

**LEGAL PROTECTION OF CHILDREN AS WORKERS IN THE
FISHERIES SECTOR: A CASE STUDY OF MEDAN BELAWAN
DISTRICT**

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ABSTRACT

This study examines the phenomenon of child labor in the fisheries sector in Medan Belawan District, which is triggered by poverty and low educational motivation. Although national regulations prohibit child exploitation, this practice continues due to weak oversight and cultural normalization. Using a normative-empirical legal research method with an empirical juridical approach, data were collected through on-site observation and interviews. The results show that legal protection is normatively regulated in Law No. 35 of 2014 and Law No. 13 of 2003, but its implementation has not been effective due to internal (economic and educational) and external (cultural and weak oversight) barriers. A synergy of preventive measures and firm repressive measures is needed to guarantee children's rights in coastal areas.

Keywords: Legal Protection, Child Labor, Fisheries

A. Introduction

Children are the nation's future generation, whose rights must be protected for optimal physical and mental growth. In Indonesia, this protection is guaranteed through the 1945 Constitution, the Child Protection Law, and the Employment Law, which in principle prohibits child labor. However, in Indonesia, Medan Belawan District, a strategic logistics and fisheries hub in North Sumatra, has seen high rates of school dropouts and child involvement in informal work around the port. Family economic pressures force children to become emergency financial contributors in a high-risk work environment.

B. Research Methods

A study cannot be called research if it does not have a research method.¹ Research methods are one of the factors of a problem that will be discussed. The study was conducted using secondary data which was analyzed qualitatively using the Desk Research Method. The literature materials used in writing this research are several references originating from research results, studies, and reviews of several writings which are then summarized into a scientific paper.²

C. Discussion

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Implementation of Legal Protection Normatively, the Manpower Law provides limited exceptions for light work for children aged 13-15 years with strict conditions, such as parental permission and a maximum duration of 3 hours per day. In fact, at the Belawan PPSB, children work beyond that duration, often starting early in the morning, thus neglecting school hours. The work carried out includes sorting fish, cleaning boats, and working on the open coast, which is categorized as hazardous work for children according to the Minister of Manpower and Transmigration Decree No. 235 of 2003. Wage System and Work Risks Wages received by child workers range from IDR 55,000 to IDR 70,000 per day, far below the Medan City Minimum Wage (UMK). Furthermore, there is no certainty of work contracts or social security (BPJS), so the risk of work accidents due to the use of sharp tools or extreme temperatures is entirely borne independently by the children.

¹ Hanifah, I., Hariyanto, H., Ginting, L., Koto, I., & Syafriana, R. (2026). Legal Protection of Indonesia's Fisheries from Foreign Investment: A Social-State Approach. *Jurnal IUS Kajian Hukum dan Keadilan*, 14(1).

² Simatupang, R. S. A., Hanifah, I., & Mansar, A. (2025). The Concept of Restitution as Legal Accountability in the Crime of Human Trafficking. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(1), 3554-3462.

Obstacles and Preventive Measures encompass two aspects: internally, where structural poverty forces children to forgo their right to education for instant wages; and externally, a cultural normalization where children's work is seen as a form of devotion to their parents. Weak oversight by relevant agencies and minimal publicity regarding the prohibition of child labor in port warehouses exacerbate this situation. The Job Creation Law's criminal sanctions include imprisonment and fines (Categories IV and V) for businesses that employ children outside the provisions or in the worst forms of work. However, this system has not been effective in Medan Belawan due to the rarity of cases reaching the courts and gaps in oversight functions in the field.

D. Conclusion

Legal protection for child workers in the Medan-Belawan fisheries sector has not been empirically effective. Despite robust regulations, poverty and local culture are major obstacles to law enforcement. Mitigation efforts must integrate family economic empowerment with strict administrative and criminal oversight of business owners to break the cycle of child exploitation.

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Bibliography

- Abdussalam & Adri Desasfuryanto. 2016. Child Protection Law. Jakarta: PTIK Jakarta.
- Ali,Zainuddin. 2022. Legal Research Methods. Jakarta: Sinar Grafika.
- Amin, Rahman. 2021. Child and Women Protection Law in Indonesia. Yogyakarta: DEEPUBLISH.
- Asmorowati, Tutik. 2021. Legal Protection for Child Laborers. Surabaya: Scopindo Media Library.
- Central Bureau of Statistics of Indonesia. "Percentage of children aged 10-17 years who work according to province". <https://www.bps.go.id/id/statistics-table/2/MjAwOCMy/percentage-of-children-aged-10-17-years-who-work-according-province.html>. Accessed on July 27, 2025.
- Criminal Code.
- Decree of the Minister of Manpower and Transmigration Number KEP.235/MEN/2003 Presidential Decree Number 36 of 1990 concerning Children's Rights.
- Diniar Hapsari, et al. "Legal Protection for Underage Workers According to Indonesian Laws". Bismak Journal. Vol. 1. No. 1. January 2021.
- Dwi Rahmawati. "Social and Cultural Values in the Mantu Poci Tradition in Tegal City, Central Java (Literary Anthropology Study)". Tabasa: Journal of Indonesian Language and Literature and Its Teaching. Vol. 2. No. 2. December 2021.
- Ediwarman. 2015. Monograph on Legal Research Methodology (Guide to Writing Theses, Dissertations, and Thesis). Medan: PT. SOFMEDIA.
- Efendi, Jonaedi & Johnny Ibrahim. 2018. Normative and Empirical Legal Research Methods. Jakarta: Kencana.
- Erniwati Laia, et al. "Legal Protection for Child Laborers from a Human Rights Perspective." Rectum Journal, Vol. 4. No. 1. 2022
- Erwin Asmadi. 2023. Indonesian Criminal Law. Medan UMSU Press. SA, Romli. 2024. Legal Protection. Palembang: CV. Doki Course and Training.
- Faisal et al. 2023. Guidelines for Writing and Completing Student Final Projects.

Hanifah, I., Hariyanto, H., Ginting, L., Koto, I., & Syafriana, R. (2026). Legal Protection of Indonesia's Fisheries from Foreign Investment: A Social-State Approach. *Jurnal IUS Kajian Hukum dan Keadilan*, 14(1).

Harefa, Beniharmoni. 2019. *Selected Chapters on Legal Protection for Children*.

IDN Times. "High School Dropout Rate in Belawan, Triggering Social Problems." <https://sumut.idntimes.com/news/sumatera-utara/angka-putus-high-school-in-belawan-becomes-a-trigger-for-social-problems-00-7lmj9-5z3m17>. Accessed on January 7, 2026.

Labor.

Law no. 21 of 2002 concerning Trade Unions/Labour Unions. Law no. 22 of 1957 concerning Dispute Resolution

Law no. 35 of 2014 concerning Amendments to Law no. 23 of 2002 concerning Child Protection.

Law no. 39 of 1999 concerning Human Rights. Law no. 4 of 1979 concerning Child Welfare.

Law Number 1 of 2000 concerning the Ratification of ILO Convention Number 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor.

Law of the Republic of Indonesia no. 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law no. 2 of 2022 concerning Job Creation Becomes Law.

Medan City, Wikipedia, <http://pemkomedan.go.id/>. Accessed on October 7, 2025. Kristiawan Nugraha. "Legal Protection and Human Rights for Child Workers Based on the Context of the Child Protection Law: A Study of Implementation and Challenges". *Alshobar: Journal of Law Islam and Policy*. Vol. 1. No. 1. December 2023.

Medan: Prima Library.

Medan: UMSU Press.

Mertokusumo, Sudikno. 2002. *Understanding Law: An Introduction*. Yogyakarta: Atmajaya.

Ministry of Maritime Affairs and Fisheries. "Belawan Ocean Fishing Port Information Center". <https://www.kkp.go.id/unit-kerja/djpt/upt/pelabuhan-fisheries-ocean-belawan.html>. Accessed on January 7, 2026.

- Nabiella Nastiti, et al. "Legal Protection for Child Laborers Reviewed from Law No. 13 of 2003 concerning Manpower." *Journal of Law and Socio-Politics*. No. 3. August 2023.
- Nazmi Putri, et al. "Legal Protection for Child Laborers According to Law Number 13 of 2003 concerning Manpower." *Lex Crimen: Journal of the Faculty of Law, UNSRAT*, Vol. 12, No. 4. 2024
- Ni Luh Putu Amy Artini, et al. "Factors Causing Child Labor in Mataram City." *Journal of Development Economic Opportunities*. Vol. 2. No. 1. March 2023.
- Noveria DI, Barda NA "The Urgency of the Goals and Guidelines for Sentencing in the Context of Reforming the Criminal Law Sentencing System". Faculty of Law, Diponegoro University: *Journal of Indonesian Legal Development*, Vol. 3, No. 2. 2021.
- Perdana, Surya. 2023. *Introduction to Employment Law*. Medan: UMSU PRESS.
- Ramlan, et al. 2023. *Legal Research Methods in the Creation of Scientific Works*.
- Regional Regulation No. 3 of 2004 concerning Amendments to Medan City Regional Regulation No. 3 of 2019 concerning the Implementation of Manpower.
- Riza, Faisal & Fauzi Sibarani. 2021. *The Principle of The Best Interest of the Child in the Juvenile Criminal Justice Process*. Medan: UMSU Press.
- Save The ChildrenIndonesia. "Indonesia Faces the Challenge of Child Labor in the Agricultural Sector, with More Than 800,000 Children Trapped in the Worst Forms of Child Labor." <https://indonesia.savethechildren.id/>. Accessed on January 7, 2026.
- Simatupang, R. S. A., Hanifah, I., & Mansar, A. (2025). The Concept of Restitution as Legal Accountability in the Crime of Human Trafficking. *Pena Justisia: Media Komunikasi dan Kajian Hukum*, 24(1), 3554-3462.
- Soekanto, Soerjono. 2014. *Introduction to Legal Research*, Jakarta: UI-Press.
- Sonia Awalokita, et al. "Law and Social Reality: A Socio-Legal Study of Child Labor in the Context of Poverty in Pangkalpinang City". *Jurnal Legalitas*. Vol. 3. No. 1. January 2025.
- The 1945 Constitution of the Republic of Indonesia. Law No. 13 of 2003 concerning Manpower.

Waluyo, Bambang. 2020. Criminal Case Resolution Using Restorative and Transformative Justice. Jakarta: Sinar Grafika.o. 4, pages 1-21, October 2024.
Yogyakarta: DEEPUBLISH.