

CHAPTER V

CONCLUSION

A. Conclusions

From the statements above we can conclude that:

1. The ratification of the Convention on the Rights of the Child cannot directly enter the court, because due to dualism system requires Indonesia to make a Presidential Decree for the ratification of the international agreement through Presidential Decree No. 36/1990 concerning Ratification of the Convention on the Rights of the Child. Because the ratification of the Convention on the Rights of the Child doesn't have affect into national law, Indonesia issued the Law No. 35 of 2014 on the revision of the Law No. 23 of 2002 concerning Child Protection, for the law applicable in national law.
2. Because due to the dualism system requires Indonesia to adhering to the principles of the Convention on the Rights of the Child into Law No. 35 of 2014 concerning Child Protection. As the result of the transformed provisions, in handling child sexual abuse case we do have the regulation regulating those problems on Article 1, Article 13, Article 15, Article 59, Article 59A, Article 76D, Article 76E, Article 78, Article 81, Article 82, and Article 88 of Law No. 35 of 2014 concerning Child Protection.
3. According to Soerjono Soekanto, there are 5 factors that can be used as a benchmark that can influence the effectiveness of the law, namely:

- a. Legal Factor;
- b. Law Enforcement Factors;
- c. Facility Factors;
- d. Community Factors; and
- e. Cultural Factors.

So far, the provision of the Child Protection Act concerning child sexual abuse are adequate. The problem is if we related to law enforcement factors and cultural factors, the availability of these regulations cannot be realized properly. Thus, can be said that the law on Child Protection cannot be effectively implemented in the community.

B. Recommendations

1. Do a socializing of the Child Protection Law and doing campaign against child sexual abuse with the help of the Indonesian Child Protection Commission and any other child protection Institution to community. And, addition of subjects regarding early sex education to children.
2. Seeing the legal consequences for child sexual abuse victim, the protection in the form of a reintegration process to parents and the community to help them through the recovery process is also needed.
3. The improvement is needed in terms of its implementation, namely the quality and quantity of law enforcement officers, the addition of existing facilities.

4. Required two-way communication between parents and children because communication is considered to make children's and parents' relationships more open.

C. Limitation

The limitation of the researcher facing are:

- a. The limitation of time to prepare and done this research because the researcher conducts lectures while working.
- b. Using the right word and proper English grammar in writing.
- c. To find some related cases and journal regarding child sexual abuse.