

Abstract

This research analyses the effectiveness of Indonesian Child Protection Law, specifically Article 14 of Law No. 35 of 2014, concerning the fulfilment of children's rights from divorced families by their parents. This study explores how well divorced parents uphold their children's rights. It focuses on several key aspects: (i) ensuring children have regular face-to-face interactions and maintain personal relationships with both parents; (ii) providing care, guidance, education, and protection that support the child's growth and development, tailored to their unique abilities, talents, and interests; (iii) offering financial support from both parents; and (iv) fulfilling other fundamental rights that children are entitled to. Through interviews with university students who experienced parental divorce during childhood, the research identifies a gap between the legal framework and practical implementation. The findings show the lack of communication between fathers and children post-divorce as a significant barrier to the fulfilment of these rights, which resulted in maternal dominance, paternal neglect, and the potential of child abuse. Further, lack of policy as guidelines, lack of multi-stakeholder collaboration, the nonexistence of a monitoring mechanism serve as factors that contribute to the ineffectiveness of the law. Thus, the findings conclude the ineffectiveness of the Indonesian Child Protection Law in fulfilling broken home children's rights by their parents. This research recommends a mandatory post-divorce course for parents, the formulation of practical policy in regional level, and the establishment of a specialised institution to monitor the fulfilment of broken home children's rights.

Keywords:

Indonesian Child Protection Law; Children's Rights; Parental Divorce; Law Effectiveness; Child Neglect