

## The Influence of The Child-Friendly District Program on The Fulfillment of Children's Rights in Banyumas District

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### ABSTRACT

Children play an important role in the future of a country, therefore the state has an obligation to protect their rights. Various child protection efforts through the issuance of legislation and concrete programs based on child protection have been carried out by the government. One of the child protection-based government policies implemented in the regions is the child-friendly district program. In 2021, the Banyumas Regency Government was successfully confirmed as a Child Friendly Regency. The objectives of the research are to determine the indicators that must be met by Banyumas Regency in order to be designated as a Child Friendly Regency, to find out how to create a child-friendly village regulation and to analyze the effect of the Child Friendly Regency Program on the fulfillment of children's rights in Banyumas Regency. The output of this research is an article in the national journal Sinta 6, namely Idea Law, Faculty of Law, Universitas Jenderal Soedirman Purwokerto, articles in proceedings with ISBN and copyright of scientific articles.

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## I. INTRODUCTION

Child protection is carried out to realize the welfare of children by providing guarantees for the fulfillment of children's rights without discrimination so that every child has the right to get the widest possible opportunity to grow and develop optimally, both physically, mentally and socially.<sup>1</sup> Article 1 paragraph (2) of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection states that child protection is all activities to ensure and protect children and their rights so that they can live, grow, develop, and participate optimally in accordance with the dignity of humanity, and receive protection from violence and discrimination. Child protection must start from the smallest environment, such as the family environment, school environment, play environment, and the social environment where children live and coexist with the community.

The government is one of the important elements in the framework of child protection to ensure that every child can grow and develop in a healthy and safe environment. Various efforts have been made by the government to protect children in Indonesia. However, these efforts cannot be said to be successful considering

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<sup>1</sup> Firnanda Cindy Maulana et al, 2020, The Perpretrators of the theft of Minors at the Child Social Rehabilitation Center, Law Research Quarterly 6, No. 3 (2020), hlm. 35

that until now there are still frequent cases of violence against children. Citing data obtained from the Indonesian Child Protection Commission (KPAI) regarding Child Protection Case Data from January to June 2022, the results show that there were 2010 cases of violence against children, of which 1444 cases were reported by the victim's family to the police, while 566 cases were reported to the media.<sup>2</sup> On the occasion of the 2018 National Children's Forum (FAN) Meeting held in Surabaya, several child representatives conveyed children's issues that developed in their areas, such as the existence of child marriage, bullying, anti-tolerance and even radicalism and terrorism found in the Sorong area, West Papua.<sup>3</sup>

Article 1 of Banyumas Regency Regional Regulation No. 1 of 2021 on the Implementation of Child Protection states that one of the government's efforts to protect children is through the Child Friendly District (KLA) program. KLA is a district that has a child rights-based development system through integrating the commitment and resources of government, community and business that are planned thoroughly and sustainably in policies, programs and activities to ensure the fulfillment of children's rights. Child-friendly districts/cities have been introduced since 2006 by the State Ministry of Women's Empowerment and Child Protection, through the Child Friendly City Policy.<sup>4</sup>

In 2021, Banyumas Regency is one of the districts that has received the Child Friendly Regency Award category from the Indonesian Ministry of Women's Empowerment and Child Protection (KemenPPPA). Even though Banyumas Regency has been categorized as a Child Friendly Regency, there are still some concerning conditions in the field, such as violence against children, child malnutrition and early marriage. This is based mainly on the belief that children are the property of their own parents, giving rise to the statement that parents are free to do anything to their children.<sup>5</sup>

## II. RESEARCH PROBLEMS

1. What are the indicators that must be met by Banyumas Regency in order to be designated as a Child Friendly Regency?
2. How does the Child Friendly Regency Program affect the fulfillment of children's rights in Banyumas Regency?

## III. RESEARCH METHODS

This research uses empirical juridical research methods with a qualitative descriptive approach. Empirical juridical research is legal research on the enactment or implementation of normative legal provisions in action on every specific legal event that occurs in society (Abdulkadir Muhammad, 2004) or in other words, a research conducted on the actual situation or real situation that has occurred in society with the intention of knowing and finding the facts and data needed (Bambang Waluyo, 2002). In this research, the author analyzes the indicators that must be met by Banyumas Regency in order to be designated as a Primary Level Child Friendly Regency in accordance with the Regulation of the State Minister for Women's Empowerment and Child Protection of the Republic of Indonesia Number 12 of 2011 concerning Indicators of Child Friendly Regencies/Cities, efforts made by Banyumas Regency as a Primary Level Child Friendly Regency in improving child protection, and obstacles of Banyumas Regency as a Primary Level Child Friendly Regency in providing child protection.

## IV. RESULT AND DISCUSSION

### 1. Indicators that must be met by Banyumas Regency in order to be designated as a Child Friendly Regency

Indicators that must be met to become a KLA include the fulfillment of civil rights and freedoms, family environment and alternative care, basic health and welfare, education, utilization of leisure time, and cultural activities as well as special protection for children. The civil rights and freedoms cluster has indicators that include the percentage of children who are registered and receive a birth certificate, the availability of child-friendly information facilities, and the number of children's groups, including Children's Forums, in districts, sub-districts and villages. The family environment and alternative care cluster has indicators that include the percentage of first marriages under 18 (eighteen) years of age, available consultation institutions for parents/families on child care and nurturing, and available child social welfare institutions. The basic health and welfare cluster has indicators

<sup>2</sup> Komisi Perlindungan Anak Indonesia. 2022. "Data Kasus Perlindungan Anak Januari-Juni 2022". <https://bankdata.kpai.go.id/tabulasi-data/data-kasus-perlindungan-anak-januari-juni-2022>. Diakses pada 18 April 2023.

<sup>3</sup> Dini Oktavia Kurniawati dan AUFARUL MAROM, Implementasi Kebijakan Kabupaten Layak Anak Dengan Pendekatan Desa Layak Anak Di Desa Gunem Kecamatan Gunem Kabupaten Rembang, *Ejournal3.Undip.Ac.Id.* (2020)

<sup>4</sup> Darmini Roza. 2018. "Peran Pemerintah Daerah Untuk Mewujudkan Kota Layak Anak Di Indonesia" *Jurnal Hukum IUS QUIA IUSTUM*. no. 1 volume 25. Hlm. 206.

<sup>5</sup> Yohanna John Alhassan, "Effects of Child Abuse on Primary Education . A Case Study of Some Selected Primary Schools in Zuru Local Government," *World Journal of Research and Review (WJRR)* Volume-6, no. February (2019): 01.

for infant mortality rate, prevalence of malnutrition in children under five, percentage of exclusive breastfeeding, number of breastfeeding corners, percentage of complete basic immunization, number of institutions that provide reproductive and mental health services, number of children from poor families who have access to welfare improvement, percentage of households with access to clean water, and available non-smoking areas. The education, leisure and cultural activities cluster has indicators including early childhood education participation rate, percentage of compulsory 12 (twelve) years of education, percentage of child-friendly schools, number of schools with programs, facilities and infrastructure for children to travel to and from school, and available facilities for child-friendly creative and recreational activities, outside of school, accessible to all children. The special protection cluster has indicators including the percentage of children who need special protection and receive services, the percentage of cases of children in conflict with the law (ABH) that are resolved with a restorative justice approach, the existence of disaster management mechanisms that take into account the interests of children, and the percentage of children freed from the worst forms of child labor.

One of the efforts to realize Banyumas Regency as a KLA is to establish a Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) in 2020 and start operating in 2021. Based on Regent Regulation (PERBUP) Number 93 of 2020 concerning the Establishment of the Position of the Organizational Structure of Duties and Work Procedures of the Technical Implementation Unit at the Population Control and Family Planning Office of Women's Empowerment and Child Protection of Banyumas Regency, there are 6 services provided by the UPTD PPA, namely community complaints, victim outreach, case management, temporary shelter, mediation and victim assistance.

In addition to issuing Regent Regulation (PERBUP) Number 93 of 2020, the Banyumas Regency Government also issued Banyumas Regent Decree Number 460/142/ of 2021 on the Establishment of the Banyumas Regency Child Friendly District Task Force in 2021 and Regent Decree Number 411.4/74 of 2021 on the Banyumas Regency Children's Forum. Through this Children's Forum, the rights of children in Banyumas Regency are always taken into account, such as the availability of child-friendly public facilities. To accommodate the need for child-friendly public facilities, the Banyumas Regency Government has provided several child-friendly public facilities. In addition, the Banyumas Regency Government has succeeded in establishing the Trans Banyumas Bus transportation mode, whose bus stops are scattered at several strategic points that are easily accessible to children. To ensure a decent life for orphans, orphans and poor children, Banyumas Regency has more than 25 orphanages spread across several sub-districts that are ready to accommodate and provide care and education for orphans and poor children.

Although infant mortality and stunting rates are still relatively high, by 2022 Banyumas Regency has succeeded in reducing the prevalence of stunting from 21.6% in 2021 to 16.6% in 2022, or a 5% decrease in stunting. In the education sector, Banyumas Regency seeks to ensure education through the availability of 997 schools at the primary school level, 219 schools at the junior high school level, 59 schools at the senior high school level, and 81 schools at the vocational high school level spread across 27 sub-districts in Banyumas Regency.

## **2. The influence of the Child Friendly Regency Program on the fulfillment of children's rights in Banyumas Regency**

The concept of Child Friendly Cities introduced by UNICEF aims to create a condition that can aspire to children's rights through goals, policies, programs and local government structures. Implementation of the Child Friendly City Program is a step to create an environment that can guarantee the fulfillment of children's rights carried out by the government together with the community and the business world. In Indonesia, with the stipulation of the Regulation of the Minister of State for Women's Empowerment and Child Protection of the Republic of Indonesia Number 11 of 2011 concerning the Policy for the Development of Child Friendly Districts / Cities, which is the basis for each district / city in implementing the child-friendly city program.

In 2021, the Banyumas Regency Government won the Pratama category of the Child Friendly Regency award from the Ministry of Women's Empowerment and Child Protection (KemenPPPA). The KLA predicate is an award for the district government's commitment, community participation, business world and media in fulfilling children's rights. The Child Friendly District assessment includes 24 indicators from 5 clusters, namely the Civil Rights and Freedoms cluster, family environment and alternative care, basic health and welfare, education, utilization of leisure time and cultural activities, and special protection. Banyumas Regency achieved a high overall score of 850, higher than the previous year's score of 525.

The Banyumas Regency Government's commitment to creating a decent environment for children has been stated in Banyumas Regency Regional Regulation No. 1 of 2021 on the Implementation of Child Protection. Based on this regional regulation, various child protection efforts are carried out to continuously improve children's welfare. With the title of Banyumas Regency as a Child Friendly Regency, the government provides a budget to maintain a safe and comfortable environment for optimal child development through the development of a Child Friendly Banyumas Regency. To ensure the fulfillment of children's civil rights, the Banyumas Regency government provides maximum services by issuing a policy to arrange birth certificates free of charge. In relation

to the right to freedom, Banyumas Regency established a children's forum that has 36 members consisting of children aged 13-17 years. The purpose of establishing the Children's Forum is firstly as a pioneer and reporter, and secondly as a child's participation in law planning. Pioneer here means agent of changes in the environment around us through various activities carried out by the children's forum. Reporter means that every child who is a member of the Children's Forum and children in Banyumas Regency must report if they see cases of violence against children.

The importance of services provided by local governments has been proven to provide easy access to child protection so that children's participation can be protected early on.<sup>6</sup> The Government of Kabupaten Banyumas also guarantees that every child has the right to obtain basic health services and live a prosperous life. Therefore, there are various policies and programs/activities implemented by the government. Various activities and programs to fulfill the right to basic health and welfare for children have been implemented by several related SKPDs.

## V. CONCLUSION

The Banyumas Regency Government is designated as a Primary category Child Friendly District because it has fulfilled the KLA indicators contained in 5 clusters, namely the Civil Rights Freedom cluster, family environment and alternative care, basic health and welfare, education, utilization of leisure time and cultural activities, and special protection. In improving child protection, the Banyumas Regency Government makes prevention efforts by formulating and developing local government policies in accordance with Banyumas Regency Regional Regulation Number 1 of 2021 concerning the Implementation of Child Protection, organizing activities to prevent violence against children, and establishing the Banyumas Regency Children's Forum. In addition, there are handling efforts carried out by establishing a Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) in Banyumas Regency.

The impact of establishing Banyumas Regency as a Child Friendly Regency is the increase in efforts to protect and guarantee the welfare of children, among others through budgeting for child protection in the APBD, the fulfillment of civil rights, opinion, education and welfare of children in Banyumas Regency.

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