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Between Offender and Victim: Child Drug Couriers and Juvenile Justice Responses in Indonesia

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Abstract: Children used as narcotics couriers are often processed as offenders rather than recognised as victims of organised drug networks. This article examines how children are exploited as drug couriers in West Java, the factors driving their involvement, and the effectiveness of government legal protection and rehabilitation. Using a socio-legal (normative-empirical) method, it analyses the Child Protection Law, the Juvenile Criminal Justice System Law, and the Narcotics Law, alongside data from the West Java Police Narcotics Directorate and LPKA Bandung, as well as interviews with officers, LPKA officials, and children in narcotics cases. Victimology and Soekanto's theory of legal effectiveness frame the analysis. Recorded cases involving children fell from 88 (2020) to 40 (2023), yet recruitment persists because networks exploit children's perceived lighter liability and offer cash incentives, notably in Bandung and Bogor. The findings reveal three gaps in the state response. First, restorative handling often ends at family guidance without treatment for drug dependency. Second, LPKA Bandung provides education and basic healthcare but lacks specialised rehabilitation for dependency. Third, the Narcotics Law does not differentiate offenders by age, creating legal uncertainty, while released children return to unsupervised, drug-prone environments. Weaknesses lie mainly in legal clarity, supporting facilities, community support, and legal culture. The article recommends age-sensitive application of narcotics provisions, victim-oriented screening for exploitation, dependency-focused rehabilitation within LPKA, and post-release family and community supervision.

Keywords: Child exploitation; drug couriers; legal protection; rehabilitation; juvenile justice; West Java.

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1. Introduction

Every child has the constitutional right to survive, grow, and develop, and to be protected from violence and discrimination (Article 28B(2) of the 1945 Constitution). Law No. 35 of 2014 on Child Protection defines a child as a person under eighteen years of age, including one still in the womb, and obliges the state and society to protect children from exploitation, including their involvement in narcotics activities. The Narcotics Law (Law No. 35 of 2009) defines narcotics as substances that alter consciousness, relieve pain, and cause dependency, and it criminalises adults who induce children to commit narcotics offences.[1]

International law reinforces this position. The ILO Worst Forms of Child Labour Convention (No. 182), ratified by Indonesia through Law No. 1 of 2000, classifies the use, procuring, or offering of a child for illicit activities, in particular the production and trafficking of drugs, as a worst form of child labour.[2] Article 33 of the Convention on the Rights of the Child, ratified through Presidential Decree No. 36 of 1990, likewise obliges states to protect children from the illicit use of narcotic drugs and from being used in their production and trafficking.[3] At the national level, Article 18 of the Trafficking in Persons Law (Law No. 21 of 2007) provides that victims who commit offences under compulsion by traffickers are not to be punished. Read together, these instruments treat a child used as a drug courier as an exploited person, not merely an offender, and thereby supply the legal basis for the argument developed in this article.

This understanding provides the basis for the state to ensure that children receive legal protection from all forms of violence, exploitation, and discrimination, as well as to guarantee the fulfilment of their basic rights

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[1] Nova Ardianti Suryani, "Perlindungan Hukum Terhadap Anak Sebagai Korban Tindak Pidana Penganiayaan Ditinjau Dari Undang-Undang Perlindungan Anak," *Media of Law and Sharia* 2, no. 2 (April 13, 2021), https://doi.org/10.18196/mls.v2i2.11493.

[2] International Labour Organization, *Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour* (1999), Art. 3(c); ratification with Undang-Undang Nomor 1 Tahun 2000 tentang Pengesahan ILO Convention No. 182.

[3] C*onvention on the Rights of the Child* (1989), Art. 33; diratifikasi dengan Keputusan Presiden Nomor 36 Tahun 1990 tentang Pengesahan Convention on the Rights of the Child.

in accordance with human dignity. The Child Protection Law emphasises that children must be given the opportunity to grow and develop optimally in a safe and healthy environment. Therefore, all actions that harm or exploit children, whether physically, psychologically, or socially, must be stopped and avoided, including protection from the impact of organised crimes such as narcotics trafficking.[4]

Technological and informational developments in the era of globalisation have brought significant changes in public mindsets and culture. On one hand, these advancements provide various opportunities, but on the other hand, they trigger the emergence of new forms of crime, including narcotics trafficking. Narcotics crimes now no longer have age restrictions, with children, adolescents, and adults becoming primary targets within narcotics networks. This creates major challenges in efforts to protect children, as children are often exploited within these networks.[5]

Narcotics abuse in Indonesia has reached a highly concerning level. According to Law Number 35 of 2009 on Narcotics (Narcotics Law), narcotics are defined as substances that can reduce or alter consciousness, relieve pain, and cause dependency. Their misuse not only harms the younger generation but also undermines the country's social and economic stability. Narcotics distribution involving international networks and influential parties has generated transaction values ranging from millions to hundreds of millions of rupiah, further worsening the country's social and economic conditions.[6]

Children's involvement in narcotics distribution often occurs due to exploitation by criminal networks. Children are frequently used as couriers or intermediaries between dealers and narcotics users because they are considered easily controllable and subject to lighter legal treatment.[7] This

[4] T. Afandy and Y. S. Desiandri, "Tinjauan Implementasi Kebijakan Perlindungan Dan Pemenuhan Hak Anak," *Iuris Studia: Jurnal Kajian Hukum* 4, no. 3 (2023): 145–55, https://doi.org/10.55357/is.v4i3.411.

[5] Elisabeth Juniarti, *Diversi Dan Keadilan Restoratif* (Medan: Pusaka Indonesia, 2014), 17.

[6] Gatot Supramono, *Hukum Narkoba Indonesia, 3rd Ed.* (Jakarta: Penerbit Djambatan, 2007), 2.

[7] A. Subandri and T. Widyarsono, *Menumpas Bandar Menyongsong Fajar: Sejarah Penanganan Narkotika Di Indonesia* (Jakarta: Prenada Media, 2021).

places children in a dilemma, as they are not only perpetrators but also victims of exploitation. This situation has a significant negative impact, not only on their future but also on their learning abilities, education quality, and overall growth and development. This problem creates a significant responsibility for the government to provide effective protection to prevent children from engaging in actions that harm themselves and the nation.[8]

In the Indonesian legal system, children involved in criminal acts, including narcotics distribution, receive special treatment. According to the Criminal Code (KUHP), children under 12 years old cannot be held criminally responsible, while children aged 12 to 18 years can be legally processed with treatment different from adults. Law Number 11 of 2012 on the Juvenile Criminal Justice System (UU SPPA) regulates this process and emphasises a rehabilitative and educational approach, not just punishment, for children involved in criminal acts.[9] However, the implementation of UU SPPA often faces obstacles, especially in cases of children involved in narcotics distribution, where they are often treated more as perpetrators without consideration of their status as victims of exploitation. This approach is often ineffective in resolving the problem comprehensively, considering that many of these children become involved again in similar activities after release.[10]

Data from the West Java Regional Police Narcotics Directorate show certain patterns. In 2020, there were 88 cases involving children as narcotics perpetrators, and although this number decreased to 40 cases in 2023, the majority of perpetrators remained aged 16–19 years. Most acted as couriers because of economic pressure and environmental influence. An

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[8] A. M. Rahmawan, "Tinjauan Kritis Eksploitasi Anak Sebagai Kurir Dalam Peredaran Narkoba," *EKOMA: Jurnal Ekonomi, Manajemen, Akuntansi* 3, no. 3 (2024): 511–517, https://doi.org/10.56799/ekoma.v3i3.3047.

[9] Novi Novitasari and Nur Rochaeti, "Proses Penegakan Hukum Terhadap Tindak Pidana Penyalahgunaan Narkotika Yang Dilakukan Oleh Anak," *Jurnal Pembangunan Hukum Indonesia* 3, no. 1 (January 30, 2021): 96–108, https://doi.org/10.14710/jphi.v3i1.96-108.

[10] M. M. I. W. G. Tantra, Widiantara, and L. P. Suryani, "Pertanggungjawaban Pidana Anak Sebagai Kurir Dalam Tindak Pidana Narkotika," *Jurnal Analogi Hukum* 2, no. 2 (2020): 215–20, https://doi.org/10.22225/ah.2.2.2020.215-220.

interview with a 17-year-old offender managed by the Bandung Special Child Development Institution (LPKA Bandung) revealed that he earned a daily income of IDR 2–3 million from his activities as a narcotics courier. His residential environment, which is rife with narcotics distribution activity, became one of the main factors driving his involvement.

A more comprehensive approach is also needed to protect children involved in narcotics distribution. In West Java, data from LPKA Bandung shows that the number of children detained for narcotics cases decreased from 12 in 2020 to 8 in 2024. However, most of them did not receive rehabilitation for narcotics dependency, as their handling often ended at the family guidance stage. This reflects a weakness in the rehabilitative approach, which should be an important part of resolving this issue.[11] Additionally, although LPKA Bandung provides access to education and healthcare services, the institution does not yet have specialised rehabilitation programs designed to address narcotics dependency in children.

This phenomenon has broad impacts on both individuals and society. Children involved in narcotics distribution face not only legal risks but also damage to physical, mental, and social aspects. This condition affects their education quality, learning abilities, and even their overall future. Furthermore, child exploitation in narcotics networks creates a major responsibility for the government to provide comprehensive legal protection. As the next generation of the nation, children must be protected from all forms of exploitation that could damage their future.[12]

This article is guided by three research questions. First, how are children exploited as couriers in narcotics distribution networks in West Java? Second, what factors drive children's involvement in these networks? Third, how effective are the government's legal protection and

[11] Laila Dyah Rachmawati, "Rekonseptualisasi Perlindungan Hukum Terhadap Anak Sebagai Pelaku Tindak Pidana Narkotika Dalam Sistem Peradilan Pidana Anak," *Syariati : Jurnal Studi Al-Qur'an Dan Hukum* 7, no. 1 (July 12, 2021): 117–28, https://doi.org/10.32699/syariati.v7i1.1849.

[12] Raudatul Zanah, Yovita Silpiani, and Zainudin Hasan, "Pengedaran Narkoba Oleh Anak Dibawah Umur Di Bandar Lampung," *COMSERVA : Jurnal Penelitian Dan Pengabdian Masyarakat* 3, no. 1 (May 25, 2023): 136–43, https://doi.org/10.59141/comserva.v3i1.749.

rehabilitation measures in responding to this exploitation? Accordingly, this study aims to (1) describe the patterns of child exploitation as narcotics couriers in West Java, (2) identify the factors that drive children's involvement, and (3) evaluate the effectiveness of the state's legal protection and rehabilitation efforts.

Previously, the authors conducted a preliminary literature search and found several studies with similar themes. First, research conducted by Ahmad Mega Rahmawan, Yanto Mulyanto, Firdaus Yudhatama, Olma Fridoki, Dimas, Ferry Anuraga, and Susilawati, titled *"Tinjauan Kritis Eksploitasi Anak Sebagai Kurir dalam Peredaran Narkoba"* discussed how children are exploited by narcotics networks as couriers and the legal protection for them, using a descriptive qualitative method and literature study to analyze the role of children in narcotics networks often caused by socio-economic conditions, lack of legal understanding, and regulatory gaps. It also highlighted the importance of implementing UU SPPA, emphasising restorative justice and diversion, as children are often treated as offenders rather than victims.[13]

Second, research by I Wayan Govinda Tantra, I Made Minggu Widyantara, and Luh Putu Suryani, titled *"Pertanggungjawaban Pidana Anak Sebagai Kurir dalam Tindak Pidana Narkotika"* focused on legal regulation and criminal responsibility of child couriers using a normative approach with an emphasis on restorative justice through diversion as a means to prevent adverse effects of formal criminal justice on children. However, in practice, the study identified weaknesses in implementing restorative justice at the law enforcement level.[14]

Third, research by Rida Aristawati, titled "*Anak Sebagai Pelaku Penyalahguna Narkotika Dikaitkan Dengan Konsep Eksploitasi dan Kejahatan Terorganisasi*" linked the concepts of exploitation and organised crime, highlighting how children are often used by narcotics syndicates through persuasion and economic exploitation, emphasising the need to view children as victims of

[13] Rahmawan, "Tinjauan Kritis Eksploitasi Anak Sebagai Kurir Dalam Peredaran Narkoba."

[14] I. W. G. Tantra, Widiantara, and Suryani, "Pertanggungjawaban Pidana Anak Sebagai Kurir Dalam Tindak Pidana Narkotika."

exploitation requiring legal protection based on rehabilitation and restorative approaches.[15]

Unlike these studies, this research focuses on analysing the phenomenon of child exploitation as narcotics couriers specifically in West Java using a combination of normative and empirical approaches. This study uses empirical data from the West Java Police and LPKA Bandung to illustrate child exploitation patterns, influencing factors, and an evaluation of government measures to prevent such exploitation. Furthermore, this study not only highlights legal protection but also rehabilitation and prevention of child exploitation.

2. Methods

This study employs a socio-legal (normative-empirical) research design. The normative component examines legal norms governing the protection of children exploited as narcotics couriers. The empirical component examines how these norms are applied in practice by law enforcement and correctional institutions in West Java,[16] relevant to the issue of child exploitation as couriers in drug trafficking in West Java. The research used a comprehensive combination of literature and field studies. The literature study involved analysing documents from the Narcotics Directorate of the West Java Regional Police and the Bandung Special Child Development Institution (LPKA Bandung), as well as academic literature on child exploitation and narcotics distribution. Meanwhile, the field study involved interviews with law enforcement officers, LPKA officials, and children involved in narcotics cases to obtain empirical data on how legal protections for children are implemented in practice. Data collected from both methods were then analysed using relevant legal theories to develop a comprehensive understanding and produce holistic research findings.

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[15] Rida Aristawati, "Anak Sebagai Pelaku Penyalahguna Narkotika Dikaitkan Dengan Konsep Eksploitasi Dan Kejahatan Terorganisasi," *Jurist-Diction* 5, no. 3 (May 30, 2022): 1091–1114, https://doi.org/10.20473/jd.v5i3.35805.

[16] Suerjono Sukanto dan Sri Mamudji, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Cet. 11 (Jakarta: PT. Raja Grafindo Persada, 2009).

3. Results and Discussion

3.1. The Problem of Child Exploitation as Couriers in Drug Trafficking in West Java

The issue of child exploitation within drug trafficking networks has become a serious problem that reflects social vulnerability in society. Children, who should be in an optimal developmental phase with a supportive environment, are instead caught in organised criminal systems such as narcotics trafficking. Children are often targeted by narcotics networks because they are perceived as easily manipulated and subject to lighter penalties under the Child Protection Act (UU SPA). This condition shows that they are not only perpetrators but also victims of exploitation by narcotics networks. Child exploitation as drug couriers in West Java demonstrates a concerning situation. Based on available data, children involved in narcotics offenses are generally aged 15–18, with the majority acting as couriers. The following data were obtained from the West Java Police (Polda Jabar) and LPKA Bandung.

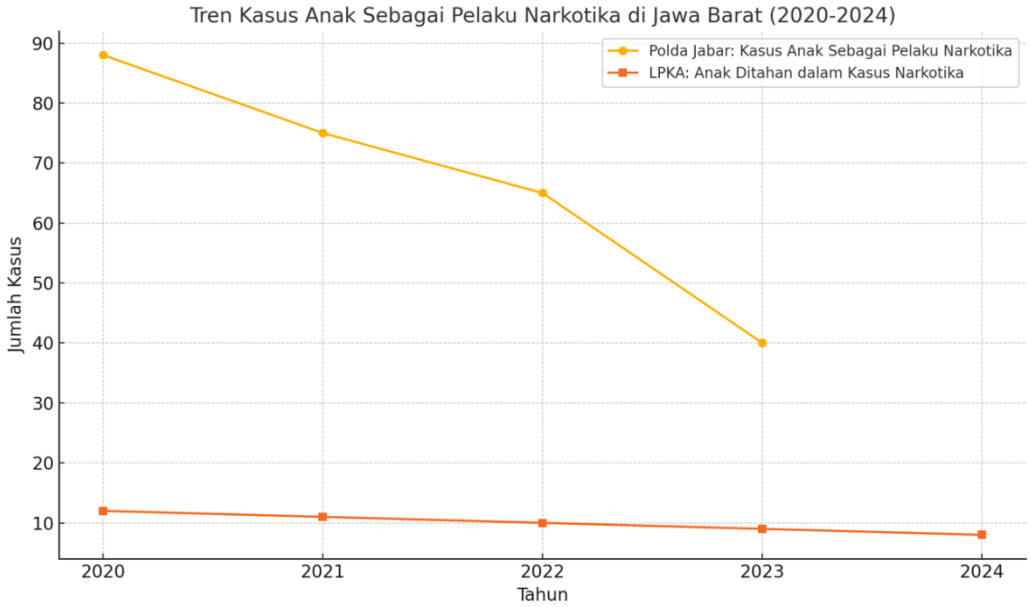


Figure 1. Trends of Children as Narcotics Offenders in West Java (2020–2024)

Source: West Java Police Narcotics Directorate and LPKA Bandung

Figure 1 presents two separate data series. The West Java Police Narcotics Directorate recorded cases involving children as narcotics offenders, which fell from 88 in 2020 to 40 in 2023. LPKA Bandung recorded children serving sentences for narcotics offences, which fell from 12 in 2020 to 8 in 2024. Both series decline, but they measure different things (cases handled by the police versus children sentenced to a correctional institution) and cover different periods, so they cannot be combined or read as a single trend. A decline in recorded cases does not, by itself, show that exploitation has decreased. It may reflect fewer children being detected or processed, more cases being resolved through diversion or family guidance without reaching LPKA, or changes in enforcement priorities. [Add only the explanations supported by your interviews or data; otherwise keep them as possibilities.] The figures also capture only children who entered the formal system, and they do not capture those recruited but never apprehended. The data therefore describe trends in recorded cases, and they cannot establish whether the exploitation of children by narcotics networks is declining..

An important aspect of child exploitation as drug couriers is the recruitment and manipulation patterns employed by narcotics networks. Children are often recruited through persuasion or threats by individuals in their surroundings. In some cases, children are offered large sums of money that are difficult to refuse given their challenging economic backgrounds. Furthermore, drug networks often exploit children's lack of knowledge about the law, making them feel safe to engage. Children are also involved because law enforcement is less likely to suspect them. This exploitation pattern demonstrates a systematic strategy by drug networks to exploit children's vulnerabilities as tools for narcotics distribution.

This is exacerbated by the absence of age differentiation in the Narcotics Law, which has serious implications, especially for child protection. Children involved in narcotics cases are often processed legally in the same manner as adults, without consideration of their age and vulnerability. This leads to heavy social stigma, damages their mental and emotional development, and hinders reintegration into society after serving penalties.

Moreover, this unclear regulation is exploited by drug networks to use children as couriers, as they are perceived to receive lighter punishments compared to adults. Children treated as criminal offenders also often do not have access to specialised rehabilitation programs, increasing their risk of re-involvement in narcotics networks. Consequently, the likelihood of recidivism among children rises, trapping them in a cycle of exploitation that is difficult to break.[17]

One significant finding from interviews with offenders at LPKA Bandung is that economic pressure and environmental influences are the main drivers of their involvement. Most children come from families that provide limited attention or live in environments saturated with narcotics activities. As couriers, children can earn daily incomes of up to Rp2–3 million, which incentivises their participation. The following illustrates the percentage distribution of child narcotics offenders per city in West Java.

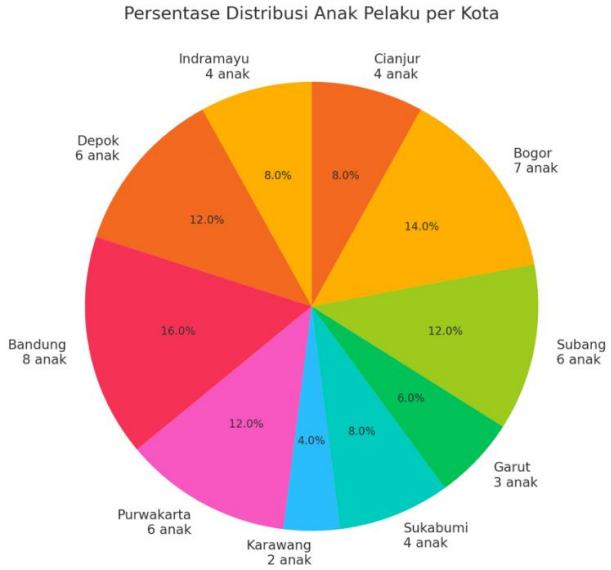


Figure 2. Percentage Distribution of Child Offenders by City
Source: LPKA Bandung

[17] Muhammad Taufan Yantika, "Penerapan Hukum Pada Tahap Penyidikan Terhadap Anak Sebagai Kurir Dalam Tindak Pidana Penyalahgunaan Narkotika (Studi Pada Direktorat Reserse Narkoba Polda Sumatera Barat)," *UNES Journal of Swara Justisia* 6, no. 2 (July 6, 2022): 156–68, https://doi.org/10.31933/ujsj.v6i2.257.

The figure 2 above shows the percentage distribution of child narcotics offenders in West Java. Highly urbanised cities, such as Bandung and Bogor, account for a significant share of cases. Bandung, as the provincial capital, is a hub of narcotics network activities exploiting children's social vulnerabilities, such as economic pressure and lack of parental supervision. Meanwhile, Bogor, as a satellite city of Jakarta, faces similar challenges with high economic activity accompanied by the risk of child exploitation by criminal networks. Other cities in West Java show lower figures but still reflect a pattern of child exploitation influenced by social, economic, and environmental conditions.

Children used as drug couriers represent a serious issue requiring special attention in the context of legal protection, particularly from a victimology perspective. Victimology, as the study of victims, examines the causes of victimisation and the resulting impacts. A victim can be defined as a party suffering harm due to the actions of oneself or others. In other words, victims are individuals who suffer, both physically and mentally, as a result of actions taken by others for personal interests or actions that violate their rights.[18]

The victimology approach provides an understanding that children involved in illegal activities such as being drug couriers should not be positioned solely as perpetrators within the legal system, but also as victims of various factors that force their involvement. In many cases, these actions involve exploitation by adults or criminal networks that take advantage of children's social, economic, and psychological vulnerabilities for their own benefit. Children are often coerced or persuaded through promises of financial rewards or threats, making them victims of systemic manipulation and exploitation.[19] Therefore, the victimology approach emphasises the

[18] D. M. A. Mansur and E. Gultom, *Urgensi Perlindungan Korban Kejahatan* (Jakarta: Raja Grafindo, 2007), 20.

[19] Joan A. Reid and Julia E. Strauss, "Child Sexual Exploitation and Human Trafficking," in *The Encyclopedia of Women and Crime* (Wiley, 2019), 1–5, https://doi.org/10.1002/9781118929803.ewac0052.

importance of viewing these children as victims requiring legal protection and appropriate rehabilitation, not just as offenders.[20]

In addition to direct exploitation, environmental factors play a significant role in driving children's involvement in narcotics networks. Children from underprivileged families or high-risk environments are more vulnerable to engagement in such activities. Social environments that support drug distribution, such as urbanised areas shown in the figure above, further increase the risk of children's involvement. Bandung and Bogor accounted for the largest shares of recorded cases (Figure 1). Informants described, but the available data do not allow conclusions about the role of urban areas as such in recruitment. Furthermore, lack of access to education, social support, and parental attention is a significant factors that make children easily drawn into criminal networks.[21] Children's lack of awareness of the consequences of their actions exacerbates the situation. Emotional immaturity, curiosity, and limited understanding of legal, social, and psychological risks make them easy targets for exploitation.[22]

Schafer's typology classifies victims by their functional responsibility in the criminal event, and two of its categories help explain the position of child couriers.[23] First, children are *biologically weak victims*, since their age limits their capacity to assess legal and psychological risks and makes them easier to persuade, pressure, or deceive. This aligns with findings that networks recruit children through persuasion and financial offers, and that children often lack knowledge of the legal consequences of their conduct. Second, the accounts of child informants suggest that some may also be *socially weak*

[20] A. R. Dianti and H. Firmansyah, "Tinjauan Viktimologi Terhadap Anak Dalam Tindak Pidana Penyalahgunaan Narkotika," *UNES Law Review* 6, no. 1 (2023): 1534–1543, https://doi.org/10.31933/unesrev.v6i1.910.

[21] Canan Yildiz Çiçekler and Devlet Alakoç Pirpir, "Children at Risk," in *Research Anthology on Child and Domestic Abuse and Its Prevention* (IGI Global, 2022), 122–43, https://doi.org/10.4018/978-1-6684-5598-2.ch007.

[22] Bogumiła Szewczak et al., "Rozpoznawanie Ofiar Przemocy Seksualnej Wśród Dzieci i Jej Skutki w Dorosłym Życiu," *Seksuologia Polska* 19 (March 22, 2021), https://doi.org/10.5603/SP.2021.0004.

[23] Dimas Pangestu and Hafrida Hafrida, "Anak Sebagai Penyalahguna Narkotika Dalam Perspektif Viktimologi," *PAMPAS: Journal of Criminal Law* 1, no. 2 (April 23, 2021): 104–24, https://doi.org/10.22437/pampas.v1i2.9077.

victims, whose limited economic resources and exposure to environments where narcotics circulate reduce their ability to refuse recruitment. In both categories, responsibility shifts toward those who exploit this weakness, namely the adults and networks that recruit children. Schafer's category of *self-victimising victims*,[24] by contrast, covers persons whose own conduct harms themselves, such as drug addicts, and it does not describe children who are coerced or recruited by others. It could apply, at most, to the separate question of a child's own drug use, which this study does not examine in detail. The typology therefore supports treating child couriers as exploited persons, while acknowledging that they may still be held accountable for their acts within the juvenile justice system, which is why legal protection and rehabilitation are needed alongside accountability.[25]

This is further supported by the Legal Protection Theory for Children proposed by Philipus M. Hadjon, which emphasises legal protection in children's human rights.[26] According to Barda Nawawi Arief, child protection theory can be interpreted as efforts to legally safeguard children's freedoms and fundamental rights, as well as interests related to child welfare.[27] Paulus Hadisuprapto defines child protection more broadly as a framework for children's life and livelihood that ensures normal growth and development, spiritually, physically, and socially.[28] This explanation shows that child exploitation as drug couriers is a serious violation of their fundamental rights, necessitating comprehensive legal protection measures.

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[24] Sumai Sumarni and Salman Darmawan, "Neglect And Stigma: Understanding The Process And Multiple Impacts Of Social Exclusion On Children From Drug-Abusing Parents," *Social Work/Maatskaplike Werk* 60, no. 4 (2024), https://doi.org/10.15270/60-4-1204.

[25] Wendi Adelson, "Child Trafficking: W. Adelson," in *Selected Topics in Migration Studies* (Cham: Springer Nature Switzerland, 2023), 115–19, https://doi.org/10.1007/978-3-031-19631-7_17.

[26] Philipus M. Hadjon, *Perlindungan Hukum Bagi Rakyat Di Indonesia: Sebuah Studi Tentang Prinsip-Prinsipnya, Penanganannya Oleh Pengadilan Dalam Lingkungan Peradilan Umum Dan Pembentukan Peradilan Administrasi Negara* (Surabaya: PT. Bina Ilmu, 1991), 5.

[27] Barda Nawawi Arief, *Beberapa Aspek Kebijakan Dan Pengembangan Hukum Pidana* (Bandung: Sinar Grafika, 1998), 155.

[28] Paulus Hadisuprapto, *Peranan Orangtua Dalam Pengimplementasian Hak-Hak Anak Dan Kebijakan Penanganan Anak Bermasalah* (Jakarta: PT Raja Grafindo Persada, 1996).

Protection involves not only punishing the exploiters but also rehabilitating children who have become victims of social and criminal manipulation.

The problem of child exploitation in narcotics networks not only impacts economic and legal aspects but also creates long-term consequences for children's mental health and social well-being. Psychological trauma from pressure, threats, or guilt experienced while serving as drug couriers can negatively affect their future welfare. Moreover, the social stigma faced by these children after leaving criminal networks often hinders their reintegration into society. This harm also affects their education, as many drop out of school or lose motivation to study. Without proper intervention, these impacts may become permanent, exacerbating the cycle of poverty and crime experienced by these children.[29] Therefore, the victimology approach and legal protection for children are crucial to breaking the cycle of exploitation and providing children with opportunities to improve their lives.

3.2. Government Challenges and Strategies to Prevent Child Exploitation as Drug Couriers in West Java

The government has undertaken various efforts to tackle the exploitation of children within narcotics networks, including legal, rehabilitative, and preventive programs. One of the main approaches applied is rehabilitation-based through the juvenile justice system, which emphasizes recovery rather than punishment. In this context, the juvenile criminal justice system is required to prioritize a rehabilitative approach to ensure social and psychological recovery, especially for children involved in narcotics. This approach aims to protect children from the negative stigma of the criminal justice system, prevent further entanglement in legal processes, and open opportunities for rehabilitation that can help children return to constructive life in society. Thus, the government not only seeks legal protection for

[29] Made Fiorentina Yana Putri and Diah Ratna Sari Hariyanto, "Perlindungan Hukum Anak Sebagai Korban Eksploitasi Seksual Berdasarkan UU No 35 Tahun 2014 Tentang Perlindungan Anak," *Jurnal Interpretasi Hukum* 4, no. 1 (April 24, 2023): 100–107, https://doi.org/10.22225/juinhum.4.1.6546.100-107.

children but also ensures that they receive opportunities for better social reintegration.[30]

In practice, investigators from the West Java Police Narcotics Directorate have prioritized a rehabilitative approach when handling children involved in narcotics cases, whether as couriers, distributors, or users. Most cases are resolved through a restorative process involving the child's parents to provide intensive guidance. This approach aligns with the main goal of the juvenile criminal justice system, namely protecting children from legal processes that could cause trauma while strengthening the family's role as the foundation for rehabilitation and social reintegration. Furthermore, at LPKA Bandung, the government has provided various facilities to support the rehabilitation and social reintegration of children involved in narcotics cases. In collaboration with the Education Office, LPKA provides formal and informal education, enabling children to participate in programs equivalent to Paket A, B, and C. In addition, specialised clinics provide basic healthcare services that address children's physical and mental needs. These steps aim to fulfil children's rights as mandated by the Child Protection Law.

Despite various efforts, weaknesses remain in implementing policies for children as perpetrators of narcotics distribution. One major weakness is found in the Narcotics Law, which does not clearly differentiate perpetrators by age in narcotics cases. Furthermore, the limited availability of specialised rehabilitation programs at LPKA Bandung becomes a significant obstacle in addressing children's narcotics dependency. The guidance provided at LPKA generally only involves basic counselling on the dangers of drugs, which is not effective in changing children's behaviour or preventing re-involvement in narcotics networks. Intensive psychological support is also rarely provided, even though the mental conditions of these children are often disturbed due to their experiences as part of criminal networks.

Additionally, many children are returned to their families without intensive supervision, which often increases the risk of them becoming trapped again

[30] Marlina, *Peradilan Pidana Anak Di Indonesia: Pengembangan Konsep Diversi Dan Keadilan Restoratif* (Bandung: Refika Aditama, 2009), 198.

in criminal networks due to unstable family conditions or environments vulnerable to narcotics influence.[31] This demonstrates low public awareness regarding child protection and the dangers of narcotics. Many parents are unaware of the risks of children being exploited by narcotics networks or even allow their children's involvement due to economic pressures. Therefore, a community-based approach is necessary to strengthen rehabilitation and prevention. Family empowerment programs through skills training and economic assistance can reduce the risk of children becoming victims of exploitation. Public education must also expand, particularly through school-based campaigns, places of worship, and local community programs, to raise awareness of the dangers of narcotics.

Legal protection for children involved in narcotics distribution, especially as couriers, must be comprehensive and integrated. The government must provide education on religious and moral values, which can also support children's guidance during rehabilitation. This also includes providing in-depth psychosocial facilities to heal and restore the mental health of children involved in narcotics networks. In addition, it is important to involve law enforcement processes that protect children, from police investigation and prosecution by the attorney general to court proceedings, using an approach based on child rights protection to avoid negative stigma. The state must not only regulate this protection in law but also ensure that government institutions implement these protective measures effectively and that society fully supports them.[32]

To ensure the success of legal policy implementation in stopping the exploitation of children as couriers and distributors of narcotics in West Java, the theory of legal effectiveness proposed by Soerjono Soekanto becomes an important analytical framework. According to Soekanto, "the effectiveness of law is not only determined by the existence of applicable legal rules but is

[31] M. T. S. Lubis, "Sistem Pemidanaan Bagi Anak Pengedar Narkotika Dengan Hukuman Pelatihan," *EduTech: Jurnal Ilmu Pendidikan Dan Ilmu Sosial* 6, no. 1 (2020): 26–35.

[32] Ahmad Jamaludin, "Legal Protection of Child Victims of Sexual Violence Perlindungan Hukum Anak Korban Kekerasan Seksual," *JCIC: Jurnal CIC Lembaga Riset Dan Konsultan Sosial-ISSN* 3, no. 2 (2021): 1–10, https://doi.org/10.51486/jbo.v3i2.68.

also influenced by the behavior of law enforcers, the availability of supporting facilities, community support, and the legal culture prevailing in society."[33] Therefore, Soekanto identifies five main factors affecting legal effectiveness: legal factors (applicable rules or regulations), law enforcement officers, supporting facilities, community support, and legal culture.[34] These five factors are interconnected, where weaknesses in any one factor can hinder the achievement of overall legal objectives.

Based on the research above, although cases have decreased, as shown in Figure 1: Trends of Children as Narcotics Offenders in West Java (2020–2024), the implementation of Soerjono Soekanto's theory of legal effectiveness is not yet fully optimal in West Java. One of the main obstacles lies in legal factors, especially in the Narcotics Law, which does not clearly differentiate perpetrators by age in narcotics cases. Weaknesses are also found in supporting facilities, legal culture, and community support, which need immediate improvement.

Regarding supporting facilities, the limited specialised rehabilitation programs at LPKA, such as intensive psychological counselling and facilities designed to address narcotics dependency, are major obstacles in children's recovery process. Most existing rehabilitation programs are limited to basic drug awareness counselling without effective in-depth intervention to prevent re-involvement. This reduces the positive impact of ongoing rehabilitation programs. Furthermore, a weak legal culture, low public awareness of narcotics dangers, and insufficient attention to child protection are significant obstacles. Public attitudes that tend to ignore children's involvement in illegal activities worsen the situation.

Therefore, intensive efforts are needed to raise public awareness through community-based programs involving schools, places of worship, and local community groups. In addition, economic empowerment for families in narcotics-prone areas must be prioritised to reduce the risk of children

[33] Soerjono Soekanto, *Efektivitas Hukum Dan Peranan Sanksi*, ed. ed. Tjun Surjaman, Cet. 2 (Bandung: Remaja Rosda Karya, 1988), 80.

[34] Soerjno Soekanto, *Faktor-Faktor Yang Mempengaruhi Penegakan Hukum* (Jakarta: Rajawali Pres, 2009), 11–60.

becoming victims of exploitation. By addressing weaknesses in supporting facilities, legal culture, and community support, as well as strengthening existing legal frameworks, the government can more effectively ensure child protection and reduce the exploitation of children in narcotics networks sustainably.

However, from a law enforcement perspective, there have been positive achievements. Law enforcement has successfully implemented a rehabilitative approach through mechanisms prioritising recovery over punishment. The implementation of this approach by law enforcement has helped protect children from negative stigma resulting from criminal proceedings while providing space for more humane rehabilitation and social reintegration. This approach also reflects systematic efforts to create more adaptive treatment for children as individuals requiring special protection. These successes demonstrate law enforcement's commitment to supporting child protection for children facing the law, in accordance with progressive justice principles based on child rights protection.

The weaknesses in the factors mentioned above, such as lack of legal clarity, limited supporting facilities, weak legal culture, and low public awareness and support, significantly hinder the effectiveness of government efforts to stop the exploitation of children as narcotics couriers. This shows that, although there have been positive achievements, legal policy implementation in West Java is not yet fully effective and requires strengthening across multiple aspects to ensure comprehensive protection for children who are victims of exploitation.

4. Conclusion

This article examined how children are exploited as drug couriers in West Java, what drives their involvement, and how effective the state's legal protection and rehabilitation measures are. The findings indicate that children are recruited through persuasion, financial incentives, and pressure from people around them, and that networks use them because of their perceived lighter criminal liability. Informants identified economic

pressure, a drug-saturated environment, and limited family attention as the main drivers, although these findings rest on a small number of interviews and should not be generalised to West Java as a whole. Recorded cases fell during the period studied (from 88 in 2020 to 40 in 2023 in Police data, and from 12 in 2020 to 8 in 2024 at LPKA Bandung), but because the two sources measure different things and cover different periods, this decline cannot be read as a reduction in exploitation itself. Assessed against Soekanto's five factors, legal protection and rehabilitation are only partly effective: the Narcotics Law does not clearly address the position of children, so the victim-oriented provisions of the Child Protection Law and the international instruments on the worst forms of child labour are insufficiently reflected in practice; LPKA Bandung provides education and basic healthcare but no specialised programme for drug dependency; and restorative handling often ends at family guidance, after which children return to environments with little supervision. From a victimological perspective, these children are both offenders and exploited persons, yet the current response treats them chiefly as the former. The article therefore recommends age-sensitive application of narcotics provisions, screening for exploitation at the investigation stage, dependency-focused rehabilitation within LPKA, and structured post-release supervision involving families and communities. These conclusions are limited by the small number of informants, the focus on a single province, and the non-comparable periods of the institutional data, so future research should use larger samples, include data on children's socio-economic backgrounds, and compare practices across regions.

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