



Handling child labor in Banda Aceh City: An analysis in optimizing stakeholder participation

Dina Hanifa*, Cut Zamharira✉, Zakki Fuad Khalil*****

**Faculty of Social Sciences and Government Sciences, Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia
Email: dinahanifa02@gmail.com*

***Faculty of Social Sciences and Government Sciences, Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia
Email: cut.zamharira@ar-raniry.ac.id*

****Faculty of Social Sciences and Government Sciences, Universitas Islam Negeri Ar-Raniry Banda Aceh, Indonesia
Email: zakki.fuad@ar-raniry.ac.id*

ABSTRACT

In Banda Aceh, it is common to see children who are not yet of working age selling in cafes and at traffic lights. Their working hours exceed 3 hours a day, and the work they do can threaten safety and interfere with children's education, which is in conflict with law number 13 concerning employment. This study aims to determine stakeholder participation in handling child labor in Banda Aceh City. Employing qualitative research methods with a descriptive framework, researchers identified multiple actions undertaken by stakeholders in addressing child labor in Banda Aceh City. First, the Banda Aceh City Social Service has the authority to provide guidance to child workers. Second, DP3AP2KB Banda Aceh City has the authority to prevent and handle violence against children. Third, the UPTD PPA Banda Aceh City has the authority to respond quickly and is psychoeducational to child victims of violence. Fourth, Banda Aceh City Satpol PP and WH have the authority to supervise, control, and safeguard child workers to maximize public order and community security. Furthermore, the challenges in handling child labor in the City of Banda Aceh are: 1) the behavior of people who easily feel pity; 2) the behavior of child workers who are used to working on the streets; 3) the limited authority of the government; 4) weak applicable laws and no special regulations regarding child labor.

Keywords: Participation; Stakeholders; Child Labor.

✉ Corresponding author:

Email Address: cut.zamharira@ar-raniry.ac.id

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ABSTRAK

Saat ini sering diitemukan anak yang bukan dalam kategori usia kerja berjualan di cafe, perempatan lampu lalu lintas, maupun warung kopi di Kota Banda Aceh. Jam kerja mereka melebihi 3 jam sehari dan pekerjaan yang dilakukan dapat mengancam keselamatan dan mengganggu pendidikan anak sehingga bertentangan dengan Undang-Undang Nomor 13 Tahun 2003 tentang Ketenagakerjaan. Kajian ini bertujuan untuk mengetahui partisipasi pemangku kepentingan dalam penanganan pekerja anak di Kota Banda Aceh dan tantangan yang sering ditemui dalam penanganan pekerja anak di Kota Banda Aceh. Melalui metode penelitian kualitatif dengan pendekatan deskriptif, peneliti menemukan hasil bahwa partisipasi pemangku kepentingan dalam penanganan pekerja anak di Kota Banda Aceh antara lain: pertama, Dinas Sosial Kota Banda Aceh mempunyai kewenangan dalam melakukan pembinaan kepada pekerja anak. Kedua, DP3AP2KB Kota Banda Aceh mempunyai kewenangan dalam pencegahan dan layanan penanganan kekerasan pada anak. Ketiga, UPTD PPA Kota Banda Aceh mempunyai kewenangan dengan respon cepat dan sifatnya psikoedukasi kepada anak korban kekerasan. Keempat, Satpol PP dan WH Kota Banda Aceh mempunyai kewenangan dalam pengawasan, penertiban dan pengamanan pekerja anak dalam memaksimalkan pengawal ketertiban umum dan keamanan masyarakat. Selanjutnya, tantangan dalam penanganan pekerja anak di Kota Banda Aceh: 1) perilaku masyarakat yang mudah merasa iba 2) perilaku pekerja anak yang sudah terbiasa bekerja di jalanan 3) Keterbatasan kewenangan pemerintah kota, 4) lemahnya hukum yang berlaku dan tidak ada regulasi khusus terkait pekerja anak.

Kata Kunci: Partisipasi; Pemangku Kepentingan; Pekerja Anak.

1. INTRODUCTION

The 2003 Manpower Law Number 13 governs issues pertaining to child labor, particularly the prohibition of employing individuals under the age of 18. Therefore, this law stipulates that the legal minimum age for work or employment is 18 years. However, this regulation also indicates exceptions for children aged 13 to 15 years, allowing them to engage in light work that does not adversely affect their physical and mental well-being. The local government is responsible for safeguarding children's rights and welfare (Natar et.al, 2023).

Children are safeguarded by the state, as stipulated in Law Number 35 of 2014 regarding Child Protection, which underscores the necessity of protecting children and ensuring their rights are upheld. This enables them to grow and develop, participate fully in accordance with their age, and receive protection against discrimination and violence, including those employed outside the applicable provisions.

Figure 1 below illustrates the percentage of children aged 10–17 engaged in labor in Aceh and Indonesia. The comparison of the number of child workers in Indonesia and Aceh certainly shows a clear difference. Indonesia has a much higher percentage of child workers than Aceh throughout 2018 to 2022. According to data published by BPS Indonesia on child workers, Aceh has a relatively low percentage of child workers compared to all other provinces in Indonesia. The percentage fluctuates between 1 and 2 percent, never exceeding 2 percent.

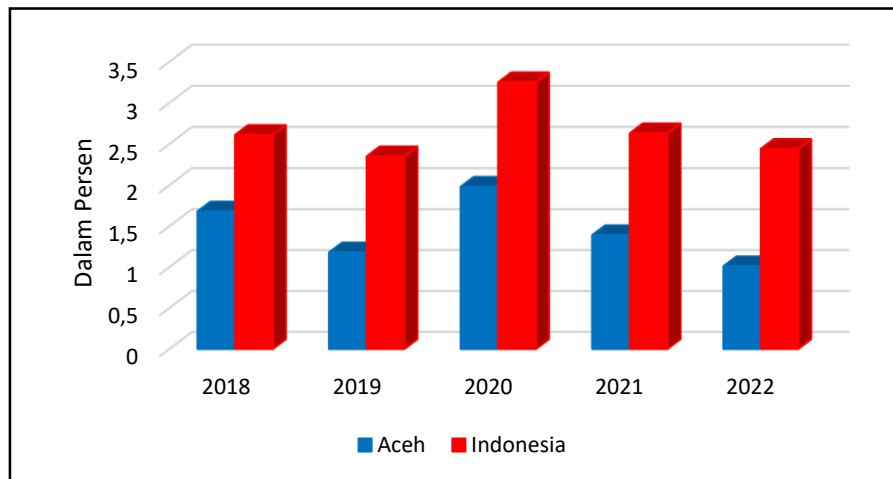


Figure 1. Child Labor (Aged 10-17 Years) in Indonesia and Aceh 2018-2022 (Percent) (Central Statistics Agency, 2023).

According to the data above, it is also known that the highest increase in child labor occurred in 2020, both in Aceh and Indonesia. We can assume that this is due to the outbreak of the Covid-19 pandemic, during which learning activities were not conducted in schools but instead through networks, providing school-age children with the opportunity to work. Not only in Aceh, but in all corners of Indonesia, the number of children working has also increased, which is one of the consequences of the COVID-19 pandemic. Besides the COVID-19 pandemic, factors such as education, culture, and economy also contribute to the rise in child laborers (Egsa.geo.ugm.id, 2022).

After the pandemic passed, specifically in 2021 and 2022, the percentage of child laborers began to slowly decline, indicating that conditions related to child labor were improving, with many children no longer being employed. However, in 2022, data revealed that approximately 1.1 percent of Aceh's total child population continued to work. Despite the small percentage, it remains a pressing issue that requires immediate resolution. Every child should not enter the world of work prematurely, and parents' true duty is to guide and help children achieve their dreams by sending them to school (Nihayah, 2016).

But in reality, it is still not in accordance with the provisions stated in the regulations. Currently, the government pays less attention to the prevalence of school-age children working, particularly in Banda Aceh City, despite the open nature of the issue. It is widely acknowledged that no child desires to work at a young age, compromising their childhood, education, and physical and mental health. Children of school age, who are not yet fit for work, frequently find themselves compelled to work at crossroads, selling newspapers, masks, and fruit for over three hours a day, which is considered the worst job for a child (Pratama et al., 2022).

Even in Banda Aceh City, children who are not yet of working age are frequently observed selling fruit and acting as clowns at traffic lights, starting from intersection 4, continuing to intersection 5, the BPKP intersection to the edge of the Pante Pirak bridge, and even entering and exiting cafes and coffee shops. This situation has led to the designation of Banda Aceh City as an emergency city for child exploitation (Serambinews.com, 2022). Given these conditions, the government should be protecting child workers, but they have often been overlooked, despite the fact that the law on employment limits the age at which a child can work.

Table 1.
Child Labor at Several Points in Banda Aceh City.

No.	Place Name	Number of Child Laborers	Day/Time
1.	Traffic Lights at Simpang 5	2 Persons	August 7, 2023/12:00 AM
2.	Traffic Lights at BPKP	4 Persons	August 10, 2023/15:00 PM
3.	Traffic Lights at Simpang 4	2 Persons	August 1, 2023/16:00 PM
4.	Panglima Nyak Makam Street	3 Persons	August 16, 2023/14:30 PM
5.	Stadion H. Dimurthala Street	1 Person	August 16, 2023/13:00PM

Source: Researcher Observation Results.

This data indicates the presence of child workers in Banda Aceh City. The researcher's initial observations reveal that children work at various locations in Banda Aceh City, including traffic lights, cafes and coffee shops, and the streets. There are 2 children at the Simpang 5 traffic light selling fruit in the form of cucumbers, 4 children at the Simpang BPKP traffic light selling fruit in the form of salak and cucumbers, 2 children at the Simpang 4 traffic light selling newspapers, 3 children selling in and out of cafes carrying baskets filled with bread and fruit in the form of cucumbers on Jln. Panglima Nyak Makam, and 1 child selling cucumbers on Stadion H. Dimurthala Street.

Several stakeholders are involved in addressing the issue of child labor in Banda Aceh City, ensuring that no single stakeholder bears sole responsibility. Researchers conducted initial interviews and found that the Women's Empowerment, Child Protection, Population Control, and Family Planning Service (DP3AP2KB) of Banda Aceh City, the Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) of Banda Aceh City, the Banda Aceh City Social Service, and the Civil Service Police Unit and Wilayatul Hisbah (Satpol PP and WH) of Banda Aceh City have so far been involved in resolving child labor cases.

DP3AP2KB Banda Aceh City is an agency that has the authority and responsibility to formulate and implement policies for the implementation of child protection in accordance with Articles 18 and 19 of the Regulation of the Mayor of Banda Aceh Number 48 of 2016 concerning the composition, position, duties, functions, authority, and work procedures of the Women's Empowerment, Child Protection, Population Control, and Family Planning Agency of Banda Aceh City. Currently, DP3AP2KB Banda Aceh City manages children's issues by implementing a Sport Group program. However, the Covid-19 pandemic in 2020 diverted the program's budget, leading to the discontinuation of the Sport Group program (Pratama et al., 2022). Meanwhile, the UPTD PPA of Banda Aceh City operates under the auspices of the DP3AP2KB of Banda Aceh City, directly reporting to the Head of the DP3AP2KB Service of Banda Aceh City for the implementation of the protection of women and children in Banda Aceh City, as per Mayor Regulation Number 80 of 2021.

Meanwhile, the Banda Aceh City Social Service, based on Banda Aceh Mayor Regulation Number 46 of 2016 concerning the composition, position, duties, functions, authority, and work procedures of the Banda Aceh City Social Service, states that the Banda Aceh City Social Service has the authority in social rehabilitation for children who need special protection, especially neglected children. The Banda Aceh City Social Service only manages child workers who fall under the category of neglected children, directing them to Baitul Mal

for scholarship awards (Pratama et al., 2022). Meanwhile, the Banda Aceh City Satpol PP and WH play a role in organizing public order and public comfort. The Banda Aceh City Satpol PP and WH focus on controlling and securing child workers, then handing them over to the relevant agencies (Sidahuruk, 2023).

Based on the initial documentation obtained by the researchers, it is clear that the Banda Aceh City Government must consider and resolve the issue of child labor in the city as part of comprehensive prevention efforts to combat child exploitation, including child labor, and ensure that children are no longer employed as children.

2. LITERATURE REVIEW

2.1. Participation

Participation is an individual's right and obligation to contribute to achieving group goals (Rakhmawati, 2018). Participation is a principle that states that everyone has the right to participate in the decision-making process for a series of activities in government administration (Loina et al., 2003). Regarding participation, there are main requirements for an activity to be categorized as a form of participation, namely; not being forced (voluntary), emotional factors, and getting benefits either directly or indirectly from the involvement (Haris, 2007). The entire development process requires the involvement of various stakeholder elements, from planning through a participatory planning approach to the implementation and evaluation stages (Ariyani et al., 2020).

2.2. Stakeholders

Stakeholders can be defined as "any group or individual who can affect or is affected by the achievement of the organization's objectives," namely, stakeholders are groups or individuals who are able to influence and are influenced in achieving certain goals (Freeman, 1984). We can perform a stakeholder analysis by diagnosing three attributes: power, legitimacy, and socially constructed definitions and expectations. Legitimacy refers to the general perception that an entity's actions are desirable, appropriate, and comparable to the system of norms, beliefs, and values. It also considers the sensitivity of time and the criticality of stakeholders in addressing a problem (Wulandari, 2020). Basically, stakeholders are divided into two parts: main stakeholders and supporting stakeholders (Sherly Dwi Fedor et al., 2019). In this study, the main stakeholders are the Banda Aceh City Social Service and the Women's Empowerment, Child Protection, Population Control, and Family Planning Service (DP3AP2KB). Meanwhile, supporting stakeholders include the Civil Service Police Unit (Satpol PP), the Hisbah Region (WH) of Banda Aceh City, and the Women's Protection and Women's Protection Regional Technical Implementation Unit (UPTD PPA) of Banda Aceh City.

2.3. Child Labor

The Law of the Republic of Indonesia Number 13 of 2003 concerning Manpower states that child workers are children (both male and female) who are involved in economic activities that can disrupt or hinder the growth and development process and endanger children's physical and mental health. The Law on Manpower, 2003 outlines 17 conditions for children's employment, including obtaining parental permission and working a maximum of 3 hours per day.

3. METHOD

This study employs a qualitative research method and a descriptive approach to gain a comprehensive and factual understanding of stakeholder participation in addressing child labor issues in Banda Aceh City. The data collection technique in this study was through direct observation conducted by researchers on the phenomenon of child labor in Banda Aceh City and conducting interviews by asking questions related to handling child labor to the Head of the Child, Elderly, and Social Rehabilitation Section of the Banda Aceh City Social Service, Head of Division and Staff of Law Enforcement and Apparatus Resources from Satpol PP and WH Banda Aceh City, Head of Women and Children Protection Division from DP3AP2KB Banda Aceh City, Head of UPTD PPA Banda Aceh City, as well as information from the perspective of child workers in Banda Aceh City, as well as through documentation studies in the form of images, regulations, and news conveyed through the media.

4. FINDINGS AND DISCUSSION

According to Manpower Law Number 13 of 2003, child labor refers to children who work below the age of 18. However, there is an exception for children aged 13–15, who can work as long as they meet certain requirements: the job must be light, lasting no more than 3 hours a day, and they must not work during school hours. Additionally, the work location must guarantee safety and security, and they must obtain permission from their parents or guardians. The laws and regulations, specifically Law Number 13 of 2003 concerning Manpower, clearly prohibit the work or employment of children under the age of 18, stating that they can only work for up to 3 hours a day. However, so far from the results of observations conducted by researchers in January 2024, there are still child workers under the age of 18 who work more than 3 hours a day. Emy (2012, in Putu, 2023) explains that the impacts of underage children working include being vulnerable to discriminatory treatment, vulnerable to becoming a poor generation, vulnerable to work accidents, disruption of the child's growth and development process, and not having time to play as the child's world.

4.1. Banda Aceh City Social Service

In terms of legitimacy, the Banda Aceh City Social Service has the authority to provide guidance. The Banda Aceh City Social Service operates a shelter, where officers apprehend child workers and child beggars, both with and without parents, to offer guidance to neglected children. According to the Head of the Child, Elderly, and Social Rehabilitation Section at the Banda Aceh City Social Service, the agency provides guidance to child workers, parents, or relatives who employ underage children in their care. In terms of authority, the Banda Aceh City Social Service provides verbal and written warnings. The sanctions given by the Social Service can be in the form of an agreement on a stamp as a form of initial warning with the aim that child workers will no longer be active with the form of punishment if they work; they will be made into state children who will be cared for at the Banda Aceh City Social Service Shelter.

According to Kemalahayati, the Social Service has taken various measures to prevent the emergence of child labor in Banda Aceh City. These efforts include socializing through talk shows, newspapers, and RRI, appealing to business premises to refrain from allowing child labor, and even awarding business premises that are free from child labor or beggars. However,

the reality on the ground reveals that numerous business establishments continue to permit child labor to enter and exit, indicating the ineffectiveness of this program.

4.2. Department of Women's Empowerment, Child Protection, Population Control and Family Planning (DP3AP2KB) Banda Aceh City

According to Risda Zuraida's explanation, DP3AP2KB Banda Aceh City possesses the power to address the issue of violence against women and children. This agency is responsible for addressing child labor if it involves elements of violence. While child labor can also be considered a form of violence, the violence in question pertains to physical and mental injuries in children. Therefore, the agency's focus is on preventing violence against women and children, as well as providing psychological or medical services and assistance when needed for women and children who have experienced physical or sexual violence. However, even so, DP3AP2KB Banda Aceh City also participates in efforts to prevent and handle child labor, such as working with Satpol PP and WH Banda Aceh City in relocating child workers. This organization also implements a socialization program in villages, aiming to raise public awareness and encourage the resolution of child labor cases, particularly in Banda Aceh City, as a method of early prevention.

4.3. Regional Technical Implementation Unit for the Protection of Women and Children (UPTD PPA) Banda Aceh City

According to Nurmiati, UPTD PPA Banda Aceh City responds quickly to cases of violence against women and children, offering psychoeducation as a service. However, in terms of resources, the organization can only provide basic needs during the case handling process. UPTD PPA Banda Aceh City does not form a special program because the handling of cases carried out by UPTD PPA is after the incident, so a preventive effort such as socialization will be directly organized by the service, namely DP3AP2KB Banda Aceh City.

4.4. Civil Service Police Unit and Wilayatul Hisbah Banda Aceh City

In terms of legitimacy, the Civil Service Police Unit and Wilayatul Hisbah of Banda Aceh City have the authority to organize public order and public tranquility. Nurul Farisah stated that the Civil Service Unit and Wilayatul Hisban of Banda Aceh City supervise, control, and secure child laborers in order to maximize the implementation of public order and public tranquility. Alam conveyed that the Civil Service Unit manages child laborers in areas that could disrupt public order, like red lights, intersections, bridges, or other places where their presence is evident. The Civil Service Unit reaches out to child laborers to understand their reasons for working, and if necessary, they guide them to the Social Service Shelter for guidance. The Civil Service Unit is one of the actors responsible for providing information or case reports to the Banda Aceh City Social Service.

4.5. Challenges in Handling Child Labor in Banda Aceh City

4.5.1. Community Behavior

The pity factor is recognized as one of the challenges in resolving child labor cases in Banda Aceh City, as quoted in the following interview:

“The behavior of society where, when faced with social conditions, the pattern of society's behavior that easily feels sorry and compassionate towards child workers makes them lighter to give or give more money when buying from child workers. Society should have a firm mindset by hardening their hearts a little towards child workers through understanding the rights of children that they should get, such as education in particular. If society is lenient towards child workers, it could encourage them to work to the detriment of their rights”. (Interview with the Head of the Child, Elderly, and Social Rehabilitation Section of the Banda Aceh City Social Service).

According to her, public concern also poses a challenge for stakeholders. According to her, child labor will persist without the community's support and participation, which can serve as a deterrent for child laborers. However, it is important to note that in human terms, feelings of pity are not inherently wrong. Risda Zuraida said that child laborers or perpetrators of child labor often take advantage of public empathy so that the community feels sorry for them. According to Nurmiati, child labor appears to be accepted as a common practice, leading to a lack of social control measures such as public attention. This often makes children who work used as justification so that it can hinder the resolution of child labor cases in Banda Aceh City.

4.5.2. The Behavior of Child Workers who are Comfortable Working on the Streets

Child workers who are comfortable working, especially on the streets, are one of the behaviors that is difficult to change. Even though working on the streets can be exhausting and challenging, children who find comfort in it often find happiness in earning money and relying on it. According to SD, a child worker, working with the reason to meet needs such as snacks for themselves while helping to lighten the burden on their parents. This can have a negative impact on children, such as not participating in education or even dropping out of school just because they have to work.

4.5.3. Limited Authority of Banda Aceh City Government

Limited authority poses a challenge in fulfilling the needs of child workers in terms of the duties and functions of the relevant agencies, making it difficult to intervene with them. On average, cases of child workers found in the Banda Aceh City area are not native to the Banda Aceh City area, so the city government has limited authority, especially from the applicable duties and functions of the agency. However, the city government, especially the Banda Aceh City Social Service, DP3AP2KB Banda Aceh City, and the Banda Aceh City Civil Service Police Unit, continue to make efforts to clean up cases of child workers who are active in the Banda Aceh City area (interview with the Head of the Child, Elderly, and Social Rehabilitation Section of the Banda Aceh City Social Service). He also added that, on average, these child workers come from Aceh Besar Regency. According to Risda Zuraida (Head of the Women and Children's Protection Division of DP3AP2KB), these child workers are active in Banda Aceh City because of the dense activity in Banda Aceh City, and Banda Aceh City is the provincial capital.

4.5.4. Law Enforcement Intervention

The lenient penalties imposed on child labor offenders often fail to deter them, resulting in a temporary cessation of their activities, which typically resume after a short period.

Consequently, the regulatory and preventive measures implemented through a more lenient approach, such as reprimands or warnings by the Civil Service Police Unit, the Banda Aceh City Social Service, and the Banda Aceh City DP3AP2KB, prove ineffective. The sanctions do not impose a sufficient burden on the offenders, leading to the Banda Aceh Police's involvement in addressing child labor violations in Banda Aceh City. Alam asserts that the government lacks a legal foundation to apprehend minor workers, as many of these young laborers engage in work voluntarily, complicating the imposition of sanctions or penalties on offenders of child labor laws. Risda Zuraida asserts that the local government's lenient strategy, characterized by reprimands and warnings, is ineffective in preventing instances of child labor, frequently involving the same individuals.

5. CONCLUSION

The stakeholder participation in handling child labor in Banda Aceh City includes: a) In terms of authority, the Banda Aceh City Social Service, DP3AP2KB Banda Aceh City, the Civil Service Police Unit, Wilayatul Hisbah of Banda Aceh City, and UPTD PPA are empowered to intervene on behalf of child laborers, their parents, and offenders, contingent upon their available resources. b) In terms of legitimacy, the Banda Aceh City Social Service, DP3AP2KB Banda Aceh City, Banda Aceh City Civil Service Police Unit, Wilayatul Hisbah, and Banda Aceh City UPTD PPA have formal and legal standings that are governed by the composition, position, duties, functions, authorities, and work procedures of agencies and institutions, as outlined in Banda Aceh Mayor Regulation Number 46 of 2016. This regulation pertains to the composition, position, duties, functions, authorities, and work procedures of the Regional Technical Implementation Unit for Women's Protection, Child Protection, Population Control, and Family Planning of the Aceh City Agency, thereby granting these agencies/institutions the authority to address child labor cases in Banda Aceh City. c) In terms of urgency, the Banda Aceh City Social Service, DP3AP2KB Banda Aceh City, the Banda Aceh City Civil Service Police Unit, Wilayatul Hisbah, and the Banda Aceh City UPTD PPA have been actively mapping several locations in Banda Aceh City identified as child laborer areas. To ensure responsive handling of child labor cases, the agencies or institutions involved have limited authority, as the majority of child laborers in Banda Aceh City are not local residents.

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