

LEGAL RECONSTRUCTION OF THE HEXSA HELIX SYNERGY AND COLLABORATION MODEL MAINSTREAMING CHILD RIGHTS (PUHA) IN THE IMPLEMENTATION OF CHILD FRIENDLY DISTRICT/CITIES PROGRAMS

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Abstract

*The Government's commitment to fulfilling and mainstreaming Children's Rights (PUHA) is carried out to realize the goals of national development, namely advancing general welfare and educating the nation's life as mandated by the fourth paragraph of the Preamble of the 1945 Constitution of the Republic of Indonesia which explicitly states that the State exists in order to protect all of Indonesia's bloodshed, promoting public welfare and educating the life of the nation. Furthermore, the commitment referred to is also based on the constitutional basis as set forth in the provisions of Article 28B paragraph (2), "Every child has the right to survival, growth and development and is entitled to protection from violence and discrimination. **)" and the provisions of Article 34 paragraph (1) which reads, "The state takes care of the poor and neglected children". Therefore, a research was compiled with the theme of Legal Reconstruction of the Hexsa Helix Synergy and Collaborative Model of Mainstreaming of Children's Rights (PUHA) in the Implementation of Child-friendly District/City Programs. The formulation of the problems raised are (1) Why is a legal reconstruction of the Hexsa helix model of synergy and collaboration the Mainstreaming of Children's Rights (PUHA) needed in the implementation of the Child-Friendly District/City program? (2) What is the legal reconstruction model of the Hexsa helix synergy and collaboration model for Mainstreaming Children's Rights (PUHA) in the implementation of the Child-friendly District/City program as an alternative form of building a social inclusion strategy to achieve a more equitable development for fulfilling children's rights? The research method used is Normative Juridical with statutory approach and conceptual approach. While the literature used includes literature on children, the hexa helix concept, and child-friendly districts/cities. Further identification of legal materials is carried out on Primary Legal Materials which consist of a set of legal norms in the form of laws and regulations in the field of children's rights. Meanwhile, Secondary Legal Materials consist of libraries, journals, research findings, and KLA program performance reports stipulated by the Central Government and Regional Governments. For further analysis of legal material is carried out using the method of content analysis or content analysis to answer legal problems related to the idea of Legal Reconstruction of the Hexa helix Synergy and Collaborative Model of Mainstreaming Children's Rights (PUHA) in the Implementation of Child-Friendly Districts/Cities Programs.*

Keywords: *Children's Rights, Child Friendly Districts/Cities, Hexa Helix, Mainstreaming,*

1. INTRODUCTION

The philosophical basis of various laws on Child Protection argues that the Republic of Indonesia guarantees the welfare of each of its citizens, including the protection of children's rights which are human rights. The child of the trust and gift of God Almighty, in whom the dignity and worth as a whole human being are

attached. Children as shoots, potential and young generation to continue the ideals of the nation's struggle, have strategic roles, characteristics and special characteristics so that they must be protected from all forms of inhumane treatment that result in violations of human rights. Every child has the right to survival, growth and development and is entitled to protection from violence and discrimination as mandated in the 1945 Constitution of the Republic of Indonesia.

Philosophically the existence of Child Protection is a form of the state's commitment to guarantee, fulfill and protect the human rights that are inherent in the child himself. Children are a mandate and a gift from God Almighty, in whom dignity and worth as a whole human being are attached. The Government's commitment to comply with the Convention on the Rights of the Child became evident with the passing of Law Number 23 of 2002 concerning Child Protection.

The government's attention was quite large because the amendment to this law had been carried out twice, namely by law number 35 of 2014 and then because there was a tragic case, PERPU number 1 of 2016 was issued to aggravate punishment, and then this PERPU was ratified by law number 17 of 2016 as the second amendment of Law Number 23 of 2002. Various problems with fulfilling children's rights can be presented in the following Table 1.

Table 1. Identification of Problems in Fulfilling Children's Rights

No	Identification of Fulfillment of Children's Rights	Potential and Problems
1	The results of the 2019 Susenas show that the ownership of birth certificates among children aged 0-17 years reached 86 percent in 2019. The percentage of children aged 0-17 who do not have birth certificates is higher in rural areas than in urban areas.	In the civil rights and freedoms cluster, the level of awareness of the right to identity is still very low
2	The parenting environment is a very important factor in the development of children. Data from the Ministry of PPPA (2019) noted that in 2018 there were 4.82 percent of children who did not live with their parents. In addition, in 2018, 11.21 percent of women aged 20-24 were married before they were 18 years old, and even 0.56 percent before they were 15 years old. The child marriage rate in rural areas is always higher than in urban areas.	The parenting environment cluster faces a situation of high child marriage rates

Source: Profil Anak 2020 Kementerian PPPA RI

The PPPA Ministry received a mandate from the President to develop policies on child protection so that the implementation of fulfilling children's rights is more effective and efficient. Since 2006 the Ministry of PPPA has started to develop Child-Friendly District/City Policies with PPPA Regulation Number 11 of 2011 concerning Child-Friendly District/City Development Policies, followed by PPPA Regulation Number 12 of 2011 concerning Child-Friendly District/City Indicators. Facts in the field still show that there are children who experience physical, psychological, economic, and sexual violence. Various parties, namely the local government, the community, the business world and academia, have been involved, but child protection has not shown optimal results.

Based on the description of Distas' background, research was prepared using the Beginner Research Grant Scheme (HPP) with the title, "Legal Reconstruction of the Hexsa Helix Synergy and Collaboration Model for Mainstreaming Children's Rights (PUHA) in the Implementation of Child-Friendly Districts/Cities Programs". This title is formulated in line with RIP-UB 2021-2025 related to at the same time answering demands for a development strategy that must include a gender perspective and social inclusion to achieve a more just and equitable development for all Indonesians, both men and women, especially related to Mainstreaming Rights of the Child (PUHA).

2. RESEARCH METHOD

In this Beginner Researcher Grant (HPP) research, in order to produce research that has useful value, it must be supported by the accuracy of research methods. According to Soetandyo & Wignyosoebroto (2002), research or research means search, namely the search for answers regarding a problem. So in this way what is called a research method in principle will be a method (or method and/or procedure) that must be followed so that people can find answers that may be considered correct (in the sense of true, not or not always in the sense of right or just) in order to answer that particular problem. What should be considered correct and what is the correct procedure for obtaining the correct conclusions in order to answer the problem correctly is a philosophical issue which is widely discussed in ontology and epistemological thinking.

Based on its nature, research is divided into basic research and applied research. Basic research aims to discover a new concept. While applied research seeks to formulate a policy. This research is applied research that seeks to formulate a policy. The policy resulting from this research is in the form of a suggestion whether or not it is necessary to formulate a legal reconstruction model of synergy and collaboration hexsa helixs Mainstreaming of Children's Rights (PUHA) in the Implementation of Child-Friendly Districts/Cities Programs in Indonesia.

Therefore determining the method is very important considering that the method is an overall method or strategy for finding or obtaining the required data. According to Bogdan and Taylor, methodology is a process, principles, and procedures that we use, to approach problems and seek answers. Methodology is influenced by or based on the theoretical perspective that we use to conduct research, while the theoretical perspective itself is an explanatory or interpretive framework that allows researchers to understand data and relate complex data to other events and situations.

In connection with the explanation above, the research method used is the Normative Legal Research Method. The research approach used is the statutory approach, namely analysing related regulations and conventions on the Rights of the Child and the conceptual approach, namely formulating the concept of legal reconstruction of the model of synergy and collaboration Hexsa

helix Mainstreaming of Children's Rights (PUHA) in implementing the Child Friendly District/City program as an alternative form of building a social inclusion strategy to achieve a more equitable development for the fulfilment of Children's Rights.

The legal materials used as primary legal materials include Law Number 23 of 2002 concerning Child Protection, Minister of Women's Empowerment and Child Protection Regulation Number 11 of 2011 concerning Child Friendly District/City Development Policy, and Minister of Women Empowerment and Child Protection Regulation Number 12 Year 2011 concerning Child-friendly District/City Indicators. Secondary legal materials include literature books, journals. While tertiary legal materials include KBBI and Encyclopaedia. Methods of analysis of legal materials using the method of analysis of description and content analysis (content analysis).

3. RESULTS AND DISCUSSION

3.1 Legal Reconstruction of the Hexsa Helix Synergy and Collaborative Model for Mainstreaming Children's Rights (PUHA) in the Implementation of Child-Friendly District/City Programs

Children are an integral part of human survival and the survival of a nation and state. In order to be able to take responsibility for the sustainability of the nation and state in the future, every child needs to get the widest possible opportunity to live, grow, develop and participate optimally in accordance with human dignity and worth, and receive protection from violence and discrimination.

Data from the Central Statistics Agency stated that the population of Indonesia in 2019 was 266.9 million people. Of this number, the total number of children under 18 years is 79.5 million, with details of 22.0 million children aged 0-4 years, 22.0 million children aged 5-9 years, 22.2 million children aged 10- 14 years, and 13.3 million children aged 15-17 years. The population classified as Children is in 89,436 villages/kelurahans, 7,201 sub-districts, 514 districts/cities, and 34 provinces. In 2045, these children will be aged 28-45 years which is the golden period of productive age where they as the nation's next generation will determine the nation's existence in the future. For this reason, special attention is needed so that during this

golden period, Indonesian children can grow and develop into quality adults so that they can increase the nation's productivity, innovation, creativity and competitiveness.

The large number of children is a national potential and asset that must be supported by all stakeholders. In connection with the conditions above, the Government's commitment to realizing its ideals as Child-Friendly Indonesia is a form of the responsibility of the Government and Regional Governments in providing justice and prosperity for all citizens and other stakeholders. For the Government of the Republic of Indonesia, strategic issues in the sector of protection, respect, fulfillment and Mainstreaming of Children's Rights (PUHA) are part of the strategic issues as well as development priorities in Madiun Regency. This is based on the spirit that the position of the child is a mandate as well as a gift from God Almighty, which we must always guard because in him inherent dignity and rights as human beings which must be upheld.

Moving on from the above point of view, in the context of the development of children's rights internationally, the implementation of mainstreaming children's rights is supported by the existence of the Convention on the Rights of the Child so that its position becomes one of the important things included in various development planning documents, both at the national and global levels. The issue of Children's Rights is one of the points in the Sustainable Development Goals (SDGs). The SDGs are a continuation of the Millennium Development Goals (MDGs) which ended in 2015. Gender equality is listed in the 5th goal of the SDGs, namely "Achieving Gender Equality and Empowering Women and Children". The link between Children's Rights and Gender is a multidimensional issue. This issue includes health, education and the economy which are also the focus of the SDGs. Apart from being specifically included in the fifth goal, gender issues are also covered in almost all of the goals in the sustainable development goals.

In connection with the description above, in context, the Rights of the Child can be identified as part of the Human Rights contained in the 1945 Constitution and the United Nations Convention on the Rights of the Child and Women's Rights. In terms of national and state life, children are the future of the nation and the next generation of the nation's ideals, so that

every child has the right to survival, growth and development, participation and is entitled to protection from acts of violence and discrimination as well as civil rights and freedoms.

The existence of Law Number 23 of 2002 concerning Child Protection has been amended by Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection and Regulation of the State Minister for Women's Empowerment and Child Protection Number 11 of 2011 concerning The Child-Friendly District/City Development Policy, which includes children's rights and Child-friendly District/City Indicators, implementation of the obligations and responsibilities of parents, families, communities and local governments to provide the best protection for children is an endeavor in maintaining the continuity of the nation's next generation.

Furthermore, the provisions of Article 27 paragraph (1) of the 1945 Constitution of the Republic of Indonesia state that "All citizens have the same status before law and government and are obliged to uphold law and government with no exceptions". Starting from this and as a follow-up to Law Number 25 of 2004 concerning the National Development Planning System, it is hoped that Mainstreaming of Children's Rights (PUHA) can become a guideline and picture of mindset for Regional Governments in order to support the smooth implementation of Mainstreaming of Children's Rights (PUHA). optimally and with the aim of realizing the National Mainstreaming of Children's Rights (PUHA) from the Regional Government in all development sectors.

Within the regulatory framework for Mainstreaming Children's Rights, hereinafter referred to as PUHA, is interpreted as a strategy to integrate issues and children's rights into every stage of development which includes planning, implementing, monitoring, and evaluating laws and regulations, policies, programs, activities and budgets. by applying the principle of best interests for the child. To encourage the realization of the Child Friendly Indonesia (IDOLA) mission in 2030, several KLA policy regulations at the national level that have been stipulated include:

1. The 1945 Constitution Article 28b paragraphs 2 and 28c

Children are an integral part of human survival and the survival of a nation and state. In order to be able to take responsibility for the sustainability of the nation and state in the future, every child needs to get the widest possible opportunity to grow and develop optimally, both physically, mentally and socially. For this reason, it is necessary to carry out protection efforts to realize the welfare of children by providing guarantees for the fulfillment of their rights without discriminatory treatment.

The state upholds human rights, including the rights of the child which is marked by the guarantee of the protection and fulfillment of children's rights in the 1945 Constitution of the Republic of Indonesia and several provisions of laws and regulations both national and international in nature.

In the provisions of Article 28 B paragraph (2) of the 1945 Constitution it is emphasized that: "Every child has the right to survival, growth and development and has the right to protection from violence and discrimination", these provisions have provided a strong foundation that the child has the right to live, grow and develop and have the right to obtain protection from violence, exploitation and discrimination. The Indonesian nation as part of the world community has a commitment to ensure the fulfillment of children's rights and child protection which is part of human rights, including the right to live, survive, grow and develop, participate optimally in accordance with human dignity and receive protection from violence and discrimination for the realization of prosperous, qualified and protected Indonesian children.

This guarantee is strengthened through the ratification of international conventions on the Rights of the Child, namely the ratification of the Convention on the Rights of the Child through Presidential Decree Number 36 of 1990 concerning Ratification of the Convention on the Rights of the Child (Convention on the Rights of the Child).

The State, Government, Regional Government, Society, Families and Parents

are obliged to provide protection and guarantee the fulfillment of the child's human rights in accordance with their duties and responsibilities. The protection of children that has been carried out so far has not provided guarantees for children to get treatment and opportunities according to their needs in various fields of life, so that in carrying out efforts to protect children's rights by the government it must be based on the principles of human rights, namely respect, fulfillment and protection. on Children's Rights.

2. Law Number 23 of 2002 concerning Child Protection as amended by Law Number 35 of 2014

In Law Number 23 of 2002 concerning Child Protection as amended into Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection, it is explained that in article 21, To guarantee the fulfillment of Children's Rights, the Government is obliged and is responsible for formulating and implementing policies in the field of implementing Child Protection. The policy referred to can be realized through regional efforts to build child-friendly districts/cities. Article 21 paragraph 6 also stipulates that further provisions regarding child-friendly district/city policies are regulated in a Presidential Regulation.

Child protection is all activities to guarantee and protect children and their rights so that they can live, grow, develop and participate optimally in accordance with human dignity and values, and receive protection from violence and discrimination. Regarding the scope of local government authority in terms of child protection itself, Law Number 23 of 2002 concerning child protection as amended into Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection in general regulates the authority of local governments in child protection in the aspects of religion, health, education, social, and special protection.

Tabel 2. Regional Government Responsibilities in Fulfilling Children's Rights based on Law Number 23 of 2002 concerning Child Protection

Religion Article 43 (1)	The state, government, local government, community, family, parents, guardians and social institutions guarantee the protection of children in embracing their religion
Health Article 44 (1)	The Government and Regional Governments are required to provide facilities and carry out comprehensive health efforts for children so that each child obtains optimal health status from the time he is in the womb.
Education Article 49	The State, Government, Regional Government, Families and Parents are required to provide the widest possible opportunity for children to obtain education.
Social Article 55 (1)	The Government and Regional Governments are required to carry out maintenance, care and social rehabilitation of neglected children, both within and outside institutions.
Specials Protection Article 59	The government, regional government and other state institutions have the obligation and responsibility to provide special protection for children.

Source: Law Number 23 of 2002 concerning Child Protection.

3. Law Number 12 of 2011 concerning the Juvenile Criminal Justice System

The most basic substance in this Law is strict regulation regarding Restorative Justice and Diversion which is intended to avoid and distance children from the judicial process so as to avoid stigmatization of children who are in conflict with the law and it is hoped that children can return to the social environment normally. Therefore, the participation of all parties is needed in order to make this happen. The process must aim at creating restorative justice, both for children and for victims. Restorative justice is a process of diversion, in which all parties involved in a particular crime jointly overcome problems and create an obligation to make things better by involving victims, children and society in finding solutions to repair, reconciliation and reassurance that is not based on revenge.

From the cases that arise, there are times when children are in the status of witnesses and/or victims so that children of victims

and/or children of witnesses are also regulated in this law. Specifically regarding sanctions against children, it is determined based on the difference in the age of the child, namely for children who are still less than 12 (twelve) years old, they are only subject to action, while for children who have reached the age of 12 (twelve) years to 18 (eighteen) years may be prosecuted and punished.

Given the unique characteristics and characteristics of children and for the sake of protecting children, cases of children who are in conflict with the law must be tried in juvenile courts that are within the general court environment. The process of court cases for children since they are arrested, detained and tried, their guidance must be carried out by special officials who understand children's problems. However, before entering the judicial process, law enforcers, families and the community are required to seek a settlement process outside the courtroom, namely through Diversion based on a Restorative Justice approach.

This Law on the Juvenile Criminal Justice System regulates the entire process of resolving cases of children in conflict with the law starting from the investigation stage to the mentoring stage after serving a sentence.

4. Law Number 23 of 2014 concerning Regional Government

Government affairs related to women's empowerment and child protection are

included in Mandatory Government Affairs which are not related to Basic Services. Further to the discussion relating to Children, the Regional Government, within their authority is explained in letter H of Appendix concerning the Distribution of Government Affairs in the Field of Women's Empowerment and Child Protection that there are 3 sub-functions which are the tasks of the regional government, including:

Table 3. Distribution of District/City Regional Government Affairs in P3A Sector

Gender and Children Data System Sub Affairs	Sub Affairs of Fulfillment of Children's Rights	Sub-Agency for Special Protection of Children
Collection, processing, analysis and presentation of gender and child data in data institutions at the district/city level.	<ul style="list-style-type: none"> a. Institutionalization of PHA in governmental, non-governmental, and business world institutions at the district/city level. b. Strengthening and developing service providers for improving the quality of life at the district/city level. 	<ul style="list-style-type: none"> a) Prevention of violence against children involving stakeholders in the district/city area. b) Provision of services for children who need special protection that requires coordination at the district/city level.

Source: Appendix to Law Number 23 of 2014 concerning Regional Government

5. Presidential Instruction Number 05 of 2014 concerning the National Movement Against Sexual Crime against Children (GN-AKSA)

This Presidential Instruction is an instruction given to Ministers; Attorney General; Head of the Indonesian National Police; Heads of Non-Ministerial Government Institutions; Governors; and Regents/Mayors to take the necessary steps according to their respective duties, functions and authorities in a coordinated and integrated manner in order to prevent and eradicate sexual crimes against children through the National Movement Against Sexual Crimes Against Children (GN-AKSA) with involve all elements of society and the business world.

National Movement Against Sexual Crime Against Children (GN-AKSA), Governors and Regents/Mayors according to their authority are instructed to:

- a) Formulate policies, mid-term and annual action plans, in implementing the prevention and eradication of sexual crimes against children.
- b) Conduct socialization regarding the prevention and eradication of sexual crimes against children.
- c) Improving coordination with all elements of the Regional Leadership Communication Forum (FORKOMPIMDA) in making efforts to prevent and eradicate sexual crimes against children effective.

In the context of implementing regional government affairs, to accelerate the

- d) Increasing the active role of local government officials and local communities in preventing and eradicating sexual crimes against children.
- e) Provide funds in the Regional Revenue and Expenditure Budget and prepare competent human resources in implementing the prevention and eradication of sexual crimes against children.

KLA implements a strategy to fulfill children's rights (PUHA), which means integrating children's rights into:

- a) Every drafting process: policies, programs and activities.
- b) Each stage of development: planning and budgeting, implementation, monitoring and evaluation.
- c) Each regional level: national, provincial, district/city, sub-district, to village/kelurahan.

The strategies undertaken to realize Child Friendly Indonesia include the following:

- a) Mainstreaming the fulfillment of children's rights (PUHA) is an effort to integrate the fulfillment of children's basic rights in the preparation of legislation, policies, programs and activities starting from the planning, implementation, monitoring and evaluation stages with the principle of providing the best for the interests of the child.
- b) Institutional strengthening, namely efforts to strengthen PP and PA institutions, Non-Governmental Organizations (NGOs) and the Business World in all areas of government administration so that they are proactive in efforts to fulfill children's rights through advocacy, outreach and facilitation in the fields of manpower, budget, infrastructure, method and technology.

- c) Expansion of outreach, namely building pilot areas of districts, sub-districts, sub-districts and villages/kelurahans as well as child-friendly areas in centers of economic growth and then replicating them into buffer zones and border areas and outermost islands.
- d) Building networks, namely building cooperation and commitment to the operationalization of KLA policies with institutions working in the field of urban planning and development, spatial planning, task forces that are relevant and substantial in building KLA.
- e) Institutionalization and cultivating KLA, namely efforts to institutionalize and cultivate friendly attitudes and behavior towards children from the nuclear family and extended family (nucleous and etened families) to ensure interaction between generations, namely children, adults, parents and elderly people. This is intended so that the noble values of the nation's culture are not lost or faded.
- f) Promotion, Communication, Information and Education (PKIE) is an effort to utilize the media in building communication and mutual understanding, disseminating information and providing education to the public in institutionalizing and cultivating KLA. The media is classified into indoor, outdoor, print, electronic and electronic media based on web networks or social media.
- g) Certification and appreciation, namely efforts to provide achievement certificates and awards for achievements in developing KLA. KLA appreciation is categorized into groups, namely pratama, madya, nindya, main and KLA.

3.2. The Model of Legal Reconstruction The Hexsa Helix Synergy and Collaborative Model of Mainstreaming Children's Rights (PUHA) in the Implementation of Child-Friendly District/City Programs

as an Alternative Form of Building a Social Inclusion Strategy to Achieve a Fairer Development for the Fulfillment of Children's Rights

The development of Children's Rights is inseparable from the development of the Convention on the Rights of the Child (KHA) which is an international instrument ratified by Indonesia in 1990. This convention is divided into several stages, namely implementation steps; definition; principles; civil rights and freedoms; family environment and alternative care; basic health and welfare; education, use of leisure time, culture, and recreation; and special protection. Countries that have ratified the convention are required to report and appear before the Committee on the Rights of the Child periodically to evaluate the progress made in implementing the Convention. The UN Convention on the Rights of the Child is based on four principles, namely:

- a) Non-discrimination In detail explained in article 2 paragraph 1: "Participating countries will respect and guarantee that all rights recognized and contained in the CRC must apply to every child regardless of race, color, sex, language, religion, politics, national, ethnic or social origin, ownership status, disability or not, birth or other status either from the child himself or from his parents or legal guardians "Then in Article 2 paragraph 2 it is explained about the guarantee of child protection from all forms of discrimination, The details are explained as follows: "States Parties shall take all necessary steps to ensure that the child is protected against all forms of discrimination or punishment based on the status, activities, opinions expressed or beliefs of the child's parents, legal guardians, or members of his family" (paragraph 2).
- b) Best Interests, namely that "in all actions, the interests concerning children are carried out by government and private social welfare institutions, judiciary institutions, government agencies or legislative bodies, the best interests of the child must be the main

consideration" (Article 3 paragraph 1 CRC).

- c) Survival, growth and development, meaning "Participating States recognize that every child has the inherent right to life" (Article 6, paragraph 1). "States Parties shall ensure to the maximum extent possible the survival and development of the child" (article 6, paragraph 2).
- d) Respect for Children's Views (Article 12) The purpose of this principle is to respect children's opinions regarding matters relating to children's lives, decision making. This principle is contained in article 12 (paragraph 1) of the CRC as follows. "States Parties will ensure that children who have their own views will have the right to express their views freely in all matters affecting the child, and that treatment will be respected according to the child's age and maturity level".

In order to implement the CRC above, the Collaborative Governance Approach is needed today to be relevant to develop, because the collaborative approach explains that the collaboration system will introduce various types of concepts that embodies a process, especially between the Government and the private sector and the community, where there are diverse interests and needs to resolved through dialogue and collaboration.

According to Ansell and Gash, "collaborative governance is a governing arrangement where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented and deliberative and that aims to make or implement public policy or manage public programs or assets" (collaborative governance is a government arrangement in which one or more public institutions directly involve non-state stakeholders in a joint decision-making process that is deliberative in nature. This government collaboration also aims to make or implement public policies and manage a government program).

Ansell and Gash distinguish collaboration into two parts, namely as follows, collaboration that is defined normatively and collaboration that is defined in the process. Collaboration which is defined normatively is the aspirations or philosophical goals for the government to achieve interaction with partners or partners, while collaboration which is defined in the process is a series of processes in managing all parties involved in terms of government and stakeholders, the purpose of collaboration in the sense of process refers to a number of governmental and non-governmental institutions that are involved in accordance with the portion of their interests and objectives.

The Collaborative Governance approach as described above can be implemented using the Penta Helix model. Penta Helix is an expansion of the Triple Helix strategy by involving various elements of community or non-profit organizations in order to realize innovation. Triple Helix was introduced for the first time in 1995, Etzkowitz and Leydesdorff introduced the Triple Helix model with elements of Academics, Business Sector, and Government. The actor responsible for creating innovation is the Industry sector. The actor responsible for creating knowledge is the university field. Then interact with the third field, namely the Government. The three of them work together through a top-down approach to create innovations that can improve a country's economic conditions.

Triple Helix Then it was developed again by adding one element, Civil Society or the community which became the Quadruple Helix, to accommodate the perspective of society. the quadruple helix concept was developed by maintaining the interaction of the triple helix model (science and technology network between

universities, industry and government) and involving civil society as a whole in the system. Indonesia itself uses the Quadruple Helix model and then adds one more element, namely Media which then becomes a complement to the Penta Helix element because in the context of developing the creative economy in Indonesia, the Media (both conventional media and social media) play a significant role even though they remain independent elements or not. directly affected by other elements in carrying out its parts or functions.

There are several opinions regarding the five actors in the Penta Helix model which are better known as the ABCGM concept or formulation, namely Academic, Business, Community, Government, and Media. Through synergistic cooperation, it is expected to realize an innovation that is supported by various resources that interact synergistically. The main key to the success of this innovation is the existence of strong synergy and commitment among stakeholders in implementing it. The Penta Helix model is especially useful for managing actor-based complexity. Collaboration on the Penta Helix concept aims to accelerate the development of a country. The community or Community which is a group of people who have the same interests will seek and collaborate with each other. Penta Helix will be a concept and knowledge source for the government with the latest relevant theories. With this, the Malang City Government can develop Malang City and achieve sustainable development, competitive and advantage. To find out more about the role of stakeholders, the following is an analysis of the role of stakeholders in the Penta Helix model, among others.

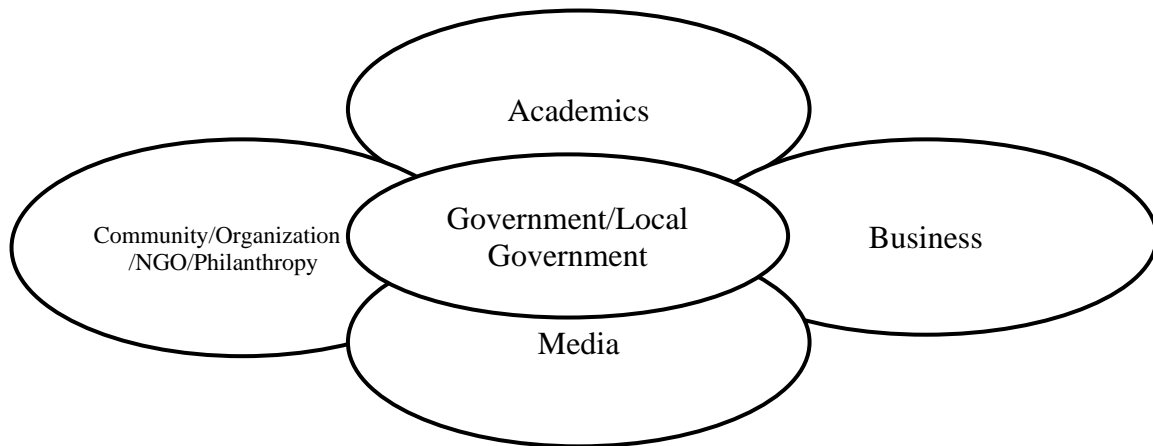


Figure 2. Mainstreaming Children's Rights (PUHA) Penta Helix Model

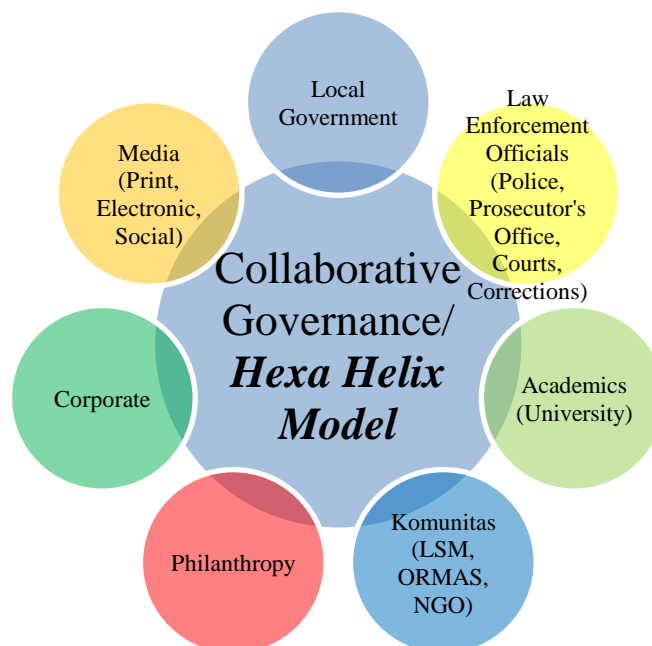


Figure 3. Mainstreaming of Children's Rights (PUHA) Model Hexa Helix

a. Government

The government on the Hexa Helix model acts as a regulator. The government acts as a regulator as well as a controller who has regulations and responsibilities in developing objects. In this case it involves all types of activities such as planning, implementation, monitoring, controlling, promotion, financial allocation, licensing, programs, legislation, development and knowledge, public innovation policies, support for innovation networks and public-private partnerships. The government also has a role in coordinating stakeholders who contribute to the development of the Collaboration.

b. Academics

Academics on the Henta Helix model played the role of the drafter. Such as conducting academic studies related to Child Friendly Cities which consist of several indicators and clusters of fulfilling children's rights. Academics in this case are a source of knowledge with the latest concepts, theories and are relevant to activities or sectors that are developed to gain a sustainable competitive advantage.

c. Business/Business World

Business/Business World in the Hexa Helix model acts as an enabler. Business/Business World is an entity that carries out business processes in creating added value and

maintaining sustainable growth. Business/Business World acts as an enabler that presents infrastructure, by supporting changes in the human resources of Business/Business World in Collaborative Governance while also acting as a promoter or budget balance in providing added value or income in the form of funding in the development of the sector.

d. Media

The media in the Hexa Helix model acts as an expander. The media plays a role in supporting publications in promotions and creating brand images in a program and through websites or other media as media for education, publication and information.

e. Communities/Ormas/NGOs/NGOs

Communities/Ormas/NGOs/NGOs in the Hexa Helix model act as accelerators. In this case the community is people who have the same interests and are relevant to fulfilling children's rights through Child Friendly Cities. Act as an intermediary or become a liaison between stakeholders to assist the deposit development process. Communities/Ormas/NGOs/NGOs/Philanthropy here can include official Communities/Ormas/NGOs/Philanthropy or communities which have an important role in the development of Child Friendly Cities

f. Law Enforcement Apparatus

Law Enforcement Apparatus in the Hexa Helix concept which consists of the Police, Prosecutor's Office, Courts, Correctional Institutions is a unified legal system in the context of handling cases of children who are in conflict with the law

g. Philanthropy

Philanthropy, also known as funding agencies, has an important role in raising the values of social humanitarian funds and campaigning for the Mainstreaming of Children's Rights (PUHA).

The involvement of several stakeholders in developing the fulfillment of children's rights through Child Friendly Cities is certainly at risk of miscommunication or miscoordination. So that a strong synergy between stakeholders in developing the program is needed so that it can run optimally. Therefore, the Government and Regional Government in this case as coordinators must be able to coordinate stakeholders so that they can carry out their roles in accordance with their main duties and functions. In addition, the Government and Regional Governments must coordinate to discuss the development of Child-friendly Districts/Cities with stakeholders so that it can be seen how the development of Child-friendly Districts/Cities on a regular basis. A strong commitment is needed in the development of Child-Friendly Districts/Cities which involve multi-sectors. In addition to this, the role of the child in any formulation of policies or regulations must always be considered by the government and regional governments so that they can realize the true essence of child-friendly districts/cities

4. CONCLUSION

Based on the discussion above it is concluded that whereas the legal reconstruction of the hexa helix synergy and collaboration model of mainstreaming children's rights (PUHA) in the implementation of child-friendly district/city programs is based on the development of the Convention on the Rights of the Child (KHA) in order to fulfill 5 (five) clusters of Children's Rights. For the Government of the Republic of Indonesia, the expansion of the synergy and collaboration of the hexa helix model is carried out in order to increase the active participation of all stakeholders both at the national level. Province and Regency/City.

Whereas the legal reconstruction of the hexa helix synergy and collaboration model is a form of expanding the scope of community participation involving 7 (seven) stake holders including the Government (Pemda), Law Enforcement Officials (Police, Prosecutors' Office, Courts, Penitentiary), Academics (Universities), Communities (NGO, ORMAS, NGO), Philanthropy Business World (Corporate), Media (Print, Electronic, Social).

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