

Children Friendly School as the Legal Protection for Children in Indonesia

Ratri Novita Erdianti¹, Sholahuddin Al-Fatih^{2*}

^{1,2} Faculty of Law, Universitas Muhammadiyah Malang, Malang, Indonesia

*email: sholahuddin.alfath@gmail.com

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ABSTRACT

Keywords:
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The large number of child abuse rates in the school environment forces the government to make policies to tackle it. Through child-friendly schools, it will provide protection for children in educational units. Furthermore, this paper aims to give a solution through child-friendly school. Not only creating schools that are safe from violence, but child-friendly schools also provide opportunities for children to carry out enjoyable learning processes and strengthen children's character. Child friendly schools have provided legal protection for children's rights while in the education unit. Through a child friendly school program based on the principles of child protection and prioritizing the fulfillment of children's rights, it will be a solution for the government today in dealing with various forms of violence that occur in schools.

1. INTRODUCTION

Children are the nation's next-generation who need legal Protection in every area of their lives. Every child has rights in all aspects of life, including the right to life, growing and participating properly according to dignity and dignity, and getting Protection from all forms of violence and discrimination.¹ Following the provisions stipulated in the law, every child must be given protection for what is mandated by the law. According to Law No. 35 of 2014 concerning Amendments to Law No. 23 of 2002 concerning Protection of Children is not yet 18 (eighteen) years old, including children who are still in the womb. One of the rights possessed by children is the right to receive education protected by Law No. 35 of 2014 concerning amendments to the Law against Law No. 23 of 2002 concerning Child Protection and Law No. 20 of 2003 concerning the Education System. Article 9 of Law No. 35 of 2014 explains that:

¹ Agus Yulianto, "Pendidikan Ramah Anak: Studi Kasus SDIT Nur Hidayah Surakarta," *At-Tarbawi: Jurnal Kajian Kependidikan Islam* 1, no. 1 (2016).

(1) Childs has the right to receive education and teaching in the context of personal development and the level of intelligence according to their interests and talents.

(1a) Every child has the right to receive Protection in the education unit from sexual crimes and violence committed by educators, educational staff, fellow students, and other parties.

(2) In addition to obtaining Children's Rights as referred to in paragraph (1) and paragraph (1a), Children with Disabilities have the right to receive an exceptional education and children who have the right to education

Article 9 above states that, presumably, children must be kept away from all forms of violence that occur, including in schools. However, the reality of violence that occurs to children does not only occur within the family's scope, the surrounding community. It is possible to occur within the circle of education units.

Violence in schools can be done by anyone, school principals, teachers, school supervisors, employees, or students.² Violent behavior of children in school should receive a punishment or sanction that is educational and according to their character. The sanctions given should not kill the child's character because each student has different characteristics. Therefore, the teacher must be creative in providing appropriate punishment or sanctions against offenders.³ According to the Commission Protection of Indonesian Children, there are several types of violence perpetrated against children in school environments conducted by teachers, classmates, other classmates. The violence experienced by children, among others, is yanking, pinching, kicking, yelling, calling stupid, and other forms of violence.⁴

Forms of violence are not uncommon because students who are considered to have made mistakes must be disciplined by several things, as the author of the example above. However, it should be noted that the form of discipline done by teachers or school officials cannot then be legalized with actions that are classified as violence and categorized as a crime. The violence that also often occurs in schools is done between students, for example, in bullying, which is aggressive and repressive behavior of a person who is more dominant towards a weak person, where a student or more continuously acts that cause other students to suffer. This violence can be physical violence such as hitting,

² Yuni Fitriana, Kurniasari Pratiwi, and Andina Vita Sutanto, "Faktor-Faktor Yang Berhubungan Dengan Perilaku Orang Tua Dalam Melakukan Kekerasan Verbal Terhadap Anak Usia Pra-Sekolah," *Jurnal Psikologi Undip* 14, no. 1 (2015): 81–93, <https://doi.org/10.14710/jpu.14.1.81-93>.

³ Ahmad Sholeh, Diana Endah H, and Singgih Adhi P, "Bentuk Ketegasan Dalam Proses Pembelajaran " Dampak Sanksi Terhadap Kedisiplinan Siswa Di SDN Kaliwiru Semarang ", *Journal of Primary and Children's Education* 2, no. September (2019): 1–11.

⁴ Ari Subowo Kiki Artiantanti R, "Implementasi Sekolah Ramah Anak (SRA) Pada Sekolah Percontohan Di SD Pekunden 01 Kota Semarang Sebagai Upaya Untuk Mendukung Program Kota Layak Anak (KLA)," *Journal of Public Policy and Management Review* 6, no. 3 (2017): 128–44, <https://doi.org/10.1017/CBO9781107415324.004>.

kicking, grabbing, and others. Besides verbal violence such as making fun of, mocking, insulting, or uttering offensive words or making a hoax that causes the child to be isolated or made fun of, the student feels intimidated, scared, insecure, and others.⁵

The Indonesian Child Protection Commission (*Komisi Perlindungan Anak Indonesia*) noted cases of violence against children in the education unit environment still occurred during 2019. The violence occurred, such as verbal, physical, psychological, to sexual. KPAI received 153 cases of complaints of physical violence during 2019. A total of 95 cases (or 62%) were resolved through a national coordination meeting in Jakarta. Then 23 cases were resolved through direct supervision to the location and meeting to the relevant government, 19 cases with mediation, and 16 cases were referred to the relevant parties. The number of physical violence and *bullying*, 39% occurred at the elementary school/equivalent, 22% occurred at the junior high school/equivalent, and 39% occurred at the level of high school/equivalent. The number of students who were victims of physical violence and bullying reached 171 children.⁶

To create children as a quality generation of successors; presumably, the State needs to prevent children from sharing forms of violence, especially in the school environment. Considering most of the time children are done at school. So the school is one indicator of the success of creating quality children. The development of a child ren's talents and interests cannot be carried out optimally without adequate support from the surrounding environment, both family, school, and community. It is undeniable that the school environment is a factor that has a stake in the fulfillment of children's rights. In this case, the hope is that schools can provide good services to children for optimal child development.⁷

Paying attention to the problem above is, in fact, a matter that needs to be considered how vital education is based on hospitality by not forgetting the improvement of discipline and the development of children's potential. How important is the learning model that can develop the potential of children by using child-friendly learning? Every educator must possess such learning models, both in informal, formal, and non-formal education.⁸

In the framework of such Protection, the government as one of the parties that must realize efforts to protect children's rights Government tasks in the field of child protection in the form of policies, programs, and activities to ensure the fulfillment of children's rights so that children can live, grow, develop, and participate optimally

⁵ Rika Saraswati, *Hukum Perlindungan Anak Di Indonesia* (Bandung: Citra Aditya Bakti, 2009).

⁶ Nabilla Fatiara, "KPAI: 153 Kekerasan Anak Terjadi Di Sekolah, Pelakunya Mayoritas Guru - Kumparan.Com," n.d.

⁷ W Wuryandani, F Faturrohman, and A Senen, "Implementasi Pemenuhan Hak Anak Melalui Sekolah Ramah Anak," *Jurnal Civics: Media Kajian Kewarganegaraan* 15, no. 1 (2018).

⁸ Encep Sudirjo, "Model Pembelajaran Inovatif Berbasis Konsep Sekolah Ramah Anak," *EduHumaniora/ Jurnal Pendidikan Dasar* 2, no. 1 (2010).

following human dignity and values. Related to Protection in terms of education, One of the efforts made by the government through the Ministry of Empowerment of Women and Children Protection in order to achieve the protection of children's rights in various fields of life, including education, a Child-Friendly City/District was formed which has a large role in protecting from violence and discrimination against children. The principle of child-friendly schools is to make students' interests and needs the primary consideration in determining every decision and action taken by educational managers and providers. In essence, child-Friendly Schools provide all children's rights in full and class and school management. This program also has something to do with child-friendly villages and child-friendly districts/cities.⁹

Therefore, the Ministry of Empowerment of Women and Children Protection has endeavored to be the regency and city governments' obligatory affairs to develop a promising region in the growth and development of a child, including education. It follows the manifestation of the State of Indonesia ratifying the Convention on the Rights of the Child, which includes providing Protection against non-discrimination treatment, Protection of children's survival, protection of children's best interests, and Protection of respect for children's opinions.¹⁰

One of the Indicators of a Child-Friendly City/Regency is a Child-Friendly School. It is following Minister of Women Empowerment and Child Protection Regulation No. 12 of 2011 concerning Child-Friendly Cities Indicators.¹¹ Child-Friendly Schools is one of the indicators for the District of Child-Friendly Schools (*Kota Layak Anak/KLA*) as stipulated in the Regulation of the Minister of Women Empowerment and Child Protection Number 12 of 2011 concerning Child-Friendly Districts/Cities Indicator Article 11, which states that the KLA Indicators for Education Clusters, Utilization of Leisure Time, and Cultural Activities include: (a) early childhood education participation rates; (b) a percentage of compulsory education for 12 (twelve) years; (c) a percentage of child-friendly schools; (d) the number of schools that have programs, facilities and infrastructure for children's travel to and from school; and (e) facilities for creative and recreational activities that are child-friendly, outside of school, accessible to all children. How to create a child-friendly school, the Ministry of Women's Empowerment and Child Protection feels the need to publish a "Child-Friendly School Policy."

The concept of a Child-Friendly school must consider the situation of schools that implement vital, safe, clean, healthy character education, caring and cultured,

⁹ Ranti Eka Utari, "Implementasi Program Sekolah Ramah Anak Di Sekolah Menengah Pertama Negeri 1 Tempuran Kab Magelang," *Skripsi*, no. 3 (2016): 695–707.

¹⁰ Wuryandani, Faturrohman, and A Senen, "Implementasi Pemenuhan Hak Anak Melalui Sekolah Ramah Anak."

¹¹ Ratri Novita Erdianti and Sholahuddin Al-Fatih, "Mewujudkan Desa Layak Anak Sebagai Bentuk Perlindungan Hukum Terhadap Anak Di Indonesia," *Justitia Jurnal Hukum* 3, no. 2 (2019): 305–18.

environment, able to guarantee, fulfill, respect the rights of children and child-friendly schools must consider the situation of schools that implement vital, safe, clean and healthy character education, caring and cultured, environment, able to guarantee, fulfill, respect the rights and Protection of children from violence, discrimination, and other unfair treatment, and guarantee the participation of children in planning, policy, learning, supervision, and complaints mechanisms related to the fulfillment of children's rights and Protection in education.¹²Schools, as implementing agents educational process must have culture friendly in running its function are to achieve goals education. Various news of violence at school it often happens to students lately, from the school level in elementary to school medium. Violence was perpetrated by student to student, student to teachers, teachers to students, and parents to the teacher. Departs from various violence and conflict problems received by students at school, it is necessary to develop a program child-friendly school. This program aims to provide Protection in students as children in schools by prioritizing children's rights, including the right to life, rights thrive, rights Protection and rights to receive an education.¹³

Based on that background, this article will discuss legal Protection for children in Indonesia through the implementation of child-friendly schools and the urgency of implementing child-friendly schools that can prevent violence against children and provide security and comfort during the learning process in Indonesia so that Protection of children in the world of education will be guaranteed.

2. RESEARCH METHOD

In this paper, the authors use normative juridical research¹⁴ by describing the conditions of Protection of children's rights that occur associated with the theory of legal Protection and the concept of Child-Friendly Schools. This study examines the way of the government to protect and fulfill children's rights in school. The data source used consists of a data primer obtained through KPAI, secondary data in reference books, articles, journals, and research.¹⁵ The data is then analyzed using qualitative descriptive analysis.¹⁶

¹² L Nuraeni, A Andrisyah, and R Nurunnisa, "Efektivitas Program Sekolah Ramah Anak Dalam Meningkatkan Karakter Anak Usia Dini," *Jurnal Obsesi: Jurnal Pendidikan Anak Usia Dini* 4, no. 1 (2019).

¹³ Kardius Richi Yosada and Agusta Kurniati, "Menciptakan Sekolah Ramah Anak," *Jurnal Pendidikan Dasar Perkhasa: Jurnal Penelitian Pendidikan Dasar* 5, no. 2 (2019): 145–54, <https://doi.org/10.31932/jpdp.v5i2.480>.

¹⁴ Peter Mahmud Marzuki, *Penelitian Hukum: Edisi Revisi*, Cetakan ke (Jakarta: Kencana, 2017).

¹⁵ Marzuki PM, *Penelitian Hukum, Cetakan Ke-11* (Jakarta: Kencana, 2011).

¹⁶ Sholahuddin Al-Fatih, "Strengthening Baznas as The Society ' S Trusted Zakat Agency to Increase The Welfare of Ummah," *Jurisdictie: Jurnal Hukum Dan Syariah* 11, no. 1 (n.d.): 106–24, <https://doi.org/10.18860/j.v11i1.7841>.

3. RESULTS AND DISCUSSION

Before discussing child-friendly schools, it is necessary to discuss aspects of child protection. What is meant by Protection is the provision of guarantees for security, peace, well-being, and peace from the protector of all dangers that threaten the protected party.¹⁷ In the Preparatory Seminar on Child or Youth Protection by Pra Yuwana in 1977, there were two formulations on Child Protection, namely:¹⁸

1. All forms of effort made consciously by everyone and government and private institutions aim to work safeguarding, controlling, and fulfilling physical, mental, and social welfare for children and adolescents following their interests and rights.
2. All forms of joint effort done consciously by individuals, families, communities, government, and private bodies to secure, procure and fulfil the spiritual and physical well-being of children aged 0-21 years, not and have never been married, following their rights and interests in order to develop themselves as optimal as possible.

Regarding child protection, Abintoro Prakoso, in his book, stated that what is meant by legal Protection is the Act of protecting the rights of individuals or several individuals who are physically or mentally or physically unable, physically or economically, politically and preventively and repressively based on preventive and repressive law applicable to realize.¹⁹ Based on the concept of law that applies as a system, the concept of legal protection for children, in this case, is legal Protection carried out systematically, which includes:²⁰

1. Legal substance, namely values, principles, and norms in applicable child laws and regulations and their nature, protects children's rights.
2. Legal structure, namely the legal, institutional structure in dealing with children suspected of being perpetrators of criminal acts based on formal authority, has the authority to control and handle preventively and repressively to merge values, principles, and norms statutory regulations. prevailing laws that protect the rights of children suspected of being perpetrators of a crime
3. Traditional culture, namely ideas, views, and attitudes that function as *social force* or pressure (control) of the community as the basis for the operation of applicable laws and regulations, which can support efforts to structure legal institutions that protect the rights that are suspected of being perpetrators of criminal acts.

Next will be explained the definition of child protection. Maidin Gultom explained that child protection is all efforts made to produce a situation where children can carry out their rights and obligations so that a child's growth and development process

¹⁷ Abintoro Prakoso, *Hukum Perlindungan Anak* (Yogyakarta : Laksbang Pressindo, 2016). Hlm. 4

¹⁸ Irma Setyowati Soemitro, *Aspek Hukum Perlindungan Anak* (Jakarta: Bumi Aksara, 1990).

¹⁹ Prakoso, *Hukum Perlindungan Anak*.

²⁰ Prakoso.

can be passed naturally, physically, mentally, and socially. He further explained that child protection is a form of manifestation of the existence of justice in society. In various fields of state and community life, efforts must be sought to protect children.²¹

Concerning the definition of child protection, Law no. 35 of 2014 in article 1 to 2 explains that child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop, and participate optimally following human dignity and dignity, as well as get protection from violence and discrimination.

In addition to providing a more general definition of child protection, Law no. 35 of 2014 also defines child protection stipulated explicitly in article 1 to 15, which gives the understanding that superior Protection is a form of Protection received by children in certain situations and conditions to get a guarantee of security against threats that endanger themselves and lives in growing.

With the concept of Protection as explained above, it would be possible for child-friendly schools to become tools for achieving the Protection of children's rights, especially in education units. Various cases occur in the school environment involving children as victims, whether carried out by teachers, school principals, or another student, which is quite alarming. By hiding behind disciplining children who make mistakes, it is not uncommon for teachers to punish students where punishing more does not lead to self-improvement but instead focuses on physical punishment, impacting the child's trauma. It must be avoided in the learning process so that the school must have the wisdom in addressing how to discipline children by staying in the concept of child protection for the child's future.²²

The background of the existence of Child-Friendly Schools is, among others, mandated by Law Number 35 Of 2014 concerning Amendments to Law Number 23 of 2003 concerning Child Protection, which is evident in article 54, which reads:

1. "Children in and within the environment of compulsory education units get protection from acts of physical, psychological violence, sexual crimes, and other crimes committed by educators, educational staff, fellow students, and other parties."
2. As referred to in paragraph (1), protection shall be carried out by educators, educational staff, government officials, and the public.

A child-friendly school is an open school concept, trying to apply learning that considers students' psychological development. Develop learning habits according to the child's natural and psychological conditions. The child-friendly school model provides more favorable prejudice to children; the teacher realizes the different potentials of all

²¹ Maidin Gultom, *Perlindungan Hukum Terhadap Anak Dalam Sistem Peradilan Pidana Anak Di Indonesia* (Bandung: Refika Aditama, 2010).

²² Ratri Novita Erdianti and Sholahuddin Al-Fatih, "Fostering as an Alternative Sanction for Juveniles in the Perspective of Child Protection in Indonesia," *JILS (Journal of Indonesian Legal Studies)* 4, no. 1 (May 2019): 119–28, <https://doi.org/10.15294/JILS.V4I01.29315>.

students to allow students to choose activities and play activities that match their interests. Child-friendly schools are also motivated by an educational process that still makes children as objects and teachers as parties who are always right, easy to cause incidents of bullying in schools/madrasas. Not infrequently, violence occurs in the school environment. In the explanation of the Minister of Women and Child Empowerment Regulation no. 8 of 2014 concerning the Child-friendly School policy states that the vision of healthy, intelligent, cheerful, noble, and homeland Indonesian children in the National Education System is in line with the provisions of Article 29 paragraph (1) of the Convention on the Rights of the Child.

The article emphasizes that education aims to develop the personality, talents, mental and physical abilities of children to reach their full potential; developing attitudes respecting human rights; developing an attitude of respect for parents, cultural identity, language, and values; preparation of children for responsible life in a society in the spirit of mutual understanding, peace, tolerance, gender equality, and friendship between all nations, ethnicities, religions, including children of indigenous people; and the development of respect for the natural environment²³. Therefore, to achieve this vision, it is hoped that schools will become one of the tools to achieve the goal of success in producing quality and character-driven future generations. Article 19 of the Convention on the Rights of the Child also emphasizes that Article 19 "... protects children from all forms of physical or mental abuse, abuse, neglect, ill-treatment or exploitation, including sexual abuse". Every party involved in the school (educators, school gardeners, school guards, school cleaners, and all students) must be aware that there should be no physical and mental violence in any form, mistreatment between parties, and sexual violence in schools.

Schools should be a safe place as a second home for children as students. At school, children should feel good affection from adults (teachers, gardeners, school cleaners-all school members) and foster the values of brotherhood among fellow students so that they respect, care for, and respect each other, so as not to do various physical and mental acts of violence against other children. Adults involved in school should also treat students as their children and have a sense of wanting to protect and love them appropriately so that they do not physically or mentally abuse students, let alone target students as targets to be victims of violence/or sexual crime.

The definition of child-friendly schools according to Minister of Women's and Child Empowerment Regulation No. 8 of 2014 concerning Child-Friendly School Policy is a Child-Friendly School, from now on abbreviated as Child-Friendly School, is a formal, non-formal and informal education unit that is safe, clean, and healthy, caring and

²³ Haris and Sholahuddin Al-Fatih, "School of Intuition as An Education for Child to Prevent Corruption in Indonesia," *TEST Engineering & Management* 83 (April 2020): 11884–92.

cultured environment, able to guarantee, fulfill, respect the rights of children and protect children from violence, discrimination, and other abuses as well as supporting children's participation, especially in planning, policy, learning, supervision, and complaints mechanisms related to the fulfillment of children's rights and Protection in education

Child-friendly schools are one of the supporting indicators of child-friendly city programs; also, Child-friendly schools must have a unique curriculum for child-friendly schools. Teachers in these schools must also use child-friendly learning methods. School climate also influences child-friendly school programs; on the other hand, child-friendly schools also teach about multicultural education. With the existence of child-friendly schools, the ASEAN community's face is also expected that children will face various challenges in the future. Child-friendly schools can be implemented well if the creation of child-friendly school designs that meet the program's standards and its success is also influenced by its readiness to implement it ²⁴.

The parties need to fix the concept of an education that organizes a teaching and learning system that respects every potential that exists and harmonizes with students' psychological conditions so that their brains will be very easy to work together in the learning process. The learning process will become very optimal and effective. Students are confined in the classroom and learn in open spaces with various learning models and are packaged in challenging activities and educational games. The learning culture must be a "lifetime adventure" and an "endless exploration journey" to integrate the whole personality's growth with the values learned. Thus "learning" will be very meaningful and produce quality individuals who are better known as the concept of child-friendly education, which will henceforth be called child-friendly schools ²⁵.

Child-friendly and based school concept children's rights can be a powerful tool to help fulfill children's rights and give them are quality education. The purpose of the development of Child-Friendly Schools, among others prevent violence against children and residents other schools, preventing children from getting pain due to food and environmental poisoning unhealthy, prevent accidents at school caused by infrastructure or natural disasters, prevent children from becoming smokers and user drugs, creating relationships between school members better, familiar and quality, easier monitoring the condition of the child while the child is in school, makes it easier to achieve educational goals, creating a green and orderly environment, characteristic especially for children to be more comfortable at school, child accustomed to positive habituation. ²⁶

²⁴ Andini Putri, "Sekolah Ramah Anak: Tantangan Dan Implikasinya Terhadap Pemenuhan Hak Anak," *Journal of Civic Education* 2, no. 4 (2019): 2622–237.

²⁵ Yulianto, "Pendidikan Ramah Anak: Studi Kasus SDIT Nur Hidayah Surakarta."

²⁶ Safitri Rangkuti and Irfan Ridwan Maksum, "Analisis Implementasi Kebijakan Sekolah Ramah Anak Di Smp Negeri 6 Depok," *Journal of Public Sector Innovations* 7, no. 2 (2019): 231–44, <https://doi.org/10.21831/jnp.v7i2.24757>.

Many things must be fulfilled to achieve, including inviting children to decide any school policies, such as preparing school rules or penalties if they violate them. Also, the facilities and infrastructure in schools must be fulfilled. Educators also have a significant role; they must be friendly to children and be good facilitators. Teachers must also provide a sense of security and safety to every student living through their learning periods. It is because schools up until now have not been able to be a friendly place for students. Thus, the child is no longer an object in education, but as a subject, children are free to be creative in learning with an educational environment full of love. Teachers' duties and responsibilities at school or outside the school are very thick with moral messages of kindness. Therefore, it is not wrong to say that when a teacher teaches something in class, it means to convey God's messages of kindness to students.²⁷

In the case of enacting child-friendly schools, they still adhere to the principle of Protection. There are principles as a guideline for providing Protection about various forms of child protection in Indonesia. It is based on the Convention on the Rights of the Child, which was later adopted in Law No. 23 of 2002 concerning Child Protection, which was replaced by law No. 35 of 2014, there are four general principles of child protection that are the basis for every country in providing child protection, including :²⁸

1. The principle of non-discrimination

The principle of non-discrimination provides an understanding that every child is entitled to Protection without distinction in a child. It means that all rights recognized and contained in the Convention on the Child's Rights must apply to every child without any distinction.

Related to these principles can be seen in article 2 of the Convention on the Rights of the Child in paragraph (1), which reads:

"States parties respect and guarantee the rights provided for in this Convention for every child in their jurisdiction without discrimination in any form, regardless of race, color, sex, language, religion, political views or views. Other views, national, ethnic or social origin, ownership status, disability or not, birth or another status whether from the child himself or his legal guardian's parents".

The sound of paragraph 1 shows that each country guarantees that it will protect children's rights without any distinction relating to gender, skin color, religion, and so forth. Each country must respect and guarantee the rights set out in the Convention for every child in their jurisdiction without any discrimination. The principle of non-discrimination is a general principle of all human rights provisions and is part of the

²⁷ Yulianto, "Pendidikan Ramah Anak: Studi Kasus SDIT Nur Hidayah Surakarta."

²⁸ Nasir Djamil, *Anak Bukan Untuk Dihukum: Catatan Pembahasan UU Sistem Peradilan Anak (UU-SSPA)* (Jakarta: Sinar Grafika, 2013).Hlm.30

international human rights legal instruments. In this case, the Convention requires that the State Party actively identify each child and group of children who may need unique action.

Regarding guarantees of the principle of non-discrimination is an essential thing, considering that it is possible to violate the principle in practice. As an example, the writer took, namely in terms of education, that an international standard school has been applied in Indonesia. However, in its application, an international standard school is only possible for those who have a high economy because they can pay for the international standard school, but children who are not having an established economy will not afford these international standard schools. In this case, the fulfillment of education for children cannot be given equally to children in Indonesia, so that discrimination will be felt for children and impact the quality of education children in Indonesia will receive.²⁹

Furthermore, regarding the principle of non-discrimination, the Convention on the Rights of the Child also strengthens the Protection of the principle of non-discrimination by giving the state responsibility to act or efforts to provide guarantees that children are not discriminated against. This is seen from Article 2 paragraph 2 of the Convention on the Rights of the Child, which reads:

"States parties will take all necessary steps to ensure that children are protected from all discrimination or punishment based on the status, activities, opinions expressed or beliefs of parents. Children, legal guardians or family members".

With the regulation of the principle of non-discrimination in the CRC, then the participating countries must comply with these principles, and the Indonesian State also adopted it in the Child Protection Act in Indonesia and became the principle of guaranteeing child protection in Indonesia.

2. The Principle of the Best Interests of the Child

In this second principle, all forms of Protection for children should aim for the child's best interests. This principle is listed in Article 3 paragraph (1) of the CRC:

"In all actions involving children carried out by governmental or private social welfare institutions, judicial institutions, government agencies or legislative bodies, the best interests of the child must be a primary consideration."

This principle reminds all child protection providers that decision-making considerations concern the child's future, not with an adult's size, let alone centered on adults' interests. What is good in terms of adult yardstick is not necessarily good

²⁹ Muhammad Miftah, "Implikasi Kebijakan Penghapusan Sekolah Bertaraf Internasional Dalam Pembelajaran Pendidikan Agama Islam," *Jurnal Penelitian* 10, no. 1 (2016): 45, <https://doi.org/10.21043/jupe.v10i1.1330>.

according to the size of children's interests. It may be that the adult intends to provide help and help, but what happens is the destruction of the child's future.³⁰

The principle states that the child's best interests must be the primary consideration in all actions involving children. This principle stipulates that the parties' actions are related either by the family or public and private institutions that attempt to improve a child's social welfare. In this principle, the judiciary, executive, or judiciary must consider the child's best interests. So this principle requires that active steps must be taken in all elements. It means that each state institution must apply the best interests principle comprehensively to consider how children's rights and children's interests because children's lives are accommodated in every established public policy.

3. Principles of the (Right to Life, Survival and Development The Right to Life, Survival and Development)

This principle is listed in Article 6 of the CRC Paragraph (1):

"States Parties recognize that every child has an inherent right to life." Paragraph (2): "States parties will guarantee to the maximum extent survival and development of children. "

This principle's message is evident that the State must ensure that every child will be guaranteed survival because the right to life is inherent in him, not a gift from the State or individuals. To guarantee the right to life means the State must provide a conducive environment, adequate living facilities, infrastructure, and access for every child to obtain basic needs. In connection with this principle, it has also been outlined in previous discussions relating to children's rights.³¹

4. The Principle of Respect for Children Opinions

In this latter principle, the CRC pays attention to children's opinions in the process of fulfilling the rights they receive. According to the author, this is a fundamental principle, considering children who are considered small to determine something. It is not uncommon to argue that parents do not encourage children to communicate about their needs and interests. The basis of the above principle is Article 12 Paragraph (1) CRC:

"States parties will guarantee that children who have their views have the right to express their views freely in all matters affecting children, and those views will be respected accordingly. with the level of age and maturity of children."

This principle asserts that children have personality autonomy. Therefore, he can not only be seen in a weak, accepting, and passive position, but in fact, he is an

³⁰ Djamil, *Anak Bukan Untuk Dihukum: Catatan Pembahasan UU Sistem Peradilan Anak (UU-SSPA).Loc Cit*

³¹ Djamil.

autonomous person who has experiences, desires, imagination, obsessions, and aspirations that are not necessarily the same as adults.³²

In line with the principle of Protection above that stipulated in the Child and the Convention on Rights of the Child Protection Act, the Child-Friendly Schools enforcement principal also refers to the CRC and Child Protection Laws. Principle development of Child-Friendly School is based on the following principles:

1. Non-discrimination guarantees every child the opportunity to enjoy the right of children to education without discrimination on gender, ethnicity, religion, and parental background;
2. The best interests of the child are assessed and taken as the primary consideration in decisions and actions taken by the education management and organizer;
3. Life, survival, and development, namely creating an environment that respects the dignity of children and ensures the holistic and integrated development of every child;
4. Respect for children's views includes respect for children's right to express their views in all matters that affect children in the school environment.
5. Good management ensures transparency, accountability, participation, information disclosure, and law rule in the education unit.

The objectives of establishing a Child-Friendly School are :³³

1. Preventing violence against children and other school members;
2. Preventing children from getting hurt due to food poisoning and unhealthy environments;
3. Preventing accidents in schools caused by infrastructure or natural disasters;
4. Preventing children from becoming smokers and drug users;
5. Create better, more friendly, and better-quality relationships between school members;
6. Facilitate monitoring of the child's condition while the child is at school;
7. Facilitate educational goals;
8. Create a green and orderly environment;
9. Unique characteristics of children become more comfortable at school;
10. Children are accustomed to positive habituation.

From the definition and purpose of establishing child-friendly schools, and the principles of developing child-friendly schools, the conclusions of the scope of child-friendly schools are:

1. Schools are safe from violence.

³² Djamil.

³³ Editor KLA, "Sekolah Ramah Anak | KLA -Kabupaten/Kota Layak Anak," n.d.

2. Safe, comfortable schools for the sake of producing quality students
3. Facilities and infrastructure that support child development in education at school

It is hoped that the three conclusions above are significant in the interests of legal Protection for children in Indonesia because child-friendly schools aim to provide security for children, especially in the school environment, which can prevent various forms of violence against children. Children feel a comfortable and comfortable learning process. In the end, the children feel at home in school because most of the time, the children are in the school environment. The indicators of a Child-Friendly School are:³⁴

1. Child-Friendly School Policy

Policy friendly school policies here include whether the school has to Meet the Minimum Service Standards in Education Units. Also, it has an anti-violence policy (fellow students, educators, including other school employees). There is also a code of ethics in organizing educational units and the concept of enforcing discipline with non-violence and other forms of policy.

The indicators mentioned above are a requirement for the establishment of child-friendly schools. These indicators are very influential in implementing child-friendly schools because it accommodates each of the child-friendly schools' goals. Indicators policies about child-friendly schools are needed as the basis for schools committed to being child-friendly schools by making written rules or policies containing prohibitions against violence against children committed in the school environment. With this policy, it becomes the legal basis that the school has committed to be a child-friendly school.

2. Implementation of the Curriculum

In implementing child-friendly schools, it should be adjusted to a curriculum that supports child protection and is based on child protection following the rights stipulated in the relevant Acts

The child-friendly school curriculum is equally vital in the learning process of child-friendly schools because the child-friendly school curriculum is a guide for schools to carry out a learning process that pays attention to child protection, for example carrying out a learning process that develops a diversity of characters and potentials of students and can develop interests, talents, and innovation and creativity of students through extracurricular activities individually and group.

3. Educators and Education Personnel Trained Children's Rights

³⁴ “Peraturan Menteri Pemberdayaan Perempuan Dan Perlindungan Anak No. 8 Tahun 2014” (n.d.).

In implementing child-friendly schools, educators and education personnel, and related parties would have the ability to protect children so that the teaching and learning process to avoid all forms of violence and children to enjoy and feel safe, comfortable in the school environment.

The existence of indicators on Educators and Education Personnel Trained Children's Rights is essential in realizing child-friendly schools because the skills of child-friendly teaching staff will be able to protect children during the learning process at school and will later be able to create a generation of children who are intelligent, mature and moral.

4. Child-Friendly School Facilities and Infrastructure

In child-friendly schools, facilities are also crucial for the continuity of children's learning process at school. For example, the availability of School Health Units that meet the required standards, healthy classrooms for children, and adequate lighting is also a safe school canteen for students so that students' health can be protected and other forms of supporting infrastructure.

With safe facilities and infrastructure, children's interests and safety will be created during the learning process. Child-friendly schools include the prevention of child abuse in schools and reach the safety, security, and comfort of children. School facilities and infrastructure are elements that support and have a significant influence in providing Protection for children.

5. Children's Participation

In children's friendly schools, children's participation is equally important. It is useful in the planning process, policies and regulations, complaints learning process, monitoring, and evaluation. The school also facilitates students to assess Child-Friendly Schools' implementation every year, especially in play space and free time, participation, discipline enforcement, essential health, learning, and personal life.

The indicator for children's participation in realizing child-friendly schools is an embodiment of child protection in the child protection law, namely the principle of respecting children's opinions. When involving children in several school policies, the school has provided children opportunities to express their opinions to be heard and realized during school learning. Educators, education personnel, and education units should listen to and consider students' suggestions to map the fulfillment of children's rights and Protection and recommendations for learning activities to create child-friendly schools.

6. Parent Participation, Community Institutions, Business World, Other Stakeholders, and Alumni.

Another element that is no less important is the other parties supporting creating child-friendly schools, namely parents, the community, and other stakeholders. In line with the above indicators, in realizing child-friendly schools, there are five dimensions of child-friendly schools that must be considered:³⁵

1. Proactively Inclusive

Schools mean accepting children regardless of their abilities, disabilities, gender, HIV status, health, social, economic, ethnic, religious, or linguistic background. Also, Inclusive schools accept diversity, not just tolerate it. Inclusive schools (as a system) adapt to the needs of every child. The children learn according to their ability to achieve optimal academic, social, and emotional development. Children with disabilities and other special needs and parents and teachers have access to a school / community-based support system or external support system at no charge. In conclusion, inclusive, proactively practical child-centered activities include activities that proactively seek out all children who are marginalized from education, promote and help monitor the rights and welfare of all children in the community by respecting diversity and ensuring equality and opportunities to provide education.

2. Healthy, Safe, and Protective

Healthy, safe, and protective means that available facilities and infrastructure that are clean safe, clean such as the availability of clean toilets, access to healthy drinking water, a canteen with food that is free of preservatives, Monosodium glutamate, which is harmful to children's bodies, no penalties or interference physical or verbal punishment, and there are efforts to treat non-discrimination of students.

3. Community Participation Community

Participation is divided into two, namely, firstly focused on the family, which is trying to strengthen the family as the main caregiver and primary educator for children and help children, parents, and teachers foster harmonious and collaborative relationships and cooperation. Secondly, community-based community participation encourages partnerships and acts in and with the community to benefit children.

4. Effectively

Centred Effective and centered includes acting in the best interests of each child, caring for the child as a whole in terms of safety, health, well-being, caring about children before they enter school and after they come home from school, and applying creative methods in classrooms.

5. Gender-responsive

³⁵ Saraswati, *Hukum Perlindungan Anak Di Indonesia*. (Bandung: Citra Aditya Bakti, 2009).

Gender refers to biological differences between male and female batteries. Gender refers to the social roles believed to be held by men and women in specific social groupings. In this case, child-friendly schools support gender equality between male and female students without comparing or differentiating students' treatment in schools.

Presumably, various efforts have been made in creating a child-friendly school so that a child-friendly school will be created which has the following characteristics: (a) Fair treatment for male and female students, b) the occurrence of the learning process in such a way with varied learning methods so that students feel happy to follow the lesson, c) the teaching and learning process is supported by teaching media, d) students are involved in various activities that develop competencies, e) students are involved in class structuring, and f) students are involved in expressing their ideas in creating a school environment.³⁶ Presumably, the application of child-friendly schools has provided a lot of Protection for children, especially for children in the education unit. Child-friendly schools will prevent violence that has often occurred in schools, either done by teachers or students. A child-friendly school will provide a briefing character and strengthen a child's character to avoid being victims or perpetrators of violence themselves.

4. CONCLUSION

Child-friendly schools are a government policy that has such great urgency to realize children as the nation's next generation. Child-friendly schools provide Protection to prevent children from becoming victims or perpetrators of violence. It will create children with quality and character. A child-friendly school program based on the principle of child protection and prioritizing the fulfillment of children's rights will be a solution for the State to deal with various forms of violence in schools. As a form of protection for children's rights in Indonesia, it is essential to organize child-friendly schools that will create a safe, comfortable teaching and learning process and protect children from all forms of violence, both physical, verbal, and other forms of violence.

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³⁶ Nuri Rohmawati and Endang Hangestiningasih, "Kajian Program Sekolah Ramah Anak Dalam Pembentukan Karakter Di Sekolah Dasar," in *Prosiding Seminar Nasional PGSD*, 2019.

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