

**THE IMPACT OF CHILD EXPLOITATION ON CHILDREN'S MENTAL AND  
EMOTIONAL HEALTH IN SURAKARTA ACCORDING TO LAW NO. 35 ARTICLE 76 I  
OF 2014 ON CHILD PROTECTION. 35 ARTICLE 76 I OF 2014 ON CHILD  
PROTECTION**

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**ABSTRACT**

In accordance with Law No. 35 Article 76 I of 2014 on child protection, this study investigates the impact of child exploitation on the mental and emotional health of children in Surakarta. This study shows that child exploitation adversely affects children's mental and emotional health. That many of them experience anxiety, depression, sleep disorders, and also experience high psychological burden, which causes emotional disorders such as anger, frustration, and deep sadness. In addition, this study found that Law No. 35 Article 76 I of 2014 provides significant protection for child victims of exploitation in Surakarta. The law also regulates the sanctions given to the perpetrators of child exploitation. This study aims to review and analyze how much child exploitation in Surakarta and what are the factors that cause child exploitation that affect the mental and emotional health of children. Data analysis is conducted using empirical methods to explore cases of experience and concrete facts by means of observation and interviews. The results of this study suggest that communities and government agencies should be more aware of combating child exploitation. To prevent children from exploitation that harms their mental and emotional health, strict education and socialization should be conducted.

**Keywords:** child exploitation, mental and emotional health, Law No. 35 Article 76 I of 2014

**INTRODUCTION**

According to Law No. 17 of 2016 concerning the Stipulation of Government Regulation in Lieu of Law No. 1 of 2016 concerning the Second Amendment to Law No. 23 of 2002 concerning Child Protection in Article 1 paragraph (1) says that a child is someone who is not yet 18 (eighteen) years old, including children who are still in the womb. Children are the most beautiful gift given to God,

therefore children should get enough love from parents because it affects the growth and development and psychology of children. However, due to economic limitations, parents often use their children to work to make a profit, which makes children stressed and depressed. Not only by working, sometimes children are also used as sexual slaves. Therefore, this is a form of exploitation of children.

(1)

Child exploitation is one of the serious problems with negative impacts that threaten the mental and emotional health of children, it is included in the criminal offense. The legal basis that regulates is contained in Law No. 35 of 2014 including article 76 I which reads: “every person is prohibited from placing, allowing, performing, ordering to perform, or even participating in the economic and/or sexual exploitation of children.” Child exploitation can harm children’s mental health and violate their fundamental rights. In cases of child exploitation not only does forced labor occur, they are also often asked to perform sexual activities that they do not understand. There is also child trafficking which aims to sell their organs for a large profit. It is conducted by unscrupulous individuals and even by those closest to them and their families. Thus, children are often subjected to coercion and utilization for profit because they are not considered to have the strength or understanding to protect themselves. (2)

Child exploitation can cause trauma, anxiety, depression, and other psychological disturbances to a child's emotional and mental health. Child exploitation can also lead to behavioral problems of aggression, social isolation, and other psychiatric problems. Children who experience exploitation may also have difficulty building healthy relationships, lose self-confidence, and experience emotional instability. (3)

Law No.35 of 2014 emphasizes the importance of child protection and violence, including sexual violence, forced labor, and other violence. It is hoped that the provisions contained in this Law will increase the protection of children and enable perpetrators of child exploitation to be prosecuted strictly in accordance with applicable legal provisions. In 2023, according to the Data and Information Center of the Indonesian Child Protection Commission, there were 1,478 cases of violence against children, including 55 cases of victims of economic exploitation, 303 cases of physical and psychological abuse, 615 child victims of sexual crimes, and 126 cases of children in conflict with the law (as perpetrators).

It is hoped that with the existence of Law No.35 Article 76 I Year 2014, the government and society will be more aware of the importance of protecting children from exploitation. In order to enable Indonesian children to grow and develop healthily physically and mentally emotionally, efforts to prevent, and combat child exploitation must be enhanced. With this, researchers will elaborate on what the impact of child exploitation is and what factors influence the exploitation of children.

### **RESEARCH METHOD**

This study utilizes a qualitative method with an empirical juridical research method that focuses on two main approaches, namely the literature approach and the legislative approach. This study is located in Surakarta City, precisely in Baturan, Colomadu with informant sources, namely parents and children who are forced to work to meet economic needs. This study was conducted in February 2024. The literature approach was used to gather information from various relevant literature sources, including texts, articles, books and other publications relating to child protection and issues related to economic exploitation. Through literature analysis, researchers can gain an in-depth understanding of the theoretical, conceptual and contextual foundations of the issue under study, as well as gain insight into the various approaches that have been applied in addressing the issue. Meanwhile, the legislative approach was used to examine regulations and policies relating to child protection and economic exploitation, both at the national and international levels. This assists researchers in understanding the legal framework governing these issues, evaluating the effectiveness and adequacy of existing regulations, as well as identifying gaps in legal protection for children experiencing economic exploitation. (4)

By combining both approaches, this research aims to provide a comprehensive understanding of the implementation of legal protection for child victims of exploitation. This approach allows researchers to explore information from multiple perspectives, gain a deeper understanding of the issue under study, and generate evidence-based recommendations for the improvement of child protection policies and practices.

### **RESULTS AND DISCUSSION**

#### **The Impact of Child Exploitation on Mental and Emotional Health in Surakarta**

Children in Indonesia are often in difficult economic situations, where many of them are forced to work to help provide for their families. Official data on the number of child laborers is still not

available. Child labor generally refers to activities that children routinely engage in to help their parents, others, or even themselves, with or without remuneration. Law No. 35 of 2014 on the Amendment to Law No. 23 of 2002 on Child Protection describes the exploitative treatment of children, which includes utilizing, extorting, or using children for personal, family, or certain group benefits. (5) Under Law No. 13/2003 on Manpower, children are identified as individuals under the age of 18, while Law No. 23/2002 sets the age limit of children to 18 years old. Ethically and morally, the majority agree that children should not be allowed to work at an early age, especially in jobs that pose a risk to their safety. Instead, children should be able to focus on education, play, and provide assistance to parents at home according to their abilities. (6)

The impact of child exploitation on the mental and emotional health of children in Surakarta, in accordance with Law No. 35 Article 76 I of 2014, is very serious and detrimental. The following are the results of interviews with informants (parents and children) and a discussion of these impacts:

1. Children lie, are frightened, lack the ability to recognize love and affection, and have difficulty trusting others: Child exploitation can create an unsafe and stressful environment for children, which can cause them to feel fearful, insecure, and have difficulty trusting others. This can hinder their ability to form healthy relationships and have strong self-confidence.
2. The child has low self-esteem and exhibits destructive behavior: Exploited children tend to have decreased self-esteem as they may feel worthless or unappreciated. This may lead to destructive behaviors such as aggression or social avoidance.
3. Impaired psychological development and social interaction: Child exploitation can hinder their psychological development and cause impairments in social interaction. They may have difficulties in understanding and expressing emotions, as well as interacting with peers or adults.
4. Older children may be violent towards their friends and younger children: Exploited children may exhibit aggressive or violent behavior towards peers or younger children in response to their traumatic experiences.
5. Difficulty building relationships with others: Child exploitation can hinder a child's ability to form healthy and meaningful relationships with others, both peers and authority figures such as parents or teachers.
6. Severe anxiety, panic and depression (children experience physical pain and have problems at school): Exploited children are prone to mental health disorders such as anxiety, panic attacks and

depression. They may also experience physical health problems and difficulty in concentrating at school due to the pressure they feel.

7. Abnormalities or distortions in views of sex: Child exploitation can cause children to experience distortions in their views on sex, which can impact their future interpersonal relationships and lead to serious sexuality problems.

8. Personality disorders: The experience of child exploitation can affect their personality development, leading to serious and ongoing personality disorders.

9. Difficulties in building relationships with others in terms of sexuality: Exploited children may have difficulty forming healthy and meaningful relationships in the context of sexuality, and may have distorted or negative views of sex.

10. Has a tendency and for prostitution: Extremely exploited children may engage in prostitution practices as a means of survival or due to exposure to unhealthy and destructive environments.

11. Experiencing serious problems in adulthood: The impact of child exploitation can continue into adulthood, causing serious and ongoing mental health issues that can affect their overall lives.

Therefore, it is important for the government and society to take decisive action to protect children from exploitation and provide adequate protection in accordance with Law No. 35 of 2014. According to Article 1 Paragraph 2 of Law No. 35 of 2014, child protection is divided into two parts, namely: A. Legal Child Protection. This includes protection in the areas of public and civil law. This protection applies to all laws that have a direct impact on children's lives. B. Non-legal child protection (including social protection, health and education). (7)

### **Factors Influencing Child Exploitation and its Impact on Mental and Emotional Health in Surakarta**

Child exploitation is a serious problem that can negatively impact children's physical, mental and emotional development. Surakarta, as one of the cities with complex social and economic dynamics, has a variety of factors that can affect the level of child exploitation in it. By understanding these factors, as well as their impact on children's mental and emotional health, we can identify steps that need to be taken to protect and provide strong safeguards for children in Surakarta.

1. Internal Factors
  - Individual Factors

Every individual has basically been a victim of one or more forms of violence or exploitation, because humans are basically social creatures, creatures who are always in various interactions and relationships with other individuals and are raised in a certain social group or group and with certain cultural patterns. Each person has a personality and behavioral characteristics that are different from one another. One's personality can be seen from one's behavior in his/her association in society. A person whose behavior is good will result in that person receiving respect from the community. However, on the contrary, if someone behaves badly then that person will cause chaos in society. (12)

Based on interviews with informants (parents and children), in general, parents who exploit children do not want this to happen. However, the reality is that many parents do not consider the consequences of their decisions, especially when children have no other options to earn money. This often leads to an uncertain future for the child. Parents who exploit children tend to ask them to do things that children should not do, such as begging, busking, or even scavenging.

- **Economic Factors**

Economic factors trigger crime and often make individuals victims of crime themselves. Economic pressure often pushes some children to become money earners. Social science has various views on the problem of poverty, especially on the causes of poverty in a society. It can be seen that poverty in a society is related to the culture that develops in it. According to this view, poverty is often associated with the low work ethic of individuals in society or with the liveliness of individuals in utilizing available natural resources. Individuals who work diligently can usually live well. In addition, frugal individuals can also live with more than enough. People who have a high work ethic and a frugal nature tend to have a well-off life.(8)

However, the lack of job opportunities for parents often leads them to force their children to become buskers, beggars or scavengers in order to make ends meet. This is done without considering the welfare and future of their children. Therefore, the difficult economic situation in making ends meet is often the cause of increased exploitation of children.

- **Family Factors**

The role of the family has a significant impact in shaping children's behavior and development. In the family environment, it is important to provide optimal guidance to children so that they are not easily influenced by the surrounding environment. In addition, parents' lack of knowledge about children's

rights that must be protected can lead to violations against children, even within their own family environment, related to appropriate child education methods. (9,10)

- Educational Factors

One of the factors leading to child exploitation is education. The role of education on parents has a big impact on the behavior of parents, which in turn will have an impact on children. Parents' lack of education can lead to difficulties in finding work, so they tend to use improper means, such as sending children to work on the streets. As parents, they should provide comfort and protection to their children, but in reality there are still many parents who let their children live on the streets to fulfill the needs of the family.

In terms of education, data from the 2000 National Socio-Economic Survey shows that 34% of the Indonesian population aged 10 years and above had no or no formal education, with 32.4% completing only primary school and only 15% completing junior high school. The lack of formal education, including religious education, is also a contributing factor to the increase in child exploitation, with the aim of utilizing children as workers at an early age. This is due to parents' limited knowledge in making the decision to employ their children.

## 2. External Factors

In the social context of Indonesian society, working children are often seen as a positive means of teaching them discipline and instilling in them a work ethic. This has become part of the culture and lifestyle of families in Indonesia. Many people believe that working has a positive impact on children's development, so children are often included in the work process from an early age. In some communities, children are taught to work from a young age, especially in agriculture, fishing, craft industries, or as fishermen. Child labor refers to children who regularly perform work for their parents or others, with or without remuneration.(11)

Economic exploitation of children is believed to occur because the law does not provide adequate sanctions against perpetrators of child exploitation. As a result, many perpetrators of child exploitation ignore the sanctions stipulated in the child protection law. In fact, Law No.35 Article 88 of 2014 expressly prohibits and considers it a violation of the law to exploit children. This shows the important role of the government in helping to address the problem of exploitation committed by parents against their own children.

### **CONCLUSION**

The impact of child exploitation on mental and emotional health in Surakarta is serious and detrimental. Based on interviews conducted by the researcher, exploited children are vulnerable to a range of psychological and social problems, including impaired self-esteem, difficulties in social interaction, and mental health issues such as anxiety and depression. These impacts can continue into adulthood and affect their overall lives. Therefore, child protection and the enforcement of Law No. 35 Article 76 I Year 2014 are essential to prevent and address the problem of child exploitation in Surakarta.

Factors influencing child exploitation in Surakarta include internal factors such as individual, economic, family, and educational factors, as well as external factors related to society's views on working children. The impact of child exploitation on their mental and emotional health is serious, including impaired self-esteem, difficulties in social interaction, and mental health problems such as anxiety and depression. Therefore, child protection and effective law enforcement are essential to prevent and address the problem of child exploitation in Surakarta. Suggestion: Based on the research findings, it is recommended that the government improve law enforcement against child exploitation perpetrators in Surakarta. There should also be efforts to improve access to education for children and parents and provide job training to parents.

### **REFERENCES**

1. Finolia F, Wahyuningsih SE. Kebijakan Sanksi Pidana Bagi Pelaku Kejahatan Eksploitasi Terhadap Anak Dalam Undang-Undang Nomor 35 Tahun 2014 Tentang Perlindungan Anak. Prosiding Konstelasi Ilmiah Mahasiswa Unissula (KIMU) Klaster Hukum. 2021;1(1).
2. Radjak KD, Manti N. IMPLEMENTASI PASAL 76 HURUF I UNDANG-UNDANG NOMOR 35 TAHUN 2014 TENTANG PERLINDUNGAN ANAK. IBLAM LAW REVIEW. 2023;3(3):146–60.
3. Situmorang L, Saragi RR, Ibrahim M. Penegakan Hukum Terhadap Pelaku Tindak Pidana Eksploitasi Anak. JUPSHU: Jurnal Pendidikan Sosiologi dan Hukum. 2023;1(2):144–9.
4. Saputro ND, Firdaus D, Mamang D. Tinjauan Yuridis Pengaruh Eksploitasi Anak terhadap Tingkat Kesejahteraan Anak Ditinjau dari UU No. 35 Tahun 2014 tentang Perubahan Atas UU

- No. 23 Tahun 2002 tentang Perlindungan Anak (Studi Kasus Putusan Nomor: 623/Pid. Sus/2016/PN. Mlg). *Jurnal Hukum Jurisdictie*. 2020;2(2):51–76.
5. Abraham MI. Perlindungan Hukum Terhadap Eksploitasi Anak Di Bawah Umur Ditinjau Dari Undang-Undang Nomor 35 Tahun 2014 Tentang Perubahan Atas Undang-Undang Nomor 23 Tahun 2002 Tentang Perlindungan Anak. *Lex Privatum*. 2023;11(4).
  6. Darmayasa IWE, Dewi AASL, Widyantara IMM. Perlindungan Hukum terhadap Anak di Bawah Umur sebagai Pengemis. *Jurnal Interpretasi Hukum*. 2020;1(2):104–9.
  7. Az-zahra F, Perangin-angin RBB, Ibrahim M. Perlindungan Hukum Terhadap Anak Korban Eksploitasi Seksual melalui Undang-Undang Nomor 35 Tahun 2014. *JUPSHU: Jurnal Pendidikan Sosiologi dan Hukum*. 2023;1(2):75–82.
  8. Cahyani KN. Faktor Ekonomi Penyebab Eksploitasi Anak Dalam Tinjauan Hak Asasi Manusia. *LEX et ORDO Jurnal Hukum dan Kebijakan*. 2023;1(1):61–7.
  9. Mujiburrahman M. EKSPLOITASI SEKSUAL ANAK PERSPEKTIF-UNDANG UNDANG PERLINDUNGAN ANAK SEBAGAIMANA TELAH DIUBAH DENGAN UNDANG UNDANG NOMOR 35 TAHUN 2014 DAN PERUBAHAN KEDUA UNDANG UNDANG NOMOR 17 TAHUN 2016. *Jurnal Hukum Tri Pantang*. 2020;6(2):33–49.
  10. Awondatu HBM. TINDAK PIDANA EKSPLOITASI ANAK DI DENPASAR BALI DITINJAU DARI PERUNDANG UNDANGAN YANG BERLAKU. *LEX ADMINISTRATUM*. 2023;11(1).
  11. Pratama, R. S. (2021). Eksploitasi Anak Yang Dijadikan Pengemis Oleh Orangtuanya Di Kota Surabaya. *Court Review: Jurnal Penelitian Hukum (e-ISSN: 2776-1916)*, 1(04), 23-33.
  12. Tendean, H. A. (2016). Eksploitasi Anak Sebagai Kejahatan Perdagangan Manusia Perspektif Hukum Hak Asasi Manusia. *Lex Privatum*, 4(8).