

**PERLINDUNGAN HUKUM TERHADAP ANAK
KORBAN EKSPLOITASI EKONOMI STUDI PERBANDINGAN
HUKUM DI INDONESIA DAN THAILAND**

JURNAL

**Ditulis Untuk Memenuhi Syarat
Mendapatkan Gelar Sarjana Hukum**

Oleh:

**Ermayana Riang Utami
220620016**



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**FAKULTAS HUKUM
UNIVERSITAS MUHAMMADIYAH SUMATERA UTARA
MEDAN
2026**



MAJELIS PENDIDIKAN TINGGI PENELITIAN & PENGEMBANGAN PIMPINAN PUSAT MUHAMMADIYAH
UNIVERSITAS MUHAMMADIYAH SUMATERA UTARA
FAKULTAS HUKUM

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BERITA ACARA
UJIAN MEMPERTAHANKAN JURNAL SARJANA
BAGI MAHASISWA PROGRAM STRATA I

Panitia Ujian Sarjana Strata-I Fakultas Hukum Universitas Muhammadiyah Sumatera Utara, dalam sidangnya yang diselenggarakan pada hari Jumat, tanggal 10 April 2026, Jam 08.30 WIB sampai dengan selesai, setelah mendengar, melihat, memperhatikan, menimbang:

MENETAPKAN

NAMA : ERMAYANA RIANG UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM / HUKUM PIDANA
JUDUL JURNAL : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
EKSPLOITASI EKONOMI STUDI PERBANDINGAN HUKUM
DI INDONESIA DAN THAILAND.

Dinyatakan : (A) Lulus Yudisium dengan predikat Istimewa
() Lulus Bersyarat, memperbaiki/Ujian Ulang
() Tidak Lulus

Setelah lulus, dinyatakan berhak dan berwenang mendapatkan gelar Sarjana Hukum (SH) dalam Bagian Hukum Pidana.

PANITIA UJIAN

Ketua

Dr. FAISAL, S.H., M.Hum.
NIDN: 0122087502

Sekretaris

Dr. ZAINUDDIN, S.H., M.H.
NIDN: 0118047901

ANGGOTA PENGUJI:

1. Dr. LILAWATI GINTING, S.H., M.Kn.
2. Assoc. Prof. Dr. NURSARIANI SIMATUPANG, S.H., M.Hum.
3. Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H.

1.

2.

3.



MAJELIS PENDIDIKAN TINGGI PENELITIAN & PENGEMBANGAN PIMPINAN PUSAT MUHAMMADIYAH
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PENETAPAN
HASIL UJIAN SKRIPSI MAHASISWA FAKULTAS HUKUM
UNIVERSITAS MUHAMMADIYAH SUMATERA UTARA

Berdasarkan Berita Acara ujian Skripsi yang dilaksanakan pada Jumat, tanggal 10 April Tahun 2026. Panitia Ujian Skripsi Fakultas Hukum Universitas Muhammadiyah Sumatera Utara, dengan ini menetapkan bahwa:

NAMA : ERMAYANA RIANG UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM / HUKUM PIDANA
**JUDUL JURNAL : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
EKSPLOITASI EKONOMI STUDI PERBANDINGAN HUKUM
DI INDONESIA DAN THAILAND**

Penguji : 1. Dr. LILAWATI GINTING, S.H., M.Kn. NIDN: 0103107703
2. Assoc. Prof. Dr. NURSARIANI SIMATUPANG, S.H., M.Hum. NIDN: 0111117402
3. Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H. NIDN: 0018098801

Lulus, dengan nilai A, predikat Istimewa

Oleh karenanya dinyatakan berhak menggunakan gelar **Sarjana Hukum (S.H.)**

Ditetapkan di Medan

Tanggal, 10 April 2026

PANITIA UJIAN

Ketua

Sekretaris






Assoc. Prof. Dr. FAISAL, S.H., M.Hum.
NIDN: 0122087502

Assoc. Prof. Dr. ZAINUDDIN, S.H., M.H.
NIDN: 0118047901



MAJELIS PENDIDIKAN TINGGI PENELITIAN & PENGEMBANGAN PIMPINAN PUSAT MUHAMMADIYAH
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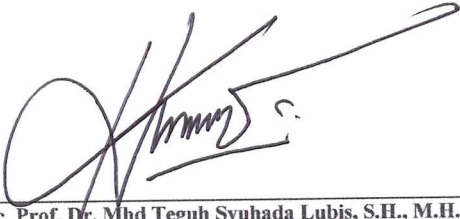
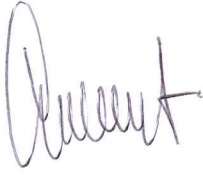
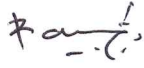
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PENGESAHAN JURNAL

JUDUL : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
EKSPLOITASI EKONOMI STUDI PERBANDINGAN
HUKUM DI INDONESIA DAN THAILAND
NAMA : ERMAYANA RIANG UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM / HUKUM PIDANA

Jurnal tersebut di atas telah diujikan oleh Dosen Penguji Fakultas Hukum Universitas Muhammadiyah Sumatera Utara pada hari Jumat tanggal 10 April 2026.

Dosen Penguji

		
<u>Assoc. Prof. Dr. Mhd Teguh Syuhada Lubis, S.H., M.H.</u> NIDN: 0018098801	<u>Dr. Lilawati Ginting, S.H., M.Kn.</u> NIDN: 0103107703	<u>Assoc. Prof. Dr. Nursariani Simatupang, S.H., M.Hum</u> NIDN: 0111117402

Disahkan oleh:
Dekan Fakultas Hukum UMSU



Assoc. Prof. Dr. Faisal, S.H., M.Hum.
NIDN: 0122087502



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BUKTI PENDAFTARAN UJIAN JURNAL

Panitia Ujian Jurnal Fakultas Hukum Universitas Muhammadiyah Sumatera Utara telah menerima Pendaftaran Ujian Jurnal:

NAMA : ERMAYANA RIANG UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM / HUKUM PIDANA
JUDUL JURNAL : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
EKSPLOITASI EKONOMI STUDI PERBANDINGAN HUKUM
DI INDONESIA DAN THAILAND
Dosen Pembimbing : Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H.

Selanjutnya layak untuk diujikan.

Medan, 08 April 2026

Panitia Ujian

Ketua

Dr. FAISAL, S.H., M.Hum.
NIDN: 0122087502

Sekretaris

Dr. ZAINUDDIN, S.H., M.H.
NIDN: 0118047901

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LEMBAR PERSETUJUAN PEMBIMBING

NAMA : ERMAYANA RIAN UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM / HUKUM PIDANA
JUDUL SKRIPSI : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
EKSPLOITASI EKONOMI STUDI PERBANDINGAN HUKUM DI
INDONESIA DAN THAILAND

Disetujui untuk disampaikan kepada
Panitia Tugas Akhir (Jurnal)

Medan, 02 April 2026

Dosen Pembimbing

Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H.

NIDN : 0018098801

PERNYATAAN KEASLIAN PENELITIAN

Saya mahasiswa Fakultas Hukum Universitas Muhammadiyah Sumatera Utara yang bertandatangan

di bawah ini :

NAMA : ERMAYANA RIANG UTAMI
NPM : 2206200161
PRODI/BAGIAN : HUKUM/ HUKUM PIDANA
**JUDUL SKRIPSI : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN
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Dengan ini menyatakan sesungguhnya bahwa Skripsi yang saya tulis secara keseluruhan adalah hasil penelitian karya saya sendiri, kecuali pada bagian-bagian yang dirujuk sumbernya. Apabila ternyata di kemudian hari skripsi ini diketahui merupakan hasil plagiat atau merupakan karya orang lain, maka dengan ini saya menyatakan bersedia menerima sanksi akademik sesuai dengan ketentuan yang berlaku.

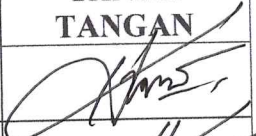

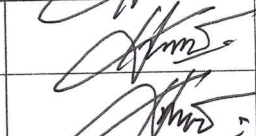
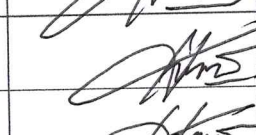
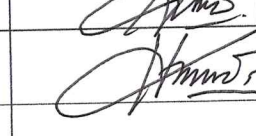
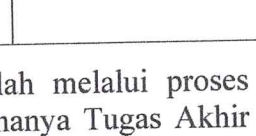

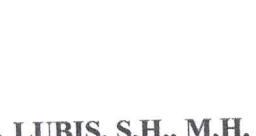
Medan, Maret 2026
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ERMAYANA RIANG UTAMI
NPM. 2206200161

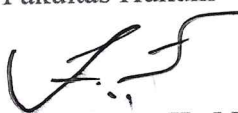
KARTU BIMBINGAN TUGAS AKHIR (JURNAL)

Nama : ERMAYANA RIAN UTAMI
NPM : 2206200161
Prodi/Bagian : HUKUM/ HUKUM PIDANA
Judul Skripsi : PERLINDUNGAN HUKUM TERHADAP ANAK KORBAN EKSPLOITASI EKONOMI STUDI PERBANDINGAN HUKUM DI INDONESIA DAN THAILAND
Pembimbing : Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H.

No.	TANGGAL	MATERI BIMBINGAN	TANDA TANGAN
	7 November 2025	Seminar proposal	
	13 Januari 2026	Perbaikan judul & perumusan Masalah	
	20 Januari 2026	Bimbingan Naskah jurnal.	
	26 Februari 2026	Penyelesaian ke Template Jurnal.	
	27 Februari 2026	LOA	
	28 Februari 2026	Submit Naskah Jurnal.	
	03 Maret 2026	Review jurnal.	
	2 April 2026	Acc disetujui	


Mahasiswa dengan data dan judul Tugas Akhir (Jurnal) tersebut di atas telah melalui proses bimbingan dan telah dilakukan pemeriksaan terhadap daftar pustaka, oleh karenanya Tugas Akhir (Jurnal) tersebut disetujui untuk diujikan.

Diketahui,
Dekan Fakultas Hukum


Assoc. Prof. Dr. Faisal, S.H., M.Hum

NIDN : 0122087502

Dosen Pembimbing


Assoc. Prof. Dr. MHD TEGUH SYUHADA LUBIS, S.H., M.H.

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Letter of Acceptance To Whom It May Concern 026.a/JHSS/Journal/LoA/II/2026

Chief Editor of JHSS (Journal of Humanities and Social Studies) has decided that the name article below has been accepted on JHSS will be published in Vol. 10 No. 01. 2026

Author : **Ermayana Riang Utami, Mhd Teguh Syuhada Lubis**
e-mail : ermayanariangutami@gmail.com
Title : Legal Protection For Child Victims Of Economic Exploitation: A Comparative Study Of Law In Indonesia And Thailand
Link Jurnal : <https://jhss-lppm-unpak.ac.id/index.php/jhss>
indexed : Crosreff, Sinta 3, Google Scholar, Garuda, dll
Status : **Accepted**

To develop our management system and add some indexations like Crossref and others. we need your donation before publishing your article.

Thank you for your attention
Bogor, 26 02 2026



Yudhie Suchyadi, S.Si., M.Pd.
Secretary of Chief Editor Journal of Humanities and Social Studies
Universitas Pakuan

CP WA. 087770220700



Reviewer 1 (Blind Review Report)

Manuscript Title: Legal Protection for Child Victims of Economic Exploitation: A Comparative Study of Law in Indonesia and Thailand

Journal: JHSS – Journal of Humanities and Social Studies

Manuscript ID: 76

Reviewer: Blind Reviewer 1

Date: February 2026

1. General Assessment

This manuscript examines the legal protection framework for child victims of economic exploitation through a comparative normative analysis of Indonesia and Thailand. The topic is highly relevant within the context of international human rights law and regional ASEAN child protection regimes. The study addresses an urgent socio-legal issue, particularly considering the persistence of child labor and commercial exploitation in both jurisdictions. Substantively, the manuscript provides a broad descriptive account of national legislation, international instruments (CRC and ILO Conventions), and enforcement challenges. However, the analytical depth remains limited in several sections, particularly in relation to doctrinal comparison, regime effectiveness theory, and empirical substantiation. In addition, the reference list does not comply with IEEE citation style, and there are duplications and inconsistencies that must be corrected to meet JHSS standards. Overall, the manuscript has potential but requires substantial revision to strengthen methodological clarity, analytical rigor, and bibliographic conformity.

2. Strengths

- a. **Topical Relevance**
The theme of economic exploitation of children is globally significant and aligns well with contemporary discourse on child protection and transnational legal obligations.
 - b. **Comparative Perspective**
The inclusion of both Indonesia and Thailand provides added scholarly value, especially in the ASEAN legal context.
 - c. **Integration of International Instruments**
The manuscript appropriately references the Convention on the Rights of the Child (CRC) and ILO Conventions No. 138 and No. 182 as normative foundations.
 - d. **Structured Legal Discussion**
The analysis of Indonesian laws (Child Protection Law, TPKS Law, Criminal Code) and Thai legal instruments (Child Protection Act 2003, Penal Code) demonstrates systematic legislative mapping.
-

3. Weaknesses and Suggestions for Improvement

a. **Insufficient Analytical Depth**

The manuscript is predominantly descriptive. The comparative method should go beyond listing laws and explicitly analyze:

- Normative divergences
- Enforcement mechanisms
- Institutional capacities
- Sanction proportionality
- Access to remedies

b. **Methodological Redundancy**

The Research Method section repeats explanations of normative legal research. The section should be streamlined and clearly distinguish:

- Research design
- Legal materials classification
- Comparative analytical framework

c. **Effectiveness Theory Application**

The use of Underdal's regime effectiveness framework is conceptually interesting, but the indicators (stringency, compliance, side effects) are not operationalized with measurable criteria. The author should define assessment benchmarks.

d. **Language and Academic Precision**

Some sentences are repetitive or normative in tone (e.g., religious justification). The Qur'anic reference should be contextualized within socio-legal analysis rather than theological exposition.

e. **Lack of Updated Empirical Data Sources**

Statistical claims (BPS, UNICEF Thailand, ILAB) should include proper bibliographic citations in IEEE format.

4. Section-by-Section Feedback

a. **Abstract**

- Generally clear, but too descriptive.
- Add one sentence highlighting the study's novelty or comparative contribution.
- Avoid overly general recommendations; focus on findings.

b. **Introduction**

- The opening paragraph is philosophically framed but lacks immediate research gap articulation.
- Clearly state:
 - Research problem
 - Gap in comparative literature
 - Research questions
- Statistical data must be supported with precise IEEE-style citations.

c. **Research Method**

- Remove duplication in explaining normative legal research.
- Clearly state:

- Type of comparative approach (functional, doctrinal, structural?)
- Analytical model used in comparing regimes
- Justification for selecting Indonesia and Thailand
- Clarify whether Islamic law analysis is normative or contextual.

d. Results and Discussion

Legal Framework Section

- Provide structured sub-comparison:
 - Definition of exploitation
 - Criminal sanctions
 - Institutional enforcement bodies
 - Victim protection mechanisms

Effectiveness Analysis

- The application of Underdal's framework requires:
 - Operational indicators
 - Evidence-based comparison
 - Clear justification for "moderate effectiveness" conclusion
- Avoid repetition between Indonesian and Thai analysis.

e. Conclusion

- The conclusion is consistent with findings but remains general.
- Add:
 - Explicit comparative findings
 - Normative reform recommendations
 - Theoretical implications

5. Recommendation

Major Revision

The manuscript requires significant revision in:

- Analytical depth
- Methodological clarity
- Theoretical application
- IEEE citation formatting
- Elimination of duplicated references

The study is promising but not yet ready for publication.

6. Summary of Required Revisions

- a. Reformulate research gap and objectives in Introduction.
- b. Streamline and clarify Research Method section.
- c. Deepen comparative legal analysis.
- d. Operationalize regime effectiveness indicators.
- e. Strengthen empirical support for claims.
- f. Convert all citations and references to IEEE style.
- g. Remove duplicated references and ensure numerical consistency.
- h. Improve academic language and eliminate redundancy.

Once these revisions are comprehensively addressed, the manuscript may be reconsidered for publication in JHSS Journal of Humanities and Social Studies.

A handwritten signature in black ink, consisting of several fluid, connected strokes that are difficult to decipher as specific letters.

Reviewer 2 (Blind Review Report)

Manuscript Title: Legal Protection for Child Victims of Economic Exploitation: A Comparative Study of Law in Indonesia and Thailand

Journal: JHSS – Journal of Humanities and Social Studies

Manuscript ID: 76

Reviewer: Blind Reviewer 1

Date: February 2026

1. General Assessment

This manuscript addresses the legal protection of child victims of economic exploitation through a comparative normative analysis between Indonesia and Thailand. The topic is timely and socially significant, particularly in light of ongoing regional concerns regarding child labor, trafficking, and commercial sexual exploitation within ASEAN jurisdictions. The manuscript demonstrates familiarity with national legislation and international child protection instruments. However, the comparative dimension remains largely descriptive rather than analytically integrative. The discussion would benefit from a more rigorous doctrinal comparison, stronger theoretical grounding, and clearer articulation of novelty. Additionally, the reference list does not conform to IEEE citation standards required by JHSS. In-text citations are inconsistent, references are not numerically ordered, and duplicate entries are present. These issues must be comprehensively corrected before the manuscript can proceed to publication.

2. Strengths

- a. **Relevance and Social Urgency**
The focus on economic exploitation of children responds to a pressing human rights issue, particularly in developing and transitional legal systems.
 - b. **Comparative Legal Approach**
The decision to compare Indonesia and Thailand adds regional analytical value and enhances cross-jurisdictional understanding.
 - c. **Inclusion of International Legal Frameworks**
The manuscript appropriately references the CRC and ILO Conventions No. 138 and No. 182 as normative benchmarks.
 - d. **Incorporation of Effectiveness Theory**
The use of regime effectiveness indicators (stringency, compliance, impact) demonstrates an attempt to move beyond pure doctrinal description.
-

3. Weaknesses and Suggestions for Improvement

- a. **Limited Comparative Depth**
The comparison largely juxtaposes legal provisions rather than critically evaluating:
 - Differences in enforcement structures
 - Sanction severity and proportionality

Institutional accountability

Access to remedies for victims

A structured comparative matrix would significantly strengthen the analysis.

b. Overemphasis on Legislative Description

Several sections repeat statutory explanations without synthesizing their practical implications.

c. Theoretical Underdevelopment

The regime effectiveness framework is introduced but insufficiently operationalized. The manuscript should:

Define measurable criteria for “stringency”

Provide concrete evidence for “compliance”

Quantify or systematically evaluate “impact”

d. Insufficient Empirical Anchoring

Statistical references (BPS, ILAB, UNICEF) require formal IEEE citations and clearer source identification.

e. Redundancy in Research Method Section

The explanation of normative legal research is repeated. The methodology should be concise and focus on comparative design and analytical technique.

f. Conclusion Lacks Theoretical Contribution

The conclusion reiterates descriptive findings but does not articulate theoretical implications for comparative child protection regimes.

4. Section-by-Section Feedback

Abstract

- Clear but overly general.
- Add one sentence emphasizing comparative novelty or contribution.
- Avoid broad recommendations without analytical linkage.

Introduction

- The introduction provides moral and constitutional grounding but lacks a sharply defined research gap.
- Explicitly state:
 - Research questions
 - Comparative objective
 - Theoretical framework
- All statistical claims must be cited using IEEE numerical format.

Research Method

- Remove duplication in explaining normative legal research.
- Clarify:
 - Comparative model (functional or structural comparison).
 - Analytical criteria for evaluating effectiveness.
 - Justification for including Islamic legal reference (normative vs. socio-cultural perspective).

Results and Discussion

Legal Framework Comparison

- Present a clearer side-by-side analysis:
 - Definition of exploitation
 - Criminal sanctions
 - Preventive mechanisms
 - Victim rehabilitation systems

Effectiveness Analysis

- Strengthen the application of Underdal's framework.
- Provide empirical indicators supporting the classification of "moderate effectiveness."
- Avoid repetition between Indonesian and Thai analysis.

Conclusion

- Strengthen comparative synthesis.
- Add reform-oriented recommendations grounded in analysis.
- Highlight potential contribution to ASEAN child protection discourse.

5. Recommendation

Major Revision

The manuscript addresses an important issue but requires substantial improvements in analytical depth, comparative rigor, theoretical application, and IEEE reference formatting before it can be considered for publication.

6. Summary of Required Revisions

- Clearly articulate research gap and research questions.
- Strengthen comparative analytical framework.
- Operationalize regime effectiveness indicators.
- Reduce descriptive redundancy.
- Strengthen empirical support for claims.
- Convert all in-text citations and references to IEEE format.
- Remove duplicated references and ensure numerical consistency.
- Enhance theoretical contribution in the conclusion.

After these substantial revisions, the manuscript may be reconsidered for publication in JHSS Journal of Humanities and Social Studies.



LEGAL PROTECTION FOR CHILD VICTIMS OF ECONOMIC EXPLOITATION: A COMPARATIVE STUDY OF LAW IN INDONESIA AND THAILAND

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Abstract. Economic exploitation of children remains a serious problem occurring in many countries, including Indonesia and Thailand. Such exploitative practices not only violate children's human rights but also have negative impacts on their physical, mental and social development. This study aims to analyze the legal regulations and the effectiveness of legal protection for child victims of economic exploitation in Indonesia and Thailand, as well as to identify obstacles in their implementation. The research method employed is normative legal research using statutory, conceptual, and comparative approaches. Data were obtained through library research on national legislation, international legal instruments, and relevant legal literature. The findings indicate that Indonesia and Thailand have established legal frameworks governing the protection of children from economic exploitation, both through national legislation and the ratification of international instruments such as the Convention on the Rights of the Child (CRC) and ILO Conventions. However, the effectiveness of legal protection implementation in both countries still faces various challenges, including weak law enforcement, lack of inter-agency coordination, social stigma against victims, and socio-economic factors that contribute to child exploitation. Therefore, strengthening legal substance, enhancing the capacity of law enforcement officials, consistently applying a restorative justice approach, and increasing active community participation are necessary to achieve more effective and sustainable legal protection for child victims of economic exploitation.

Keywords: legal protection, children, economic exploitation, Indonesia, Thailand

I. INTRODUCTION

Children are a gift and a gift from God Almighty who must be protected and cared for, because children are inherent in human values in the form of dignity, honor, and human rights that must be respected and upheld. This is because the future and progress of a nation ultimately depend heavily on the role of the child generation. Children's human rights themselves are an inseparable part of human rights as regulated in the 1945 Constitution and the United Nations Convention on the Rights of the Child. Children as the next generation have a strategic role in supporting national development and the sustainability of national and state life. Through child protection efforts, it is hoped that children as assets and responsibilities of the nation can prepare themselves to face the future well, both within the family and community environment. The implementation of child protection, the state and government have an obligation to provide adequate facilities, infrastructure, and access for children, especially in ensuring that their growth and development process takes place optimally, directed, and sustainably [1].

Child exploitation is the act of using children in various activities to gain profit for another party, either in the form of child labor or prostitution. This action has a very detrimental impact on the physical and psychological condition of

children, and hinders their educational, moral, spiritual, and socio-emotional development. Perpetrators of child exploitation are often associated with parties outside the family environment, currently many cases are carried out by people closest to the child, including parents and relatives. Various incidents show parents selling their children, families trading their own family members, and fathers and mothers forcing children to beg or engage in prostitution. As a result, the relationship between parents and children loses the value of affection and becomes one based solely on economic interests.

Traumatic experiences resulting from exploitation leave profound psychological impacts and influence thought patterns, learning processes, memory, self-assessment, and how children view others and their environment. Trauma experienced from an early age has the potential to influence a child's personality development into adulthood, as childhood experiences form the basis for facing various life challenges later in life. Children who experience this kind of stress tend to grow up with feelings of guilt and a false self-concept. The losses experienced by victims of crime are not only physical and material, but often have a greater impact on psychological conditions. Victims often feel constantly haunted by the traumatic events they experienced, disrupting their daily

activities. In addition, these crimes can cause prolonged trauma, loss of trust in the social environment, and the emergence of persistent fear, suspicion, cynicism towards law enforcement, and various other psychosocial impacts[2].

Universal children's rights have been established through the UN General Assembly on November 20, 1959, in the form of a declaration of the rights of the child. With this declaration, it is hoped that all parties will recognize children's rights and encourage all efforts to fulfill them. The 1945 Constitution of the Republic of Indonesia (UUD NRI 1945) mandates child protection in Article 28 B paragraph (2) which states that: "Every child has the right to survival, growth and development, and the right to protection from violence and discrimination." Children in the Explanation of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, state that children are an inseparable part of human survival and the survival of a nation and state [3]. Law of the Republic of Indonesia No. 4 of 1979 concerning child welfare also stipulates that children have the right to welfare, care, upbringing and guidance based on love, both in their families and in special care to grow and develop naturally and receive protection from living environments that endanger or hinder their growth and development naturally. This law also stipulates that child welfare efforts are carried out by the government and/or society [4].

Indonesia itself faces a still-high rate of child labor. The Central Statistics Agency (BPS) recorded that there were approximately 1.01 million children aged 5–17 working in 2023, or approximately 1.72 percent of the child population, and this figure is expected to increase to approximately 1.27 million children by 2024. Most of these children are involved in the informal sector with long working hours and minimal legal protection. The Indonesian Child Protection Commission (KPAI) also records hundreds of cases of child exploitation in the form of child labor and commercial sexual exploitation each year. This fact indicates that the implementation of legal protection for child victims of economic exploitation in Indonesia still faces various obstacles.

Thailand, despite its higher level of economic development, also faces similar issues. National surveys and international reports indicate that children are still involved in work in the fishing, agriculture, and tourism sectors. A report by the United States Department of Labor (ILAB) stated that in 2023 there was a significant increase in prosecutions for commercial sexual exploitation of children, with 197 people prosecuted compared to 67 the previous year. UNICEF Thailand even estimates that around 400,000 children aged 12–17 have been victims of online-based sexual and economic exploitation. These figures confirm that Thailand has not yet fully implemented legal protections for child victims of exploitation [5]. This fact confirms that both Indonesia and Thailand still face a gap between legal norms and their implementation in the field. This is despite the fact that both countries have ratified international instruments such as the CRC, ILO Convention No. 138, and ILO Convention No. 182, which require legal protection for children from all forms of exploitation.

The research gap in the study of legal protection for child victims of economic exploitation is still evident in the limited

number of comparative studies that in-depth compare the effectiveness of legal frameworks and their implementation in Indonesia and Thailand. Most previous research tends to focus on normative analysis within a single country, or only examines aspects of child protection in general without specifically addressing economic exploitation. Furthermore, there is a lack of studies linking regulatory differences to law enforcement practices, protection mechanisms, and institutional barriers in the two countries. This situation raises the need for research that not only compares legal norms but also assesses the extent to which these protections effectively protect children as a vulnerable group.

Based on these gaps, this study aims to analyze and compare legal regulations regarding the protection of child victims of economic exploitation in Indonesia and Thailand, and to assess the effectiveness of their implementation in practice. This study also aims to identify similarities, differences, and weaknesses in the legal protection systems of both countries, so that more comprehensive policy recommendations can be formulated. Therefore, the results of this study are expected to provide academic and practical contributions to strengthening legal protection for child victims of economic exploitation. This study is important to analyze and compare the implementation of legal protection for child victims of economic exploitation in Indonesia and Thailand, in order to identify obstacles and best practices that can be used as references in strengthening child protection in Indonesia.

II. RESEARCH METHODS

Methodology has several meanings, namely (a) the logic of scientific research, (b) the study of research procedures and techniques, and (c) a system of research procedures and techniques. Based on this, it can be said that a research method is research that aims to reveal the truth systematically, methodologically, and consistently. Through this research process, analysis and construction are carried out on data that has been collected and processed [6].

The research method used is normative legal research, namely research that examines the principles and norms of written law. The study focuses on the rules governing the protection and handling of cases of economic exploitation of children based on Law No. 35 of 2014 and the Convention on the Rights of the Child (CRC), ILO Convention No. 138, and ILO Convention No. 182 with a descriptive-comparative nature. The approaches used include legislative, conceptual, and comparative approaches. Data sources consist of primary, secondary, and tertiary legal materials, as well as supplemented by Islamic legal sources in the form of the Qur'an. Data collection was carried out through literature studies, while data analysis was carried out qualitatively to identify similarities, differences, and obstacles in legal protection in both countries.

The type of research used is normative legal research. In normative legal research, research on legal principles is conducted on legal norms, namely benchmarks for appropriate behavior or actions. Normative legal research focuses on the study of written legal norms that regulate the

mechanisms for handling cases of children as victims of economic exploitation based on Law Number 35 of 2014 and the Convention on the Rights of the Child (CRC) [7].

III. RESULTS AND DISCUSSION

1. Legal Regulations in Indonesia and Thailand in Providing Protection for Child Victims of Economic Exploitation

Legal protection for children in Indonesia who are victims of exploitation is regulated in Law Number 35 of 2014 concerning Child Protection. Child protection is all efforts made to guarantee and protect children and their rights so that they can live, grow, develop, and play their roles optimally in accordance with human dignity and values, and are protected from all forms of violence and discrimination as regulated in Article 1 number 2 of Law Number 23 of 2002 which was later amended to Law Number 23 of 2014 concerning Child Protection. Law Number 23 of 2002 concerning Child Protection, specifically Article 13 paragraph (1) letter b, explains that child exploitation is any form of action that exploits or uses children to gain personal, family, or group benefits. This provision emphasizes that the state prohibits all forms of exploitation of children and provides legal protection for them. The Indonesian government is obliged to protect children from economic and sexual exploitation as part of special protection, as regulated in Article 66 of Law Number 35 of 2014 concerning Child Protection. Economic exploitation includes various actions that utilize a child's energy, abilities or body for material gain, while sexual exploitation is the use of a child's body organs for commercial purposes, including prostitution and indecent acts [8].

The provisions regarding criminal sanctions for perpetrators of child exploitation in Indonesia are strictly regulated in laws and regulations. One legal basis can be found in Article 88 of Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection. This article states that anyone who violates the provisions referred to in Article 76I, namely exploiting children, can be subject to imprisonment with a maximum threat of 10 (ten) years and/or a maximum fine of Rp200,000,000.00 (two hundred million rupiah). This provision demonstrates the state's efforts to provide a deterrent effect and serious legal protection for children as a vulnerable group.

In addition to these provisions, Indonesia currently also has Law Number 12 of 2022 concerning Criminal Acts of Sexual Violence (TPKS), which expands the provisions regarding criminal liability for perpetrators of sexual exploitation, including exploitation where the victim is a child. This law not only regulates the forms of criminal acts of sexual violence more comprehensively, but also emphasizes the legal consequences and criminal sanctions that can be imposed on perpetrators, thereby strengthening legal protection for children from various forms of sexual exploitation [9].

The in-depth comparative legal analysis in this study is directed at a systematic review of the normative framework, institutions, and law enforcement mechanisms related to the protection of child victims of economic exploitation in

Indonesia and Thailand. The analysis goes beyond comparing laws and regulations but also explores the alignment between legal norms and their implementation practices in the field. A comparative approach is used to identify how each country constructs the definition of child economic exploitation, protection standards, the role of law enforcement officials, and forms of redress for victims, thus obtaining a comprehensive picture of the effectiveness of the applicable protection systems.

Furthermore, this in-depth study aims to uncover factors influencing differences in levels of legal protection in the two countries, including legal substance, institutional structure, and societal legal culture. The results of the comparative analysis are expected to reveal best practices that can be adapted and regulatory gaps that still require strengthening. Therefore, this research is not only descriptive-comparative but also evaluative and prescriptive to encourage the formulation of more responsive policies to protect child victims of economic exploitation.

As an ASEAN member country, Thailand continues to face serious concerns regarding child exploitation practices, as enforcement of children's rights in the country has not been optimal. Since 1990, an estimated 80,000 women and children have been caught in human trafficking networks in Thailand. The majority of victims come from Laos, Myanmar, and the Yunnan region of China. Forms of child exploitation in Thailand include various cases, such as trafficking in human organs, forced labor as laborers or fishermen, and violations of children's rights through forced employment as commercial sex workers (CSWs), which are essentially forms of violence and sexual abuse against children and adolescents [10].

Black's Law Dictionary states that children can be interpreted as descendants or can also be called generations, which does not only look at whether their status is as a biological child or not, and also does not look at the marital status of their parents [11].

In the new Indonesian Criminal Code, child exploitation is regulated, among others, in Article 425, which specifically criminalizes the act of a person who gives or hands over a child under his/her control and under the age of 12 to another person who will exploit the child to do dangerous work, work that could endanger health, or begging; this act can be punished with a maximum of 4 years imprisonment or a fine of up to category IV, and the same provisions apply to anyone who receives the child to be exploited in this way. This article was created as a form of legal protection for children under 12 years old so that they are not abused in activities that have the potential to harm them physically, mentally, or socially, and is included in ordinary crimes that can be prosecuted without having to wait for a report from the victim because it concerns the public interest of child protection.

It should be noted that while Article 425 of the new Criminal Code provides criminal sanctions for this general exploitation of children, other laws such as the Child Protection Law (Law No. 35/2014) also prohibit both economic and sexual exploitation of children under 18, and provide specific criminal penalties and fines for perpetrators who exploit children for personal gain or for the benefit of others. The provisions of the Child Protection Law apply more broadly to various forms of exploitation (e.g., economic,

sexual, forced labor, modern slavery) that are not always specifically regulated in the Criminal Code, and are designed to provide more comprehensive protection for children's rights and safety in general.

Thus, although the new Criminal Code provides a criminal legal umbrella regarding the exploitation of children in certain contexts such as begging and hazardous work, protection against child exploitation in Indonesia is also supported by specific regulations in the child protection law which have a broader scope, so that law enforcement officers can use both regulations according to the context of the case to protect children from exploitation.

In an effort to address the problem of child exploitation, Thailand has ratified the Convention on the Rights of the Child (CRC) through the approval of the General Assembly on November 20, 1989 with Resolution No. 44/25. This ratification aims to serve as a foundation to suppress the practice of child exploitation in Thailand, including through the establishment of child protection regulations such as the Child Protection Act of 2003 and various other policies that adopt the provisions in the articles of the Convention on the Rights of the Child. Thus, it can be seen that Thailand has a firm legal regulation regarding the prohibition of child exploitation.

These regulations are reflected in various national legal norms, both those contained in the Thailand Penal Code and in the Child Protection Act which was passed in 2003. In addition to regulations at the national level, Thailand's commitment to protecting children's rights is also strengthened through the ratification of the Convention on the Rights of the Child (Convention on the Rights of the Child), or the United Nations Convention on the Rights of the Child (UN-CRC), which is an international instrument under the United Nations and came into force internationally on September 2, 1990. This ratification shows Thailand's seriousness in adjusting its national laws to international standards in order to prevent and overcome all forms of exploitation of children [12].

Indonesia and Thailand are both bound by international legal instruments relating to child protection. Both countries have ratified the 1989 Convention on the Rights of the Child (CRC), which affirms the right of children to be free from all forms of exploitation. Furthermore, both countries have agreed to ILO Convention No. 138 concerning the minimum age for employment and ILO Convention No. 182 concerning the elimination of the worst forms of child labor. These international instruments serve as a framework of reference that must be implemented in each country's national legal system [13].

From a religious perspective, particularly Islam, which serves as a reference for the majority of the Indonesian population, child exploitation is linked to the concept of responsibility as a trust from Allah SWT that must be safeguarded. The Qur'an affirms the prohibition on ignoring a child's right to life in QS Al-Isra: 31, which states:

وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَتَّىٰ إِذَا قُلْتُمْ بُرُءًا مِّنْهُمْ وَإِنَّمَا كَانَ جَطْمًا كَبِيرًا

Do not kill your children for fear of poverty. We provide for them and for you. Indeed, killing them is a great sin. This verse prohibits the killing of children for fear of poverty,

which is a form of exploitation and neglect of children's right to life.

2. Effectiveness of Regulations and the State in Preventing and Addressing Economic Exploitation of Children

This research found that Indonesia already has fairly comprehensive child protection regulations. However, there are still obstacles in implementing legal protection for child victims of economic exploitation.

A. The Role of Society and Social Stigma

The negative social stigma attached to child victims of exploitation is a social factor that significantly hampers prevention and child protection efforts. This stigmatization impacts victims' lack of courage to report their experiences and limits their access to legal and social assistance. In this context, the active role of the community and social institutions, including the Indonesian Child Protection Commission (KPAI), is crucial in raising public awareness, reducing stigma, and ensuring an effective protection system for child victims of exploitation.

This research was conducted to strengthen empirical support to ensure that the analysis of legal protection for child victims of economic exploitation is not merely normative but also based on verified facts on the ground. An empirical approach was used, collecting data from court decisions, reports from child protection agencies, law enforcement statistics, and previous research findings in Indonesia and Thailand. This data was analyzed to assess the extent to which legal provisions are actually implemented, the response of law enforcement officials, and victims' experiences in accessing protection mechanisms. This allows claims regarding the effectiveness or inadequacy of the legal regime to be demonstrated more objectively and measurably.

Furthermore, this empirical support serves to test the consistency between legal norms and their implementation practices in both countries. The analysis was conducted by comparing case trends, levels of prosecution, the quality of victim recovery, and obstacles encountered in the law enforcement process. This approach allows the research to produce findings that are not only descriptive but also evidence-based, thus making the resulting recommendations more credible and applicable. With a strong empirical foundation, this research is expected to make a tangible contribution to efforts to strengthen legal protection for child victims of economic exploitation.

B. Restorative Approach in the Juvenile Criminal Justice System

The application of a restorative justice approach in the juvenile criminal justice system, which emphasizes the recovery and best interests of children, both as victims and perpetrators, has not been optimally implemented. Juvenile case management practices still tend to prioritize a retributive approach, thus failing to fully provide comprehensive protection or rehabilitation opportunities for affected children. This situation is inconsistent with the mandate of Law Number 11 of 2012 concerning the Juvenile Criminal Justice System, which emphasizes the importance of special treatment and rehabilitation efforts for children in conflict with the law.

C. Strategic Recommendations

Based on the analysis, the researchers recommend strengthening the capacity of law enforcement officers through ongoing training related to child protection. Furthermore, increased synergy and coordination between relevant institutions are needed, as well as systematic and ongoing public education regarding children's rights and protection mechanisms. Strengthening the oversight function by independent institutions such as the Indonesian Child Protection Commission (KPAI), along with the consistent implementation of a restorative justice approach in the juvenile criminal justice system, is a strategic step in optimizing child protection from exploitative practices [14].

The main obstacles to legal protection for child victims of economic exploitation also occur in Thailand, including weak domestic law enforcement, legal loopholes, and the high number of undocumented child immigrants.

- A. Weak Law Enforcement & Legal Loopholes: Despite the Child Protection Act and the Anti-trafficking in Person Act, law enforcement remains weak, with sanctions sometimes failing to provide a deterrent effect.
- B. Immigration & Population Issues: Many child victims of exploitation come from neighboring countries. The Thai government is very strict about granting citizenship, making it difficult for immigrant children to access formal legal protection.
- C. Lack of Victim Awareness: Surveys show that many children do not know where to seek help or report the exploitation they experience.
- D. Institutional Structure is Not Optimal: The lack of uniform child protection committees across all provinces, and the infrequent committee meetings, have resulted in slow case handling.
- E. Socio-Economic Factors: Extreme poverty pushes children into the worst forms of child labor, such as begging, day labor, or drug trafficking.
- F. Legal Procedure Challenges: Legal processes are often traumatic for children and the lack of protection for witnesses/victims during the judicial process makes them afraid to report [15].

The effectiveness of regulations and the state's role in preventing and addressing the economic exploitation of children can essentially be seen from three main aspects: legal substance, law enforcement structure, and societal legal culture. In terms of legal substance, both Indonesia and Thailand have various laws and regulations that normatively prohibit the economic exploitation of children and guarantee the protection of children's rights. In Indonesia, these regulations are reflected in the Child Protection Law and the Juvenile Criminal Justice System Law, while Thailand also has regulations governing the protection of children from economic exploitation practices. Normatively, these regulations are sufficient as a legal basis for child protection.

Effectiveness according to the Big Indonesian Dictionary (KBBI) is defined as success and the ability to exert influence. In the context of regimes or regulations, Oran R. Young explains that effectiveness is reflected in an institution's ability to shape and influence actor behavior, which is seen from differences in behavior when the institution is present or absent. This view is in line with Underdal, who stated that the effectiveness of a regime is measured by its success in

carrying out its functions according to the objectives of its formation. This effectiveness can be analyzed through three indicators: output as the result of regime formation, outcome as behavioral changes resulting from regime implementation, and impact as the final level of success in resolving the problems underlying its formation.

In the framework of regime effectiveness proposed by Underdal, the level of effectiveness of a regime can be assessed based on several main indicators, namely the strength of the rules (stringency), the level of member compliance, and the impact or side effects resulting from the implementation of the regime.

a) Stringency (Strength of Rule)

Stringency refers to the extent to which the rules within a regime are formulated firmly, clearly, and without room for excessive interpretation. In the Thai context, the internalization of the Convention on the Rights of the Child into national legislation has not fully met this requirement. Although the Child Protection Act regulates the characteristics of pornographic media, the use of ambiguous terms such as "indecent" without clear definitions or parameters creates legal uncertainty. Similar ambiguity is also evident in the regulations regarding the severity of pedophilia crimes, which lack concrete criteria for determining the seriousness of the offense. Furthermore, the criminal sanctions imposed are considered disproportionate to the impact of the crime on the victim, particularly in cases of online child pornography, where the distribution of the content cannot be completely eradicated. The relatively light penalties, limited to the perpetrators of distribution, without reaching the recipients, further demonstrate the weakness of the existing regulations.

b) Compliance (Obedience to the Regime)

In terms of compliance, Thailand can be categorized as a country that has demonstrated a level of formal adherence to the Convention on the Rights of the Child through its ratification process and integration into the national legal system. This is reflected in various provisions of the 2003 Child Protection Act, which regulates the state's obligations to protect children, including the obligation of officials to provide immediate assistance to children and their families. Furthermore, criminal sanctions for acts of violence and child abuse are also expressly stipulated in Thai criminal law.

c) Side Effects

The side effects of a regime can be seen through changes in conditions before and after it was adopted into national law. Historically, Thailand has a long track record of sexual exploitation, including of women and children, dating from the Ayutthaya Kingdom to the modern era. This exploitation continued into the 20th century, with the development of a sex industry involving minors. Following the ratification of the Convention on the Rights of the Child, particularly in the 2019–2022 period, there has been no significant decrease in cases of child exploitation; in fact, the number of cases of sexual abuse has tended to increase. However, the ratification has had an indirect impact in the form of an increased role for activists and civil society groups actively advocating for and reporting child rights violations in Thailand.

d) Effectiveness of the Regime

Based on the analysis of these three indicators, it can be concluded that the effectiveness of the Convention on the Rights of the Child regime in Thailand has not been optimally achieved. In terms of stringency, the existing regulations are still general and unable to accommodate the complexity of child exploitation crimes, especially digital-based ones. In terms of compliance, Thailand has fulfilled its formal obligations through ratification and the establishment of a national legal framework. However, in terms of side effects, the implementation of the regime has not shown a significant impact in reducing the number of child exploitation in society. Thus, this regime only meets one criterion of effectiveness, namely compliance, while the other two indicators have not been adequately met. Nevertheless, the existence of these regulations still has strategic value as a legal basis and guideline in efforts to enforce and protect children's rights in Thailand [16].

The operationalization of the regime effectiveness indicators in this study was carried out by translating the concept of legal protection for child victims of economic exploitation into measurable and comparable measures between Indonesia and Thailand. Effectiveness indicators are not only assessed from the existence of legal norms, but also from the extent to which these regulations are implemented in practice. Therefore, the main indicators include aspects of legal substance (clarity of definitions and sanctions), enforcement structure (official performance and institutional coordination), and fulfillment of victims' rights (access to recovery, rehabilitation, and ongoing protection). Each indicator is formulated within parameters that can be analyzed normatively and empirically to produce an objective assessment.

Furthermore, these indicators are used as comparative measuring tools to assess the effectiveness of the legal protection regimes in both countries. Measurements are conducted through an analysis of relevant laws and regulations, case decisions, and institutional practices. By systematically operationalizing the indicators, this study can identify the strengths and weaknesses of each regime, while also assessing the gap between norms and implementation. The results are expected to provide a strong basis for formulating more targeted policy recommendations to improve legal protection for child victims of economic exploitation.

The effectiveness of regulations in Indonesia can be analyzed through three main indicators: stringency, compliance, and side effects (impact).

- a) In terms of stringency, Indonesian regulations are quite strong normatively, as reflected in the Child Protection Law, the Manpower Law, and the Juvenile Criminal Justice System Law, which provide a clear legal basis for prohibiting the economic exploitation of children. However, some provisions remain general and do not specify punishment mechanisms for various forms of exploitation, thus reducing legal certainty.
- b) In terms of compliance, the Indonesian government has demonstrated formal adherence to international norms, such as ratification of the Convention on the Rights of the Child, which has subsequently been translated into national law. This reflects the country's efforts to fulfill

its responsibilities as a member of the international child protection regime. However, implementation on the ground remains hampered by limited human resources, suboptimal inter-agency coordination, and low public awareness, resulting in inconsistent law enforcement.

- c) In terms of impact, existing regulations have not shown a significant reduction in the practice of economic exploitation of children. Cases such as child labor and economic exploitation still occur, particularly in the informal sector. Nevertheless, the existence of these regulations has created a legal basis for advocacy, increased public awareness, and provided legal mechanisms for child protection, which are initial steps in curbing exploitative practices.

Thus, the effectiveness of regulations in Indonesia in preventing and handling the economic exploitation of children can be said to be moderate, fulfilling some of the criteria through legal compliance, but still needs strengthening in terms of the strength of the rules (stringency) and the real impact on society (impact) [17].

IV. CONCLUSIONS

Based on the results of the research and discussion, it can be concluded that Indonesia and Thailand basically have a legal framework that regulates the protection of child victims of economic exploitation, both through national legislation and through the ratification of international legal instruments such as the Convention on the Rights of the Child (CRC) and the ILO Convention. In Indonesia, legal protection for child victims of economic exploitation is regulated in the Child Protection Law, the Law on Sexual Violence Crimes, and other related regulations, while in Thailand such protection is regulated through the Thailand Penal Code and the Child Protection Act of 2003. However, the effectiveness of legal protection implementation in both countries still faces various obstacles, such as weak law enforcement, suboptimal inter-agency coordination, social stigma against victims, limited resources of law enforcement officers, and socio-economic factors that encourage child exploitation. Analysis of regulatory effectiveness shows that both Indonesia and Thailand have met the formal compliance aspect, but have not yet fully achieved the stringency of the rules and the real impact in reducing the rate of economic exploitation of children. Therefore, it is necessary to strengthen the legal substance, increase the capacity of law enforcement officers, consistently implement a restorative justice approach, and increase awareness and active participation of the community to realize more effective and sustainable legal protection for child victims of economic exploitation.

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