

# Criminological Analysis of Child Victims of Exploitation as Drug Couriers in Sorong City

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**Nur Prasetya Ningsih**

<sup>1</sup> Universitas Muhammadiyah Sorong, Indonesia

\*correspondence email : [Prasetyaningish1999@gmail.com](mailto:Prasetyaningish1999@gmail.com)

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## Article History

Received: 28/09/2023; Reviewed: 08/05/2024; Accepted: 16/06/2024; Published: 20/06/2024

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**Abstract:** Indonesia is a country with the largest population of young people who are faced with the criminological challenges of drugs that make children victims of exploitation of narcotics couriers that are increasing. With this the author uses empirical juridical research, this research can explore efforts to overcome the crime of drug courier children and identify the factors that cause drug trafficking crimes involving children as drug couriers. Children are assets of the state that should be accountable to the state in fulfilling education so that they cannot be neglected with a life related to criminology as strongly in Article 34 paragraph 2 of the National Education System states, the Government and Regional Governments guarantee the implementation of compulsory education at the basic education level without charging fees. Thus children can be kept away from criminology as victims of drug couriers. Then efforts in tackling the crime of drug courier children, then in tackling child crime, parents can increase supervision of children in the family environment, educate and guide and protect children from criminological forms as Article 2 paragraph (1) of Law Number 4 of 1979 concerning Child Welfare stipulates that "The right of children to welfare, care, care and guidance based on affection both in their families and in special care to grow and develop naturally". Then the factors of narcotics trafficking involving drug courier children, things that affect the occurrence of narcotics trafficking as a result of which a child can freely carry out unlimited association related to family factors, educational factors, environmental factors, social media factors and economic factors that are not uniform in children. Thus there needs to be cooperation between law enforcers and parents in addressing the criminology of child victims of exploitation of drug courier victims so that children can live in peace and away from criminological drug interference.

**Keywords:** Child, Courier; Drugs, Sorong City

**Abstrak:** Indonesia adalah negara dengan populasi anak muda terbanyak yang dihadapkan pada tantangan kriminologis narkoba yang menjadikan anak korban eksploitasi kurir narkoba yang kian meningkat. Dengan ini penulis menggunakan penelitian yuridis empiris, penelitian tersebut dapat menggali upaya dalam menanggulangi tindak kejahatan anak kurir narkoba dan mengidentifikasi faktor-faktor

penyebabnya kejahatan peredaran narkoba yang melibatkan anak sebagai kurir narkoba. Anak merupakan aset negara yang seharusnya dapat diperantunggjawabkan negara dalam memenuhi pendidikan sehingga tidak dapat ditelantarkan dengan kehidupan yang berkaitan dengan kriminologis sebagaimana amat dalam Pasal 34 ayat 2 sisdiknas menyatakan, Pemerintah dan Pemerintah Daerah menjamin terselenggaranya wajib belajar pada jenjang pendidikan dasar tanpa memungut biaya. Dengan demikian anak dapat dijauhkan dari kriminologis sebagai korban kurir narkoba. Kemudian upaya dalam menanggulangi kejahatan anak kurir narkoba, maka dalam menanggulangi kejahatan anak, orang tua dapat meningkatkan pengawasan terhadap anak dalam lingkungan keluarga, mendidik dan membimbing serta melindungi anak dari berupa kriminologis sebagaimana Pasal 2 ayat (1) Undang-Undang Nomor 4 Tahun 1979 tentang Kesejahteraan Anak mengatur bahwa "Hak anak atas kesejahteraan, perawatan, asuhan dan bimbingan berdasar kasih sayang baik dalam keluarganya maupun di dalam asuhan khusus untuk tumbuh dan berkembang dengan wajar". Kemudian faktor-faktor terjadinya peredaran narkoba yang melibatkan anak kurir narkoba, hal-hal yang mempengaruhi terjadinya peredaran narkoba akibatnya seorang anak dapat secara bebas dalam melakukan pergaulan tanpa batas yang berkaitan faktor keluarga, faktor pendidikan, faktor lingkungan, faktor medsos dan faktor ekonomi yang tidak berseragam pada anak. Dengan demikian perlu adanya kerjasama penegak hukum dan orang tua dalam menyikapi kriminologis anak korban eksploitasi korban kurir narkoba sehingga anak dapat hidup tenang dan jauh dari gangguan kriminologis narkoba.

**Kata Kunci:** Anak, Kurir; Narkoba, Kota Sorong

## INTRODUCTION

Indonesia is a country with the highest popularity of easy children, so basically easy children are individuals who have a strategic role in carrying out the responsibility of the nation's future, so the dangers of drugs must be kept out of their lives.<sup>1</sup> Thus children should require guidance in order to ensure their physical and mental growth as a whole and away from the criminological environment at an early age. Criminology against children is an act that violates the law because Indonesia is a state of law as the basic law of the unitary state of the Republic of Indonesia 1945 article 1 paragraph 2 which reads that the Indonesian state is a state of law. So with criminological actions against children

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<sup>1</sup> Wahab Aznul Hidayat, "Penerapan Diversi Dalam Sistem Peradilan Pidana Anak," *Justisi* 5, no. 2 (2019): 84–96, <https://doi.org/10.33506/js.v5i2.543>.

as victims of narcotics exploitation should reflect crimes that should be strictly enforced by law enforcement.<sup>2</sup>

Criminology is an illegal, sensitive act in the social environment of society, especially when the crime involves children, because children have the characteristics of a free life and conduct free association so that criminological action in involving children in victims of exploitation of narcotics couriers is one of the indicators of free social intercourse.<sup>3</sup> Because children will bear the responsibility of the future, children need to get the widest possible opportunity to grow and develop optimally, both physically, mentally and socially, and have noble morals, it is necessary to protect the guarantee of the fulfillment of their rights and treatment without discrimination.

The crime of children as victims of narcotics is partly due to the lack of role of the government and police in eradicating narcotics criminals and black markets for buying and selling narcotics that continue to be rampant and widespread. The criminology of child victims of exploitation as drug couriers should be a cause that arises from the state's lack of concern in presenting equal justice to other fellow children of the nation. Because children are assets of the state that should be given the feasibility of life that can be guaranteed by the state, including being able to access education for free as mandated in Article 34 paragraph 2 of the National Education System states, the Government and Regional Governments guarantee the implementation of compulsory education at the basic education level without charging fees. The impact of child victims of exploitation as drug couriers is that the average child does not have an education.<sup>4</sup>

Using drugs to make children victims of narcotics is an unnatural crime, because it will have a bad impact on their social life. Facing the rise of drugs that ensnare children as victims of drug courier exploitation, law enforcers should be the savior of child victims of exploitation because it is part of their duties and state duties. That children who are exploited as drug couriers will live a bleak life and far from the ideals of children in general.<sup>5</sup>

Criminology against children can trigger a bad influence on the future order of children, a passive future influence and far from the expectations of a child. To be able to prevent criminology against child victims of drug courier exploitation, children must be handled seriously by the government and the police to be empowered so that children

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<sup>2</sup> Ni Putu Rai Yuliantini, "KEDUDUKAN KORBAN KEJAHATAN DALAM SISTEM PERADILAN PIDANA DI INDONESIA BERDASARKAN KITAB UNDANG-UNDANG HUKUM ACARA PIDANA (KUHP)," *Jurnal Komunikasi Hukum* 1, no. 1 (2015): 1576–80.

<sup>3</sup> Polres Kota, Besse Patmawanti, and Kiki Yulianda, "Dilakukan Oleh Anak Di Wilayah Hukum" 3, no. 1 (2020): 22–30.

<sup>4</sup> Ni Putu Wulan Noviarini, Ni Putu Rai Yuliantini, and Dewe Gede Sudika Mangku, "Tinjauan Kriminologis Terhadap Tindak Pidana Penyalahgunaan Narkotika Dikalangan Remaja Di Kabupaten Buleleng," *Jurnal Komunitas Yustisia* 4, no. 2 (2021): 416–26, <https://doi.org/10.23887/jatayu.v4i2.38104>.

<sup>5</sup> Oki Fitriani, Sarah Handayani, and Nur Asiah, "Determinan Penyalahgunaan Narkotika Pada Remaja Di SMAN 24 Jakarta," *ARKESMAS (Arsip Kesehatan Masyarakat)* 2, no. 1 (2017): 135–43, <https://doi.org/10.22236/arkesmas.v2i1.516>.

can adapt to new relationships and lifestyles in their environment to avoid criminal crimes that will occur.<sup>6</sup> The child victim of exploitation as a drug courier, is a child who is less fortunate in his life, because a child should spend his adolescence to be able to live a comfortable life and away from criminology as teenagers in general.<sup>7</sup>

Narcotics are a type of substance that can cause certain effects for people who use it, namely by consuming it into the body. Law number 35 of 2009 further explains that narcotics are substances or drugs derived from plants or non-plants, both synthetic and semisynthetic, which can cause a decrease or change in consciousness, loss of taste, reduce to eliminate pain, and can cause dependence, which is distinguished in groups as stated in the narcotics law. So great is the influence of narcotics on its users, so children who become victims of narcotics should be prevented from now on before it can have a wide impact among many other children, so the role of law enforcement in eradicating criminological perpetrators against children in narcotics should be at the forefront before children can be faced with violations of applicable law.

According to Law No. 4 of 1979 concerning Child Welfare Article 1 Point 2 of Law No. 4 of 1979 explains: A child is a person who has not reached the age of 21 (two thousand and one) years and has never been married. By the explanation of Article 1 point 3 of Law No. 4 of 1979 concerning Child Welfare, it is stated that the age limit of even 21 (two puluh one) years is determined based on considerations of social welfare efforts, the stage of social maturity, personal maturity, and mental maturity of a child reached at that age the age limit of 21 (two puluh one) years does not reduce the age limit provisions in other laws and regulations and does not need to reduce the possibility of children committing acts as far as a child has the ability under applicable law. Children must be able to be protected from criminological victims of exploitation as drug couriers, because when children can be involved in drug criminology, children will be faced with the applicable law. A child should be able to be protected and guaranteed the welfare of his life, because children have rights that should be enforced as explained, in law number 23 of 2002 concerning child protection, as confirmed in article 4, article 18, for children who are in the care of parents / guardians, are entitled to protection from treatment: Discrimination, exploitation, neglect, cruelty, violence, abuse, injustice and other criminological treatment.<sup>8</sup>

Any type of criminological action will be dealt with firmly by the applicable law, along with criminology involving children as victims of criminal acts in conducting drug trafficking or becoming victims of exploitation as drug couriers, there should be social policies that can protect children and society from criminological drugs around them. Social policy can be defined as any rational effort to achieve the welfare of society and at the same time includes the protection of society.

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<sup>6</sup> Tri Annisa, "Pentingnya Peran Orang Tua Dalam Mendidik Anak Di Usia Remaja Untuk Mencegah Penyalahgunaan Narkoba," *Jurnal Dinamika Sosial Budaya* 25, no. 1 (2023): 351, <https://doi.org/10.26623/jdsb.v25i1.4573>.

<sup>7</sup> I Gede Darmawan Ardika, I Nyoman Sujana, and I Made Minggu Widyantara, "Penegakan Hukum Terhadap Penyalahgunaan Tindak Pidana Narkotika," *Jurnal Konstruksi Hukum* 1, no. 2 (2020): 286–90, <https://doi.org/10.22225/jkh.2.1.2569.286-290>.

<sup>8</sup> Munaing Munaing et al., "Peran Orang Tua Dalam Pencegahan Penyalagunan Narkoba Pada Remaja," *Jurnal AbdiMas Bongaya* 1, no. 1 (2021): 53–59, <https://ojs.stiem-bongaya.ac.id/JAB/article/view/269>.

Criminological prevention efforts are instruments of criminal law which are the possibility of crime. So the enactment of the application of criminal law must have an effective effect to prevent before a criminological crime occurs.

It has also been regulated in the Indonesian criminal law system regarding the regulation of narcotics crime in Indonesia. The scope of criminal law includes three provisions, namely criminal acts, responsibility, and punishment. The criminal provisions contained in Law No. 35 of 2009 concerning Narcotics are formulated in Chapter XV Criminal Provisions Article 111 to article 148. Law No. 35/2009 on Narcotics, there are four categorizations of unlawful acts that are prohibited by law and can be threatened with criminal sanctions, namely: The first category, namely acts of possessing, storing, concerning or providing narcotics and narcotic precursors (Articles 111 and 112) for class I narcotics, Article 117 for class II narcotics and Article 122 for class III narcotics and Article 129 letter (a) of Law No. 35/2009. The second category, namely acts of producing, importing, exporting, or distributing narcotics and narcotic precursors (Article 113) for class I narcotics, Article 118 for class II narcotics, and Article 123 for class III narcotics as well as Article 129 letter (b) of Law No. 35 of 2009. The third category, namely actions in the form of offering for sale, selling, buying, receiving, intermediating in the sale, exchange, or delivery of narcotics and narcotic precursors (Article 114 and Article 116) for class II narcotics, Article 124 and Article 126 for class III narcotics and Article 129 letter (c), Law No. 35 of 2009. The fourth category, namely acts of carrying, sending, transporting or transiting narcotics and narcotic precursors (Article 115) for class I narcotics, Article 120 for class II narcotics and Article 125 for class III narcotics as well as Article 129 letter (d) of Law No. 35/2009.<sup>9</sup>

Criminological law involving child victims of exploitation as narcotics couriers, which is very dangerous to people's lives, especially the nation's younger generation, so that Law Number 22 of 1997 concerning Narcotics, requires an update by taking into account the development of situations and conditions in accordance with the needs of society to overcome and eradicate narcotics crimes, so that it is revoked and replaced by Law Number 35 of 2009 concerning Narcotics.

The problem of narcotics trafficking is a complex form of crime, which has permeated all reflections of the nation, from children to adults, from the lower classes to officials, even politicians and law enforcers are also inseparable from narcotics abuse and trafficking, so it requires comprehensive countermeasures, where eradication efforts are not sufficiently handled only by the government and law enforcement officials but the community as a social control must actively involve social roles to be able to prevent acts or actions that can harm children and can damage social environmental pollution.<sup>10</sup>

Article 1 of Law Number 35 of 2014 Concerning the Amendment to Law Number 23 of 2002 Concerning Child Protection emphasizes that a child is someone who is not

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<sup>9</sup> Gilza Azzahra Lukman et al., "Kasus Narkoba Di Indonesia Dan Upaya Pencegahannya Di Kalangan Remaja," *Jurnal Penelitian Dan Pengabdian Kepada Masyarakat (JPPM)* 2, no. 3 (2022): 405, <https://doi.org/10.24198/jppm.v2i3.36796>.

<sup>10</sup> Hardy Purbanto and Bahril Hidayat, "Systematic Literature Review: Penyalahgunaan Narkoba Di Kalangan Remaja Dalam Perspektif Psikologi Dan Islam," *Al-Hikmah: Jurnal Agama Dan Ilmu Pengetahuan* 20, no. 1 (2023): 1–13, [https://doi.org/10.25299/al-hikmah:jaip.2023.vol20\(1\).11412](https://doi.org/10.25299/al-hikmah:jaip.2023.vol20(1).11412).

yet 18 (eighteen) years old, including children who are still in the womb. Narcotics abuse is already at an alarming level. The rise of drug trafficking that occurs in the city of Sorong involving children as drug couriers, due to the existence of free association, without limits. It is from this free association that the exploitation of children as drug couriers begins, this condition of free association begins because children are given the freedom to experiment without recognizing the place where the child is.

The rise of children as drug couriers in the city of sorong can be seen from various points of view, why a child can become a drug courier, the basic reason in this problem is the result of a child being released by his parents in promiscuity. So it is from this promiscuity that a child with a very high tendency of behavior emerges to try something out of curiosity, so that things that happen such as exploitation of children as couriers can be done and can occur.

The development of narcotics trafficking in the city of Sorong from time to time shows an increasing trend and will have very detrimental effects on individuals and society in the city of Sorong, especially on children who are in the transition phase of development between childhood and adulthood which leads to adulthood which can cause an identity crisis, marked by the tendency of deviant behavior where in childhood there will be a very high desire to try something out of curiosity, so that they follow trends and lifestyles or want to be known as naughty by their friends, and have fun without thinking about the future impact.

Criminological narcotics involving children as drug couriers is increasing, thus children must be given legal protection as narcotics distribution. With the development of advanced technology, children as drug couriers can take advantage of the opportunity to use social media as a communication tool that helps in launching their transactions as drug couriers.<sup>11</sup>

How efforts are needed in tackling the crime of child victims of narcotics exploitation. In narcotics dealers, there are several methods used to avoid police officers by utilizing children to be used as couriers for selling narcotics, children should be protected not used to be involved in certain cases, so here the important role of the sorong city police in eradicating the criminological perpetrators of child victims of drug courier exploitation is of particular concern. How to tackle narcotics criminology, the police can target drug dealer networks through searches in the air and land by using strict narcotics tracking devices against drug dealers and can also establish posts in places that are targeted by the police in tackling criminological drug offenders and users.<sup>12</sup>

Factors leading to drug trafficking crimes involving children as drug couriers. Criminological drug trafficking is a crucial factor in people's lives, which should be

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<sup>11</sup> MISZUARTY, "PELAKSANAAN RESTITUSI BAGI ANAK YANG MENJADI KORBAN TINDAK PIDANA SEBAGAI BENTUK PEMBARUAN HUKUM PIDANA BERDASARKAN PERATURAN PEMERINTAH NOMOR 43 TAHUN 2017," *SOU MATERA LAW REVIEW* 2, no. 1 (2019): 115–34, [http://scioteca.caf.com/bitstream/handle/123456789/1091/RED2017-Eng-8ene.pdf?sequence=12&isAllowed=y%0Ahttp://dx.doi.org/10.1016/j.regsciurbeco.2008.06.005%0Ahttps://www.researchgate.net/publication/305320484\\_SISTEM\\_PEMBETUNGAN\\_TERPUSAT\\_STRATEGI\\_MELESTARI](http://scioteca.caf.com/bitstream/handle/123456789/1091/RED2017-Eng-8ene.pdf?sequence=12&isAllowed=y%0Ahttp://dx.doi.org/10.1016/j.regsciurbeco.2008.06.005%0Ahttps://www.researchgate.net/publication/305320484_SISTEM_PEMBETUNGAN_TERPUSAT_STRATEGI_MELESTARI).

<sup>12</sup> Riki Afrizal, "Optimalisasi Pemberantasan Tindak Pidana Narkotika Melalui Pengusutan Tindak Pidana Pencucian Uang Terhadap Pengedar Narkotika," *Simbur Cahaya* 5, no. 2 (2016): 61–71, <https://doi.org/10.28946/sc.v27i1.416>.

anticipated by parents. Factors that make a child become a criminal are due to environmental, social, economic factors and lack of parental supervision of children. Thus, the enactment of Law No. 11/2012 on the Juvenile Criminal Justice System, hereinafter referred to as the SPPA Constitution, aims to provide a justice system that truly provides legal protection and justice for children in conflict with the law. The previous law, the Juvenile Court Law, was deemed incapable of providing comprehensive protection to children in conflict with the law. Not only with the Law on Juvenile Justice System (UUD SPPA), children also have other legal instruments that provide legal protection when related to criminal offenses.

Law number 35 of 2014 concerning amendments to law number 23 of 2002 concerning child protection, hereinafter referred to as (UUD PA). With the existence of child protection (UUD PA) also provides legal protection to children comprehensively and aims to provide a comprehensive concept of protection to children from all forms of criminal acts that exist, so that children can move in carrying out their daily lives free from criminal acts of attempting drug couriers. So based on the description in the introduction above, the author is interested in making child victims of drug courier exploitation as the object of research to be researched.<sup>13</sup>

## **METHOD**

This type of research uses empirical juridical research. Which examines the criminology of child victims of exploitation as drug couriers. So the data sources used in this study use primary data sources and secondary data, primary data obtained from research in the field by making members of the police as objects. Secondary data is obtained from library materials consisting of literature studies or looking for conceptions, theories, regulatory principles and other thoughts related to the problem. Collected data through the interview process using a recording device, documentation and written document data that can be obtained from interviews, so that the author can sort out important data to be used as a research source to be used in the preparation so that in drawing conclusions can be easily understood and understood by students and the author himself.

## **DISCUSSION**

### **Efforts Needed to Overcome the Crime of Children Who Become Narcotics Couriers**

Efforts that must be made in tackling crime are to invite the cooperation of community stakeholders and law enforcement and government policies to focus on eradicating crime by seeking social control system actions for all parties by using the evacuation of crime-free environments. This effort is quite difficult to realize because the environment and the range of criminals who do not settle in one place, but by using social control solutions and inviting community cooperation, there is a shrinkage of

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<sup>13</sup> Hidayat, "Penerapan Diversi Dalam Sistem Peradilan Pidana Anak."

criminal offenders in carrying out their actions in certain areas. Efforts to tackle this crime will continue to survive if community cooperation in social control is supported by the police and government in providing access and serious legal guarantees. Why should it use community social control, because the perpetrators of criminal acts coexist with the community in the environment, so efforts to tackle the perpetrators of criminal acts are formed special groups in combating criminal acts of course by using strata that have been set and areas that have become the target of efforts in tackling criminal acts. The right reason, why must use the cooperation of the police and the community in an effort to tackle crime, because the performance of the police is not qualified and the police work ammunition is still far from the expectations of the community. For this reason, the cooperation of all parties including the community in tackling crime by using a social control system and evacuating crime-free environmental areas is appropriate to be mobilized and realized as soon as possible considering that criminal acts have always been a frightening specter and have become the daily life of the community lately. However, in creating a conducive comfort with the creation of a peaceful living temperature is the responsibility of all communities, so the cohesiveness in tackling criminal acts should be a shared awareness.<sup>14</sup>

Drug abuse is a serious problem that cannot be ignored. However, ironically, drug trafficking is increasingly widespread in society and continues to form increasingly complex networks that involve children as drug couriers. Drug trafficking is also inseparable from the indications that drug trafficking in Indonesia is controlled by international networks because many drugs circulating in the country are sent from abroad. And in terms of income, the drug business can be said to provide very promising profits. The circulation and abuse of drugs in society must be prevented and overcome. This prevention effort must be strictly implemented in accordance with the Narcotics Law so that this drug problem does not continue to grow in society as a bad plague for the development of the country. The legal problems that occur concern the duties and functions of law enforcement, especially police officers as state servants who are close to the community in the environment should be able to adapt to the community in the environment to be able to prevent criminal acts of drug offenders.

According to Mr. Aibda, Adj Susanto S.H. Kaur Mintu (Carrying out administrative management at the Drug Investigation Unit) of the Sorong City Police, drug distribution and abuse is very important to think well and carefully about prevention and control, especially now that drug distribution and abuse has involved children. In drug abuse, many children are involved as drug users or users. This is influenced by various factors, such as social life factors, family factors, and so on, making a child can fall into drug abuse. Then in the distribution of narcotics, many children are also used as intermediaries with considerable rewards that can make children tempted.<sup>15</sup>

1. Increase parental supervision of children. Increasing supervision of children is necessary in a family environment. The role of parents in increasing supervision is

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<sup>14</sup> Novita Sari, "Penerapan Asas *Ultimum Remedium* Dalam Penegakan Hukum Tindak Pidana Penyalahgunaan Narkotika," *Jurnal Penelitian Hukum De Jure* 17, no. 3 (2017): 351, <https://doi.org/10.30641/dejure.2017.v17.351-363>.

<sup>15</sup> Bayu Puji Hariyanto, "Pencegahan Dan Pemberantasan Peredaran Narkoba Di Indonesia," *Jurnal Daulat Hukum* 1, no. 1 (2018): 201–10, <https://doi.org/10.30659/jdh.v1i1.2634>.



closely related to the development and formation of the child's personality. For this reason, the role of parents is very important in educating and guiding and protecting children. Parents need to set an example of good life behavior towards children. Article 2 paragraph (1) of Law Number 4 of 1979 concerning Child Welfare stipulates that "Children have the right to welfare, care, care and guidance based on love both in their families and in the environment so that they can grow and develop freely". Parents need to take the following steps:

- a) Avoiding household cracks and disharmony, namely there must be mutual understanding between parents, if there are household difficulties faced together.
  - b) As parents should be able to guide and supervise their children in relationships, so that children can develop according to expectations and ideals.
  - c) Prioritizing religious education, mental education, character, and discipline properly and appropriately according to the development of their social environment and paying close attention to the needs, interests and desires of children.
2. Increase the role of the community in the child's social environment. The role of the community is no less important, as the community is a place of education other than family and school. The process of socialization of children usually develops starting where the child spends time playing with their peers. The association of children without any direction and parents and schools often occurs, causing children to act according to their wishes, so that their actions cause harm to society. Therefore, to prevent and reduce child delinquency, it is necessary for the child to be given direction in the form of activities to fill the child's time. Children are formed by society and are also members of society. If the formation of society is good, it will lead children to the formation of good behavior as well. But on the contrary, if the formation of society is not good, it will bring children's behavior towards bad. With various positive activities that involve children in it, it will lead children towards positive actions as well.

Then the efforts that can be made in tackling drug trafficking involving children as intermediaries are as follows:<sup>16</sup>

**a. Preventive Measures.**

This action is an effort that is carried out systematically, planned, integrated and directed towards the goal of keeping drug trafficking involving children as intermediaries from arising. In this prevention effort, actions are also taken to narrow, reduce and minimize the space for movement so that its influence can be muted on other aspects of life. Therefore, prevention efforts are carried out in a systematic, planned, integrated and directed manner. It requires good cooperation with the parties, be it parents, family, government and all levels of society. Preventive countermeasures against drug trafficking are as follows:

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<sup>16</sup> Atet Sumanto, "Efektifitas Pidana Mati Dalam Proses Penegakan Hukum Tindak Pidana Narkotika," *Perspektif* 22, no. 1 (2017): 21, <https://doi.org/10.30742/perspektif.v22i1.548>.

- 1) Conducting counseling to offices, schools and communities on shared responsibility and raising public legal awareness as well as public participation in efforts to counter the dangers of narcotics that are becoming widespread and use children as intermediaries.
- 2) Appeal to parents to pay attention to their children so that they do not fall into this. One of them pays attention to the child's daily life when inside and outside the home.
- 3) Appeal to the government, community leaders and the public to increase vigilance that allows drug trafficking.
- 4) Carry out physical activities, such as patrolling vulnerable places and activities of the surrounding community.
- 5) Appealing to all levels of society to become informants for the police if there are irregularities that occur, especially for narcotics trafficking.
- 6) Organizing counseling on the negative impact and narcotics, namely between all related elements and carried out thoroughly by involving existing potential. This is intended to increase public legal awareness in order to reduce the rate of development of crime in general, especially narcotics trafficking which has involved children as intermediaries.

#### **b. Repressive Measures.**

In addition to preventive activities and efforts that can be made against cases of drug trafficking involving children as intermediaries, repressive efforts or actions can also be taken. The actions in question can be in the form of :

- 1) Create special teams and police in areas that are considered prone to drug trafficking, by posing as buyers with investigations to find and arrest people who are proven to be involved in buying and selling transactions. Make the community an informant to facilitate this effort.
- 2) Conducting raids to places that are considered to be always used in organizing narcotics for sale, such as places where children hang out late at night, arresting street children who are wandering a lot because they are one of the targets to be used as intermediaries for buying and selling narcotics..,
- 3) Conducting checks at schools in order to avoid the dreaded thing, namely the circulation that occurs in schools that are still children.

From some of the efforts that the author has put forward above, it is a continuous activity in an effort to tackle narcotics trafficking. According to the author, the alternative to tackling crime in general can be done by improving the economy and other cultural and social values. This is a long-term countermeasure. Similarly, tackling crime through education where the results can be known in a rather long period of time, but this is quite efficient. This can be applied to drug trafficking cases, especially those involving children as intermediaries.

#### **c. Coaching Efforts.**

This coaching effort is carried out by parents or guardians or the family environment while still under the supervision of law enforcement officials,

especially the police and prosecutors so that this coaching runs as expected. The coaching carried out on children who become drug traffickers is independence coaching and skills coaching carried out at the child's domicile. The form of coaching intended is as follows:

a. Self-reliance Development.

Independence coaching is the most prioritized coaching by police officers for children because if the child's spirit of independence begins to build, then further coaching will be easier to run. This independence coaching includes:

- 1) Religious education. Children are given an explanation that all religions prohibit deviant actions and give short lectures to children with the aim that children no longer want to fall into narcotics trafficking, especially being a broker for buying and selling.
- 2) General education. In this guidance, an explanation is given that the successor and continuation of the nation is them. Therefore, the beginning of becoming a good citizen and a continuation of the nation is to fight drug trafficking. In addition, it must also be accompanied by giving motivation to children to improve themselves.

b. Skill Development.

In this case, coaching is carried out in accordance with the talents and aspirations of the child. This coaching also explains that to become a successor and continuation of the nation does not have to be an official, but can also be by making the nation proud in the international world, be it in the field of sports or art according to the child's talent.

Along with the development of society in various aspects of life, the problems that arise in society are increasingly complex and among these problems, which are of important concern to the government is the problem of drug abuse. To prevent the widespread use of narcotics as a whole, the government should act decisively in presenting the deterrent effect of the law and guaranteeing a decent life for the community. The problem of drug abuse is not only a matter of concern for Indonesia, but also for the international community. This concern is sharpened by the rampant illicit drug trafficking that has spread to all levels of society, including among the younger generation and even children.<sup>17</sup>

To tackle drug trafficking in Indonesia, especially to prevent the involvement of children in drug trafficking, the government needs to take efforts to tackle the problem. One of the efforts that can be taken by the government is by coordinating and communicating with other parties, especially with government officials at the sub-district and village levels. Drug addicts can be said to have a chronic disease that easily relapses because someone who has successfully stopped using drugs for a certain period of time is not said to be cured, but more often said to recover. One of the treatments carried out

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<sup>17</sup> Umar Anwar, "Penjatuhan Hukuman Mati Bagi Bandar Narkoba Ditinjau Dari Aspek Hak Asasi Manusia," *Jurnal LEGISLASI INDONESIA* 13, no. 3 (2016): 241-52, [http://download.garuda.kemdikbud.go.id/article.php?article=949837&val=14663&title=PENJATUHAN HUKUMAN MATI BAGI BANDAR NARKOBA DITINJAU DARI ASPEK HAK ASASI MANUSIA ANALISA KASUS HUKUMAN MATI TERPIDANA KASUS BANDAR NARKOBA FREDDY BUDIMAN](http://download.garuda.kemdikbud.go.id/article.php?article=949837&val=14663&title=PENJATUHAN_HUKUMAN_MATI_BAGI_BANDAR_NARKOBA_DITINJAU_DARI_ASPEK_HAK_ASASI_MANUSIA_ANALISA_KASUS_HUKUMAN_MATI_TERPIDANA_KASUS_BANDAR_NARKOBA_FREDDY_BUDIMAN).

here is the treatment of drug addicts through therapy and rehabilitation, both medically and hypnotherapy. Medical treatment is in the form of treatment based on drugs or prescriptions or traditional medicine, while hypnotherapy is a brainwashing effort to forget about narcotics and the addict's mind. After the patient or addict has recovered, the coaching is continued to the rehabilitation patient according to the patient's field of interest.

According to the author, there are several steps that can be taken to overcome the problem of children involved in drug trafficking. Based on the idea that a child still has brain abilities that can develop, prevention efforts can still be made as early as possible to avoid children and drug trafficking activities. The efforts referred to by the author are:<sup>18</sup>

- 1) Efforts through educational activities. This activity can be carried out in the form of coaching and knowledge development activities, especially knowledge of the dangers of narcotics and knowledge of the law concerning the circulation and abuse of narcotics.
- 2) Supervision efforts, both and the family environment, society, and even the government. For this reason, the role of the family and the community is needed by not allowing a child to "get along wrong" in his social life.
- 3) Efforts to increase and enforce the law against factual threats and strict sanctions, especially moral sanctions and social sanctions. Children who become intermediaries may be prosecuted, but the prosecution or punishment is not a prison sentence like other prisoners, but the punishment is for example rehabilitated to be given guidance for a certain period of time where the child concerned must live in a rehabilitation center provided by the government.

### **Factors Causing the Occurrence of Narcotics Trafficking Involving Children as Couriers**

The needs of life at this time are getting higher and more complex along with the development of an increasingly modern era, causing various ways to fulfill these needs. Sometimes the way a person fulfills their needs is done by violating the applicable law and harming many people. The crimes committed are increasingly developing by involving children and various modes of operation. This is caused by children or as factors that encourage children to traffic in narcotics, namely as follows:<sup>19</sup>

#### 1) Family factors

Families that can be the cause of delinquency (delinquency of children and adolescents) can be in the form of abnormal families (broken homes) and the situation of an unfavorable number of family members. In a broken home, the way to overcome so that children do not become naughty is that parents who are responsible for choosing their children should be able to provide full affection so

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<sup>18</sup> Wahab Aznul Hidayat, "The Role of Witness and Victim Protection Agency for Imekko Tribe in Criminal Justice System in Sorong" 8, no. 2 (2023): 176–91, <https://doi.org/10.23917/laj.v8i2.2363>.

<sup>19</sup> Wahab Aznul Hidayat, Riza Maulani Putri, and Muhammad Ali, "Restorative Justice Dalam Penyelesaian Tindak Pidana Di Kota Sorong Papua Barat Daya" 3, no. 2 (2024): 79–94.

that the child feels as if he has never lost his father and mother so that the child cannot commit a crime.

2) Education and School Factors

The school is the second place of education for a child after the family environment. So that behavioral and communicative upbringing can be done directly with fellow teachers and fellow friends at school. The interactions they have at school often have negative consequences for children's mental development so that children become naughty.

3) Environmental Factors

A child's behavior can change according to the environment he is in, the influence of the environment relating to unethical and inappropriate social methods for the social area of a child's existence, because it will be able to affect his mental and unnatural aspects of behavior, social norms and formal law.

4) Social Media Influence

Social media can affect a child's development. The desire or will embedded in children to do evil sometimes arises because of the influence of negative reading, pictures and movies.

5) Economic Factors

Family living costs that do not support so that a child is willing to drop out of education. As a result of the lack of knowledge and knowledge of a child, a child's selfless association can occur.

Based on the results of an interview with Mr. Marlon Simarmata SH, Kasupi Klain Anak, Bapas Kota Sorong stated that what encourages minors to abuse drugs and results in other crimes in general can be seen through two causal factors, namely, internal causal factors and external causal factors which are better explained in the following way:<sup>20</sup>

1. Internal Factors

Is the motivation that arises from within a child to commit an act that can result in a criminal offense of drug abuse and also includes the family environment. As for what affects internal factors, it can be in the form of crime / delinquency factors that come from the physical and moral abilities of the child himself, such as:

- a. Negative character traits or traits that are difficult to direct and guide properly, such as being too stubborn.
- b. The child's psyche is still unstable, for example, childish or spoiled
- c. An unfavorable level of intelligence, for example, slow thinking and lack of intelligence
- d. Lack of children's level of education, both religious and scientific vision
- e. Fulfillment of basic needs that are not balanced with the desires of children / adolescents
- f. Not having clear hobbies and talents so that they are easily contaminated by negative things

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<sup>20</sup> Gerson Sem Buinei et al., "Restorative Justice Approach in Dealing with Crimes at Police Level ( A Study at Polresta and Polres Sorong )" 2, no. 1 (2024): 1–12.

- g. Low age level, for example, under the age of 18 years and still cannot be held legally responsible.
2. External Factors
- Sourced by the family environment, parents, and also the environment of the surrounding community who are not fortunate such as:
- a. Less harmonious parental love, gaps in parental love for children, unequal distribution of affection (unfair treatment) in the family, Broken Home (incomplete family) and so on.
  - b. Educational errors applied by parents towards children, both in formal family education and towards society and as a result of the low level of education provided by parents.
  - c. The lack of good role models from parents in educating and guiding children, including the level of honesty and discipline of the parents themselves.
  - d. Lack of a sense of responsibility that is trained at home, for example without a certain schedule of activities carried out by parents for children
  - e. Home environment that is less favorable for children
  - f. Associating with unfavorable friends, for example, in the social and educational environment and so on.

In relation to cases of drug abuse by minors arising from crime, it is examined through the two psychological theories above, the theory of Personality traits / Integrated criminality which tries to explain mental capacity biologically with a benchmark study using factors including; Feeble-mindedness (weak mind) Insanity (mental illness), Stupid (stupid) and stupid are considered to be inherited less precise in being a psychological causal factor in the actions of these children, because based on the data received from sources that many of them are still students and also children who drop out of school cannot be labeled as stupid, because the reason a child drops out of school is the family's economic factors that do not support, not because of the weakness of the child's brain to pursue education.<sup>21</sup>

Meanwhile, if it is reviewed using the theory of moral development (Mora development theory), children under the age of drug abuse experience psychological pressure. This is reinforced by the factor of the situation that cannot be affection or attention that is quite pleasant by both parents towards their children. In this case it is evident that most children who abuse drugs in the city of Sorong do not live in an environment that gives children affection (feelings or affection) from the people around them, so that it can interfere with the child's psychological aspect to do things that are not positive and violate the norms of the applicable rules.<sup>22</sup>

## CONCLUSION

Efforts Required in Overcoming the Crime of Children Who Become Couriers Selling and Buying Narcotics need to be done by using efforts: Preventive Efforts, Preventive Efforts

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<sup>21</sup> Anis Mashdurohatun Kismanto, "KEADILAN HUKUM ANAK KORBAN TINDAK PIDANA KEKERASAN SEKSUAL DI KABUPATEN KENDAL," *Jurnal Hukum Khaira Ummah* 12, no. 1 (2017): 39–48.

<sup>22</sup> A. Sakti R.S. Rakia and Wahab Aznul Hidayat, "Aspek Feminist Legal Theory Dalam Peraturan Perundang-Undangan Di Indonesia," *Amsir Law Journal* 4, no. 1 (2022): 69–88, <https://doi.org/10.36746/alj.v4i1.104>.

are integrated and directed countermeasures against narcotics trafficking that require good cooperation with the parties, both parents and families, to prevent drug trafficking involving children, Repressive Efforts that can be made against cases of narcotics trafficking the community must participate in efforts to overcome the dangers of narcotics that are becoming widespread and make children as intermediaries and Coaching This coaching effort is carried out by parents or guardians or the family environment while still under the supervision of law enforcement officials to anticipate drug trafficking involving children. Factors Causing the Occurrence of Narcotics Distribution Crimes Involving Children as Couriers are influenced by several causal factors such as Family Factors, Education and School Factors, Environmental Factors, Social Media Factors, Economic Factors. The problem of law enforcement in overcoming the level of criminality related to narcotics by children as couriers is still felt by the community to be unsatisfactory, so that super tight handling is needed by law enforcement in dealing with narcotics mafia perpetrators who make child victims of exploitation as narcotics couriers, so that these narcotics crime factors are eradicated completely.

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