fraud, deception, abuse of power or get permission from people who has authority over another person for the purpose of exploitation. In addition, exploitation is the purpose of all forms of human trafficking, at least will include the exploitation in the form of prostitution or in other forms of sexual exploitation, such as forced labor, and slavery. Children under 18 should be protected and should not be forced labor, slavery for sexual exploitation.

Article 6 (Paragraph 3 and 5), protection of victims of trafficking in persons:

“3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases,

\textsuperscript{26} Ibid, 42.
\textsuperscript{27} Ibid, 43.
in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:
(a) Appropriate housing;
(b) Counselling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;
(c) Medical, psychological and material assistance; and
(d) Employment, educational and training opportunities. "28

According to Article 6 paragraph 3 is every country must protect their people and provide home as worthy shelter for their right as human being. The state also has the right to protect the citizens from trafficking. In addition, countries should provide medical, psychological, material, employment, education and training assistance for them.

"5. Each State Party shall endeavor to provide for the physical safety of victims of trafficking in persons while they are within its territory."29

Every country should not allow human trafficking to exist, because the right of every country is to protect people and people have the right to live worthily. States parties should also not give access to the migration of human trafficking.

Article 9 (Paragraph 1a, 1b, 2 and 4). Prevention of trafficking in persons:

"1. States Parties shall establish comprehensive policies, programmers and other measures:
(a) To prevent and combat trafficking in persons; and
(b) To protect victims of trafficking in persons, especially women and children, from victimization."30

States Parties shall provide comfort and eliminate all forms of trafficking in persons, and the State Party shall have the right to protect victims of trafficking in persons, especially women and children.

"2. States Parties shall endeavor to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons."31

29 Ibid, 44.
30 Ibid, 45.
States Parties should do the research to find out or obtain an information in their country there is human trafficking activity or not, if there is human trafficking activity then every country should take prevention and eradication.

“4. States Parties shall take or strengthen measures, including through bilateral or multilateral cooperation, to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity.”

States Parties shall take and strengthen the policy of abolishing human trafficking in their country by making cooperation with other countries. Cooperation is formed can make the factors that cause human trafficking could be overcome, such as the economic factors that make vulnerable human trafficking occur.

Article 10:

“I. Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:
(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;
(b) The types of travel document that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons.”

According to the above article is that any person which cross border (migration) shall have completed the documents for migration not for the purpose of trafficking. Every country should make strict supervision in every border so as traffickers enter easily.

II.2. Transnational Organized Crime

Transnational crime has emerged as an era of globalization makes easy access to cross-border and has become a gap for criminals such as Transnational Organized Crime. Security issues are also becoming international agenda in making policies to against crime which detrimental to many parties, especially women who are victims of trafficking. The author will explain about the definition

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32 Ibid.
33 Ibid.
and the Transnational Organized Crime theory more accurate and objective than a phenomenon that has occurred.

In 2003, the United Nations became the main reference for against transnational crimes. The UN also makes a useful policy protocol to prevent, suppress and punish trafficking in persons, especially women and children. The protocol shows how the UN against the smuggling of migrants by land, sea and air. Transnational organized crime is not only a law enforcement problem; it is a formidable and increasing threat to national and international security.\textsuperscript{34}

According to experts, a network of transnational organized crime networks that vary in structure, strength, size, geographic reach and scope. UN explained that the definition Transnational Organized Crime is an organized crime group that consists of three or more, and there for a period of time and have a size in the act with the aim of a crime or offense and to obtain, directly or indirectly, a financial gain or other material.\textsuperscript{35}

In Transnational Organized Crime divided into two definitions, namely Traditional and Modern Network. Traditional group has a hierarchical structure that operates continuously for periods of time, while Modern network having a more decentralized structure, often cell-like structure. Some experts also distinguish groups with relation in some countries. Many conventional organizations have interests aligned with those countries; they rely on the state for services and contracts. They may have been repeatedly washed their assets through legitimate businesses. But different with modern networks, they are viewed as less likely to benefit from state contracts or large sums of money laundering. They often develop in the absence of an effective government.\textsuperscript{36}

Globalization can give a new dimension that is negative in various dimensions of life, among others, with the emergence of an international crime that


has a global network such as human trafficking, trafficking of women and children, prostitution, cyber crime, finance, banking, money laundering as well as narcotics. Entry permits given to foreigners to enter the territory of Indonesia and sometimes misused by the permit holder so many cases of violations of immigration permit.  

In the theory of Transnational Crime is a crime that crosses national boundaries. This theory was first introduced internationally in the era of the 1990s in the meeting of the United Nations (UN), which discusses crime prevention. In 1995, the United Nations identified 18 types of transnational crime, namely:


According to the author, Transnational Organized Crime committed of 18 crimes types, such as money laundering, terrorist activity, human trafficking, drugs trafficking, and bribery of officials. They commit the crime not only in one state, but many states and do in an organized manner. This makes Transnational Organized Crime more difficult to stop by one state.

As Martin R. Haskell and Lewis Yablonsky wrote in Criminology: Crime and Criminality, the illegal activity of organized crime arose because of the following conditions:

1. A desire or demand for particular service, product, or activity on the part of a substantial portion of the population. This desire or demand produces the potential consumer.
2. The failure of society to provide lawful means of satisfying the desire or demand.

3. The existence of an organized group ready and willing to supply the desired service, product, or activity.\textsuperscript{39}

The UN has ratified the Palermo Convention at the 62\textsuperscript{nd} meeting on 15 November 2000, stated that:

\begin{quote}
"Transnational Organized Crime (TOC) is a transnational crime that is committed by a structured group of three or more persons, existing for a certain period and acts organized with the aim to commit one or more serious crimes in order to obtain direct, gain financial or other material." \textsuperscript{40}
\end{quote}

Under the Palermo Convention, Transnational Organized Crime is a crime that satisfy the characteristics of:

1. This crime related to more than one country
2. This crime in one country but the substance becomes part of the preparation, planning, continuity, or under the control of another country.
3. This crime associated with one state but also associated with criminal groups dealing with criminal activities in various countries.
4. This crime is related to one country but this could be the effect on the entire world.\textsuperscript{41}

Based on the characteristics of Transnational Organized Crime it is clear that transnational crime is a crime that across national border. This crime is a type of crime that planned, organized, and requires proper preparation, by the characteristics of Transnational Organized Crime is more than one country as the focus of transnational criminals. In this case are not only the country, but also individuals and groups can also act as a sponsor not just as actors. These crimes sometimes do not have any motive and also not look of ideology, ethnicity, and religion from the perpetrators.


Furthermore, in the case of ratification by Indonesia, UNCATOC ratified by the DPR-RI on January 12, 2009 through Law No. 5 of 2009 on the Ratification of the United Nations Convention against Transnational Organized Crime (the Convention of the United Nations Against Crime Transnational Organized is a convention conducted by the United nations to prevent the problem of organized crime across national borders) 30 article 2 (a) definition of organized criminal group:

"Organized criminal group" shall mean a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with this Convention, in order to obtain, directly or indirectly, a financial or other material benefit."42

From the above definition, Transnational Organized Crime can be explained and include:

1. Do in more than one country.
2. Preparation, planning, direction and control in the other country.
3. Involve organized criminal group in which the crime is committed in more than one country.
4. Have a serious impact on other countries.

Theory of Transnational Crime or Transnational Organized Crime related to the activities of crime that occur not only for local or domestic, or further on a bilateral basis between the two neighbor countries, but further involve more than two countries, and not only within one regional but also international scale, in other words across state borders.

Organized Crime identical as a specific crime organization and according to Frank J. Marine, “Transnational Crime as refers to serious crimes that either significantly affect more than one country or are carried out across national borders and thus involve criminal activity in more than one country.”43

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According the theories that have been written concluded that the activities of organized crime, especially trafficking of women from one country to another country that need a preparation, planning, direction and control which has been planned by the Transnational Organized Crime itself.

II.3. International Prostitution

Theoretically, there is no generally definition to explain international prostitution. This is because the phenomenon is very complex, constantly changing, and touches on sensitive issues such as prostitution, money, narcotics, smuggling, migration and also it involves in various aspects of community life. Prostitution activities involve social, gender, legal, health, moral and ethical, religious, educational, psychological, economic and industrialization aspects, as well as political issues. On the international issue of prostitution is actually focus on the initial problem, that is smuggling or illegal immigration. Here the author will explain the related international prostitution, ranging from smuggling until why commercial sex workers in Indonesia not only from local but also from international are available.

There are two binding UN Conventions prohibit the exploitation of The prostitution of others: first, the UN Convention on the Elimination Of All Forms of Discrimination against Women (CEDAW-1979) and the second, UN Convention for the Suppression of The Traffic in Persons and the Exploitation of the Prostitution Of Others (1949). Both Conventions have been adopted by the General Assembly of the United Nations and thus have universal Scope. Furthermore, they are directly legally binding Upon the States that have ratified, or acceded to, them. The Parties to the present Convention agree to punish any person, to gratify the passions of another:

(1) Procures, entices or leads away, for purposes of prostitution, another person, even with the consent of that person; (2) Exploits the prostitution of another person, even with the consent of that person.

Article 2
The Parties to the present Convention further agree to punish any person who:
(1) Keeps or manages, or knowingly finances or takes part in the financing of a brothel;
(2) Knowingly lets or rents a building or other place or any part thereof for the purpose of the prostitution of others.\(^{46}\)

In general, prostitution is the act of exchanging sexual relations with money or material gifts. Prostitution also could be called by the trafficking of sexual services or gift a services to a person (majority are male). Prostitutes also have terms like commercial sex workers. In a broader sense, they considered insulting religious sanctity, and they will also be taken to court for breaking the law. The work of prostitutes is well known in the community for a long time. Risks in prostitution among others are public unrest and the spread of sexually transmitted diseases, such as AIDS which is a common risk-free unprotected sex (condom).

Prostitution in Indonesia itself is considered a crime against morals and is an immoral act because the activity is illegal and against the law. Prostitution is referred to as trafficking in women and prostitution as a form of violence against women. The proliferation of prostitution activities in Indonesia is evidence that the activity still being a scary thing for the morale of Indonesian society. While the international definition itself that concerns the nation or the country around the world.

In terms of law, prostitution in Indonesia is seen as a violation of the law. Criminal offenses related to prostitution contained in,

\[\text{Pasal 296 KUHP yang mengancam dengan hukuman penjara kepada siapa saja yang pekerjaannya atau kebiasaannya dengan sengaja mengadakan atau}\]

\(^{46}\) Ibid.
In that Article 296 of the Criminal Code which threatens to imprisonment to anyone whose occupation or custom deliberately establishes or facilitates lewd acts by others with a third person.

“Pasal 506 KUHP yang mengatur pidana terhadap mucikari yang mengambil keuntungan dari tindakan prostitusi.”

Then Article 506 of the Criminal Code, which regulates the crime against pimps who take advantage of the act of prostitution.

According to the Immigration Chief of Soekarno-Hatta Airport, Alif Suaidi into Warta Kota, the visa-free policy to attract foreign tourists currently given to 169 countries was made a gap for international prostitution networks, initially claiming tourists and wanting to travel to Indonesia. But do not know the purpose of the tour and stay in which hotel. In general they say they want to stay a month but they do not show proof of living expenses for a month, they also refuse to be examined immigration documents that is passport and visa.

In this article of Coalition Against Trafficking in Women: Demand and the Debate, there is a definition about the relation between prostitution and sex trafficking:

“The truth is that what we call sex trafficking is nothing more or less than globalized prostitution. Sex industry profiteers transport girls and women across national and regional borders and “turn them out” into prostitution in locations in which their victims are least able to resist and where there is the greatest demand for them. Ironically, the demand is greatest in countries with organized women’s movements, where the status of women is high and there are relatively few local women available for commercial sexual exploitation. The brothels of the United States, Canada, the Netherlands, Germany, Austria, and Australia are filled with women trafficked from Asia, Latin America, and Eastern Europe. No less than 50% of

48 Ibid
German prostitutes are illegal immigrants and a staggering 80% of Dutch prostitutes are not Dutchborn (Owen, 2002; Louis, M., 1999).50

Certainly international trafficking intensifies the dynamics of power and control that characterize domestic prostitution: the isolation of the victims; their dependence on their abusers; their difficulty in accessing criminal justice and social service systems; and their fear of exposure to the authorities. But the dynamics of trafficking and prostitution are the same dynamics, and their commonalities far overshadow their differences. In spite of efforts to differentiate and separate prostitution and trafficking, the inescapable conclusion is that the difference between the two, at most, is one of degree of, not of kind.51

Why Indonesia become a market of Transnational Organized Crime related to international prostitution because according to a research institute of black market activity researcher, Havocscope, collects data about countries whose citizens spend the most prostitution in a matter of years per year. Indonesia became the 12th place as the sex shopping market; even the sex consumption in Indonesia alone reached $2.25 billion per year. In Indonesia, the practice of prostitution is illegal because it is still considered a moral crime; prostitution activity in Indonesia is widespread and regulated. UNICEF estimates that 30 percent of female prostitutes in Indonesia are under the age of 18, and because of the high demand for Indonesian, artists are also working in the prostitution sector. Therefore, Transnational Organized Crime makes Indonesia become one of the markets trafficking of prostitution from the national and international sectors.52

So according to the authors, international prostitution itself is an illegal activity conducted by Transnational Organized Crime where they (group) trafficking women on an international scale (worldwide) or committing crimes that cross national borders by fraud such as using fake passports or visas (for Vacation activities or visit visas), whereas the women will work as commercial sex workers.

51 Ibid
II.4. Human Trafficking

Understanding of human trafficking develops with the times. Historical developments expressed by Chew and Wijers. It originally referred to the white slavery trafficking, which experienced by women around 1900. At that time, many poor white women migrated as voluntarily from Europe to Arabia and the eastern United States as mistress or commercial sex workers. This became a particular concern for middle-class European societies, and the government. The result was an international agreement to suppress the white slave trafficking in 1904. Then, the term of human trafficking changed became the mobilization of women for immoral purposes, which is prostitution. Initially, the definition was devoted to the mobilization carried out within the country. However, in 1910 the definition was extended to include trafficking of women occurring within transnational boundaries. As a result, migrating women are often attached with prostitution, it can be seen as forcible transfer of women abroad for the purpose of prostitution is only focused on this aspect.

The definition of trafficking, as it finally appears in the Protocol, requires three separate elements:

1. an Act (in law) : Recruitment, Transportation, Transfer, Harboring, Receipt of persons.
2. Illegal: Threat or use of force, other forms of coercion, Abduction, Framed, Deception, Abuse of power, position of vulnerability, and Giving or receiving payments or benefits to achieve consent of a person having control over another.
3. Unlawful Purpose (exploitation): the exploitation of the prostitution of others, or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, and the removal of organs.

Furthermore, on the international level, the problem of trafficking in persons especially trafficking of women and children has been addressed by the United Nations (UN) to address the issue of trafficking into a clear and universally accepted definition, it was born Protocol to Prevent, Suppress and Punish Trafficking in Persons especially Women and Children, supplementing the United Nations Convention Against Transnational Organized Crime to Protect, Suppress and Punish Trafficking in Persons, Especially Women and Children adopted by the UN General Assembly on 15 December 2000 and here in after referred to as United Nations Trafficking Protocol. It was further clarified with the conventions and protocols (additional to the Convention) signed in December 2000.55

In the protocol referred to in article 3 (a), Appendix II describes the definition of trafficking in detail:

“Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs."56

Based on the above definition, the following table can be a useful tool for analyzing individual cases and to determine whether they fall into the category of trade or not. A human trafficking case must have at least one element of three points: criteria, process and purposes.

56 Ibid, p.42
Table 2.1: Human Trafficking Concept

<table>
<thead>
<tr>
<th>ACT</th>
<th>MEANS</th>
<th>PURPOSE</th>
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<tbody>
<tr>
<td>Recruitment</td>
<td>Force</td>
<td>Exploitation:</td>
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<tr>
<td>Receipt</td>
<td>Deception</td>
<td>- Sexual Exploitation</td>
</tr>
<tr>
<td>Transport</td>
<td>Coercion</td>
<td>- Labor Exploitation</td>
</tr>
<tr>
<td>Transfer</td>
<td>Abduction</td>
<td>- Removal of Organs</td>
</tr>
<tr>
<td>Harboring</td>
<td>Fraud</td>
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<td></td>
<td>Abuse of Power</td>
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<td>Abuse of a position of</td>
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<td></td>
<td>vulnerability</td>
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<td></td>
<td>Payment or receipt of a</td>
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<td>benefit to person with control of another</td>
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</tbody>
</table>

Based on the table, contains three different and interrelated elements that must be cumulatively existed so that human trafficking can be said to have occurred, namely:

1) Definition of human trafficking are includes other forms of criminal activity measures, namely the recruitment, receipt, transportation, transfer, harboring or placement of people.

2) The methods, which used are force and other forms of pressure, such as: deception, coercion, abduction, fraud, abuse of power or vulnerable positions, victims of counterfeiting, torture and then for sale to get a profit (payment).

3) The purpose of human trafficking is for exploitation. This means that the person is exploited through other forms of sexual exploitation, through forced labor or forced service, and removal or organs.

Source: Counter-Trafficking Training Manual (IOM)\textsuperscript{57}

\textsuperscript{57} Publish by IOM, from Counter-Trafficking Training Manual (IOM) journal, page 8, on May 7 2017.
The definition of Trafficking has been discussed in international forums and subsequently by the United Nations has established a special unit of United Nations Office on Drugs and Crime (UNODC), which concentrates on human trafficking, and smuggling of illegal immigrants. Human trafficking under UNODC is "the acquisition of people by improper means such as force, fraud or deception, with the aim of exploiting them".  

The existence of international organizations such as the International Organization for Migration (IOM) that gives attention to migrant workers, especially women as victims provide the definition of human trafficking as follows:

“Trafficking in human beings occurs when a migrant is illicitly engaged (recruited, kidnapped, sold) and/or moved, either within national or across international borders: intermediaries (traffickers) during any part of this process obtain economic or other profit by means of deception, coercion and/or others forms of explanation under conditions that violate the fundamental human rights of migrants.”

Based on the above explanation it is very clear that Human Trafficking is an International Crime. Therefore, considering the principles of the International Criminal Law, should all states are obliged to combat the Human Trafficking, and from the definition also can be observed on the characteristics of Human Trafficking are as follows, that all human beings have the same risk of becoming victims of human trafficking, especially of women from poor countries. Trafficking can occur within the borders of the nation-state itself, between countries in that area and internationally (across border).

II.5. Literature Review

In order to give basic understanding and knowledge about International Network of Prostitution, a journal written by Marjan Wijers and Lin Lap-Chew, Trafficking in Women Forced Labor and Slavery-like Practices in Marriage Domestic Labor and Prostitution: A Comparative Analysis is strongly

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recommended to be explored and read. This journal provides information about the historical development of prostitution world since the trafficking known as the White Slave Trade on 1904 (Pre-war treaties). The journal also discuss some contemporary definitions address predominantly the procurement aspect similar to the traditional concept of trafficking (e.g. the IOM definition, though the emphasis here is on illegal migration), other definitions include the situation in which women end up, be it by coercion or with their consent. Other than that, it gives a clear understanding towards International Network of Prostitution, which begin from Human Trafficking process.

The journal also provide the characteristic for the international trafficking in women for prostitution and the violations relate to the recruitment processes as well as to the working and living conditions women are subjected to and some general factors that specifically contribute to the abuse faced by prostitutes can be pinpointed in this journal.

This book has 10 chapters, which are: 1) Introduction, 2) Historical Development from pre-war until post-war, 3) Contemporary manifestations and trends, 4) Trafficking in women, forced labor and slavery-like practices in marriage, 5) Trafficking in women, forced labor and slavery-like practices in domestic labor, 6) Trafficking in women, forced labor and slavery-like practices in prostitution, 7) National legal contexts, 8) Current strategies, 9) Conclusions and recommendations, 10) Summary.

The second is from journal which has been publish by International Organization for Migration on 2014, the author recommend in gaining more insights as well as knowledge on understanding Human Trafficking, which are an overview of Human Trafficking, the crime of Human Trafficking, The causes and How Traffickers Operate.

The first chapter of this journal is Understanding Human Trafficking. The second chapters give knowledge about The Policy Context for Victim Support and Protection in the UK. The last chapters are about Referral, Return and Reintegration. What is make this journal are recommend because there some frameworks which described and give more knowledge about: 1) Process of Human
Trafficking, 2) The factors of Human Trafficking, and 3) The Similarities and Differences between Trafficking and Smuggling.
CHAPTER III

INDONESIAN GOVERNMENT EFFORT IN COMBATING PROSTITUTION IN ALEXIS

III.1. International Prostitution in Indonesia

Slavery or servitude ever existed in the history of the Indonesian Nation. In the days of the Javanese kings, women were a complementary part of the system of government. At that time, the concept of power of a king is described as having full power, among others, reflected by the number of concubines he has. This system of government has not yet shown the existence of a sex industry but has formed the foundation by putting women as merchandise to satisfy men's desires and to demonstrate the existence of power and prosperity.

Then, the colonial period of the VOC, the Dutch take control of Batavia city in 17th century. The sex industry is becoming more organized and grew rapidly to fulfill sexual satisfaction for European society, the soldiers, merchants and emissaries, who generally are single. Initially, the Betawi people call a prostitute with a “Cabo”. This word is derived from Chinese language “Caibo”, which means more or less a night lady, because it is starting from a practice of prostitution run by many migrants from Chinese people (Tionghoa). The first localization in Batavia was named Macao Po and the location is near from the City Station, Jakarta. At that time, the center of commerce and the crowd city was centered in the region that we know as the Old Town (Kota Tua) area, which right now being Fatahillah Museum. Macao Po is a high-class localization at that time and mostly the visitors are VOC officials, who are fond of women's and corruption.60 Besides the high-class localization, there are also middle and lower class localizations, which located in the Glodok area and not far from the Old Town.

After that, during the Japanese occupation (1941-1945), the sex industry continued to grow. They forced indigenous women and Dutch women into

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prostitutes, Japan also brought many women to Java from Singapore, Malaysia and Hong Kong to serve the Japanese senior officers.\(^6\) After Indonesian independence, prostitution is still mushrooming in Jakarta. Well-known localization centers include Gang Hauber in Petojo, Central Jakarta, Mangga Besar. Then Planet, in Senen Gunung Sahari, Kramat Tunnggak, North Jakarta and this location can still be found until now.

In the era of independence and especially in the era of reform that deeply a respect of human rights aspect, the problem of slavery or servitude is not further tolerated for its existence. Legally in Indonesia, slavery or servitude is a crime that against the freedom of a person, which threatened with imprisonment of 5-15\(^{th}\) years, Contained in Article 324-337 of the Criminal Code.\(^6\) However, there is a progress in information technology, communication and transportation that accelerate globalization and also exploited by criminal agencies to envelop slavery and servitude into the new form of trafficking in Persons, which operate in private and move beyond the law. Traffickers who rapidly evolved into state-bound syndicates very subtly ensnare their prey, but very cruelly exploit in various ways so that the victim becomes powerless to break free.

Trafficking is an increasing problem and involves sexual exploitation and labor exploitation, which affecting all regions and most countries of the world. Sex workers are a complicated phenomenon with many forces influencing women’s decision to work abroad. Women may become victims of trafficking when they seek help for job, work permits, visas and other travel documents. Smugglers prey on vulnerable women and can lure them into crime networks through fake promises and deception of decent working conditions and fair pay. Women go abroad because they think they will work in the sex industry, but without awareness of the terrible working conditions and violence that accompany the trafficking business. Another women respond to advertising jobs for overseas positions such as dancers, servants and caregivers, only to be forced into prostitution and sexual slavery. In

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destination countries, women experience physical violence, sexual harassment and rape, imprisonment, threats and forms of coercion.

Foreign women, who mainly from China and Uzbekistan enter Indonesia actually has been organized by international network of human trafficking, and they also has a wide network to controls or maintain the workers. The presence of foreign commercial sex workers at night entertainment in the city of Jakarta has only appeared in recent years. They exist because of the role of an organization that has a widespread network in a number of countries, that is mafia trafficking in women.63

The mafia trafficking in women persuaded the girls in China, especially in the impoverished north, where it is known to have many beautiful women. They are also looking for prey from poor areas of Uzbekistan, Thailand and Vietnam. Then, these women are placed in a country within a certain time. After that they will be transferred to another country for refreshment. Indonesia is one of the mafia targets for women trafficking. Therefore, easily for foreign sex workers can be found in the prostitution place, especially in Jakarta. According from the police investigation, almost all foreign sex workers came to Indonesia with passports and official visas, but they abused the visas.

Many of the foreign sex workers, especially those from China, have ID cards but are fake, their courage has a fake ID card because they are physically no different from other Chinese citizens, who are Indonesian citizens. So they believe there is no suspicion of the authorities except in special operations or raids. They come transported by members of a women's trafficking syndicate (TOC), all of the necessities include the immigration documents are maintained by the network. After arriving in Jakarta, most of them are accommodated in an apartment, which is also a place to stay while in Jakarta.

These women are hard to get caught legally, because they are victims of trafficking in women. They are only used as witnesses, if there any pimps or agents who are caught and prosecuted. Police officers are difficult to entrap them and

judge they do the prostitution, except they are caught in the act of immorality. Therefore, the most of the foreign sex workers, which caught in an operation, will be submitted to the immigration office, and after that, they will be deported to their home country. The police also often conduct the raids for foreign sex workers, but that is not making the mafia activities to be stalled because if there is a foreign sex worker caught and deported, the sign is a time to replace the new foreign sex workers. On the other hand, the deportation of these prostitutes is the same as repatriating them for free, because it is financed by the state. Therefore, eradicate the international network of prostitution are not easy and impossible to do by a country.

III.2. Law in Indonesia

Prostitution is a phenomenon that has existed for a long time in the world, not least in Indonesia. Prostitution in Indonesia began since the time of the kingdoms in Java until nowadays. The phenomenon of prostitution is still an unresolved problem because prostitution is one of the most complex social problems. It is known that the biggest factor that makes a person being prostitute is an economic factor. The economic pressure triggered the idea to change, which is to change the economic situation to be better. But not all changes are done in the right way. They want an instant way, then encouraging them to make social deviations.

In addition, related with the prostitution, Indonesia as a state law has rules to control their people, which do the deviant activities. The Criminal Code regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes intentional cause or facilitates the conduct of violations of decency with a third person as a livelihood or as a rule set in Article 296 of the Criminal Code which reads:

“Barang siapa dengan sengaja menyebabkan atau memudahkan perbuatan cabul oleh orang lain, dan menjadikan sebagai pencaharian atau kebiasaan, diancam dengan pidana penjara paling lama satu tahun
According to the rule set in Article 296 of the Criminal Code is whosoever deliberately causes or facilitates lewd acts by others, and makes as a livelihood or habit, is punishable by imprisonment of a maximum of one year and four months or a fine of up to fifteen thousand rupiah.

In the Article 506 of the Criminal Code is regulated on criminal acts as a pimp or pimp who takes advantage of the act of violating decency committed by a woman or man, which reads:

“Barang siapa menarik keuntungan dari perbuatan cabul seseorang wanita dan menjadikannya sebagai pelacur, diancam dengan pidana kurungan paling lama satu tahun”

According to the rule set in Article 506 of the Criminal Code is whoever profits from the lewd acts of a woman and makes her prostitute is threatened with a maximum of one-year imprisonment.

In addition, Indonesia has a prohibition on sexual exploitation regulated in Law Number 21 Year 2007 on the Eradication of Criminal Trafficking in Article 1 paragraph (8) and Article 2 paragraph (1) and (2). In Article 1 paragraph (8) reads:

“Eksploitasi Seksual adalah segala bentuk pemanfaatan organ tubuh seksual atau organ tubuh lain dari korban untuk mendapatkan keuntungan, termasuk tetapi tidak terbatas pada semua kegiatan pelacuran dan percabulan”

According the rule set in Article 1 paragraph (8) is sexual exploitation is any form of exploitation of sexual organs or other organs of the victim for gain, including but not limited to all activities of prostitution and fornication.

Article 2 paragraph (1) reads:

“Setiap orang yang melakukan perekrutan, pengangkutan, penampungan, pengiriman, pemindahan, atau penerimaan seseorang dengan ancaman kekerasan,
According to the rule set in Article 2 paragraph (1) is any person which hiring, transporting, sheltering, shipping, transfer, or receiving person with threats of violence, use of force, abduction, capture, falsification, fraud, abuse of power or vulnerable positions, debt bondage or pay or benefits, A person who is in control of another person, for the purpose of exploiting that person in the territory of the Republic of Indonesia shall be subject to imprisonment of a minimum of 3 (three) years and a maximum of 15 (fifteen) years and a fine of at least Rp120,000,000.00 (One hundred and twenty million rupiah) and a maximum of Rp600,000,000.00 (six hundred million rupiah).

Article 2 paragraph (2) reads:

"Jika perbuatan pembaptisan pada ayat (1) Tersedianya orang tereksploitasi, maka pelaku dipidana Dengan pidana yang sama di maksudnya pada ayat (1)"\(^{68}\)

According to the set rule in Article 2 paragraph (2) is if the acts of baptism in paragraph (1) the availability of persons exploited, then the offender is punished with the same crime in the meaning of paragraph (1).

Law Number 44 Year 2008 on Pornography is regulated in Article 30 jo. Article 4 Paragraph (2), Article 4 paragraph (2) of Law Number 44 Year 2008 reads:

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“(2) Setiap orang dilarang menyediakan jasa pornografi yang: c. Mengeksploitasi atau memamerkan aktivitas seksual”.

Article 30 of Law Number 44 Year 2008 reads:

“Setiap orang yang menyediakan jasa pornografi sebagaimana dimaksud dalam Pasal 4 ayat (2) dipidana dengan pidana penjara paling singkat 6 (enam) bulan dan paling lama 6 (enam) tahun dan/atau pidana denda paling sedikit Rp 250.000.000,00 (dua ratus lima puluh juta rupiah) dan paling banyak Rp 3.000.000.000,00 (tiga miliar rupiah)”

According to the set rule in Law Number 44 Year 2008 on Pornography is regulated in Article 30 jo. Article 4 paragraph (2), Article 4 paragraph (2) of Law Number 44 Year 2008 is: everyone is prohibited from providing pornographic services that and exploit or show off sexual activity and if any person providing pornographic services as referred to in Article 4 paragraph (2) shall be sentenced with a minimum imprisonment of 6 (six) months and a maximum of 6 (six) years and / or a fine of at least Rp 250,000,000.00 (two Hundred and fifty million rupiah) and a maximum of Rp 3,000,000,000.00 (three billion rupiahs)

Regarding to the prostitution, the punishment in Indonesia is only directed to pimps and facilitators. There are no criminal penalties and fines for service users in Indonesia about the world of prostitution as in Sweden. The Anti-Prostitution Law is enforced in Sweden and the punishes is for users of prostitution, and the identity of that users will be publish in the mass media and the users that caught will be required to pay a fine or imprisonment of 6 (six) months. In the Anti-Prostitution Law also considers Commercial Sex Workers as victims, so there is no law for victims. For them, prostitution is a form of male violence against women. Sweden has been success to apply the Anti-Prostitution Law and then Finland, Norway, Iceland, Scotland, and France have followed the law.

This makes the law in Indonesia against prostitution cannot be done comprehensively. The concept of solving prostitution problems in Indonesia does...
not provide a deterrent effect to the mafia trafficking of women to provide commercial sex workers because of the high consumptive rate. This law is same against sex workers from foreign countries, Indonesia only punish pimps and facilitating parties as in the article 324-327. Foreign sex workers who are caught doing immoral acts (to be prostitutes) will only be deported.\textsuperscript{72}

III.3. History of Alexis Hotel Indonesia

Alexis Hotel Indonesia was established around 2009, CEO of Alexis Hotel Indonesia itself named Alex Tirta.\textsuperscript{73} Alexis Group has several subsidiaries, including; 36 Club, Colosseum Club, Emporium Club, Tease Club, Alexis Hotel and 1001 Hotel.\textsuperscript{74} Alexis Hotel is located on Jl R.E. Martadinata No 1, North Jakarta. In addition to Alexis Hotel, some of the listed subsidiaries are also located in Jakarta. It is known that Alexis Hotel Indonesia is not just an ordinary Hotel, Alexis Hotel is a place for entertainment that is called "Prostitution", and one of the famous prostitution places in Jakarta is Alexis Hotel.\textsuperscript{75}

The Alexis Hotel is a pioneer hotel that adorns the benchmark for adult one stop entertainment. Known as the dreamland for men, Alexis Hotel reflects the essence of Jakarta entertainment, offering 74 lavishly appointed suite rooms, as well as gastronomic delight in its international restaurant and the amazing entertainment area that comprises of 4Play Club & Bar Lounge, XiS Karaoke, and Talk-of-the-town BathHouse Gentlemen Spa.\textsuperscript{76}

In addition, Alexis Hotel have some entertainment, that is: 4Play Club & Bar Lounge which located on level 1, XiS Karaoke, and the BathHouse Gentlemen Spa is located on level 7 of Alexis Hotel.\textsuperscript{77}

\textsuperscript{76} Ibid
\textsuperscript{77} Ibid
4Play Club & Bar Lounge is located on level 1, right next to the main lobby. 4play Club is a place to relax to enjoy the progressive song and featuring striptease dance by some women from local and international.

Figures 3.1: 4Play Club & Bar Lounge

Alexis Restaurant provided cuisine of Indonesian, Chinese, and Japanese food, served in a relaxing surrounding.

Figures 3.2: Alexis Restaurant

Ibid

Ibid
**Figure 3.3: XiS Karaoke**

XiS is a karaoke place at Hotel Alexis Indonesia, XiS has facilities such as 42-inch plasma screen, world-class sound system and best female companion in Jakarta.

**Figure 3.4: BathHouse Spa & Lounge**

The BathHouse Gentlemen Spa is located on level 7 of the Alexis Hotel. BathHouse Gentleman Spa is a place that offers reflexology with local and international woman massages. The guests will relax and enjoy a massage with private room, the guests also can soak with the ladies companion which has provided by Alexis Hotel.

In addition, based on the results of interviews conducted by the author, there are about 100 workers (waitress, security guard, cashier, barista, public relations, receptionists and other employees). While for the sex workers, there are more than 100 people and consists of several ladies companion for the Karaoke, some striptease dancer for 4play club, and ladies massagers for the BathHouse spa section. Local and international sex workers are available in Alexis Hotel.

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*Ibid*  
*Ibid*
Indonesia, and mostly the local sex workers come from Bogor, Kuningan, Indramayu, and Bandung. While for sex workers from international are comes from China, Thailand, Vietnam, Ukraine and Uzbekistan. The international sex workers are on the 7th floor of BathHouse spa and Lounge.  

Their average age (sex workers) is 17-25 years old. The rates itself is different between local and international, local rates is around Rp. 1.250.000 - Rp. 1.600.000 / jam (short time) is included room, while for women rates from China, Thailand and Vietnam around Rp. 2.500.000 / hour includes room, and for women rates from Uzbekistan and Ukraine around Rp. 3.500.000 / hour includes room.  

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82 Farid as a Local Pimp in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017
83 Ibid
CHAPTER IV

THE IMPLEMENTATION OF PALERMO CONVENTION IN INDONESIA CASE STUDY ALEXIS HOTEL INDONESIA

IV.1. Indonesia Government Strategy in Case of Prostitution

International Recognition that Human Trafficking is one form of transnational organized crime makes the Ministry of Foreign Affairs of the Republic of Indonesia cooperate internationally in the effort to overcome these crimes. Actually, in the development of the results, the authors get information that the United States Department of State in Trafficking In Persons Report has categorized Indonesia to the group "Tier 2" in the eradication and protection of human trafficking victims. The determination of "Tier 2" is based on the consideration that the Government of Indonesia has always carried out eradication efforts through the steps established in international regulations (UN Conventions and Protocols) namely:

1) Indonesia has been ratifying the Palermo Protocol on March 5, 2009 by Susilo Bambang Yudhoyono as President of Republic Indonesia. Regulations contain is the state should prevent and combat trafficking in persons and provide protection to women and children, also the protocol helps victims of human rights.84

2) Judging from the formal legal aspect, the Indonesian government on the national level has issued various national regulations that support efforts to prevent and eradicate Human Trafficking crimes. The regulation includes Law Number 21 Year 2007 concerning the Eradication of Crime of Trafficking in Persons (PTPPO); Government Regulation Number 9 of 2008 concerning Procedures and Mechanism of Integrated Services for Witnesses and / or Victims of TPPO; and Presidential Regulation No. 69/2008 on the Task Force on the Prevention and Handling of Trafficking in Persons serving as a coordinating body in 20 provinces and 72 districts.

or cities with the general chair of the Coordinating Minister for People's Welfare.\textsuperscript{85}

3) At the international level, the Government of Indonesia has ratified international, regional agreements, and is involved in forums/meetings that address human trafficking efforts.\textsuperscript{86}

4) At a regional forum, Indonesia has declared its commitment through the ASEAN Declaration Against Trafficking in Persons Particularly Women and Children in Vientiane in 2004.\textsuperscript{87}

5) In an international forum, one of Indonesia acted as co-chair of Bali Transnational Crimes in 2002. The Bali Process is an international forum that facilitates discussion on developments and solutions to trafficking practices as well as other transnational crimes.\textsuperscript{88}

6) At the bilateral level, Indonesia plays an active role in formulating formal legal mechanisms to eradicate human trafficking; one of them is the pilot initiative of TPPO. The MoU has been signed between the Government represented by the Ministry of Foreign Affairs and the International Organization for Migration (IOM) in the handling of victims of human trafficking abroad.\textsuperscript{89}

**IV.2. The Implementation of Law in Case of Prostitution Alexis Hotel**

United Nations defines human trafficking as recruitment, transportation, transfer, concealment or acceptance by threats or use of force, abduction, fraud, fraud, abuse of power/vulnerable positions or paying benefits to gain consent from the person in charge of that other person.

In case of this study will explain how does Indonesia implement the Palermo Convention and Law of prostitution itself. Indonesia has been ratifying the


\textsuperscript{86} Ibid.

\textsuperscript{87} Ibid.

\textsuperscript{88} Ibid.

\textsuperscript{89} Ibid.
Palermo Protocol on March 5, 2009 by Susilo Bambang Yudhoyono as President of Republic Indonesia.\(^9\)

Indonesia as a country that has ratified Palermo Protocol has not applied it yet. Contrary to the established rules as in Articles 2 and 3, which have the following objectives:

**Article 2:**

(a) To prevent and combat trafficking in persons, paying particular attention to women and children;
(b) To protect and assist the victims of such trafficking, with full respect for their human rights; and
(c) To promote cooperation among States Parties in order to meet those objectives.\(^9\)

According to the purpose of this protocol is to prevent and combat trafficking in persons and to provide protection into women and children. Besides this, protocol helps victims of human trafficking and to respect their human rights.

**Article 3(a):**

(a) “Trafficking in persons” shall mean the recruitment, transportation, transfer, harboring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude or the removal of organs.”\(^9\)

The Protocol contains a definition of trafficking that is quite comprehensive, as the recruitment, transportation, transfer, harboring or receipt of persons by threat or use of force, or other forms of coercion, such as abduction, fraud, deception, abuse of power or get permission from people who has authority over another person for the purpose of exploitation. In addition, exploitation is the purpose of all forms of


human trafficking, at least will include the exploitation in the form of prostitution or in other forms of sexual exploitation, such as forced labor, and slavery.

According those articles 2 and 3(a) the government in the implementation of this Palermo convention is still very far from the purposes of the Palermo convention that has been made. The author sees and listens directly from sources that became a worker in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Nita as Public Relation there:

“Besides the normal worker in Alexis Hotel there are woman who accompanies the guest. They are in charge of entertaining guests and providing the services that the guests want. The kind that service are accompanying guests drinking alcohol, accompanying guests singing in the karaoke and massaging the guests in the spa section. There also any service like sexual activity (prostitution). There are more than 100 people sex workers or as a ladies companion in Alexis Hotel.”

According from the above sources description, the authors conclude that the rules have been made are not implemented. Regulations contain is the state should prevent and combat trafficking in persons and provide protection to women and children, also the protocol helps victims of human rights, but in fact there is no action from government to help the victims of human trafficking and respect their human rights in Alexis Hotel. Alexis Hotel provide more than 100 sex worker and ladies companion, they also service the guest with accompanying and do sexual activity.

In addition, related with the prostitution, Indonesia as a state law has rules to control their people, which do the deviant activities. The Criminal Code regulates it in two articles, namely Article 296 and Article 506. The Criminal Code makes intentional cause or facilitates the conduct of violations of decency with a third person as a livelihood or as a rule set in Article 296 of the Criminal Code which reads:

“Barang siapa dengan sengaja menyebabkan atau memudahkan perbuatan cabul oleh orang lain, dan menjadikan sebagai pencaharian atau kebiasaan, diancam dengan pidana penjara paling lama satu tahun

93 Nita as a Public Relations in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017.
According the rule set in Article 296 of the Criminal Code is whosoever deliberately causes or facilitates lewd acts by others, and makes as a livelihood or habit, is punishable by imprisonment of a maximum of one year and four months or a fine of up to fifteen thousand rupiahs.

In the Article 506 of the Criminal Code is regulated on criminal acts as a pimp or pimp who takes advantage of the act of violating decency committed by a woman or man, which reads:

“Barang siapa menarik keuntungan dari perbuatan cabul seseorang wanita dan menjadikannya sebagai pelacur, diancam dengan pidana kurungan paling lama satu tahun”

According the rule set in Article 506 of the Criminal Code is whoever profits from the lewd acts of a woman and makes her prostitute is threatened with a maximum of one-year imprisonment.

According the Indonesian law of Criminal Code regulates it in two articles, namely Article 296 and Article 506, from those articles the author sees and listens directly from sources that became local pimp in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Farid:

“I work here being a mediator between the guest and my child (commercial sex worker). I will offer some services that my child can give to the guests. I also control, managed and protect my children in here. There are many services, like: accompanying guests drinking alcohol, accompanying guests singing in the karaoke and if the guest love my child, and usually will be invited to having sex.”

According from the above sources description, the authors conclude that the Indonesian law of Criminal Code regulates it in two articles, namely Article 296 and Article 506 also not implemented. Regulations contain is the whosoever deliberately causes or facilitates lewd acts by others, and makes as a livelihood or habit, is punishable by imprisonment of a maximum of one year and four months

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95 Ibid

96 Farid as a Local Pimp in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017.
or a fine of up to fifteen thousand rupiah and whoever profits from the lewd acts of a woman and makes her prostitute is threatened with a maximum of one-year imprisonment. But in fact, the source, which became a mediator between the sex workers and the guest still free and not caught by the law.

In Article 3(d) of Palermo Protocol:

(d) “Child” shall mean any person under eighteen years of age.”

Children under 18 should be protected and should not be forced labor, slavery for sexual exploitation.

The author sees and listens directly from sources that became local pimp in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Farid:

“Age of sex workers or companion women are around 17-25 years old.”

According to the author, Alexis Hotel as a place of entertainment providers for men has violated the law that has been created by the Palermo Convention because in the article it is clear that children under 18 years old should not be a worker moreover as a sex workers. This case makes the author judge that the rules that have been made are not implemented. The lack of attention from the government makes traffickers violate the law.

In addition, Indonesia has a prohibition on sexual exploitation regulated in Law Number 21 Year 2007 on the Eradication of Criminal Trafficking in Article 1 paragraph (8) and Article 2 paragraph (1) and (2). In Article 1 paragraph (8) reads:

“Eksploitasi Seksual adalah segala bentuk pemanfaatan organ tubuh seksual atau organ tubuh lain dari korban untuk mendapatkan keuntungan, termasuk tetapi tidak terbatas pada semua kegiatan pelacuran dan percabulan”

98 Farid as a Local Pimp in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017.
According the rule set in Article 1 paragraph (8) is sexual exploitation is any form of exploitation of sexual organs or other organs of the victim for gain, including but not limited to all activities of prostitution and fornication.

Article 2 paragraph (1) reads:

“Setiap orang yang melakukan perekrutan, pengangkutan, penampungan, pengiriman, pemindahan, atau penerimaan seseorang dengan ancaman kekerasan, penggunaan kekerasan, penculikan, penyekapan, penyalahgunaan kekuasaan atau posisi rentan, penjeratan utang atau memberi bawahan atau manfaat walaupun memperoleh persetujuan dari orang yang memegang kendali atas orang lain, untuk tujuan mengeksploitasi orang tersebut di wilayah negara Republik Indonesia, dipidana dengan pidana penjara paling singkat 3 (tiga) tahun dan paling lama 15 (lima belas) tahun dan pidana denda paling sedikit Rp120.000.000,00 (seratus dua puluh juta rupiah) dan paling banyak Rp600.000.000,00 (enam ratus juta rupiah)”

According the rule set in Article 2 paragraph (1) is any person which hiring, transporting, sheltering, shipping, transfer, or receiving person with threats of violence, use of force, abduction, capture, falsification, fraud, abuse of power or vulnerable positions, debt bondage or pay or benefits, A person who is in control of another person, for the purpose of exploiting that person in the territory of the Republic of Indonesia shall be subject to imprisonment of a minimum of 3 (three) years and a maximum of 15 (fifteen) years and a fine of at least Rp120,000,000.00 ( One hundred and twenty million rupiah) and a maximum of Rp600,000,000.00 (six hundred million rupiah).

The author sees and listens directly from sources that became local sex worker in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Ara:

“At first there was someone who offered me to work in Jakarta as a dancer, not bad enough for the income. In one day can get until Rp. 1.000.000, I was interested and finally I went to Jakarta accompanied by my father. At the restaurant I met with

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the person who will hire me, that person explained to my father that I would be work in this restaurant. until I signed a contract and will be fined if I break the contract. I am as striptease dancer, where I have to open all the clothes that I wear and show my body and also I must to accompany the guests, which want to drink alcohol here. ”[101]

The author conclude there are sexual exploitation is any form of exploitation of sexual organs or other organs of the victim for gain, including but not limited to all activities of prostitution and fornication. Ara as a victim of human trafficking was getting fraud and getting an abuse of power with contract that has been signed. The lack attention from government make Ara cannot get out easily from that place. The regulations also cannot help her without the attention from the government. Alexis Hotel also violated the regulations, which has been made by Palermo Convention. The articles that related with this cases are article 2(a) and 2(b), article 3(a).

In Article 6 (Paragraph 3), protection of victims of trafficking in persons:

“3. Each State Party shall consider implementing measures to provide for the physical, psychological and social recovery of victims of trafficking in persons, including, in appropriate cases, in cooperation with non-governmental organizations, other relevant organizations and other elements of civil society, and, in particular, the provision of:
(a) Appropriate housing;
(b) Counseling and information, in particular as regards their legal rights, in a language that the victims of trafficking in persons can understand;
(c) Medical, psychological and material assistance”[102]

According to Article 6 paragraph 3 is every country must protect their people and provide home as worthy shelter for their right as human being. The state also has the right to protect the citizens from trafficking. In addition, countries should provide medical, psychological, material, employment, education and training assistance for them.

But in fact, the author sees and listens directly from sources that became local sex worker in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Ara:

“As long as I work here, I have ever got any violence from the guests. Sometimes they do slap, hit and kicking.”

According to the author, the country still cannot protect their people only by the regulations. The government also cannot implement the regulations, which must protect their people and provide safety. Ara as a one of victims said if she have ever get any violence, it make prove that the government not fulfill the regulations.

Article 10:

“I. Law enforcement, immigration or other relevant authorities of States Parties shall, as appropriate, cooperate with one another by exchanging information, in accordance with their domestic law, to enable them to determine:
(a) Whether individuals crossing or attempting to cross an international border with travel documents belonging to other persons or without travel documents are perpetrators or victims of trafficking in persons;
(b) The types of travel documents that individuals have used or attempted to use to cross an international border for the purpose of trafficking in persons.”

According to the above article is that any person which cross border (migration) shall have completed the documents for migration not for the purpose of trafficking. Every country should make strict supervision in every border so as traffickers enter easily.

The author sees and listens directly from sources that became the pimp of foreign sex worker in Alexis Hotel. Here is an excerpt from the author's interview with a resource named Willy:

“The foreign sex workers come from China, Thailand, Vietnam, Ukraine and Uzbekistan. The foreign sex worker document usually use tourist visa.”

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103 Ara as a Local Sex Worker in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017.
105 Willy as a Pimp of Foreign Sex Worker in Alexis Hotel Indonesia, Retrieved from interview on May 20 2017.
According the above interview is that Indonesia not implemented the regulations, so that makes traffickers can enter easily to smuggle the sex worker from many countries such as, China, Thailand, Vietnam, Ukraine and Uzbekistan.

IV.3. Obstacles Strategy of Indonesia Government in Case of Prostitution of Alexis Hotel

Implementation of policies on Human Trafficking has not been fully implemented properly. The government admits to being overwhelmed in handling this case, because the actors who play a role in it have extensive access. But in fact, Jakarta government has closed prostitution sites such as Kalijodo, Stadium and Milles in 2014-2016, because of the place has been a drug offense. Ahok as governor who served at that time, has given an ultimatum to all places of entertainment that if caught distributing drugs, business license will be revoked. It is difficult for the government to close Alexis because of various obstacles such as:

- Alexis Hotel business license is still legal as a spa and hotel, not a place of prostitution.\textsuperscript{106}
- There is no regulation on prostitution prosecution, enforcement can only be done if the place misuses building permit.
- The lack of legislation regarding the location of the provider in prostitution sides.
- The lack of government attention in terms of prostitution.
- There is no drugs problems caught in the Alexis Hotel that makes the government difficult to close the place.
- Strict security made by the Alexis Hotel to cover his identity as a place of prostitution. For example when the author tries to direct observation to the Alexis Hotel, but the author’s phone must be close on a camera. So it is not possible for anyone to do documentation there. Close the possibility for the authors to get evidence that there is indeed a practice of prostitution.

- The existence of government officials who assist Alexis Hotel in licensing, so that makes Alexis Hotel still safe to practice prostitution.
- The occurrence of bribery practices conducted by the Alexis Hotel with government officials, thus making permission Hotel Alexis runs improperly.

Trafficking has penetrated international boundaries and cultures. Nevertheless Indonesia is also a regional supplier and even trafficking purposes in the international world. The complex of migration process with the legal and illegal issues of the workers also influences the percentage of trafficking victims. There are several trafficking trails that enter Indonesia and out of Indonesia. In Indonesia itself, the entry point through the air and sea, such as in Batam, and Jakarta. Parties on the border (immigration) and security (police or military) are who play illegal or accept bribes, behind this operation. Jakarta and Batam are the largest cities in terms of trafficking and smuggling.107

Generally, the trafficking victims enter Indonesia because they have economic problems and they will be employed as commercial sex workers. After they successfully enter Indonesia, the sex workers will be distribute through the prostitution agent to several clubs or prostitution place in Jakarta, such as the Alexis Hotel Indonesia. By using a tourist visa or holiday visa they will stay and work as sex workers. More than 25 victims of the trafficking from Uzbekistan were identified in 2011 and there were reports of victims from China, Thailand, other Central Asian countries and Eastern Europe exploiting in Indonesia.108

There is two different recruitment process by agent, in the past and currently:

<table>
<thead>
<tr>
<th></th>
<th>In the Past</th>
<th>Currently</th>
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<tbody>
<tr>
<td>Actor</td>
<td>By personal in domestic level</td>
<td>- International Network</td>
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<tr>
<td></td>
<td></td>
<td>- Transnational Organized Crime</td>
</tr>
<tr>
<td>Purposes</td>
<td>- Housemaid to support economic family</td>
<td>- Sex commercial worker</td>
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<td></td>
<td></td>
<td>- Illegal migrant</td>
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<tr>
<td>Recruitment</td>
<td>- Voluntary</td>
<td>- With violence</td>
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<td></td>
<td>- Through family or friends</td>
<td>- Fraud or trick</td>
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<tr>
<td>Placement and Income</td>
<td>- Housing or family place or proper place</td>
<td>- Isolated in shelter and closed from foreign cultural environment and not treated humanely.</td>
</tr>
<tr>
<td></td>
<td>- Get salary and fully accepted.</td>
<td>- Get high income but not fully accepted, lots of deductions.</td>
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Table 4.1: Data processed by the journal "An Integrated Theoretical Framework to Describe Human Trafficking of Young Women and Girls for Involuntary Prostitution".

The different recruitment process are, in the past recruitment do by personal and only for domestic but currently the recruitment do by international network or Transnational Organized Crime which across border. In the past, the purposes of recruitment only to be a housemaid but in the present, the purposes of recruitment will be the sex worker or illegal migrant. The recruitment also uses a trick and violence for the present way, not like for the past with voluntary. The placement and income also different, which is housing and get full salary for the past and in the present will be placement in shelter and get high income but not fully accepted.

Alexis Hotel Indonesia has a good market strategy, where Alexis Hotel provides sex workers from domestic level and international level. It is considered powerful to attract men who like going to night entertainment. At the Alexis Hotel itself, women from Uzbekistan are placed on the 7th floor, which is the place for spa, massage and bathhouse. For once service, this Uzbekistan woman price around $109.

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Rp. 3.500.000 / hour.\footnote{Faris, \textit{Pimp of Local sex worker in Alexis Hotel Indonesia}, retrieved from Interview on May 19 2017.} The price is the most expensive amongst other sex workers, because Uzbekistan women have a beautiful face and exclusive body. Prices shown above do not include taxes and tips. Therefore, entertainment place like Alexis Hotel known have the highest class for prostitution and their target market is the people from high economic level.\footnote{Fikri Faqih, \textit{Perempuan-perempuan Cantik Dari Negara-negara Ini Jadi Pelacur di Indonesia}, retrieved from: http://m.baranews.co/web/read/27433/perempuanperempuan.cantik.dari.negaranegara.ini.jadi.pelacur.di.indonesia#.WS35ihOGPos, on May 29 2017.}

In Alexis Hotel, guests usually choose first and invite to soak in warm water pool that has been provided by Alexis Hotel and accompanying with the woman, after that guests will go into the room provided for massage and sex services.
CHAPTER V

CONCLUSION

Actually, migrants cross the borders of the State more easily because of globalization era. The impact of easy access has an impact and gap for crime syndicates such as the Transnational Organized Crime for smuggling and trafficking. Human trafficking is global issue, formerly known as slavery. Human Trafficking also is the third largest criminal industry in the world after drug trafficking and arms trafficking. Women and children become part of the sources of human trafficking activity. Women trafficked are usually for purposes as a sex worker in the prostitution industry, where consumers in this industry is dominated by men and therefore prostitution industry is the most demand in sex trafficking case. Poverty and lack of prosperity in general to be the reason of increase the migration, whether legal or illegal, and also trigger the human trafficking.

Transnational crime has emerged as an era of globalization makes easy access to cross-border and has become a gap for criminals such as Transnational Organized Crime. In 2003, the United Nations became the main reference for against transnational crimes. The UN also makes a useful policy protocol to prevent, suppress and punish trafficking in persons, especially women and children. Globalization can give a new dimension that is negative in various dimensions of life, among others, with the emergence of an international crime that has a global network such as human trafficking, trafficking of women and children, prostitution, cyber crime, finance, banking, money laundering as well as narcotics.

Indonesia become a market of Transnational Organized Crime related to international prostitution because of Indonesia became the 12th place as the sex shopping market; even the sex consumption in Indonesia alone reached $ 2.25 billion per year. Slavery or servitude in Indonesia has begin from the Javanese Kings era, Colonial period, Japanese occupation until currently. Even though in Indonesia itself, slavery or servitude is a crime that against the freedom of a person,
which threatened with imprisonment of 5-15th years, Contained in Article 324-337 of the Criminal Code.


In case of this study will explain how does Indonesia implement the Palermo Convention and Law of prostitution itself. Indonesia has been ratifying the Palermo Protocol on March 5, 2009 by Susilo Bambang Yudhoyono as President of Republic Indonesia. The authors conclude that the rules have been made are not implemented. Regulations contain is the state should prevent and combat trafficking in persons and provide protection to women and children, also the protocol helps victims of human rights, but in fact there is no action from government to help the victims of human trafficking and respect their human rights in Alexis Hotel.

Regulations contain is the whosoever deliberately causes or facilitates lewd acts by others, and makes as a livelihood or habit, is punishable by imprisonment of a maximum of one year and four months or a fine of up to fifteen thousand rupiah and whoever profits from the lewd acts of a woman and makes her prostitute is threatened with a maximum of one-year imprisonment. But in fact, the source, which became a mediator between the sex workers and the guest still free and not caught by the law.

Alexis Hotel as a place of entertainment providers for men has violated the law that has been created by the Palermo Convention because in the article it is clear that children under 18 years old should not be a worker moreover as a sex workers.

Ara as a victim of human trafficking was getting fraud and getting an abuse of power with contract that has been signed. The lack attention from government make Ara cannot get out easily from that place. The regulations also cannot help her without the attention from the government. The government also cannot
implement the regulations, which must protect their people and provide safety. Ara as a one of victims said if she have ever get any violence, it make prove that the government not fulfill the regulations.

Indonesia not implemented the regulations, so that makes traffickers can enter easily to smuggle the sex worker from many countries such as, China, Thailand, Vietnam, Ukraine and Uzbekistan.
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APPENDIX OF INTERVIEWS REPORT

1. Transcript Conversation with Nita

P: (Nita as a Public Relation)
M: (The Researcher)

Original Conversation with Indonesian Language
M: Saya Mentari, ingin menanyakan tentang Alexis Hotel Indonesia. Apakah kamu bersedia menjadi narasumber saya?
P: Iya, silahkan.
M: Siapakah pemilik Alexis Hotel Indonesia?
P: Alex Tirta.
M: Sejak kapan Alexis Hotel Indonesia berdiri?
P: Sejak 2009.
M: Ada berapa lantai di Alexis Hotel Indonesia? dan apa saja bagiannya?
P: 7 lantai, di lantai pertama 4play club, lalu ada karaoke, restaurant, spa di lantai 7 dan sisanya merupakan Hotel (kamar untuk tamu).
M: Berapa Jumlah Pekerja di Alexis Hotel Indonesia?
P: Ada banyak, sekitar kurang lebih 100 orang.
M: Bekerja sebagai apa saja?
P: Pelayan, Bartender, bagian Recepcionist, PR seperti saya, security, kasir, dan lain-lain).
M: Selain pekerja disini, apa tugas wanita yang menemani tamu?
P: Mereka bertugas menghibur tamu dan memberikan pelayanan sesuai yang tamu inginkan.
M: Bertugas memberikan pelayanan yang sesuai tamu inginkan? Pelayanan seperti apa?
P: ada banyak, contohnya saja: menemani tamu minum alcohol, menemani tamu bernyanyi dikaraoke dan memijat tamu di bagian spa.
M: Apakah disini ada layanan seperti prostitusi?
P: Ya, tapi tergantung tamu, ingin layanan seperti apa.
M: Lalu, berapa jumlah pekerja seks komersial disini atau wanita pendamping?
P: Lebih dari 100 orang.
M: Untuk pengunjung atau tamu sendiri ada berapa perharinya?
P: Sekitar 500-1000 perhari.
M: Baiklah, terima kasih atas waktu dan kerja samanya.
P: iya, sama-sama.
The translation conversation in English Language.

M: My name is Mentari, I want to ask about Alexis Hotel Indonesia. Are you willing to be my informant?
P: Yes, please.
M: Who is the owner of Alexis Hotel Indonesia?
P: Alex Tirta.
M: When the existence of Alexis Hotel Indonesia?
P: Since 2009.
M: How many floors in Alexis Hotel Indonesia? And what are the parts?
P: 7 floors, on the first floor is 4play club, then is karaoke, restaurant, spa on 7th floor and the rest is Hotel (for guest room).
M: How many workers at Alexis Hotel Indonesia?
P: There are many workers in here, around 100 people.
M: What do they do?
P: As a waitress, bartender, Receptionist part, PR like me, security, cashier, and any other employs.
M: Besides the worker here, what is the duty of the woman who accompanies the guest?
P: They are in charge of entertaining guests and providing the services that the guests want.
M: What kind of service?
P: There are many of service, for example: accompanying guests drinking alcohol, accompanying guests singing in the karaoke and massaging the guests in the spa section.
M: Is there any service like prostitution here?
P: Yes, but depending on the guests itself.
M: So, how many commercial sex workers are here or as a ladies companion?
P: Maybe, more than 100 people.
M: How many visitors per day?
P: Around 500-1000 per day.
M: Well, thank you for your time and cooperation.
P: Ya, welcome.

So, from the interview results with the Public Relations in Alexis Hotel Indonesia, the authors received the information that Alexis Hotel Indonesia has existed since 2009, and the owner of Alexis hotel Indonesia is Alex Tirta. Alexis Hotel Indonesia also has 7 floors, including club and bar, karaoke, restaurant, spa and hotel. Alexis Hotel Indonesia has workers around 100 people, consisting of: waitress, bartender, receptionist part, public relations, security, cashier, and any other employs. Besides the regular employees, Alexis Hotel Indonesia also provides more than 100 ladies companion to entertain and accompany guests. Even guests can request the
services, like a sexual activity. Because of that Alexis hotel Indonesia can get around 500-1000 visitors in every day.

2. Transcript Conversation with Farid

F: (Farid as a Pimp)
M: (The Researcher)

Original Conversation with Indonesian Language
M: Saya Mentari, ingin menanyakan tentang wanita pendamping di Alexis Hotel Indonesia. Apakah kamu bersedia menjadi narasumber saya?
F: Iya, silakan.
M: Maaf, anda bekerja disini sebagai apa?
F: Saya menjadi papi disini.
M: Sudah berapa lama anda bekerja disini?
F: Sekitar 4 tahun.
M: Apa yang dilakukan seorang papi disini?
F: Saya disini bertugas menjadi perantara antara tamu dan anak-anak (pekerja seks komersial) saya. Saya akan menawarkan beberapa pelayanan yang dapat diberikan anak saya kepada tamu. Saya juga bertugas mengawasi dan melindungi anak-anak saya.
M: Apa saja pelayanan yang diberikan oleh wanita-wanita tersebut?
F: Ada banyak, diantaranya: menemani tamu minum alcohol, menemani tamu bernyanyi di karaoke dan kalau tamunya suka biasanya akan diajak untuk melakukan hubungan seks.
M: Berapa harga untuk berhubungan seks?
F: Tergantung, kalau untuk yang lokal tarif disini sekitar Rp. 1.250.000 – Rp. 1.600.000/jam (short time) udah termasuk kamar.
M: Apa perbedaannya yang tarif Rp. 1.250.000 dan Rp. 1.600.000?
F: Kalau lebih mahal tarifnya tentu saja lebih baik pelayanannya, tarif yang lebih rendah itu kebanyakan belum professional.
M: Berapa bagian yang akan di dapatkan PSK tersebut? Apakah mereka mendapatkan sepenuhnya?
F: Tentu tidak, mereka hanya akan mendapat 30%.
M: Selain PSK lokal, apakah ada yang dari internasional disini?
M: Berapa tariff PSK asing tersebut?
F: Untuk yang dari asia sekitar Rp. 2.500.000/jam, sedangkan yang dari eropa sekitar Rp. 3.500.000
M: Bagaimana cara PSK asing tersebut datang ke Indonesia dan bekerja di Alexis Hotel Indonesia?
M: My name is Mentari, I want to ask about the ladies companion in Alexis Hotel Indonesia. Are you willing to be my informant?
F: Yes, please.
M: Excuse me, are you work in here as what?
F: I am a pimp here.
M: How long you have been working here?
F: Around 4 years.
M: What a pimp does here?
F: I work here being a mediator between the guest and my child (commercial sex worker). I will offer some services that my child can give to the guests. I also control, managed and protect my children in here.
M: What are the services provided by these women?
F: There are many services, like: accompanying guests drinking alcohol, accompanying guests singing in the karaoke and if the guest love my child, and usually will be invited to having sex.
M: How much does it cost to have sex?
F: It depends, for the local rates here around Rp. 1,250,000 - Rp. 1,600,000 / hour (short time) already included the room.
M: What the difference between Rp. 1,250,000 and Rp. 1,600,000?
F: If the price is more expensive, of course, better the service, the lower price are mostly not professional yet.
M: How many the sex worker get from have sex? They get fully or not?
F: Of course not, they will only get 30% from the price.
M: Besides the local sex worker, is there any from foreign sex workers here?
F: Yes there are, some from China, Thailand, Vietnam, Ukraine and Uzbekistan.
M: How much the price for foreign sex workers?
F: For those from Asia around Rp. 2,500,000 / hour, while those from Europe around Rp. 3,500,000.
M: How did the foreign sex workers come to Indonesia and work in Alexis Hotel Indonesia?
F: I do not know about that.
M: How old are they (Local and Foreign sex workers)?
F: Around 17-25th years old.
M: Well, thank you for your time and cooperation.
According to interviews between the author and pimp at Alexis Hotel Indonesia is s pimp served to be a mediator between the guests and sex worker. The pimps will also offer some services to the guests and to protect and control them (sex worker). According to a pimp's confession there, services that a ladies companion can provide include accompanying guests drinking alcohol, accompanying guests singing in the karaoke and having sex with the guests which want that services. The price for have sex is also not cheap enough, for the local the guests should spend around Rp. 1.250.000 - Rp. 1.600.000 / hour (short time). Meanwhile from domestic level, Alexis Hotel Indonesia also provides a foreign sex worker from China, Thailand, Vietnam, Ukraine and Uzbekistan. The price for have sex with the foreign sex worker is also expensive, around Rp. 2.500.000 / hour from Asia, and from Europe around Rp. 3.500.000 / hour. The sex worker is only getting 30% profit. Mostly the age from they are still 17-25 years old. The author only interviewed the local pimp, so he did not know about how foreign sex worker entry into Indonesia to work at Alexis Hotel.

3. Transcript Conversation with Ara

A: (Ara as Ladies companion from Local)
M: (The Researcher)

Original Conversation with Indonesian Language
M: Saya Mentari, ingin menanyakan tentang wanita pendamping di Alexis Hotel Indonesia. Apakah kamu bersedia menjadi narasumber saya?
A: Iya, silahkan.
M: Maaf, anda bekerja disini sebagai apa?
A: Saya disini sebagai ladies companion.
M: Berapa usia anda?
A: Umur saya 19 tahun.
M: Sudah berapa lama anda bekerja disini?
A: Sekitar 2 bulan.
M: Berasal dari mana anda?
A: Dari kuningan.
M: Apakah semua ladies companion disini berasal dari kuningan?
A: Tentu tidak, ada yang dari Bogor, Indramayu, dan Bandung.
M: Bagaimana cara kamu bias sampai dan bekerja disini?
A: Pada awalnya saya ditipu.
M: Ditipu bagaimana?

M: Jadi sampai sekarang orang tua kamu belum mengetahui yang sebenarnya?
A: Belum.

M: Jika kamu sudah tahu ditipu mengapa kamu masih disini?
A: Saya sudah tanda tangan kontrak dan akan dikenakan denda jika saya melanggar kontrak tersebut.

M: Apa yang kamu lakukan disini?
A: Disini saya sebagai penari striptis, dimana saya harus membuka semua pakaian yang saya kenakan dan memperlihatkan tubuh saya dan saya juga harus menemani tamu untuk minum alcohol disini.

M: Bagaimana kamu bisa percaya diri memperlihatkan tubuh kamu di depan banyak orang?

M: Berapa kira-kira pendapatan kamu dalam sebulan?
A: Saya digaji per dua minggu, sekitar Rp. 10.000.000, itu juga tergantung dari pelayanan yang saya bisa berikan kepada tamu.

M: Pelayanan seperti apa yang bisa kamu berikan kepada tamu?
A: Menemani tamu minum alcohol dan melakukan hubungan seks.

M: Selain kontrak, adakah hal yang membuat kamu terikat disini?

M: Selama kamu bekerja menjadi sex worker disini, apakah kamu pernah mendapatkan tindak kekerasan dari tamu?
A: Iya, pernah.

M: Apa yang tamu lakukan?
A: Kadang menampar, ada juga yang memukul dan menendang.

M: Lalu, apa yang kamu lakukan?
A: Saya hanya menangis.

M: Baiklah, terima kasih atas waktu dan kerja samanya.
A: iya, sama-sama.
The translate conversation with English Language.
M: My name is Mentari, I want ask about the ladies companion in Alexis Hotel Indonesia. Are you willing to be my informant?
A: Yes, please.
M: Excuse me, are you work in here as what?
A: I am here as a ladies companion.
M: How old are you?
A: I am 19 years old.
M: How long have you been working here?
A: Around 2 months.
M: Where did you come from?
A: I am from Kuningan.
M: Are the entire of ladies companion here from Kuningan?
A: Of course not, there are from Bogor, Indramayu, and Bandung.
M: How did you get to and work here?
A: At first I was cheated.
M: How was you are cheated?
A: At first there was someone who offered me to work in Jakarta as a dancer, not bad enough for the income. In one day can get until Rp. 1.000.000, I was interested and finally I went to Jakarta accompanied by my father. At the restaurant I met with the person who will hire me, that person explained to my father that I would be work in this restaurant.
M: So until now your parents do not know the truth yet?
A: Not yet.
M: If you already know cheated why are you still here?
A: I have signed a contract and will be fined if I break the contract.
M: What are you doing here?
A: Here I am as striptease dancer, where I have to open all the clothes that I wear and show my body and also I must to accompany the guests, which want to drink alcohol here.
M: How can you be confident to show your body in front of many people?
A: Initially I was in training first, before at Alexis Hotel Indonesia. I was a striptease dancer in 36 clubs, Classic Hotel, Malioboro Hotel, and Crown.
M: How much your income in a month?
A: I get paid per two weeks, around Rp. 10,000,000, it also depends on the service I can give to the guest.
M: What kind of services can you provide to the guests?
A: Accompany guests to drink alcohol and have sex.
M: In addition to the contract, is there anything that makes you bound here?
A: There is, debts. Parties in Alexis Hotel will be very generous to sex workers here who need quick funds or loans. The parties in Alexis Hotel will also be willing
to buy a car for they sex workers who want it. So the loan will be increase too much and make the sex worker more and more bound with the Alexis Hotel.

M: As long as you work here, have you ever get any violence from the guests?
A: Yes, I ever get.
M: What did the guest do?
A: Sometimes they do slap, hit and kicking.
M: Then what are you doing?
A: I am just crying.
M: Well, thank you for your time and cooperation.
A: Ya, welcome.

According the interviews result between the author and lady companion who name is Ara, the author get information is actually Ara is still 19 years old which is from Kuningan. Ara also has been work in Alexis Hotel Indonesia around 2 months. Ara said if the entire of ladies companion in Alexis Hotel not only from Kuningan, but also from Bogor, Indramayu and Bandung. From this conversation, the author gets information how to an agent can get the sex workers for this Hotel. First, they cheated and gift an explanation how income the ladies companion can get in one day and if the ladies has been know about the truth, they can not get out as easly because they have a contract and any other loans which make them became more bound into Alexis Hotel. Ara also described what she do in Alexis, she said if she must open all the clothes and show her body to show as a striptease dancer. Before in Alexis Hotel, Ara has been trained in other Club and Hotel, such as: 36 clubs, Classic Hotel, Malioboro Hotel, and Crown. Became a striptease dancer, lady companion and sex worker in Alexis Hotel, Ara can get around Rp. 10.000.000/2 weeks. In addition, Ara also confess that she ever cry because get any violence from the guest like, slapping, hit and kicking.

4. Transcript Conversation with Mr.Willy

W: (Willy as a The Pimp of Foreign Sex Worker)
M: (The Researcher)

M: My name is Mentari, I want ask about the foreign sex worker in Alexis Hotel Indonesia. Are you willing to be my informant?
W: Yes, please.
M: Excuse me, are you work in here as what?
W: I am as the pimp of foreign sex worker.
M: How long you have been working here?
W: Around 6 years.
M: How do you managed to bring foreign sex workers in Alexis Hotel Indonesia?
W: We have a management that handles this operation.
M: Do you know how the operation is conducted?
W: Yes, but I can only reveal a little information.
M: Is there any international network in this operation?
W: Yes, our management has an international network.
M: To your knowledge, what do you know about your management effort to get foreign sex worker?
W: The management will only contacts their friends about how much we need, and they will send the women.
M: Where did the foreign sex workers come from?
W: From China, Thailand, Vietnam, Ukraine and Uzbekistan.
M: How does your friends of your management recruit the foreign sex workers?
W: As far as I know, they will persuade women who need jobs in poor countries. Then they recruit by a trick.
M: How do they trick?
W: As far as I know, they trick the foreign sex workers will be work as singers, dancers and even some who are deceived will be work in the office.
M: What makes the foreign sex worker not able to sue the institution?
W: As far as I know, the institution will make a contract and who not sign the contract will get violence. After sign the contract the management will confiscate all their documents.
M: Is the foreign sex worker document legal?
W: I am not sure about that, but usually they use tourist visa.
M: Does your management have a partnership with the Indonesian government to smuggle the foreign sex workers?
W: I think so, but I don’t know about the truth.
M: Is your management involved with Mafia agents?
W: We cannot disclose that information.
M: Do you know anything about the Gang of Nine?
W: We cannot disclose that information.
M: Well, Thank you for your time and cooperation. Nice too meet you Mr. Willy.
W: Ya, welcome. Nice too meet you too.

This interview is a result, which has made between the author and the pimp who has been work for 6 years, and managed the foreign sex workers in Alexis Hotel Indonesia. According to Mr. Willy that there is a management who handles the operation to bring foreign sex workers entry in Alexis Hotel Indonesia. The process to enter Alexis Hotel Indonesia has been organized by the international network and the management effort to get foreign sex worker is only contact their friends to send the women. The foreign sex workers in Alexis Hotel are comes from China, Thailand, Vietnam, Ukraine and Uzbekistan. Mr. Willy said that process to recruit
the women become sex workers is they will persuade women who need jobs in poor countries, and then they recruit by a trick. They trick the foreign sex workers will be work as singers, dancers and even some who are deceived will be work in the office and what makes the foreign sex worker not able to sue the institution is he institution will make a contract and who not sign the contract will get a violence. After sign the contract the management will confiscate all their documents so they cannot run away. The foreign sex workers in Alexis Hotel Indonesia also not use a legal documents because of they use tourist visa not a worker visa. Mr. Willy also not sure about Alexis Hotel Indonesia have a good partnership with the Indonesian government related to smuggle the foreign sex worker. Mr. Willy also do not want to gift any information which related with who is the Mafia agents in Alexis Hotel Indonesia, but the author was suspicious with Gang of Nine which maybe become the behind of this institution.