



The Urgency of Legal Protection for Child Victims of Economic Exploitation by Parents in Cirebon Regency

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ABSTRACT

Economic exploitation of children by parents is a form of human rights violation that requires comprehensive legal protection. This study aims to assess the urgency of legal protection for child victims of economic exploitation in Cirebon Regency. **Methods,** Using a juridical-empirical approach. Various laws and regulations have guaranteed child protection, such as Law Number 35 of 2014 concerning child protection. However, the reality on the ground shows that there are still cases of child exploitation carried out by parents, especially in the Plered District. This finding was obtained from interviews with the Cirebon Regency social service and the direct perpetrators. The study's results show that even though regulations are in place, their implementation is still weak due to limited supervision and a lack of legal awareness among the public. Therefore, institutional strengthening and legal education are needed to prevent the economic exploitation of children more effectively.

INTRODUCTION

A child is born from a mother's womb and is seen as a gift from God Almighty. Under the Law, a child is defined as someone who has not reached the age of 18, including those who are still in the womb. The presence of children in the world provides happiness for the family endowed with their existence. Therefore, the family, especially the parents, is responsible for loving, protecting, caring for, educating, and guiding children to adulthood. Parents, whether biological fathers and/or mothers, stepmothers, or adoptive parents, have an important role in children's physical and mental development. They are obliged to protect children from various risks of social problems. As the nation's next generation, children have the right to get rights and fulfill their obligations so that they can grow, develop, and interact with the surrounding environment. Parents' obligations and responsibilities include the protection of children from all forms of inhumane treatment, which has the potential to violate human rights (Marchelina, 2020).

Child exploitation itself is an action carried out by parents and related parties in order to obtain benefits or rewards for services that the child has performed. Within the framework of a democratic state of law, the protection of children's rights is a manifestation of the recognition and respect for human dignity guaranteed by the constitution. Children, as an integral part of the nation's social structure, are entitled to special protection to ensure optimal growth and development in a safe and conducive environment. However, ironically, amid the progress of civilization, there are still cases of child exploitation that tarnish the values of humanity and justice (Azzahra et al., 2024).

The 1945 Constitution of the Republic of Indonesia, Article 28B paragraph (2), also affirms that "Every child has the right to survival, growth and development, and the right to protection from violence and discrimination" (Constitution of the Republic of Indonesia, 1945). In addition, the derivative of the article is Law Number 35 of 2014 concerning Child Protection in Article 1 number 12 states that "Children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, communities, the state, the government, and local governments" (Law of the Republic of Indonesia, 2014). In addition, children's rights are also regulated in Article 52 of Law No. 39 of 1999 concerning human rights (Law No. 39/1999). The article states that every child has the right to protection by parents, family, society, and the state. The protection of children aims to ensure the fulfillment of children's rights and protect children from attempts to exploit them both economically and sexually. In fact, in several regions in Indonesia, including Cirebon Regency, there are still cases of child exploitation.

Data from the Cirebon Regency Social Service (2025) shows that in 2023, the number of children needing special protection (AMPK) will be 509. One of these special protections is given to economically exploited children. This case of exploitation is a case that often befalls children. Although child exploitation cases have various types, the cases that we often encounter are cases of the economic exploitation of children. The results of an interview with the Cirebon Regency Social Service (April 2025) show that the practice of child exploitation by parents

to be used as a tool to seek mercy or as a source of income does indeed occur, although there are not many of them. The majority of cases handled by the Social Service are related to the sexual abuse of children. One of the areas that is the focus is the Plered District, where, based on data from the Social Service, there are two cases of economic exploitation of children, and the research team has directly interviewed one of the perpetrators from the area. This shows a gap between legal norms and social realities on the ground. Therefore, it is important and urgent to study further the effectiveness of legal protection for children who are victims of economic exploitation, especially those carried out by parents, so that children's rights can be protected in a real and comprehensive manner. Cirebon Regency, as one of the areas that still records these cases, is the right location to be researched to find a solution to this problem.

Problem Formulation

What is the urgency of legal protection for children who are victims of economic exploitation by their parents in Cirebon Regency?

LITERATURE REVIEW

Child Victims

Children exposed to sexual violence encounter a multitude of factors that force them to experience and respond to their victimization in silence. Those children able to break their silence in the form of disclosure are often thrust into a parallel process of silencing perpetuated in the United States by the current design of our criminal justice and court systems. Child witnesses within these systems are silenced in both subtle and overt ways throughout the judicial process and are expected to function under conditions of extremely high stress and anxiety. This intense and adversarial atmosphere overwhelms children's resources and shuts down their ability to effectively communicate on the stand, leading to repeated experiences of silencing that can ultimately have devastating long-term consequences. In addition, secondary wounding is often inflicted because of the insensitivity of our institutional practices to both developmentally and trauma-sensitive treatment of these vulnerable children (Caprioli et al., 2017).

Child Protection

Child protection is defined as "all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally by the dignity and dignity of humanity, as well as receive protection from violence and discrimination" in Article 1 Paragraph (2) of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. This specific rule highlights the roles and responsibilities of the state, families, and society in ensuring children's rights are protected. Children are susceptible to criminal activities, including exploitation, rape, sexual harassment, trafficking, persecution, discrimination, and so on, since they are still developing as physical, mental, and social beings (Cahyani et al, 2025).

Children who are sexually abused often have their rights denied. The Law (Law No. 31 of 2014 concerning the Protection of Witnesses and Victims: Author)

still only formulates victims' rights about specific issues. No statute expressly states that all victims of sexual assault will have their rights fully realized following the conclusion of the legal system. Children do not always feel secure as victims when sexual predators are punished. Due of trauma, many victims have not received justice or been allowed to return to their communities (Cahyani, 2025).

Crime of Human Trafficking

Human trafficking is considered a crime in many countries. Human trafficking has become a global phenomenon that can affect anyone without regard. This act does not look at age, gender, or social status. The incident occurred across countries. The international community pays attention through various international conventions and protocols that human trafficking is a criminal act that must be eradicated. Law Number 21 of 2007 addresses eradicating human trafficking, specifically outlined in Chapter I, General Provisions, Article 1. Human trafficking involves the recruitment, harboring, transportation, or acceptance of an individual through threats of violence, actual violence, abduction, confinement, forgery, exploitation of power, manipulation of vulnerable circumstances, or coercion through debt to secure the consent of the individual, exerting control over the victim. This conduct occurs domestically and internationally to exploit individuals or lead to exploitation. Human trafficking encompasses any action or set of actions that fulfill the non-criminal components. A victim endures psychological, mental, physical, sexual, economic, and social distress. Any person or entity that engages in the crime of human trafficking is considered an individual or company (Alpadly, 2024).

METHODOLOGY

This study employs a juridical-empirical methodology, utilizing specific procedures, systematic approaches, and analytical reasoning to examine all legal frameworks (Nanti et al., 2024). The legal analysis investigates multiple statutes safeguarding children from economic exploitation, including the 1945 Constitution of the Republic of Indonesia, Law Number 35 of 2014 on Child Protection, and Law Number 39 of 1999 on Human Rights. An empirical approach is undertaken by gathering primary data through direct interviews with relevant stakeholders, including the Cirebon Regency Social Service and individuals engaged in situations of child economic exploitation. This study seeks to determine the adequacy of existing laws in protecting children victimized by parental economic exploitation and to evaluate the necessity of enhancing legal protections in light of actual community conditions, particularly in Cirebon Regency. This technique is deemed pertinent as it offers an extensive understanding of the correlation between legal theory and its application, yielding a more incisive and thorough analysis of the issues presented.

RESEARCH RESULT AND DISCUSSION

Child Exploitation in Legal and Social Perspectives

Children are a significant asset to the nation and prospective leaders. Nevertheless, numerous children get entangled in the judicial system to the extent of serving lengthy criminal sentences. Criminal acts perpetrated by minors are typically intertwined with numerous cause elements, particularly economic, educational, and social conditions in Indonesia, which remain troubling, hence prompting their engagement in criminal activities. Children represent the forthcoming generation of the nation and the architects of progress, namely the cohort equipped to enact sustainable development and wield authority over a country's future, especially Indonesia (Nasriana, 2011). Consequently, children require attention both physically and psychologically to cultivate a healthy, resilient, and high-quality generation.

Exploitation is the act of overusing something for personal gain, without considering its negative impacts. Meanwhile, according to Law No. 21 of 2007, exploitation is defined as follows: "Exploitation is an act with or without the consent of the victim which includes but is not limited to prostitution, forced labor or service, slavery or similar practices of slavery, oppression, extortion, physical, sexual, reproductive organs or unlawfully moving or transplagiarizing organs or body tissues or the use of a person's energy or abilities by another party to obtain good in-material benefits" (Law of the Republic of Indonesia, 2007). Exploitation of children, especially in economic form, is a serious violation of children's rights that various national and international legal instruments have guaranteed. In the social context, this practice often occurs due to economic pressure, lack of parental awareness of children's rights, and weak supervision from related parties. Children who are victims of exploitation are forced to work when they should have earned their right to study at school and enjoy playtime as they should at their age. Children are used as a tool to gain financial benefits, such as busking, begging, selling on the street, and doing household chores during unnatural working hours.

Article 28 B Paragraph (2) of the 1945 Constitution of the Republic of Indonesia states, "Every child has the right to survival, growth, and development, as well as the right to protection from violence and discrimination." The article is reiterated in Law Number 35 of 2014, which amends Law Number 23 of 2002 regarding Child Protection, specifically Article 23 Paragraph (1): "The state and the government ensure the protection, maintenance, and welfare of children while considering the rights and obligations of parents, guardians, or other legally responsible individuals" (Law No. 23, 2002). Article 1, number 1 of Law Number 35 of 2014 defines child exploitation as any act, treatment, or behavior that subjects children to arduous labor, poses dangers, and infringes upon their fundamental rights. This legislation requires enhanced protection for children who are victims of economic and sexual exploitation.

Social Reality of Child Exploitation Cases in Cirebon Regency

The results of interviews with the Cirebon Regency Social Service show that although the data on children's economic exploitation does not dominate, this practice occurs. The Social Service recorded as many as 509 Children in Need

of Special Protection (AMPK) in 2023, some of whom are victims of economic exploitation (According to Mrs. Bebi, Interview, Social Service, Thursday, February 20, 2025).

One of the areas of concern is the Plered District. From the results of field observations and interviews with one of the parents who exploited their child, the author obtained information that the main reason for the action was urgent economic factors. Based on a personal interview with the parents in April 2025, the parent admitted that he told his child to beg to meet his daily needs. He argued that the community's compassion would increase if his son went directly to the street.

This phenomenon illustrates a disparity between legal standards and prevailing social practices within society. The Regional Government of Cirebon Regency has committed to establishing a Child-Friendly Regency, as outlined in the Regional Regulation on Child-Friendly Regencies. Article 4, paragraph (1) of the Regional Regulation (Cirebon Regency Government, 2018) stipulates that, in accordance with the implementation of the Convention on the Rights of the Child and relevant legislation concerning the fulfillment of children's rights, the Regional Government, in collaboration with the private sector and community organizations, is mandated to undertake tangible initiatives to establish a Child-Friendly Regency.

Moreover, Article 4, paragraph (2) underscores that in achieving a Child-Friendly Regency, pertinent stakeholders must consider children's rights concerning the right to life, growth and development, protection, and participation. The formation of the Child-Friendly District Task Force, as outlined in Article 4, paragraphs (3) and (4), represents a shared obligation to uphold children's rights, including the right to enhanced protection from economic exploitation.

The ongoing prevalence of juvenile economic exploitation in many regions indicates that the enforcement of this Regional Regulation has not been effective. This indicates substantial obstacles in the endeavor to establish Cirebon Regency as a Child-Friendly Regency, which ensures optimal safeguarding of all children's rights, particularly concerning special protection against exploitation.

The Role and Responsibility of Parents and the State

The role of parents as the first and foremost protectors of children is an inseparable part of efforts to fulfill children's rights as guaranteed by various provisions of national and international law. Parents' obligations to children are not only limited to individual responsibility, but are also a mandate from God Almighty (Simanjuntak & Hanifah, 2022). Parents have a moral, social, and legal obligation to ensure that every child can grow and develop optimally, get access to a decent education, the right to health, and the opportunity to play and participate in social life according to his or her stage of development. In this context, the family should ideally be the first safe, compassionate environment that encourages the development of children's potential as a whole (KPAI, 2021).

However, social reality shows a sad paradox: parents who are supposed to be at the forefront of child protection are the ones who exploit them. The forms

of exploitation carried out by parents can vary, ranging from forcing children to work at an early age, employing them in inhumane conditions, to using children for economic gain, such as by busking, begging, or even being involved in criminal activities, such as being drug couriers. This phenomenon not only violates the law but also deprives children of fundamental rights and causes long-term psychological trauma (Law Number 35, 2014).

One of the leading causes of this phenomenon is the desperate economic condition of the family, the low level of education and parental understanding of children's rights, and the weak child protection system at the local and national levels. In addition, in some cultures or communities, there is an awareness of children's involvement in family economic activities, which unconsciously allows exploitative practices to continue (KPPPA, 2023). This situation indicates that there is a need for a more comprehensive approach, not only in the form of law enforcement, but also education and strengthening the capacity of parents to carry out their roles responsibly.

The Indonesian government acknowledges the significance of safeguarding children's rights and asserts that the state is duty-bound to ensure their fulfillment (Roudah & Zubaedah, 2024). The state, via multiple legal instruments, including Law No. 35 of 2014 on Child Protection and Law No. 39 of 1999 on Human Rights, has underscored the necessity of legally safeguarding children from all sorts of abuse and exploitation, including that perpetrated by their parents. This Act mandates that every child is entitled to survival, growth, development, protection, and participation. The state is obligated to ensure, uphold, and implement these rights by policies, institutions, and law enforcement mechanisms that prioritize the best interests of children (Law Number 35, 2014). Nevertheless, the enforcement of the legislation has not been entirely efficacious. A multitude of exploitation incidents remain unreported due to insufficient reporting, children's apprehensions, or the incapacity of law enforcement agencies to take decisive action against offenders who are relatives.

The Cirebon Regency Government has demonstrated a genuine commitment to enhancing the protection of women and children from violence and exploitation by establishing the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA). The establishment of the UPTD PPA is to enhance protection, streamline services, and improve the management of cases involving violence against children and women at the regional level. The Acting Regent of Cirebon asserted that the local administration will deploy all resources to enhance protection. This initiative aligns with the Child-Friendly District program, which emphasizes children's rights to enhanced protection. Furthermore, statistics from pertinent authorities indicate a reduction in incidents of violence against women and children during 2024, signifying advancements in the protective framework established by the local government (Cirebon Regency Government, 2024).

Therefore, it is important to prioritize the role of parents as the main agents of child protection through counseling, mentoring, and economic empowerment, so that they no longer see children as economic aids but as individuals whose dignity and rights must be maintained. The state and society

must also be present to create a child protection system that is more responsive and in favor of the best interests of children (Save the Children Indonesia, 2022).

Law Enforcement Effectiveness and the Role of Local Government

Law enforcement against child exploitation often faces various obstacles, such as a lack of evidence, a reluctance of witnesses to speak, and socio-cultural considerations that consider exploitation to be "commonplace" among the poor. On the other hand, the Social Service has tried to protect social assistance and rehabilitation for the children of victims.

However, the effectiveness of these protection efforts is still limited, due to limited human resources and budgets at the regional level. Local governments need to increase the capacity of related institutions, strengthen cross-sectoral cooperation, and involve community leaders and non-governmental organizations in supervision and education to the community.

The Urgency of Improving Legal Protection

This circumstance indicates an urgent need to enhance legal protection for juvenile victims of economic exploitation. The state must be substantively present via measures that are reactive, preventive, and repressive. Preventive through public and parental education regarding children's rights, repressive by stringent measures against exploiters, and rehabilitative for victims.

Effective legal protection requires synergy between existing laws, law enforcement institutions, and active community participation. Strengthening the child protection system at the regional level is also crucial, including strengthening databases, expanding access to social services, and strengthening coordination between agencies.

CONCLUSIONS AND RECOMMENDATIONS

The legal safeguarding of children subjected to economic exploitation, particularly by their parents, is an urgent matter necessitating substantial attention from all societal sectors, including government, legal institutions, and civil society. Despite Indonesia's adoption of multiple legal instruments safeguarding children's rights, including Law No. 35 of 2014 on Child Protection and Law No. 39 of 1999 on Human Rights, the execution reveals numerous deficiencies. Child exploitation instances in Cirebon Regency, while not prevalent, illustrate the considerable disparity between established legal norms and the prevailing social realities.

Children, as the nation's next generation, should receive maximum protection and attention from parents and the community. However, in reality, many parents become the perpetrators of exploitation of their children, citing economic pressure and a lack of understanding of children's rights. This practice is not only against the law but also deprives children of basic rights, such as learning, playing, and developing optimally. This creates a prolonged cycle of poverty and injustice, where children are trapped in disadvantaged conditions and have no chance of a better future.

Consequently, it is imperative for the government to adopt a comprehensive preventive strategy rather than solely depending on repressive

law enforcement. The education of parents and the community of children's rights should be a paramount emphasis. Economic empowerment for vulnerable families must be implemented to ensure that children are regarded just as sources of revenue, but as individuals whose dignity and rights need preservation.

Enhancing legal safeguards for young victims of economic exploitation should be a national imperative. The state must formulate policies that are both reactive and proactive in combating exploitation. Efficient law enforcement necessitates collaboration among law enforcement agencies, social institutions, and active community involvement. Local governments must enhance the capacity of pertinent institutions, foster cross-sectoral collaboration, and engage community leaders and non-governmental organizations in community oversight and education.

Consequently, children's rights can be safeguarded effectively, allowing them to thrive and develop properly without being subjected to detrimental exploitation methods. Effective and thorough legal protection is essential for establishing a secure and supportive environment that enables children to emerge as a qualified and competitive future generation. The state, community, and family must collaborate to safeguard children from all sorts of exploitation, ensuring a better future for the nation.

ADVANCED RESEARCH

According to the submitted conclusions, certain recommendations must be enacted to enhance legal safeguards for juvenile victims of economic exploitation. The government and associated organizations must implement comprehensive educational initiatives for parents and the community regarding children's rights and the detrimental effects of economic exploitation. This program can be executed via seminars, workshops, and media campaigns designed to enhance public knowledge and comprehension of the significance of child safety.

Furthermore, economic empowerment initiatives for at-risk families must be enhanced to eliminate their dependence on children as a source of revenue. The government can offer parents financial capital support and skills training to enhance family welfare while ensuring youngsters are not engaged in harmful economic activities.

Severe sanctions must also enhance law enforcement efforts against offenders of child exploitation. This necessitates enhanced collaboration among law enforcement officers, social organizations, and the community to establish an efficient surveillance system. The collaboration among local governments, non-governmental organizations, and community leaders is crucial for child protection initiatives, particularly in creating a robust cooperative network for monitoring and addressing exploitation instances.

Children subjected to economic exploitation require psychological rehabilitation therapies to facilitate trauma recovery and reintegration into societal functioning. These services must be accessible and child-friendly, ensuring that children feel at ease while seeking assistance. The government must regularly assess and review child safety policies and services. Precise and

current data gathering will facilitate the development of policies that are more effective and attuned to children's needs. These initiatives aim to enhance legal protection for child victims of economic exploitation in Cirebon Regency, ensuring that children can thrive in a secure environment conducive to their growth.

REFERENCES

- Alpadly, A. A., Irkham, Y., Karina, S., & Gunawan, M. S. (2024). Analysis of Case Studies on The Crime of Human Trafficking. *Jurnal Legisci*, 2(2), 114-120.
- Azzahra, S., et al. (2024). Legal protection of children in child exploitation cases (Case study: Exploitation for the sake of methamphetamine in Aceh). *Amendment: Indonesian Journal of Defense, Politics and Law*, 1(3).
- Cahyani, M. I., Sibarani, F. S. A., Faishal, A. M., Ismayana, I., & Waluyadi, W. (2024). Implementation of Legal Protection (Study of Decision Number: 5/Pid. Sus/2024/PN. Kng) for Children Who Are Sexually Abused. *Jurnal Legisci*, 1(6), 249-258.
- Caprioli, S., & Crenshaw, D. A. (2017). The culture of silencing child victims of sexual abuse: Implications for child witnesses in court. *Journal of Humanistic Psychology*, 57(2), 190-209.
- Marchelina, I. (2020). Criminal responsibility of parents for the exploitation of children as beggars on the street. *Journal of Law*.
- Cirebon Regency Government. (2024, April 25). Forming the UPTD PPA, the Cirebon Regency Government's commitment to protect women from violence. Accessed from <https://dev.kab.cirebonkab.go.id/bentuk-uptd-ppa-komitmen-pemkab-cirebon-lindungi-perempuan-anak-dari-kekerasan/>
- Cirebon Regency Social Service. (2025, April 20). Number of children in need of special protection (AMPK) in Cirebon Regency. <https://opendata.cirebonkab.go.id/dataset/jumlah-anak-yang-memerlukan-perlindungan-khusus-ampk-di-kabupaten-cirebon>
- Cirebon Regency Social Service. (2025, April). Personal interviews.
- Gheanova, A. N. R., & Zubaedah, R. (2024). The relevance of child protection in Law No. 23 of 2002 with the law book on the protection of children and

women. *Responsive Law: Scientific Journal of the Faculty of Law, Swadaya University Gunung Jati Cirebon*, 15(1)

Indonesia, Cirebon Regency. (2018). Regional Regulation on the Protection and Empowerment of Women and Children, PM No. 1 of 2018.

Indonesia. (1945). *Constitution of the Republic of Indonesia of 1945*, Article 28B paragraph (2)

Indonesia. (1999). *Law Number 39 of 1999 concerning Human Rights*, Article 52 paragraph (1)

Indonesia. (2002). *Law Number 23 of 2002 concerning Child Protection*, Article 23 paragraph (1).

Indonesia. (2007). *Law of the Republic of Indonesia Number 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons*, Article 1 paragraph (7).

Indonesia. (2014). *Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection*.

Indonesia. (2014). *Law of the Republic of Indonesia Number 35 of 2014 concerning Child Protection*, Article 1 number 12.

Indonesian Child Protection Commission (KPAI). (2021). Guidelines for child protection in the family.

Ministry of Women's Empowerment and Child Protection (KPPPA). (2023). Child protection data and statistics.

Muhammad, A. N., et al. (2024). Legal protection for children victims of economic exploitation in Balikpapan City. *Lex Suprema Journal*, 6(1).

Nasriana. (2011). *Criminal law protection for Indonesian children*. Jakarta: Rajagrafindo Persada.

Parents. (2025, April). Personal interviews.

Save the Children Indonesia. (2022). Annual report on child protection.

Simanjuntak, R. H. U. T., & Hanifah, I. (2023). Legal protection for children victims of economic exploitation accompanied by violence. *Journal of Doctrinal Review of Master of Law Postgraduate Program, University of Muhammadiyah North Sumatra*, 2(1).