

# CHAPTER I

## INTRODUCTION

### A. The Background of The Study

There are several rights such as right to life, liberty, work and education, free from slavery and torture, free to give opinions, and many more. All humans includes children are entitled to these rights regardless of sex, language, nationality, or any other status<sup>1</sup>. According to Law of the Republic Indonesia Number 35 Year 2014 “*Child is a person who is not 18 (eighteen) years old, including a child who is still in the womb.*” Every child rights must be fulfilled regardless of differences such as race, age, gender, place of birth, and others. But in reality, it can be seen that violations of children's rights still occur these days. This happens for various reasons, for example, lack of education in some states. Children are often regarded as properties owned by their parents, and that makes parents think that children do not have any right or freedom to convey their opinions.

The parties that responsible for protecting child’s rights are not only the family or parents but the state, the government and the community are also responsible for creating a good environment for children and protecting the rights of children. Since long time ago, Indonesia as one of the states that has ratified United Nations Convention on the Rights of the Child, the Government has been trying to improve the

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<sup>1</sup> “Human Rights | United Nations,” accessed May 18, 2018, <http://www.un.org/en/sections/issues-depth/human-rights/>.

protection of children's rights. In 2002, Indonesia formed the Indonesia Child Protection Commission based on the mandate of Law Number 23 Year 2002 concerning Child Protection with the intention of reducing the numbers of violations of children's rights. But even though there is the Indonesia Child Protection Commission, there are still a lot of violations of children's rights that happened in society. The Indonesian Child Protection Commission has received 4,885 complaints of cases violating children's rights throughout 2018. Chairman of the Indonesian Child Protection Commission Susanto said the number of cases reported to the Indonesian Child Protection Commission was easy to change from year to year. There is an increase in the number of cases in 2018, which is around 300 cases, compared to 2017<sup>2</sup>.

Riau Islands Province is one of the many provinces in Indonesia. Riau Islands province has a Regional Commission for Observation and Protection of Children (KPPAD) where it is the responsibility of the regional government to ensure that children's rights are fulfilled. But since 2017 there has been an increase in cases of children. Where it is very worrying.<sup>3</sup>

From the brief description above, it can be concluded that even though the Government has been trying to reduce the violations against children's rights by forming an institution that focuses on improving the

<sup>2</sup> "Sepanjang 2018, KPAI Terima 4.885 Kasus Pelanggaran Hak Anak," accessed June 20, 2019, <https://nasional.kompas.com/read/2019/01/08/18472551/sepanjang-2018-kpai-terima-4885-kasus-pelanggaran-hak-anak>.

<sup>3</sup> "Kekerasan Anak Di Kepri Meningkat | Republika Online," accessed August 31, 2019, <https://www.republika.co.id/berita/nasional/daerah/18/01/30/p3d614366-kekerasan-anak-di-kepri-meningkat>.

quality of children's rights in Indonesia, the cases of violations against children's rights are still increasing from year to year. Therefore, writer is interested in doing research on this Indonesia Child Protection Commission which is located in Riau Islands Province. Based on the description above, this research will be entitled **“ANALYSIS OF THE EFFECTIVENESS OF REGIONAL COMMISSION FOR OBSERVATION AND PROTECTION OF CHILDREN (KPPAD) OF RIAU ISLANDS PROVINCE.”**

#### **B. Research Questions**

1. What laws are adopted as references by the Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province?
2. Has Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province performed its function effectively according to Indonesian laws regarding child?
3. What are the obstacles faced by the Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province in performing its function effectively according to Indonesian laws regarding child?

**C. Research Objectives**

1. To analyze the laws that are adopted by the Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province.
2. To analyze either Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province its function effectively according to Indonesian Laws regarding child or not.
3. To analyze the obstacles that are faced Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province in performing its function effectively according to Indonesia Laws regarding child.

**D. Purpose and Benefit of Research**

1. In order for Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province to improve the performance in order to be able to carry out all the tasks as described in the regulations.
2. In order for Regional Government to be able to carry out their obligations to protect children's rights and create child-friendly regions.
3. In order to provide information and insight for the society regarding the Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province's

performances whether it has performed its function effectively according to Indonesia laws.

4. In order for the academics and society to know and to understand the obstacles that are faced by the Government and Regional Commission for Observation and Protection of Children (KPPAD) of Riau Islands Province in order to reduce the violations against child's rights that happened in Indonesia.