



## Problems of Implementation and Legal Protection for Child Workers in the Informal Sector (Study at The Social Service, KPAD, and DP2KBP3A of Pontianak City)

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### Abstract

*Child labor in the informal sector remains a pressing issue in Pontianak City, driven primarily by economic hardship and the lack of accessible formal employment. Children are commonly found working as street vendors, parking attendants, performers, or beggars, often exposed to risks such as violence, exploitation, and the loss of educational opportunities. This study aims to analyze the condition of child workers in the informal sector, as well as to examine the implementation of legal protection and the role of local government institutions in addressing the issue. Using a qualitative descriptive method, data were collected through field observations, in-depth interviews with child workers, parents, and relevant stakeholders, and the review of official reports from the Pontianak Child Protection Commission and the Social Service Office. The findings reveal that while legal frameworks, including the Manpower Law and the Child Protection Law, provide a strong normative basis for child protection, implementation at the local level remains weak due to limited resources, insufficient supervision, and low community awareness. The study also highlights that the services provided by the Social Service Office, such as temporary shelters and family reunification programs, often face practical barriers, including bureaucratic constraints and inadequate inter-agency coordination. Overall, the persistence of child labor in the informal sector reflects both structural poverty and gaps in the enforcement of child protection policies. The research emphasizes the urgent need for stronger cross-sectoral collaboration, community participation, and policy commitment to ensure children's rights to protection, education, and development*

## 1. Introduction

Child labor in the informal sector remains a complex social problem in Indonesia, including in Pontianak City. Despite the existence of several legal instruments such as Law No. 13 of 2003 on Manpower and Law No. 23 of 2002 on Child Protection, the reality shows that many children are still engaged in informal work. The phenomenon is

concerning, particularly because children of school age are forced to balance education with work in order to support their families, sacrificing their right to study, play, and enjoy a safe childhood. According to the National Socio-Economic Survey (Susenas) 2019,<sup>1</sup> more than 70% of child workers in Indonesia are employed in the informal sector, most of them coming from households in the lowest 40% of income distribution (Satriawan, 2021). This situation demonstrates how economic factors drive children into informal labor and illustrates the ongoing risk of exploitation and violation of children's rights.

In order to provide conceptual clarity, the term child worker in this study refers to individuals under the age of 18 who are engaged in economic activities, particularly within the informal sector<sup>2</sup>. The informal sector is characterized by activities outside the scope of state regulation, including work in traditional markets, small shops, workshops, street vending, and waste collection. Unlike formal employment, the informal sector is marked by the absence of contracts, inadequate wages, unsafe working conditions, and lack of legal protection. Legal protection in this context refers to the guarantee of children's rights as regulated by national laws and international conventions, ensuring their safety, education, health, and freedom from exploitation.<sup>3</sup>

Several previous studies reveal thematic similarities with this research, namely the shared focus on child labor issues and their legal protection. For instance, the works of<sup>4</sup> Arfah Azhari et al. (2022), and Daimanul Hasani (2022) all emphasize that children are a vulnerable group whose rights are often violated despite the existence of regulations. These studies also highlight the importance of the state's role in providing effective legal protection to ensure that children can grow and develop optimally. Thus, their common ground lies in stressing the need for stronger legal protection while pointing out weaknesses in regulatory implementation that directly affect the fulfillment of children's rights.

However, there are fundamental differences in terms of scope, focus, and approach. Lucia's study emphasizes international legal analysis (the 1989 UN Convention on the Rights of the Child) with a normative approach<sup>5</sup>, focus on criminal acts of child exploitation under the Child Protection Law; while takes a broader perspective on positive law in Indonesia without limiting the discussion to a specific sector or region.<sup>6</sup> In contrast, this study introduces novelty by adopting a juridical-sociological approach

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<sup>1</sup> Dodi Satriawan. "Informal Sector Children Workers in Indonesia: Situation and Challenges (Susenas Data Analysis 2019)." *Jurnal Ketenagakerjaan* 16, no. 1 (2021): 1-12.

<sup>2</sup> D. Wilding, P. Fray, S. Molitorisz, & E. McKewon. *The Impact of Digital Platforms on News and Journalistic Content*. Sydney: University of Technology Sydney, 2018.

<sup>3</sup> W. Darbi, C. Hall, & P. Knott. "The informal sector: A review and agenda for management research." *International Journal of Management Reviews* 20, no. 2 (2018): 301-324. <https://doi.org/10.1111/ijmr.12131>

<sup>4</sup> Lucia Charlotta Octovina Tahamata. "Perlindungan hukum terhadap pekerja anak: Kajian ketentuan United Nations Convention on the Rights of the Child." *SASI* 24, no. 1 (2018): 40-46. <https://doi.org/10.47268/sasi.v24i1.117>

<sup>5</sup> Azhari Arfah, Romi Asmara, & Eny Dameria. "Perlindungan hukum terhadap anak dalam tindak pidana eksploitasi pekerja anak ditinjau dari Undang-Undang Perlindungan Anak." *Jurnal Ilmiah Mahasiswa Fakultas Hukum Universitas Malikussaleh* 5, no. 2 (2022). <https://doi.org/10.29103/jimfh.v5i2.6878>

<sup>6</sup> Daimanul Hasani. "Upaya perlindungan hak asasi manusia bagi pekerja anak dalam perspektif hukum positif." *Dinamika: Jurnal Ilmiah Ilmu Hukum* 28, no. 19 (2022): 5963-5984.

with a focus on the informal sector in Pontianak City. It not only examines legal norms but also portrays real conditions in the field and assesses the role of local institutions—such as the Social Service, KPAD, and DP2KBP3A—in implementing child protection. Therefore, the contribution of this research lies in presenting a more applicative, contextual, and locally specific perspective, which has been largely overlooked in previous studies.

This study provides novelty and contribution by adopting a juridical-sociological approach with a specific focus on the informal sector in Pontianak City. It examines how local institutions—namely the Social Service, the Regional Child Protection Commission (KPAD), and the Department of Population Control and Family Planning, Women’s Empowerment, and Child Protection of Pontianak City (DP2KBP3A)—implement legal protection for child workers. By combining legal analysis with empirical findings, this study offers a more contextual and practical perspective compared to previous research. At the national level, it contributes to the discourse on the effectiveness of child protection laws when applied in informal economic settings. At the international level, it enriches the understanding of how child labor persists despite legal frameworks, particularly in urban areas of developing countries. Ultimately, this research aims to assess the challenges of implementing and ensuring legal protection for child workers in the informal sector of Pontianak, while identifying potential strategies to strengthen institutional roles and safeguard children’s rights.

## 2. Research Methods

The objective of this research is to examine the implementation and challenges of legal protection for child workers in the informal sector of Pontianak City. To achieve this, the study applies an empirical juridical method, which combines normative legal analysis with field research<sup>7</sup>. This approach allows the law to be understood not only as a set of written norms but also as a reflection of social realities and community behavior. In practice, the research utilizes three approaches: the statute approach to analyze relevant laws and regulations, the conceptual approach to explore the institutional framework of child protection, and the case approach to assess how local institutions—such as the Social Service, KPAD, and DP2KBP3A—handle actual cases in the field. By doing so, the research is able to connect normative provisions with empirical conditions, highlighting the extent to which existing laws are effective in practice.

The research process involves several stages (Salim and Septiana Nurbani. 2023)<sup>8</sup>. First, preparation through preliminary studies and determination of research locations; second, data collection through the review of legal documents and limited interviews with institutional actors; third, data analysis by interpreting and systematizing legal norms in comparison with empirical findings; and finally, the preparation of research results in the form of a final report and scientific article. The variables examined focus on the clarity of institutional authority, the effectiveness of local child protection policies, and the level of coordination among institutions. The research model used is descriptive-analytical, which aims to describe normative provisions and analyze their effectiveness when applied in practice. This method provides a critical perspective on whether there

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<sup>7</sup> Soerjono Soekanto, & Sri Mamudji. *Penelitian hukum normatif: Suatu tinjauan singkat*. Jakarta: Rajawali Pers, 2022.

<sup>8</sup> H. S. Salim, & Erlies Septiana Nurbani. *Penerapan teori hukum pada penelitian disertasi dan tesis*. Jakarta: Rajawali Pers, 2023.

are gaps, overlaps, or inconsistencies between legal norms and their implementation in the protection of children in the informal sector.<sup>9</sup>

### 3. Result and Discussion

#### 3.1. Sub-section 1

In Pontianak City, data on the workforce by age group and gender presented by the Central Statistics Agency (BPS) of Pontianak serves as an important reference in understanding labor dynamics. This information is useful for identifying trends in youth labor force participation, the productivity of the middle-age group, and the role of older workers in the labor market. Therefore, these data can be used as a basis for local governments in formulating more targeted employment policies, both to improve the quality of human resources and to create more equitable job opportunities.

**Table.1** Labor Force Data in Pontianak City<sup>10</sup> (Data BPS Kota Pontianak)

No	Working Age Group	Year								
		2021			2022			2023		
		L	P	Rasio Jlh (%)	L	P	Rasio Jlh (%)	L	P	Rasio Jlh (%)
1	15-19	27968	30268	92,4	28057	30303	92,59	27658	26246	105,38
2	20-24	30889	32611	94,72	30873	32569	94,79	27940	27259	102,5
3	25-29	27789	28293	98,22	27681	28306	97,79	28198	28031	100,6
4	30-34	26555	26530	100,09	26504	26627	99,54	26599	26726	99,52
5	35-39	26709	27054	98,72	26804	27159	98,69	25480	26379	96,59
6	40-44	25377	24938	101,76	25907	25515	101,54	24831	25428	97,65
7	45-49	22351	21848	102,3	22853	22427	101,9	22952	23086	99,42
8	50-54	18549	18408	100,77	19163	18967	101,03	20243	20523	98,64
9	55-59	15534	15896	97,72	16049	16490	97,33	16601	16809	98,76
10	60+	30811	33686	91,47	32290	35457	91,07	33305	36813	90,47

Sumber: Data processed from BPS Pontianak City Website <https://pontianakkota.bps.go.id/id/statistics-table/2/Mzg4Izl=/penduduk-berumur-15-tahun-atau-lebih-yang-bekerja-menurut-kelompok-umur-dan-jenis-kelamin.html>

Based on the data, the younger age group (15-19 years) still showed a higher number of female workers compared to males in 2021 and 2022, with a ratio below 100. However, in 2023 a significant shift occurred, where the number of male workers (27,658) surpassed females (26,246), raising the ratio to 105.38. A similar trend was also observed in the 20-24 age group, where in 2023 male workers slightly outnumbered females, although in previous years female workers had been more dominant.

For the middle productive age group (25-49 years), the data indicated a relatively balanced condition between males and females, with ratios close to 100. For example,

<sup>9</sup> Ni Ketut Supasti Dharmawan, "Protecting Traditional Balinese Weaving Trough Copyright Law: Is It Appropriate?," *Diponegoro Law Review* 2, no. 1 (2017): 57-84, <https://doi.org/10.14710/dilrev.2.1.2017.57-84>.

<sup>10</sup> Data BPS Kota Pontianak, <https://pontianakkota.bps.go.id/id/statistics-table/2/Mzg4Izl=/penduduk-berumur-15-tahun-atau-lebih-yang-bekerja-menurut-kelompok-umur-dan-jenis-kelamin.html> diakses pada 20 Juli 2025

the 30–34 age group consistently showed stable balance, with ratios of 100.09 in 2021, 99.54 in 2022, and 99.52 in 2023. Meanwhile, the older age group (50 years and above) displayed a consistent difference, where the number of females was generally higher than males, particularly in the 60+ age group, where the ratio remained below 92. This illustrates that women in Pontianak City have a relatively high level of labor force participation in older age groups, while men dominate in the younger to middle age groups.

Based on an interview with the First Expert Social Counselor in the Service and Social Rehabilitation Division of the Pontianak City Social Service Interview with Muhammad Makhirbi,<sup>11</sup> First Expert Social Counselor, Service and Social Rehabilitation Division, Pontianak City Social Service, August 5, 2025, the phenomenon of street children remains one of the social problems that requires serious attention. Street children in Pontianak City generally come from families with low economic conditions, which drives them to seek income on the streets through various activities such as begging, selling, or performing.

Their presence not only raises issues of child welfare and protection but is also related to education, health, and potential vulnerability to exploitation. The social counselor explained that although various efforts have been made, such as social rehabilitation programs, guidance, and family empowerment, children are still found engaging in street activities. The data obtained show fluctuations in the number of street children each year, with variations in the types of activities they engage in. To understand this dynamic, the following presents data on street children in Pontianak City for the period 2021 to August 5, 2025.

**Table.6** Street Children Data per 5 Agustus 2025

No	Street Children Cases	Years														
		2021			2022			2023			2024			2025		
		L	P	Jlh	L	P	Jlh	L	P	Jlh	L	P	Jlh	L	P	Jlh
1	Badut				2	1	3	2		2	1	1	2			
2	Manusia Silver										2		2			
3	Pengemis	11	7	18	15	3	18	10	5	15	17	4	21	3	1	4
4	Penjual Koran	1		1				2		2	2		2			
5	Penjal Kerupuk				2		2									
6	Penjual Kue	8		8												
Jumlah		20	7	20	19	4	23	14	5	19	22	5	27	3	1	4

Sumber: Data processed from the Social Service of Pontianak City per 5 Agustus 2025

The data in the table above illustrates the number of street children based on case categories from 2021 to August 5, 2025. The recorded categories include children working as clowns, silver men, beggars, newspaper sellers, cracker sellers, and cake sellers. The data shows that begging cases dominated each year; for instance, in 2021 there were 18 children (11 boys and 7 girls), the same number in 2022, increasing to 21 children in 2024, and then sharply declining to only 4 children in 2025. Meanwhile, other categories such as cake sellers (8 children in 2021) and cracker sellers (2 children

<sup>11</sup> Wawancara dengan Muhammad Makhirbi, Penyuluh Sosial Ahli Pertama Bidang Pelayanan dan Rehabilitasi Sosial Dinas Sosial Kota Pontianak, 5 Agustus 2025.

in 2022) no longer appeared in the following years. In addition, new categories emerged, such as silver men in 2024 with 2 boys, while the clown and newspaper seller categories fluctuated with relatively small numbers (1-3 children). Overall, the total number of street children peaked in 2024 at 27 children but drastically decreased in 2025 to only 4 children. This significant decline may indicate government intervention, social change, or a shift in street children's activities into forms not recorded in the table's categories.

Case service data from the Pontianak City Social Service from 2021 to 2025 shows variations in the number of service recipients by social category, such as street children, neglected children, homeless people, beggars, the elderly, and neglected persons with disabilities. These figures reflect the dynamics of social issues handled by the Social Service each year. The data highlights significant fluctuations in several categories, particularly homelessness and neglected persons with disabilities, which tended to increase over the past five years.

**Table.3** Case Service Data at the Pontianak City Social Service

No	Case Services	Years														
		2021			2022			2023			2024			2025		
		L	P	Jlh	L	P	Jlh	L	P	Jlh	L	P	Jlh	L	P	Jlh
1	Anak Jalanan	20	7	27	19	4	23	14	5	19	24	7	31	3	1	4
2	Anak Terlantar	9	8	17	7	5	12	8	2	10	4	2	6	5	4	9
3	Gelandangan	19	7	26	34	13	47	56	9	65	32	10	42	11	8	19
4	Pengemis	26	16	42	32	11	47	19	14	33	35	12	47	9	0	9
5	Lanjut Usia	8	1	9	10	0	10	20	6	26	10	9	19	3	0	3
6	Disabilitas Terlantar	19	7	26	42	14	56	30	12	42	68	12	80	21	8	29

*Sumber: Data processed from the Pontianak City Social Service per 5 Agustus 2025*

Homelessness cases recorded the highest numbers throughout the period, with a sharp increase from 26 people in 2021 to 65 people in 2023, before declining to 42 people in 2024 and 19 people in 2025. A similar pattern was observed in cases of neglected persons with disabilities, rising from 26 people in 2021 to 80 people in 2024, then dropping to 29 people in 2025. Meanwhile, cases of street children tended to decline, from 27 children in 2021 to only 4 children in 2025. The category of neglected children remained relatively stable at small numbers, ranging from 6 to 17 children each year. Begging cases experienced a sharp decrease, from 42 people in 2021 to only 9 people in 2025. For the elderly category, the number of service recipients rose from 9 people in 2021 to 26 people in 2023, but fell again to only 3 people in 2025. Overall, these data indicate that the handling of social problems in Pontianak City remains focused on vulnerable groups such as the homeless and neglected persons with disabilities, while the number of cases of street children and beggars shows a significant downward trend.

Meanwhile, according to data on child cases handled by the Regional Child Protection Commission (KPPAD) of Pontianak City [Interview with Niyah Nurniyati, S.P<sup>12</sup> during the period from January to April 2025 a total of 94 cases were recorded, covering various types of issues. This data provides a clear picture of the complexity of child-related problems in society..

**Table.4** Case Data January-June 2025

No	Case	Total	Persen (%)
1	ABH	46	48,94%
2	ABK	1	1,00%
3	Anak Hilang		0,00%
4	Hak Asuh	2	2,13%
5	Hak Sipil	1	1,06%
6	Kejahatan Seksual	23	24,47%
7	Kekerasan Fisik	7	7,45%
8	Kekerasan Psikis	1	1,06%
9	Napza	3	3,19%
10	Perlindungan Pendidikan	3	3,19%
11	Perlindungan Ekonomi	1	1,06%
12	Perlindungan Kesehatan	2	2,13%
13	Perlindungan Khusus		0,00%
14	TPPO		0,00%
15	Pekerja Anak		0,00%
16	Pornografi		0,00%
17	Penelantaran	4	4,26%
Jumlah		94	100%

Sumber: Data processed from the Pontianak City Child Protection Commission, 29 Agustus 2025

Of the total cases, those involving Children in Conflict with the Law (CCL) dominated with 46 cases (48.94%), followed by Sexual Crimes with 23 cases (24.47%). These two categories indicate that child-related issues in Pontianak City remain strongly linked to legal matters, criminality, and children’s vulnerability to sexual violence. In addition, there were 7 cases of Physical Violence (7.45%), 4 cases of Child Neglect (4.26%), and smaller numbers in other categories such as Custody Rights (2 cases/2.13%), Psychological Violence (1 case/1.06%), Drugs (3 cases/3.19%), Educational Protection (3 cases/3.19%), Economic Protection (1 case/1.06%), and Health Protection (2 cases/2.13%).

Interestingly, during this period, KPPAD data recorded no reported cases of Child Labor (0 cases/0.00%). However, the absence of data does not necessarily mean that child labor issues do not exist in society. It is highly possible that cases of child labor remain unidentified, unreported, or hidden within informal practices in families and certain work sectors. The phenomenon of child labor often escapes official recording,

<sup>12</sup> Wawancara dengan Niyah Nurniyati, S.P., Ketua Pengawasan Komisi Perlindungan Anak Kota Pontianak, 29 Agustus 2025.

as it involves domestic work, helping with family businesses, or work in the informal sector that society may perceive as “normal”.

The absence of child labor cases in the official data of the Pontianak City Child Protection Commission becomes an important note. It may be interpreted as potential under-reporting, where actual cases exist but have not been formally documented. Therefore, it is crucial for child protection agencies, local government, and the community to strengthen mechanisms for detection, monitoring, and reporting of child labor. Considering that child labor directly affects children’s fundamental rights—such as education, health, and overall development—this issue must remain a primary concern even when the data indicates zero cases in the January–June 2025 period.

Thus, the KPPAD<sup>13</sup> data not only highlights the high prevalence of CCL and sexual crimes but also signals the likelihood that child labor cases remain hidden behind weak reporting systems. Preventive measures, public education, and the strengthening of child-friendly labor regulations need to be enhanced so that the phenomenon of child labor does not go unnoticed.

The author had the opportunity to conduct interviews with child workers in the City of Pontianak, engaged in various forms of informal sector work. The first interview was with S Interview with initial S<sup>14</sup>, a boy around 14–15 years old who currently works as a car window cleaner at the Tanjungpura traffic light, right in front of the Garuda Hotel Pontianak. Every evening, S can be found at the site with a bottle of soapy water and simple cleaning tools, carrying out this routine almost daily. From this work, he usually earns between IDR 30,000 and 50,000 per day. While this amount is relatively small compared to rising living costs, for S it is essential to cover his daily needs and to help support his younger siblings. S admitted that he no longer attends school, having been forced to drop out due to his family’s economic hardship. Although still very young, he bears significant responsibility not only for himself but also for the survival of his siblings. His daily reality on the streets exposes him to risks ranging from traffic dangers and social stigma to potential vulnerability to exploitation. The story of S reflects how teenagers can become trapped in informal labor due to economic constraints, losing their right to education and a safe childhood.

The second interview was with I Interview with initial I<sup>15</sup>, a 17-year-old boy who is still in the 11th grade at a local senior high school. Unlike most of his peers, I divides his time between school and work, cleaning car windows during school holidays in the morning and after classes in the afternoon. He explained that the income from this work is used to meet his daily needs, such as food and personal expenses. Although the work is tiring, especially after school, I has become accustomed to it. Importantly, he emphasized that education remains a priority, and despite the hardship of balancing study and work, he is determined to continue schooling. His story illustrates

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<sup>13</sup> Wawancara dengan Sulasti, Wakil Ketua Komisi Perlindungan dan Pengawasan Anak Daerah (KPPAD) Kalimantan Barat, Divisi Hubungan Antar Lembaga, 31 Juli 2025.

<sup>14</sup> Wawancara dengan S (inisial, demi kerahasiaan), anak berusia sekitar 14–15 tahun yang bekerja sebagai pembersih kaca mobil di lampu merah Jalan Tanjungpura, depan Hotel Garuda Pontianak, 20 Agustus 2025.

<sup>15</sup> Wawancara dengan I (inisial, demi kerahasiaan), anak berusia sekitar 17 tahun yang bekerja sebagai pembersih kaca mobil di lampu merah Jalan Tanjungpura, depan Hotel Garuda Pontianak, 20 Agustus 2025.

the resilience of a teenager striving for independence while holding onto education as a pathway to a better future.

The third interview involved SP, a 16-year-old junior high school student in grade 8 Interview with SP<sup>16</sup>. SP works as an informal parking attendant around Gajah Mada Street, often moving between different locations depending on circumstances. Without any official uniform or identification, his work is entirely informal and lacks legal protection. Interestingly, SP stated that his decision to work was not due to family economic pressure but rather his personal choice to earn his own spending money. The income he receives is unpredictable but sufficient for small personal needs. SP's case demonstrates that not all child workers are driven by dire economic conditions; some, like him, seek independence. Nonetheless, his presence in public spaces as a child worker still exposes him to risks, potentially disrupting his education and well-being..

The interview with R<sup>17</sup>, a 10-year-old elementary school student in grade 4, revealed that he works selling candied fruit at the Pontianak waterfront after school. His small stall is managed independently, although his father, who also sells candied fruit by roaming the area, supervises him. R usually works from 5 p.m. until 10 p.m., five to six times a week, earning between IDR 20,000 and 100,000 depending on sales. The money he earns contributes not only to his personal needs but also to household expenses. Although his involvement stems from family necessity and cultural norms of working together, it reduces his time for education and childhood development. R's case reflects how poverty often drives children into the workforce at an early age, making them share economic responsibilities that should not yet be theirs.

The interview with KD<sup>18</sup>, a grade 9 junior high school student showed his daily involvement in helping his father sell orange juice near the Untan campus from 5 p.m. until 10 p.m. KD expressed that he did not feel forced but considered it his duty to ease the family's burden. While this routine is carried out under parental supervision and ensures family togetherness, it reduces his time for study and rest after school. The long hours of work risk diminishing his academic performance and limit opportunities for personal development. KD's case highlights how child labor in family businesses, though less exploitative in appearance, still disrupts children's rights to education, rest, and balanced growth.

The interview with R and D<sup>19</sup>, two children working as street entertainers in Spiderman costumes, illustrated a different dimension of child labor. Performing at the waterfront, along main streets, and even visiting neighborhoods, they earn between IDR 50,000 and 80,000 daily as their main source of livelihood. Unlike some other cases, both children are no longer in school, devoting their entire time to work in the streets with parental awareness. Although their activity may seem creative and entertaining, it exposes them to the risks of street life and deprives them of access to education and protection. The case of R and D demonstrates how child labor in the informal sector can be normalized in society while actually stripping children of their basic rights and future opportunities.

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<sup>16</sup> Wawancara dengan SP, remaja usia 16 tahun, kelas 2 SMP, 24 Agustus 2025.

<sup>17</sup> Wawancara dengan R, anak usia 10 tahun, kelas 4 SD, 24 Agustus 2025.

<sup>18</sup> Wawancara dengan KD, remaja kelas 3 SMP, 25 Agustus 2025.

<sup>19</sup> Wawancara dengan R dan D, dua anak yang bekerja sebagai penghibur jalanan dengan kostum Spiderman, 27 Agustus 2025.

### 3.2. Sub-section 2

Results should be clear and concise. Discussion should explore the significance of the research.

The issue of child labor in the informal sector of Pontianak illustrates the tension between international commitments, national laws, and local realities. Indonesia's ratification of the Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 of 1990 legally binds the state to protect children from all forms of economic exploitation. Article 3 of the CRC emphasizes that the best interests of the child must always be a primary consideration, while Article 28 guarantees the right to education and Article 32 explicitly prohibits the involvement of children in work that threatens their health, education, or development. Despite this strong normative basis, many children in Pontianak continue to engage in informal labor such as street vending, busking, or assisting in family businesses. These activities often occur in environments where state monitoring is minimal, and the risks associated with long working hours, unsafe conditions, and disrupted schooling remain high. The international framework is further reinforced by Indonesia's ratification of International Labour Organization (ILO) Convention No. 182 on the Worst Forms of Child Labour through Law No. 1 of 2000. The convention requires states to adopt urgent and effective measures to eliminate the most harmful forms of child labor, including slavery-like practices, sexual exploitation, involvement in illicit activities, and hazardous work<sup>20</sup>

The role of the International Labour Organization (ILO) in addressing child labour in Indonesia from 2020–2022. In Proceedings of IROFONIC 2024: Strengthening partnership for sustainable development (pp. 325–331).] In practice, the situation in Pontianak demonstrates that even when children are not directly involved in these extreme categories, their engagement in informal work still places them in hazardous circumstances. The absence of regulation, exposure to public spaces, and lack of protective mechanisms mean that such work often indirectly violates the principles of the convention. Children working in street-based activities may not fall neatly into the legal definition of “worst forms,” yet the risks to their physical and psychological well-being highlight the need for broader interpretation and stronger enforcement.<sup>21</sup>

At the national level, Indonesia has codified child protection within several legal instruments. The Human Rights Law (Law No. 39 of 1999) acknowledges children as individuals with inherent dignity and rights. Article 52 stresses that children are entitled to special protection by the state, family, and society, while Article 64 mandates government responsibility in shielding children from neglect, exploitation, and abuse<sup>22</sup>. In theory, this law provides comprehensive safeguards, but its implementation in

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<sup>20</sup> Z. Z. Nurmahfudi, J. R. Setyani, P. C. T. Nelvina, L. A. S. Arum, & H. E. Putr. “The role of the International Labour Organization (ILO) in addressing child labour in Indonesia from 2020–2022.” In Proceedings of IROFONIC 2024: *Strengthening Partnership for Sustainable Development*, 325–331. 2024.

<sup>21</sup> W. Bahy, A. Prabandari, & K. Wibawa. “The impact of ILO Convention No. 182 (1999) on safeguarding against child labor in Indonesia.” *International Journal of Multidisciplinary Research and Analysis* 7, no. 4 (2024). <https://doi.org/10.47191/ijmra/v7-i04-06>

<sup>22</sup> B. Sukamto, N. Aida, & Ritawati. “Special protection for children in conflict with the law in Indonesia.” *AMCA Journal of Community Development* 3, no. 2 (2023): 53–57. <https://doi.org/10.51773/ajcd.v3i2.207>

Pontianak is complicated by the informal nature of the children's work<sup>23</sup>. Because many of these activities take place in family-based or small-scale enterprises, they often escape state intervention, resulting in a gap between the law's guarantees and children's lived realities.<sup>24</sup>

Further strengthening the legal foundation is the Child Protection Law (Law No. 23 of 2002, amended by Law No. 35 of 2014), which affirms that children must be protected from economic exploitation and from any work that may harm their health, education, or development.<sup>25</sup> This law explicitly places responsibility on the state to provide preventive, curative, and rehabilitative measures for children at risk. In the context of Pontianak, however, children's involvement in informal labor frequently emerges as a normalized family strategy to supplement household income, rather than as an act of overt exploitation. This normalization makes detection and enforcement more difficult, as the community itself often perceives the practice as acceptable, thereby undermining the protective framework of the law.<sup>26</sup>

Complementing this is the Manpower Law (Law No. 13 of 2003, amended by Law No. 11 of 2020 on Job Creation), which regulates the minimum age for employment. Article 68 prohibits employers from employing children under the age of 18, except in specific circumstances where children aged 13–15 may perform light work that does not interfere with their schooling or health.<sup>27</sup> The law also establishes obligations for employers to provide protective measures and limits on working hours. Yet, for children working in Pontianak's informal sector, these provisions are almost impossible to enforce. Since most of these children are not employed by formal businesses but rather by their own families or as self-employed street workers, the legal protections remain largely theoretical. Their situation exposes a structural blind spot in labor regulation, one that leaves many child workers outside the reach of enforcement mechanisms.

In addition to national legislation, regional regulations in Pontianak also contribute to child protection. Local government policies, often derived from national directives, emphasize the importance of education, child welfare, and protection against exploitation. For example, the municipal Social Services Agency (Dinas Sosial) and the Regional Child Protection Commission (KPPAD) are tasked with monitoring and intervening in cases where children are at risk. Data collected by these institutions from 2021 to 2025 highlight the prevalence of cases involving street children, neglected

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<sup>23</sup> H. Hadiarto, & M. Karyadie. "Constitutional guarantee of children's human rights protection." *International Journal of Social Service and Research* 2, no. 7 (2022): 658–669. <https://doi.org/10.46799/ijssr.v2i7.139>

<sup>24</sup> Feby Darmawan, & Dodik Setiawan Nur Heriyanto. "Invoking international human rights law to prevent statelessness of international refugee children born in Indonesia." *Prophetic Law Review* 5, no. 1 (2023): 22–41. <https://doi.org/10.20885/PLR.vol5.iss1.art2>

<sup>25</sup> Hepy Krisman Laia Sri Utami, & Muhammad Arif Sahlepi. "Protection Law To Child: (Based on Constitution Number 35 of 2014 concerning Change on Constitution Number 23 Year 2002 about Protection Children ('Law 35/2014'))." *International Journal of Law and Society* 2, no. 3 (2025): 180–184. <https://doi.org/10.62951/ijls.v2i3.691>

<sup>26</sup> H. S. Nurhaida. "The Role of the State in Protecting Children After Divorce: A Legal Analysis of Family Law in Indonesia." *Unram Law Review* 9, no. 1 (2025): 31–39. <https://doi.org/10.29303/ulrev.v9i1.376>

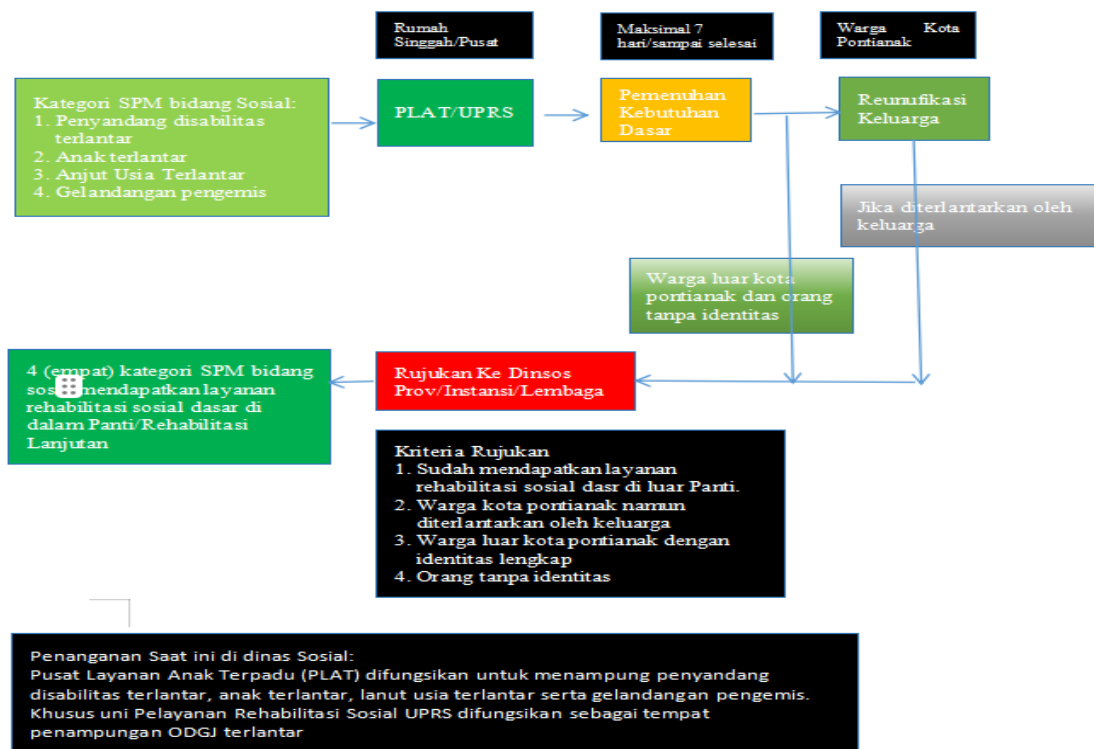
<sup>27</sup> Nabiyla Risfa Izzati. "Deregulation in Job Creation Law: The future of Indonesian labor law." *Padjadjaran Journal of Indonesian Law* 9, no. 2 (2022): 191–209. <https://doi.org/10.22304/pjih.v9n2.a3>

children, and child laborers in informal activities. Although reports of formal child labor cases remain low, this absence of documentation likely reflects underreporting rather than the absence of the phenomenon. In fact, interviews with child workers in Pontianak reveal the persistence of economic necessity as a key driver, showing how children are drawn into informal work that is not captured by official statistics.

Taken together, these international, national, and local legal frameworks establish a strong foundation for the protection of children’s rights. However, the challenge lies in translating these legal guarantees into effective practice. In Pontianak, economic pressures, cultural norms, and weak enforcement combine to normalize children’s participation in informal labor, despite the legal prohibitions. While the CRC, ILO Convention No. 182, the Human Rights Law, the Child Protection Law, and the Manpower Law collectively emphasize the state’s duty to protect children, their impact is limited by gaps in monitoring, reporting, and enforcement. The persistence of child labor in Pontianak’s informal sector thus reveals not only the resilience of socio-economic pressures but also the need for more proactive and integrated measures at the local level.

Behind this, the legal protection process provided by the Social Services Agency for children working in the informal sector is carried out through the following service procedures:

Picture.1 Flow of Child Services at the Social Services Agency of Pontianak City



The child service process at the Social Services Agency of Pontianak City, as illustrated in the diagram, lasts for a maximum of 14 (fourteen) days. Children who are apprehended, either through Public Order Agency (Satpol PP) operations or community reports, are first placed in a halfway house (Rumah Singgah) or PLAT/UPRS to receive

their basic needs, such as food, clothing, healthcare, and counseling. During this 14-day period, the Social Services Agency conducts a comprehensive assessment to determine whether the child can be reunified with their family or requires further intervention. If the child still has a suitable family, reunification will be pursued. However, if the child is abandoned or has no identity, the Social Services Agency must find alternative solutions in accordance with existing procedures.. Nevertheless, in practice, challenges often arise when the service process extends beyond 14 (fourteen) days and fails to produce significant improvements in the child's condition. In such situations, children are normatively referred to the Provincial Social Services Agency or to further rehabilitation institutions. However, these referral institutions often refuse to accept the child, citing reasons such as unclear family status, lack of identity, or unmet administrative requirements, as outlined in the diagram. This condition highlights a gap between regulations and their implementation in the field, which ultimately results in uncertainty regarding child protection. Therefore, cross-agency coordination must be strengthened to ensure that every child continues to receive their right to protection and social rehabilitation without being hindered by technical bureaucratic barriers.

#### **4. Conclusion**

The condition of child laborers in the informal sector in Pontianak City shows that the main factors driving children to work are family economic pressures and the limited availability of formal job opportunities. Many children are engaged as beggars, street clowns, small vendors, parking attendants, and street performers, all of which expose them to high risks of violence, abuse, accidents, and the loss of their right to education. Although official data indicates a decline in the number of street children, this does not automatically mean the problem has been resolved, as many children often shift to other forms of informal work that are not recorded. Normatively, the protection of child workers is regulated in the Manpower Law and the Child Protection Law, reinforced by the Regional Government Law, which mandates local governments to protect children from exploitation. However, implementation in Pontianak still faces many obstacles, particularly weak supervision in the informal sector, limited budgets, and low public awareness. Although local governments have the authority to establish local regulations, social rehabilitation programs, and cross-sectoral monitoring, without firm policy commitment, legal protection remains ineffective, leaving child workers highly vulnerable to exploitation and the deprivation of their rights. on the same topic. If the author wishes to optimize the description of recommendations, explain the study's limitations in the methodology..

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