

## Perlindungan HAM dalam penanganan anak terlantar: studi kasus penanganan anak jalanan Di Kota Tangerang

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### Abstrak

Penelitian ini bertujuan untuk menggali bagaimanakah perlindungan HAM dalam Penanganan terhadap anak jalanan di Kota Tangerang ; Apakah hambatan-hambatan yang dijumpai dalam penanganan anak jalanan ; dan bagaimanakah upaya menanggulangi hambatan-hambatannya.

Penelitian ini memakai metode pendekatan kualitatif yang diuraikan secara deskriptif. Dengan demikian penelitian ini menekankan pada data primer yang diperoleh melalui wawancara mendalam dan pengamatan, disamping menggunakan data sekunder melalui studi kepustakaan. Penelitian ini dilakukan di Kantor Pemberdayaan Masyarakat Pemerintah Daerah Kota Tangerang, Yayasan Rumah Singgah Anak Langit, Yayasan Rumah singah Baitul Umami, Departemen Sosial RI, pcrpustakaan UI, CS IS, Balitbang HAM Departemen Hukum dan HAM RI, Pusat Pengembangan Pelayanan Sosial Khusus Anak Jalanan (SDC) Bambu Apus. Berdasarkan studi pustaka, akan digambarkan perkembangan Konsep HAM dalam perlindungan terhadap anak. peraturan perundang-undangan mengenai perlindungan anak dalam hukum positif nasional dan hukum positif internasional.

Berdasarkan penelitian lapangan diperoleh penemuan mengenai pelaksanaan Penanganan terhadap anak jalanan di Kantor Pemberdayaan Masyarakat, Yayasan Rumah Singgah Anak Langit, Yayasan Rumah Singgah Baitul Umami dan Pusat Pengembangan Pelayanan Sosial khusus Anak Jalanan (SDC) Bambu Apus. Lebih lanjut, dari penelitian lapangan, diketahui bahwa dalam prakteknya penanganan terhadap anak jalanan pada Yayasan Rumah Singgah Anak Langit dan Yayasan Rumah Singgah Baitul Umami sudah ada penanganannya walaupun belum seperti yang diharapkan sedangkan penanganan terhadap anak jalanan oleh Pemerintah Kota Tangerang yakni Kantor Pemberdayaan Masyarakat hampir dikatakan belum ada model penanganannya. Hal ini disebabkan oleh beberapa hambatan sumber daya manusia, kesadaran aparatur Pemerintah Daerah serta dana. Oleh karena itu Pemerintah Daerah Kota Tangerang harus melakukan pengaturan perlindungan dalam penanganan anak jalanan dalam satu kesatuan secara komprehensif dan lengkap ; meningkatkan kesadaran aparatur Pemerintah Daerah dan Yayasan Rumah Singgah akan pentingnya penanganan anak jalanan sebagai generasi penerus bangsa ; serta membentuk sebuah lembaga untuk penanganan anak jalanan disamping meningkatkan partisipasi masyarakat dengan pemberdayaan masyarakat dalam kerangka penanganan terhadap anak-anak jalanan.

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The research aimed to study human right protection for street children in Tangerang city. This includes some obstacles found when handling street children and how to solve them.

This is a sociological research that used descriptive-qualitative approach\_ Thus this research has emphasis on primary data obtained from thorough interview and observation; while the secondary data was mainly

taken from literature study. The research took place at the state government office for society empowerment in Tangerang city, shelter house of Yayasan Anak Langit (foundation for street children), shelter house of Baitul Ummi, Social department Republic of Indonesia, Universitas Indonesia library, CSIS (Centre Strategic for International Studies), Research and Development for Human Rights of Department of law and Human Rights Republic of Indonesia, Centre of Development for Street Children (SDC) of Bambu Apus.

Results from the literature study described the implementation of concept of Human Right in regard to protection of children, as well as conventional regulations of children protection in the context of national and international positive law.

Based on field research, it was found that implementation of handling of street children was carried by the state government office for society empowerment in Tangerang city, shelter house of Yayasan Anak Langit (foundation -for street children), shelter house of Baitul Ummi, and center of development for street children.(SDC) Bambu Apus. This finding has further suggested that, in practice, handling of street children has already managed by Yayasan Anak Langit and Baitul Ummi, even though it was less satisfactory than it was expected. Meanwhile, handling of street children by Government of Tangerang City has not yet have standard procedure. It was because of some obstacles in human recourses, awareness of local government agencies and limited fund.

For reasons stated above, Government of Tangerang city should have regulation of protection in handling street children comprehensively and completely; to increase awareness of government agencies and foundation house shelter about the importance of handling street children as the next generation of this nation. It also important to develop an institution that handle street children and increase community participation by community endeavor in handling street children.