

Inadequacy of Legal Protection against the Economic Exploitation of Children in Indonesia

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Abstract: *Despite being regulated under Law No. 35 of 2014 on Child Protection, child labour remains a serious problem in Indonesia. Data from the Central Statistics Agency (BPS) indicate an increase in child labourers from 1.01 million in 2023 to 1.27 million in 2024, highlighting a persistent gap between legal norms and social realities. This study examines child labour through victimological and human rights perspectives, arguing that children are victims of structural exploitation legitimized by regulatory loopholes. Using a normative legal method with qualitative analysis, the research reviews national legislation, international legal instruments, and relevant court decisions. The findings reveal that structural poverty, weak institutional coordination, and the ambiguous regulation of “light work” under Article 69 of the Manpower Law constitute a legal loophole that normalizes child labour and obscures children’s victim status. Consequently, children are excluded from victim-centered remedies such as compensation and rehabilitation. The study concludes that effective protection requires concrete legal and policy reforms, including clarifying the scope of permissible work, strengthening inter-agency coordination, integrating UNCRC principles into labour regulation, and expanding family-based social protection to address the structural causes of child labour..*

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INTRODUCTION

Law No. 35 of 2014, which amends Law No. 23, describes a child as an individual

under the age of 18¹. This law encompasses all measures that ensure and guarantee the protection of children from threats to their

¹ “Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak” (n.d.).

physical safety, mental well-being, personal development, and fundamental rights². Exploitation of children constitutes actions that endanger their physical and mental safety and development, carried out for the benefit of those who engage in such exploitative practices³. This may include child trafficking, forced labour, and other work that is hazardous to children. Although not all child labour is considered exploitation, work that poses health risks, disrupts schooling, or is performed under coercion without legal protection constitutes exploitation that violates human rights norms and must be halted.

Article 28B paragraph (2) of the 1945 Constitution emphasises that every child has the right to life, personal growth and development, and protection from violence and discrimination⁴. Child protection is also regulated under Law No. 35 of 2014, which obliges the state, local governments, society, families, and parents to guarantee children's rights, including civil rights, health rights, education rights, and protection from economic exploitation as well as physical and psychological violence⁵. At the international level, Indonesia has ratified the Convention on the Rights of the Child through Presidential Decree No. 36 of 1990, which includes the principles of non-discrimination and special protection for children⁶. ILO Convention No. 182 on the Worst Forms of Child Labour also

serves as a reference for current national policies, requiring member states to eliminate work that endangers children's health, safety, and morals⁷. Other international human rights frameworks, such as the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR), further reinforce the state's obligation to protect children's civil, political, economic, social, and cultural rights⁸. Thus, child protection in Indonesia is founded on a combination of constitutional norms, national legislation, and international instruments that safeguard children's rights and safety from all forms of threats.

Articles 68 and 69 of Law No. 13 of 2003 concerning Manpower set the minimum age for child labour. The legislation concerning the minimum age for children to work has not changed, despite Law No. 13 of 2003 being amended by Law No. 6 of 2023 on the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 concerning Job Creation. Consequently, Articles 68 and 69, which prohibit the employment of children under 18 years of age while allowing limited exceptions for light work for children aged 13 to 15 years, remain in effect⁹.

These provisions reflect the state's ambivalent stance, simultaneously prohibiting and permitting children's participation in the workforce¹⁰. Furthermore, the lack of clarity

² T. K. Nuraeny, H., & Utami, *Hukum Pidana Dan HAM: Perlindungan Hukum Terhadap Anak Dan Perempuan* (Depok: Rajawali Pers, 2021).

³ Y. Pasaribu, R. G., Gulo, H., Monica, & Agustina, "Tinjauan Hukum Terhadap Eksploitasi Anak Di Bawah Umur Menurut Undang-Undang Perlindungan Anak Dan Undang-Undang Ketenagakerjaan," *Jurnal Hukum Universitas Prima Indonesia* 5, no. 2 (2023): 112–25.

⁴ "UUD 1945 Pasal 28B Ayat (2)" (n.d.).

⁵ Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.

⁶ "Keputusan Presiden Nomor 36 Tahun 1990 Tentang Pengesahan Convention on the Rights of the Child" (n.d.).

⁷ "Konvensi ILO No. 182 Tentang Penghapusan Bentuk Terburuk Pekerjaan Anak," n.d.

⁸ "Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan" (n.d.).

⁹ "ICCPR Pasal 6-24; ICESCR Pasal 6-15" (n.d.).

¹⁰ UNICEF, *Kondisi Dan Situasi Pekerja Anak Pada Beberapa Sektor Di Tulungagung Dan Probolinggo, Jawa Timur*. Surabaya, 2005.

regarding the “light work” referred to in these articles results in broad and subjective interpretations, creating loopholes for exploitative practices disguised as light work. Without a precise definition, this situation risks undermining legal protection for child workers, as it becomes difficult to determine when work exceeds the threshold of “light” and begins to endanger a child’s health or development.

Data from the Central Bureau of Statistics (BPS) in 2024 indicate a surge in child workers in Indonesia, rising from 1.01 million in the previous year to 1.27 million, with the percentage increasing from 1.72% to 2.17% of the total population of children aged 5–17 years ¹¹. Additionally, Human Rights Watch (HRW) has documented that children working in the tobacco sector often experience symptoms of acute nicotine poisoning. This work also disrupts their education, as many children struggle to balance schooling with field labour. The report underscores the weak government oversight and the lack of effective legal protection, resulting in continued exploitation of children in the tobacco agriculture sector, despite Indonesia’s ratification of various international conventions concerning child protection and the prohibition of the worst forms of child labour ¹².

The comparative study conducted by Utari, Ramada, Arifin, and Smith (2023) examines legal protection for children against economic exploitation in three ASEAN countries: Indonesia, Vietnam, and the Philippines. The study finds that although all

three countries have established legal frameworks aimed at protecting children from economic exploitation, significant challenges remain in the implementation of these laws. In Indonesia, the persistence of child labour is linked to weak law enforcement and low public awareness of children’s rights, despite the existence of multiple protective regulations ¹³. In Vietnam, child labour continues to occur, particularly in rural areas, due to structural factors such as poverty, entrenched cultural practices, and limited access to education, even though the legal framework is relatively comprehensive. Meanwhile, in the Philippines, legal instruments such as the Child Labor Law and the Anti-Child Trafficking Act have been introduced to address child exploitation, but their effectiveness is constrained by limited resources, corruption, and insufficient community engagement.

While this study provides an important regional comparison, it primarily frames child exploitation as an issue of policy implementation and socio-economic conditions. It does not critically examine normative inconsistencies or legal loopholes within labour legislation, nor does it employ a victimological perspective that conceptualizes children as victims of structural and state-enabled exploitation. Furthermore, the study does not address recent legal developments or emerging forms of child exploitation in the informal and digital economy. Consequently, there remains a research gap concerning the role of legal ambiguity and regulatory failure in perpetuating child labour, which the present

¹¹ Badan Pusat Statistik, “Statistik Pekerja Anak Indonesia 2024,” Badan Pusat Statistik Republik Indonesia, 2025, <https://www.bps.go.id>.

¹² Human Rights Watch, “Tidak Seperti Yang Kami Harapkan: Eksploitasi Anak Dalam Produksi Tembakau Di Indonesia,” 2016, <https://www.hrw.org/id/report/2016/05/24/289751>.

¹³ Utari, I. S., Ramada, D. P., Arifin, R., & Smith, R. B. (2023). Legal Protection for Children as Victims of Economic Exploitation: Problems and Challenges in Three Major ASEAN Countries (Indonesia, Vietnam and Philippines). *Lex Scientia Law Review*, 7(2), 771-842. <https://doi.org/10.15294/lesrev.v7i2.68301>

study seeks to address through a victimological and human rights–based legal analysis.

The issue of child labour in Indonesia arises from the influence of various interrelated factors affecting a child. For instance, poverty drives children to work to meet their family's economic needs. Low levels of education and awareness of children's rights also render children vulnerable to exploitation, as many cases of child exploitation remain unreported due to limited public knowledge and awareness. Furthermore, some members of society perceive children's work as neither a social problem nor a criminal act. Consequently, children who are victims of exploitation do not receive the protection they are entitled to. Therefore, employing a victim-centred approach in addressing child exploitation is an appropriate measure to ensure that a child's psychological, social, and economic recovery proceeds alongside the fulfilment of their rights as an individual entitled to healing and full protection. An approach that explores the victim's perspective encourages law enforcement and policymakers to identify the specific needs of victims, ensuring that the response not only holds perpetrators accountable but also facilitates the child's recovery and the restoration of their rights.

This research employs a normative (juridical-normative) method, an approach that examines legal regulations concerning the protection of children as victims of exploitation in employment in Indonesia, while also scrutinising the socio-economic dynamics that are causative factors of child labour exploitation. The understanding of the child's position as a victim is explored in depth

through a victimology approach, which places child recovery and protection as the primary subject, not merely the prosecution of the perpetrator. This analysis also integrates the ideals of human rights, which emphasise the importance of comprehensive child rights protection in accordance with the principles of justice and humanity. A literature review was used to collect data, which includes primary legal documents such as international and national legislation and court decisions, as well as secondary legal materials such as books, journals, scientific papers, and reports from related institutions. The analytical process of this study uses a descriptive-analytical approach to describe legal norms, theories, and social facts in order to map the obstacles in protecting children from exploitation and to identify the gap between regulations and reality in Indonesia.

ANYLISIS AND DISCUSSION

Inconsistency Legal Norms and Socio-Economic Realities in Protecting Children from Labor Exploitation

Child labourers are those who are denied the opportunity to experience a proper childhood and access appropriate education¹⁴. Although not all work performed by children constitutes exploitation, in reality, children are often treated in ways that contravene existing norms, making them vulnerable to slavery, violence, and exploitation.

In Indonesia, norms related to child protection already exist, based on a combination of constitutional provisions, national legislation, and international instruments that complement one another to guarantee children's rights and safety¹⁵. However, legal norms are designed under the

¹⁴ R. Saraswati, *Hukum Perlindungan Anak Di Indonesia* (Bandung: PT Citra Aditya Bakti, 2015).

¹⁵ "Konvensi ILO No. 182 Tentang Penghapusan Bentuk Terburuk Pekerjaan Anak."

assumption that society possesses the economic and social capacity to comply with prohibitions on employing children. Data from the Central Bureau of Statistics (BPS) in 2024 reveal a reality that contradicts this assumption¹⁶.

These figures highlight the discrepancy between legal norms and the socio-economic reality, which perpetuates practices of child exploitation in work. This discrepancy stems from three dimensions: first, the structural socio-economic conditions that compel families to rely on children's wages; second, regulatory weaknesses, including ambiguity in the definition of "light work" and weak oversight systems; third, the law's lack of responsiveness to the root causes of poverty, low education levels, and local cultural norms, which create conditions where the law becomes ineffective and irrelevant to daily life¹⁷.

Therefore, examining the root causes of the mismatch between legal norms and socio-economic realities is crucial for formulating child protection strategies that are not only normative but also practical. This section will analyse in detail the socio-economic factors creating the gap between law and reality, identify weaknesses in existing regulations and law enforcement, and explore the impact of this discrepancy on children's rights.

A. Comparison of Legal Norms with the Socio-Economic Conditions of Society **Poverty**

Poverty is a primary factor that consistently underlies social problems in society. This condition creates a domino effect, whereby one issue can trigger the emergence of other social problems. Poor family economic conditions often force

children to work to support the household's income. The discrepancy between legal norms and the reality of poverty lies in the regulatory assumption that families with low economic capacity can comply with prohibitions on employing children. This situation renders legal prohibitions irrelevant to the actual economic needs of society. Consequently, the law does not function as a tool for social control but is perceived as an obstacle to family survival, as it is seen to remove opportunities for families to earn a livelihood, partly through their children.

Many children in Indonesia have not yet received their rights as stipulated in legislation, such as access to proper education, health (including nutritious food and regular health check-ups), and so forth. When examining the causes of unfulfilled children's rights, the primary factor is invariably economic. Limited family resources make it difficult for children to access their rights. Therefore, aspects such as supervision, guidance, protection, and the imposition of strict sanctions must be supported by the government and other relevant institutions. Sanctions should be applied to parents who neglect their responsibilities in ensuring child protection in accordance with Law No. 35 of 2014.

Low Education Level

Poverty and low levels of education are examples of a domino effect that create conditions in which children are vulnerable to exploitation. Parental education significantly influences children's

¹⁶ Badan Pusat Statistik, "Statistik Pekerja Anak Indonesia 2024."

¹⁷ UNICEF, *Kondisi Dan Situasi Pekerja Anak Pada Beberapa Sektor Di Tulungagung Dan Probolinggo, Jawa Timur*. Surabaya.

involvement in work, with children of highly educated parents being less likely to become child workers compared to children whose parents have low educational attainment¹⁸. Limited knowledge prevents parents from fully understanding children's rights and labour regulations. Many consider child labour as part of a learning process, believing it helps children become independent and gain experience for their future¹⁹. Such conditions render children from less-educated families more susceptible to labour exploitation.

The belief that individuals from lower social classes cannot advance in society is held by parents who exploit their children for work. Parents with this perspective regard schooling as futile if their children are ultimately destined to share the same fate as themselves, and they prefer to allow their children to work instead. People from low socio-economic backgrounds may hold short-term views due to their limited education. The mentality of parents with this mindset hampers government efforts to prevent child exploitation.

Cultural and Social Environmental Factors

Some local cultures still regard child labour as a form of responsibility and moral education. Traditions such as helping parents in the fields or engaging in trade are considered positive. While these activities can indeed be beneficial and permissible as long as children's rights are

respected, or if children assist voluntarily during their free time after school, there are instances where children who no longer attend school frequently contribute to the family's income through work, ultimately resulting in exploitation. Such cultural values may conflict with legal norms prohibiting child labour, thereby undermining the effective implementation of existing laws. One of the challenges in enforcing child protection in Indonesia is the persistence of cultural and social values that view children's participation in economic activities as normal, seeing it as a means of moral education, responsibility training, or contribution to the family. These cultural practices are still commonly observed in rural areas²⁰.

Migration

Family relocation or migration can also increase economic vulnerability, placing children at higher risk of working and being exploited. When one or both parents migrate in search of better income, family circumstances often change, and childcare becomes unstable. Research by Kusumawardhani and Warda indicates that children with mothers who migrate are approximately 1.5 times more likely to work compared to children whose parents do not migrate²¹.

All of these factors create a fundamental mismatch between legal norms prohibiting child labour and the socio-economic realities of society. This discrepancy demonstrates that the law is not responsive to structural conditions. Child protection regulations are designed under

¹⁸ E. P. A. Hari, "Faktor-Faktor Yang Mempengaruhi Eksploitasi Orang Tua Terhadap Anak Jalanan," *EJournal Sosiatri-Sosiologi* 6, no. 1 (2018): 9–13.

¹⁹ A. Huraerah, *Kekerasan Terhadap Anak* (Bandung: Nuansa, 2006).

²⁰ N. Yulianingsih, "Analisis Yuridis Terhadap Perlindungan Anak Dari Pekerja Anak Di Sektor

Informal," *Jurnal Ilmiah Kebijakan Hukum* 15, no. 2 (2021): 203–217.

²¹ Y. Anas, "Pengaruh Migrasi Orangtua Terhadap Pekerja Anak Di Indonesia," *Jurnal Ekonomi Dan Bisnis Universitas Andalas*, 2022, 17–30.

the assumption that families with low economic capacity can meet basic needs without involving children in work ²². In reality, millions of families in Indonesia, particularly in rural areas, lack access to decent employment, social security, or adequate economic assistance. Consequently, the law is perceived not as a protective instrument but as an obstacle to the survival of poor families who employ children not out of disregard for children's rights, but out of economic necessity.

Furthermore, cultural norms and social environments that normalise child labour as part of moral education and family responsibility widen the gap between law and practice ²³. In many regions, working children are viewed positively as a sign of independence, whereas laws prohibiting child labour are seen as inconsistent with local values. This creates a legal paradox: on one hand, the state imposes strict prohibitions through regulation; on the other, it fails to provide a social safety net that allows families to comply without falling into poverty.

This misalignment is also reflected in empirical data. Despite existing regulations, the number of child workers continues to rise annually. This demonstrates that a purely normative approach, without structural interventions to address the root causes of poverty, improve access to education, and strengthen social safety nets, will not be effective in eliminating child labour. Therefore, child protection strategies must integrate law enforcement with family economic empowerment programmes, educational subsidies, and simultaneous changes in social and cultural

norms to ensure that the law becomes a relevant and enforceable instrument within Indonesia's socio-economic context.

While poverty and cultural practices are frequently cited as the primary drivers of child labour, such explanations are insufficient from a legal standpoint. Framing child labour predominantly as a socio-economic phenomenon risks obscuring the role of the state in producing and sustaining legal vulnerability. This study argues that child labour exploitation in Indonesia should be understood as a form of normative state failure, where legal ambiguity and fragmented regulation enable exploitative practices to persist. Rather than merely failing to enforce existing laws, the state has constructed regulatory exceptions that dilute the prohibition of child labour and weaken children's legal status as rights holders. Article 69 of the Manpower Law permits children aged 13–15 to engage in “light work” under certain conditions.

However, the provision fails to define the substantive criteria of “light work,” resulting in broad and subjective interpretation by employers and enforcement authorities. This ambiguity stands in contrast to ILO Convention No. 138, which requires States Parties to establish a clear and definitive list of permissible light work that does not harm children's health, safety, or development.

Indonesia has ratified ILO Convention No. 138, yet has not adopted a precise and operational list of light work activities at the level of implementing regulations. This regulatory omission transforms Article 69 into a legal loophole that normalizes child labour under the guise of protection. In

²² UNICEF, *Kondisi Dan Situasi Pekerja Anak Pada Beberapa Sektor Di Tulungagung Dan Probolinggo, Jawa Timur. Surabaya.*

²³ Hari, “Faktor-Faktor Yang Mempengaruhi Eksploitasi Orang Tua Terhadap Anak Jalanan.”

practice, work classified as “light” often involves long working hours, exposure to hazardous environments, and interference with education, thereby contradicting both international standards and the best interests of the child principle.

The enactment of Law No. 6 of 2023 (Omnibus Law) further complicates the protection of child workers, particularly in the informal sector. By prioritizing labour market flexibility and simplifying business regulation, the law indirectly weakens labour inspection mechanisms, especially in sectors where child labour is most prevalent, such as agriculture, family enterprises, and informal services. The absence of specific child labour monitoring provisions within the Omnibus Law framework exacerbates regulatory fragmentation and reduces the state’s capacity to detect and prevent exploitation.

B. Review of Child Protection Regulations in the Employment Context that are not in accordance with socio-economic realities

Legal Ambivalence: Prohibition vs. Exception to “Light Work”

Several regulations, such as Law No. 13 of 2003, which has been amended by Law No. 6 of 2023 on the Enactment of Government Regulation in Lieu of Law No. 2 of 2022 concerning Job Creation, and Law No. 35 of 2014, fundamentally prohibit the involvement of children in work. However, both regulations also provide exceptions for “light work” for children aged 13–15 years, which creates ambiguity and significant uncertainty due to the absence of clear limits regarding the criteria for light work, such as duration, type of work, or physical demands. To

date, assessments of what constitutes light work are made subjectively based on the judgment of employers. As a result, many parties exploit this legal loophole to employ children in the informal sector under the pretext of light work, even though, in reality, children are often required to work beyond permissible hours without any guarantee of their safety. Research conducted by Pakpahan and Hudi Yusuf in 2025 on child exploitation in tobacco companies in West Nusa Tenggara (NTB) demonstrates that employing children in tobacco companies constitutes a criminal act. Children in their developmental stages are highly vulnerable to poisoning from tobacco compounds, particularly nicotine, as their immune systems are weaker compared to adults, whose bodies are more tolerant to nicotine²⁴. Several children working in these tobacco companies have also reported health problems, including stomach pain and nausea. This situation arises due to weak oversight and inadequate enforcement of child labour laws.

The Unclear Definition of “Light Work”

As explained in the previous subsection, the lack of a clear definition of light work gives rise to subjective interpretations regarding its criteria, such as duration, type of work, or physical demands. This situation inevitably weakens legal protection for child workers, as it allows employers or parents considerable discretion in their interpretation. In practice, many children work in small shops, workshops, or fields without health or educational safeguards, even though such activities already

²⁴ H. Pakpahan, A., & Yusuf, “Eksplorasi Anak Dalam Industri Tembakau: Tinjauan Hukum Dan

Kriminologis Atas Kasus Di NTB Dan Jawa Timur,” *Media Hukum Indonesia (MHI)* 3, no. 3 (2025): 45–62.

constitute economic exploitation²⁵. Minister of Manpower Regulation No. 5 of 2018 concerning Occupational Safety and Health in the Workplace does not provide specific indicators for child labor; it only addresses general safety standards without specifying what types of work can be categorized as safe for children. This creates legal uncertainty in the implementation of child labor supervision. From an international legal perspective, Indonesia has actually agreed to ILO Convention No. 138, which stipulates that light work can only be performed by children aged 13–15, provided it does not endanger the child's health, safety, or education. However, its implementation in Indonesia has been suboptimal because national implementing regulations have not established an official list of types of work that are considered light work for children. ILO Convention No. 138 of 1973, ratified by Indonesia through Law No. 20 of 1999, requires each member country to establish a definitive list (exhaustive list) of types of light work that are safe for children aged 13–15. Singapore is one of the countries that has ratified ILO 138, which lists light work such as shop sales, restaurant kitchen work (without cooking), simple administrative work, and newspaper delivery. Mining, machinery manufacturing, agriculture with pesticides, and trade are completely prohibited. The maximum working hours are six hours per day or twelve hours per week. Safety requirements include appropriate personal protective equipment (PPE), a safe work environment, and regular health checks.²⁶

In contrast, Article 69 of the Indonesian Manpower Law does not specify the types of light work permitted. Current national regulations, particularly Minister of Manpower Regulation No. 5 of 2018 concerning Occupational Safety and Health in the Workplace, do not address child labor and only provide general safety standards. This indicates a violation of Article 28B, paragraph (2) of the 1945 Constitution, which guarantees "protection from violence and discrimination" if there is no specific list of light work. This is because the state does not provide substantial protection to children working in jobs that could potentially endanger their safety.

This absence of a definitive list violates ILO Convention 138, which explicitly requires ("shall") the state establish a definitive list. While Indonesia has ratified this Convention, its implementation remains at a "compliance lite" level, only complying with the form without complying with the substance.¹⁴ This is a form of regulatory failure or implementation gap.

The Role of the Responsible Institution

To reduce the incidence of child labour exploitation, government institutions play a crucial role in enforcing regulations and imposing sanctions on employers. Several institutions, such as the Ministry of Manpower, the Witness and Victim Protection Agency (LPSK), and the Indonesian Child Protection Commission (KPAI), must coordinate efforts to address child labour exploitation. In some regions, however, labour supervision functions are

²⁵ A. E. Putri, N. A., Mamesah, E. L., & Gerungan, "Perlindungan Hukum Terhadap Pekerja Anak Menurut Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan," *Lex Crimen* 12, no. 4 (2024): 89–102.

²⁶ International Labour Organization, "CEACR - Individual Direct Request Concerning Convention No. 138 on Minimum Age for Admission to Employment, 1973: Singapore (Ratification 1998)", Geneva: ILO, 2021.

not yet operating optimally due to a limited number of inspectors and insufficient training on child labour. Exploitative activities often occur in the informal sector, making it difficult for institutions to detect and identify such work ²⁷.

The Indonesian Child Protection Commission (KPAI) acts as a supervisor and reporter when cases of child labour exploitation occur. Meanwhile, the Ministry of Manpower or the regional Labour Office is responsible for labour oversight, such as monitoring local companies. The Witness and Victim Protection Agency (LPSK) provides legal assistance and rehabilitation for child victims. Typically, victims of exploitation are directed to rehabilitation and assistance services provided by local social services or non-governmental organisations (NGOs) ²⁸. These rehabilitation and support programmes generally include trauma healing with psychological counselling and child empowerment initiatives. Implementing rehabilitation and support for victims requires funding. According to Law No. 35 of 2014, Article 59A, Paragraph (1), the government is responsible for providing protection, care, and rehabilitation through child protection agencies or social institutions. In practice, however, rehabilitation costs are not fully covered by the government. Research by Muhammad Thohir and Rini Iswari (2022), titled “The Resocialisation Process of Children at BRSAMPK ‘Antasena’

Magelang,” notes that basic needs such as counselling, education, food, and health services are funded by the state budget (APBN) through the Ministry of Social Affairs (Kemensos), but only for a limited period. Other expenses are borne by the children’s parents ²⁹.

C. Obstacles to Law Enforcement in Practice in Indonesia

Weak Supervision and Sanctions

Several factors contribute to weak supervision by relevant institutions and the inadequate imposition of sanctions, including the difficulty of accessing the informal sector, insufficient evidence in reports leading to the discontinuation of cases, and a lack of public education regarding child exploitation ³⁰. Law No. 35 of 2014, Article 76I, prohibits all forms of economic or sexual exploitation of children, while Article 88 stipulates penalties for violators, including imprisonment of up to ten years or fines of up to IDR 200 million. In practice, however, formal supervision usually only covers registered companies, whereas the majority of child workers are employed in the informal sector, which is difficult to monitor. Administrative and criminal sanctions are rarely enforced due to weak reporting and lengthy, costly legal processes. Although regulations exist, cases of child labour exploitation still require clearer sanctions, better budget allocation, and extensive public education

²⁷ F. M. S. Manalu, S. A. R., Handani, T., Wulandari, M., Bakara, S., Hasibuan, A. P., & Hasugian, “Tinjauan Hukum Dan Pancasila Dalam Penanganan Eksploitasi Anak Sebagai Pengemis,” *Jurnal Intelek Dan Cendekiawan Nusantara* 1, no. 5 (2024): 6655–64.

²⁸ W. Aprilianzah, R. L., & Bantarti, “Evaluasi Formatif Program Rehabilitasi Sosial Bagi Korban Perdagangan Anak: Studi Kasus Program Rehabilitasi Sosial Rumah Faye Batam,” *Jurnal Ilmu Kesejahteraan Sosial* 21, no. 1 (2020): 1–15.

²⁹ R. Thohir, M., & Iswari, “Proses Resosialisasi Anak Di BRSAMPK Antasena Magelang. Solidarity,” *Journal of Education, Society and Culture* 11, no. 1 (2022): 203–17.

³⁰ J. D Lestari, F. K., & Kusuma, “Tinjauan Normatif Tindak Pidana Eksploitasi Anak Menurut Undang-Undang Republik Indonesia Nomor 17 Tahun 2016 Perubahan Kedua Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 Tentang Perlindungan Anak,” *Unizar Recht Journal (URJ)* 3, no. 4 (2024): 516–25.

to optimise supervision and enforcement, thereby reducing the level of child labour exploitation³¹.

Low Public Legal Awareness

The Indonesian public has not fully developed awareness of applicable laws, including those regarding child exploitation. Many people still perceive child labour as a normal activity rather than a legal violation subject to regulation and sanctions. This mindset prevents society from recognising child labour as a social problem, resulting in weak social oversight, such as a lack of reporting to authorities or intervention when exploitation occurs locally. Low legal awareness undermines the effectiveness of child protection regulations. The increase in child exploitation in certain areas is often linked to parents who themselves experienced exploitation in childhood and to urbanised communities with generally low legal awareness. Consequently, some parents take pride in their underage children working³². Although not universal, the majority of rural communities exhibit low legal awareness due to factors such as limited education, less critical thinking, and similar challenges. Furthermore, both the public and government institutions are often insufficiently sensitive to these issues, resulting in weak oversight of child labour exploitation and a lack of sanctions for perpetrators.

Attitudes and Capacity of Law

Enforcement Officers

It is expected that law enforcement officers in Indonesia play a crucial role in monitoring and imposing sanctions on perpetrators in accordance with national regulations. Cases of child labour exploitation require serious attention and should involve effective collaboration between parents, families, communities, relevant institutions, and law enforcement officers to ensure thorough investigation and to prevent further victims. However, in practice, some law enforcement officers still lack a specific understanding of child protection in the context of employment³³. Other challenges include limited resources and insufficient collaboration among the police, labour offices, and child protection agencies, which can hinder the resolution of exploitation cases. In reality, law enforcement is often limited to administrative sanctions, although criminal penalties should be applied to prevent the recurrence of similar offences³⁴.

D. The Impact of the Mismatch between Norms and Reality on Legal Protection for Children

Impeded Access to Children's Rights

The discrepancy between legal norms and social realities regarding child labour results in the deprivation of children's rights, including education, health, and recreation. Working children lack time for learning and face a high risk of fatigue and injury. In the long term, this impedes their

³¹ F. Facjar, N. & Priscyllia, "Kebijakan Hukum Nasional Dalam Mengatasi Eksploitasi Anak Di Bidang Perdagangan Dan Jasa," *Jurnal Yustitia* 20, no. 1 (2025): 59–66.

³² A. Nasution, A. H., Zulfahmi, Z., & Asrofi, "Analisis Hukum Perlindungan Anak Di Indonesia Terhadap Eksploitasi Anak Oleh Orang Tua Dalam Praktik Mengemis," *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 4 (2024): 13–24.

³³ Y. Novita, N., Trisniwati, E., & Saputra, "Penegakan Hukum Terhadap Tindak Pidana Eksploitasi Anak," *Jurnal Ilmu Hukum* 8, no. 2 (2022): 209–222.

³⁴ A. A. A. N. T. R Majuarsa, I. M. A., & Gorda, "Penegakan Hukum Terhadap Eksploitasi Anak Sebagai Pengemis Jalanan Di Kawasan Kuta," *Jurnal Magister Hukum Udayana* 11, no. 3 (2022): 458–71.

development and undermines human resource quality, as children cannot focus on their education. Poor coordination among institutions, such as the Social Service, Labour Office, and police, also leads to many cases of child workers remaining unreported or improperly addressed. This situation demonstrates that, although legal norms exist, their implementation is obstructed by a bureaucratic system considered complex by the public, as well as by disparities in service provision across regions ³⁵. Therefore, impeded access to children's rights is not solely an economic issue; structural problems and insufficient inter-agency coordination also exist. The state must ensure that child protection policies extend beyond legislation, encompassing equitable access to education, health, and social security across all regions.

Continuation of Child Exploitation Practices

Weak law enforcement, inadequate supervision, and economic pressure on families allow child exploitation practices to persist. This is evidenced by the high and increasing number of child workers each year. The growing number of child workers risks creating new impoverished families who may employ their children in the future. Furthermore, the social rehabilitation system for child victims of exploitation lacks continuity. After rehabilitation, children are no longer systematically monitored by local social services, increasing the likelihood of re-exploitation. For instance, the "Antasena" Child Social Rehabilitation Centre in

Magelang provides rehabilitation for exploited children only for three to six months, without follow-up programmes to reintegrate them into social and educational environments ³⁶. The continuation of child exploitation highlights complex problems such as structural poverty, low education levels, lack of public awareness, and weak legal functions in supervision and sanctioning.

Erosion of Public Trust in the Legal System

The state's failure to protect children from exploitation has led to a crisis of public trust in the law, with the law often perceived merely as normative text without proper implementation. Factors contributing to this erosion of trust in Indonesia include law enforcement officers committing legal violations, including child exploitation, the failure to achieve justice in society, and the inadequate handling of major cases ³⁷. Consequently, the law loses its authority as an instrument for maintaining justice, order, and public protection.

Addressing Child Labor Exploitation: A Victimology, Human Rights, and Legal Regulation Improvement Perspective

A. Victimological Analysis of Child Victims of Labour Exploitation

Children exploited in the workplace are regarded as victims from a victimological perspective, requiring justice, recovery, and protection. According to Law No. 31 of 2014, which amends Law No. 13 of 2006 concerning Witness and Victim Protection, a victim is defined as "a

³⁵ Majuarsa, I. M. A., & Gorda.

³⁶ Y. E. M Rohman, P. Y., Rusmana, A., & Tungga, "Resiliensi Anak Yang Berkonflik Dengan Hukum Di Sentra Antasena Di Magelang," *Jurnal Ilmiah Rehabilitasi Sosial (Rehsos)* 7, no. 1 (2025): 23–38.

³⁷ M. N. Putri, L., & Imanullah, "Kajian Sosiologi Hukum Tentang Tingkat Kepercayaan Masyarakat Terhadap Aparat Penegak Hukum," *Jurnal Hukum Dan Pembangunan Ekonomi* 12, no. 3 (2024): 234–248.

person who suffers physical, mental, and/or economic harm as a result of a criminal act.”³⁸ Child workers fall within this definition as they endure mental, physical, and other forms of suffering that impede their development. In theory, children should not work to support the family’s economy but should instead focus on learning, playing, and developing.

Child workers experience double victimisation: they are victims of their family’s structural poverty and victims of exploitation by employers or even parents. Waluyo (2022) explains that the neglect of victims’ existence in criminal case resolution occurs because the nature of the crime is not understood proportionally and dimensionally, and there is no proper recognition of the human image of victims as fellow human beings³⁹. In a criminal justice system based on criminal law and criminal procedure, the state has the authority to impose punishment (*ius puniendi*), with victims and society represented directly through judicial processes. However, the state often disregards the actual interests of victims. Under the Criminal Procedure Code (KUHAP), victims’ rights are not explicitly regulated and are far fewer than those of suspects or defendants. Victims frequently feel that their rights are ignored, a situation that becomes even more complex in cases of child exploitation, as child victims lack the legal capacity to assert their own rights.

Human Rights Principles in Protecting Child Workers

The protection of children from labour exploitation is a component of

human rights guaranteed under international instruments, such as the 1989 United Nations Convention on the Rights of the Child (UNCRC). Article 32 of the UNCRC recognises the child’s right to be protected from economic exploitation and from work that may be hazardous, interfere with education, or harm the child’s health or physical, mental, spiritual, moral, or social development. Indonesia ratified the UNCRC through Presidential Decree No. 36 of 1990⁴⁰. This protection is reinforced by ILO Convention No. 182 (1999), which prohibits and calls for the immediate elimination of the worst forms of child labour. Based on the UNCRC, four fundamental principles must be applied in protecting child workers:

1. Principle of Non-Discrimination (Article 2, UNCRC): Children have the right to protection from discrimination based on race, sex, religion, socioeconomic status, or family origin. This principle ensures that children from low-income families are safeguarded from labour exploitation fairly and without discrimination.
2. Best Interests of the Child (Article 3, UNCRC): The child’s best interests must be a primary consideration in all decisions. Accordingly, laws concerning child labour must account for the long-term development of the child.
3. Right to Life, Survival, and Development (Article 6, UNCRC): The state guarantees the child’s survival and optimal development. Labour exploitation violates this principle.
4. Respect for the Views of the Child

³⁸ “Undang-Undang Nomor 31 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 13 Tahun 2006 Tentang Perlindungan Saksi Dan Korban” (n.d.).

³⁹ B. Waluyo, *Viktimologi: Perlindungan Korban Dan Sanksi* (Jakarta: Sinar Grafika, 2022).

⁴⁰ Nuraeny, H., & Utami, *Hukum Pidana Dan HAM: Perlindungan Hukum Terhadap Anak Dan Perempuan*.

(Article 12, UNCRC): Children have the right to be heard in all matters affecting them. Their opinions must be considered in decision-making processes, particularly in cases of child abuse.

Indonesia has incorporated human rights principles into various laws and regulations, including:

- 1) Every child has the right to protection from parents, family, society, and the state, in accordance with Article 52(1) of Law No. 39 of 1999 on Human Rights. Article 52(2) stipulates that children's rights are human rights, recognised and protected by law for their benefit from the womb onwards⁴¹.
- 2) Article 4 of Law No. 35 of 2014 on Child Protection states that every child has the right to protection from violence and discrimination, as well as the right to live, grow, develop, and participate appropriately in accordance with human dignity⁴².
- 3) Law No. 13 of 2003, amended to Law No. 6 of 2023 concerning the Establishment of Government Regulation in Lieu of Law No. 2 of 2022 on Job Creation, prohibits employers from employing children under the age of 18 as stipulated in Article 68, except under specific conditions and strict requirements as outlined in Article 69⁴³.

However, in practice, these regulations remain weak. Saraswati (in *Child Protection Law in Indonesia*) notes that the Indonesian legal framework and

legislation are still not sufficiently sensitive to child labour. Child work is not considered a social problem but rather seen as a way for children to demonstrate loyalty to their parents and receive training⁴⁴. Solutions that simply prohibit child labour without social safety nets are likely to result in widespread non-compliance, as poor families have no alternative means of survival. To address this gap through a human rights approach, the state must not only enact prohibitions but also create conditions that allow families to comply without threatening their livelihoods. This represents a paradigm shift from a purely punitive approach to one that recognises children as rights holders who must be protected.

Legal Regulation Improvement and Institutional Strengthening

One weakness in the Labour Law is the lack of a clear operational definition of "light work" in Article 69. To address this ambiguity, regulations need to be refined with clear requirements, including:

- a) Specific working hours: Maximum of two/three hours per day, outside school hours (07:00–13:00, Monday–Friday) and rest periods (20:00–06:00).
- b) Concrete list of permitted work: Assisting in family businesses, non-commercial household chores, caring for siblings.
- c) Concrete list of prohibited work: Mining, work with pesticides, factory work, sexual exploitation.
- d) Standardised permission and

⁴¹ "Undang-Undang Nomor 39 Tahun 1999 Tentang Hak Asasi Manusia" (n.d.).

⁴² Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak.

⁴³ Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan.

⁴⁴ Saraswati, *Hukum Perlindungan Anak Di Indonesia*.

documentation mechanism: Official letter from parents, registration with the Labour Office, regular verification.

- e) Clear supervision system: Routine inspections, follow-up on reports, and strict sanctions.

This improvement is not merely a technical legal amendment but a paradigm shift in child protection from a focus solely on punishing offenders to recognising children as rights holders who must be fully protected. Children are not objects to be “rescued” but subjects with fundamental rights to safety, education, health, and time to play and develop. Regulatory improvement must be accompanied by family empowerment programmes, such as cash assistance for poor families, parental skills training, access to microcredit, and educational scholarships. Without social safety nets, poor families will continue to involve their children in work, rendering the law a “class-based law” that only protects wealthy children. Refining the regulation of “light work” is therefore an urgent necessity to ensure that Indonesian law genuinely protects children from exploitation rather than providing a legal loophole under the ambiguous status of “light” work.

Weak oversight and unclear responsibilities among institutions remain significant obstacles to ensuring children receive the protection to which they are entitled. Accordingly, the strategies proposed by the author include:

- 1) Establishment of an Integrated Coordination Protocol between the Ministry of Social Affairs, the Ministry of Women’s Empowerment and Child Protection (KPPPA), the Regional Labour Office, the Police, the Witness and Victim Protection

Agency (LPSK), and the Indonesian Child Protection Commission (KPAI). This protocol should encompass clear and measurable mechanisms for reporting, investigation, victim protection, and rehabilitation.

- 2) Enhancing the Capacity of Regional Labour Inspectors, including specialised guidance on identifying child exploitation, conducting victim-friendly interviews, and connecting children with appropriate protection services.
- 3) Technology-Based Reporting and Monitoring System: Develop a real-time monitoring system to ensure efficient and timely follow-up, alongside a digital platform for reporting child exploitation cases accessible to the general public, NGOs, and law enforcement agencies.

Mechanisms for Victim Recovery and Reintegration

Addressing child victims of labour exploitation involves more than simply halting work or punishing perpetrators. Comprehensive recovery and reintegration measures are necessary to ensure children can live normal lives within society, free from ongoing trauma or risk of re-exploitation.

Victim-Centred Approach to Recovery

Recovery for child victims of exploitation must adopt a victim-centred approach, encompassing three interrelated dimensions, Psychological Trauma Recovery, Child labour victims may experience deep psychological trauma from hazardous work experiences and from separation from family or community. Recovery requires ongoing psychosocial

counselling provided by trained psychologists or social workers using child-friendly methods. This is not a one-off session but a prolonged process that helps the child process trauma, rebuild self-confidence, and learn to express emotions in a healthy manner. Without psychological recovery, children may carry long-term mental burdens with adverse effects on their development and well-being.

Economic Restoration. Children who have been exploited often suffer tangible economic losses, such as unpaid wages, medical costs due to work-related injuries, and educational expenses. Economic restoration entails the child receiving compensation or restitution from the perpetrator for the losses incurred. Government Regulation No. 44 of 2008 regulates compensation, restitution, and assistance for witnesses and victims. However, implementation in practice remains very limited. Many child victims never receive compensation due to perpetrators' inability to pay or the complexity of claiming restitution. Without economic restoration, children and their families remain in poverty, perpetuating the conditions that force children to work⁴⁵.

Social Reintegration. Victims often face social stigma, being labelled as "street children," "undeserving," or "morally deficient" due to their exploitation experiences. Social reintegration involves programmes that facilitate a child's return to a supportive social environment free from stigma and discrimination. This includes family mediation to rebuild healthy relationships, reintegration into school with support from teachers and peers, and establishing connections within the local

community. Social reintegration is not merely "returning the child home" but ensuring the child is accepted and supported by a social network that fosters their growth.

Community-Based Intervention Model

Huraerah (as cited in *Violence Against Children*) asserts that one of the most rational approaches to addressing the issue of child labour is the adoption of a welfare society approach. Under this approach, the community is regarded as the primary provider of social services for its own members, with self-reliance and collective participation serving as the main pillars of intervention. This model emphasizes community empowerment and shared responsibility in the protection and welfare of children. The community-based intervention model encompasses the following forms⁴⁶

1. Community-Based Approach

This approach involves community-based interventions implemented within the home or family environment. It aims to strengthen family coping capacities, enhance social relationships among families within the community, and improve access to locally available social services and resources. The approach prioritizes family resilience and social support networks as preventive and remedial measures against child labour.

2. Street-Based Approach

This approach consists of advocacy services and child assistance programs delivered directly on the streets, targeting children who are engaged in street-based labour or are otherwise vulnerable. It focuses on outreach, protection, legal advocacy, and

⁴⁵ "Peraturan Pemerintah Nomor 44 Tahun 2008, Pasal 7–10" (n.d.).

⁴⁶ Huraerah, *Kekerasan Terhadap Anak*.

psychosocial support to safeguard the rights and well-being of children in street situations.

3. **Halfway Houses (Shelter Homes)**
Halfway houses function as transitional service facilities that bridge street-based interventions and institutional-based care, or alternatively, facilitate the transition from institutional care back to family- or home-based settings. These facilities provide temporary protection, guidance, and rehabilitation services aimed at preparing children for sustainable reintegration.
4. **Institutional-Based Approach**
This approach involves residential care services provided through child welfare institutions or shelters. Such services are primarily directed toward maintenance, social provision, and counseling support, with the objective of assisting children in overcoming psychosocial difficulties and restoring their physical, emotional, and social well-being

B. The Role of the Witness and Victim Protection Agency (LPSK)

In accordance with the Republic of Indonesia Law No. 31 of 2014 concerning the Amendment to Law No. 13 of 2006 on Witness and Victim Protection, the Witness and Victim Protection Agency (LPSK) is entrusted with the responsibility and authority to ensure the protection and rights of witnesses and/or victims⁴⁷. In implementing protection for children who are victims of labour exploitation, in line

with Law No. 35 of 2014, a collective commitment from various responsible parties is required. Multi-stakeholder coordination is key to the success of the victim protection system, as LPSK cannot operate independently without support from other parties.

1) Responsibilities of the Victim and Family

The primary responsibility in the victim protection system lies with the victim and their family. Victims and their families must understand and recognise their rights, including the right to security protection, the right to compensation and restitution, and the right to psychosocial support. Moreover, victims and families must have the courage and initiative to submit a protection request to LPSK as the first step in the recovery process.

2) Responsibilities of LPSK

LPSK exercises its authority and functions in accordance with the law with full commitment. LPSK must provide protection that includes:

- a. **Personal Security Protection:**
Ensuring that child victims are protected from threats, intimidation, or retaliation by perpetrators.
- b. **Compensation and Restitution:**
Facilitating the receipt of financial redress for losses suffered by victims, including unpaid wages, medical costs arising from work, and delayed educational expenses.
- c. **Living Assistance:**
Providing temporary economic support to victims and their families during the legal process.

⁴⁷ Undang-Undang Nomor 31 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 13 Tahun 2006 tentang Perlindungan Saksi dan Korban.

d. Psychological and Social Support: Offering professional counselling to assist victims in overcoming trauma and achieving social reintegration.

3) Responsibilities of Law Enforcement

Investigators, prosecutors, and judges have a responsibility to integrate victim protection principles into every stage of the legal process, from investigation to trial, prioritising the interests of the victim and ensuring the presence of LPSK throughout the legal proceedings. Judges must also prioritise the best interests of the child in all rulings and consider the long-term impact on the victim's recovery. Law enforcement officers need to collaborate with LPSK through information coordination to ensure that victims receive optimal protection at every stage of the legal process⁴⁸.

Responsibilities of Society and Non-Governmental Organisations (NGOs)

Society, including child advocacy NGOs and human rights organisations, plays an essential role in publicising victims' rights, monitoring the implementation of victim protection, and providing long-term psychosocial support to victims after legal proceedings. The role of NGOs is crucial because the government alone does not have sufficient capacity to reach and ensure the comprehensive recovery of victims

persistence of child labour exploitation in Indonesia is not merely the result of socio-economic hardship, but rather reflects a systemic failure of labour law design and implementation. The increasing number of child workers evidences that existing legal instruments, despite formal compliance with international conventions have failed to function as effective protective mechanisms. From a legal theory perspective, this condition illustrates structural victimization, where legal ambiguity and regulatory exceptions actively contribute to the normalization of exploitation. The core legal weakness lies in Article 69 of the Manpower Law, which permits "light work" without establishing measurable and enforceable standards. This provision creates a normative contradiction that undermines the prohibition of child labour and shifts the burden of protection away from the state. To address this gap, targeted legislative reform is required. First, Article 69 should be amended to explicitly limit working hours for children aged 13–15 to a maximum of two hours per day, prohibit work during school days, and strictly ban employment in informal and family-based enterprises that escape labour inspection. Second, the government should mandate the creation of a child worker registration database at the village or sub-district level, integrated with labour inspectorates and social services, to enable early detection and monitoring of child labour practices. From a victimological standpoint, children engaged in labour exploitation must be legally recognized as victims entitled to rehabilitation, restitution, and long-term social recovery, even where economic losses are immaterial. This requires the development of alternative compensation mechanisms beyond conventional criminal restitution.

CONCLUSION

This study demonstrates that the

⁴⁸ Waluyo, *Viktimologi: Perlindungan Korban Dan Sanksi*.

Ultimately, this research contributes to legal scholarship by reframing child labour as a problem of normative state responsibility, emphasizing that meaningful protection can only be achieved through precise legislative reform, institutional coordination, and the integration of human rights principles into labour governance.

BIBLIOGRAPHY

Books

Huraerah, A. *Kekerasan Terhadap Anak*. Bandung: Nuansa, 2006

UNICEF. *Kondisi Dan Situasi Pekerja Anak Pada Beberapa Sektor Di Tulungagung Dan Probolinggo, Jawa Timur*. Surabaya, 2005.

International Labour Organization. CEACR - Individual Direct Request Concerning Convention No. 138 on Minimum Age for Admission to Employment, 1973: Singapore (Ratification 1998). Geneva: ILO, 2021.

Nuraeny, H., & Utami, T. K. *Hukum Pidana Dan HAM: Perlindungan Hukum Terhadap Anak Dan Perempuan*. Depok: Rajawali Pers, 2021.

Saraswati, R. *Hukum Perlindungan Anak Di Indonesia*. Bandung: PT Citra Aditya Bakti, 2015.

Waluyo, B. *Viktimologi: Perlindungan Korban Dan Sanksi*. Jakarta: Sinar Grafika, 2022.

Journal

Anas, Y. "Pengaruh Migrasi Orangtua Terhadap Pekerja Anak Di Indonesia." *Jurnal Ekonomi Dan Bisnis Universitas Andalas*, 2022, 17–30.

Aprilianzah, R. L., & Bantarti, W. "Evaluasi Formatif Program Rehabilitasi Sosial Bagi Korban Perdagangan Anak: Studi Kasus Program Rehabilitasi Sosial Rumah Faye Batam." *Jurnal Ilmu*

Kesejahteraan Sosial 21, no. 1 (2020): 1–15.

Facjar, N. & Priscyllia, F. "Kebijakan Hukum Nasional Dalam Mengatasi Eksploitasi Anak Di Bidang Perdagangan Dan Jasa." *Jurnal Yustitia* 20, no. 1 (2025): 59–66.

Hari, E. P. A. "Faktor-Faktor Yang Mempengaruhi Eksploitasi Orang Tua Terhadap Anak Jalanan." *EJournal Sosiatri-Sosiologi* 6, no. 1 (2018): 9–13.

Lestari, F. K., & Kusuma, J. D. "Tinjauan Normatif Tindak Pidana Eksploitasi Anak Menurut Undang-Undang Republik Indonesia Nomor 17 Tahun 2016 Perubahan Kedua Undang-Undang Republik Indonesia Nomor 35 Tahun 2014 Tentang Perlindungan Anak." *Unizar Recht Journal (URJ)* 3, no. 4 (2024): 516–25.

Majuarsa, I. M. A., & Gorda, A. A. A. N. T. R. "Penegakan Hukum Terhadap Eksploitasi Anak Sebagai Pengemis Jalanan Di Kawasan Kuta." *Jurnal Magister Hukum Udayana* 11, no. 3 (2022): 458–71.

Manalu, S. A. R., Handani, T., Wulandari, M., Bakara, S., Hasibuan, A. P., & Hasugian, F. M. S. "Tinjauan Hukum Dan Pancasila Dalam Penanganan Eksploitasi Anak Sebagai Pengemis." *Jurnal Intelek Dan Cendekiawan Nusantara* 1, no. 5 (2024): 6655–64.

Nasution, A. H., Zulfahmi, Z., & Asrofi, A. "Analisis Hukum Perlindungan Anak Di Indonesia Terhadap Eksploitasi Anak Oleh Orang Tua Dalam Praktik Mengemis." *Mandub: Jurnal Politik, Sosial, Hukum Dan Humaniora* 2, no. 4 (2024): 13–24.

Novita, N., Trisniwati, E., & Saputra, Y. "Penegakan Hukum Terhadap Tindak

- Pidana Eksploitasi Anak.” *Jurnal Ilmu Hukum* 8, no. 2 (2022): 209–222.
- Pakpahan, A., & Yusuf, H. “Eksploitasi Anak Dalam Industri Tembakau: Tinjauan Hukum Dan Kriminologis Atas Kasus Di NTB Dan Jawa Timur.” *Media Hukum Indonesia (MHI)* 3, no. 3 (2025): 45–62.
- Pasaribu, R. G., Gulo, H., Monica, & Agustina, Y. “Tinjauan Hukum Terhadap Eksploitasi Anak Di Bawah Umur Menurut Undang-Undang Perlindungan Anak Dan Undang-Undang Ketenagakerjaan.” *Jurnal Hukum Universitas Prima Indonesia* 5, no. 2 (2023): 112–25.
- Putri, L., & Imanullah, M. N. “Kajian Sosiologi Hukum Tentang Tingkat Kepercayaan Masyarakat Terhadap Aparat Penegak Hukum.” *Jurnal Hukum Dan Pembangunan Ekonomi* 12, no. 3 (2024): 234–248.
- Putri, N. A., Mamesah, E. L., & Gerungan, A. E. “Perlindungan Hukum Terhadap Pekerja Anak Menurut Undang-Undang Nomor 13 Tahun 2003 Tentang Ketenagakerjaan.” *Lex Crimen* 12, no. 4 (2024): 89–102.
- Rohman, P. Y., Rusmana, A., & Tungga, Y. E. M. “Resiliensi Anak Yang Berkonflik Dengan Hukum Di Sentra Antasena Di Magelang.” *Jurnal Ilmiah Rehabilitasi Sosial (Rehsos)* 7, no. 1 (2025): 23–38.
- Thohir, M., & Iswari, R. “Proses Resosialisasi Anak Di BRSAMPK Antasena Magelang. Solidarity.” *Journal of Education, Society and Culture* 11, no. 1 (2022): 203–17.
- Yulianingsih, N. “Analisis Yuridis Terhadap Perlindungan Anak Dari Pekerja Anak Di Sektor Informal.” *Jurnal Ilmiah Kebijakan Hukum* 15, no. 2 (2021): 203–217.

Internet

- Badan Pusat Statistik. “Statistik Pekerja Anak Indonesia 2024.” Badan Pusat Statistik Republik Indonesia, 2025. <https://www.bps.go.id>.
- Human Rights Watch. “Tidak Seperti Yang Kami Harapkan: Eksploitasi Anak Dalam Produksi Tembakau Di Indonesia,” 2016. <https://www.hrw.org/id/report/2016/05/24/289751>.

Law and Regulation

- Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan (n.d.).
- Undang-Undang Nomor 31 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 13 Tahun 2006 tentang Perlindungan Saksi dan Korban (n.d.).
- Undang-Undang Nomor 35 Tahun 2014 tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 tentang Perlindungan Anak (n.d.).
- Undang-Undang Nomor 39 Tahun 1999 tentang Hak Asasi Manusia (n.d.).
- Peraturan Pemerintah Nomor 44 Tahun 2008 tentang Pemberian Kompensasi Restitusi Dan Bantuan Kepada Saksi Dan Korban
- Keputusan Presiden Nomor 36 Tahun 1990 tentang Pengesahan Convention on the Rights of the Child (n.d.).
- Konvensi ILO No. 182 Tentang Penghapusan Bentuk Terburuk Pekerjaan Anak,” n.d.