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Kidfluencer: Child Exploitation In Digital Space In Terms Of Child Protection Law

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Abstract: Kidfluencer from the words Kid and Influencer is the term used for children who are used as content on social media by their parents and get ad-sense or endorsements from various well-known brands that pay high prices. However, if this phenomenon is seen from a legal perspective, it has violated the child protection law which can be called economic exploitation of children, because it is the same as utilizing children's labor for profit. The purpose of this study is to determine the factor that cause kidfluencer and the form of legal protection for victims of exploitation in the form of kidfluencer. This research uses a normative juridical method with a statutory approach. The results explain that the most contributing factor in the emergence of kidfluencers is the family factor, because their parents are influencers or artists so their children are included in it. Furthermore, Indonesia does not yet have a regulation specifically governing kidfluencers, causing uncertainty regarding whether kidfluencers are part of child exploitation in social media and which institutions are obliged to protect kidfluencers.

Keywords: Kidfluencers, Child Exploitation, Child Protection

INTRODUCTION

Social media is one of the biggest drivers of online activity in Indonesia and is an important platform to reach new customers for businesses that use social media as a marketing tactic. Social media user statistics show that Instagram in Indonesia is the most popular app and is estimated to have 173.59 million users by 2024. This is more than half of Indonesia's population. Instagram has the most users because many brands use it to communicate with their customers.¹ So it can be said that Instagram is becoming the most influential app in Indonesia, which can be both positive and negative.

¹ Simon Kemp, "Digital 2024: Indonesia," February 21, 2024, accessed via <https://datareportal.com/reports/digital-2024-indonesia>.

The phenomenon of child influencers, commonly referred to as kidfluencers, has grown in popularity in recent years, with many children and teenagers joining social media platforms and amassing millions of followers. Kidfluencers are children and teenagers who have a presence on social media and whose presence can influence their followers, especially in terms of product and lifestyle preferences. They have a large fan following on various apps such as Instagram and YouTube. They are called kidfluencers because they can promote a wide range of products, from toys, clothes, food to certain services, and are often favored by well-known brands to expand their market reach. Not only that, usually kidfluencers do not intentionally or indirectly promote a product, for example a child who has a social media account accidentally shows a product in his post, so that it makes his fans influenced to buy.

Despite kidfluencers providing entertainment, there are concerns in society about their presence being vulnerable to economic exploitation, as there is a tendency for children's time and energy to be used for material gain against their will.² Stacey B. Steinberg, an American child law expert, explains in her research that the practice of share-parenting or sharenting has the potential to cause children discomfort because their privacy is shared on social media. This discomfort occurs when a child learns of their parents' frequent sharenting behavior and feels disturbed by it, because sharenting can lead to child exploitation in the form of economic exploitation.³

Based on KPAI data, in 2023 there were 50 cases of economic and/or sexual exploitation, around 60% of exploitation cases occurred online through various social media platforms.⁴ The data emphasizes the need to limit guidelines for actions taken by minors on social media platforms to curb internet-based activities. Because after all, children need the maximum opportunity to develop optimally both physically, mentally, and socially. The act of economic exploitation by making children as influencers has the potential to deprive them of their rights. Every parent has an obligation to maintain their children's privacy, while many parents want to share their children's activities on social media.

However, as children get older, they tend to understand their desires and can decide to reject or accept what their parents give them. Like Rafathar who is the son of a celebrity couple in Indonesia, Raffi Ahmad and Nagita Slavina, when Rafathar was small, they often shared his moments on Instagram and YouTube. However, in 2020, Rafathar wants his privacy to be respected. This was conveyed by Raffi on Deddy Corbuzier's YouTube channel.⁵ The burden that Rafathar has to bear as a *kidfluencer* is tantamount to psychological violence on children, because children feel that they are always watched and in the spotlight so that there is no freedom of movement.

KPAI data in 2022 recorded cases against children as victims of psychological violence amounted to 246 cases and increased throughout 2023 to 271 cases. Psychological violence can take the form of threats, intimidation, manipulation, social exclusion, verbal humiliation, and so on. Psychological abuse can have serious long-term impacts on children's growth and development, including mental health problems. Psychological violence against children is not physically visible, but the impact is the same as physical violence. In addition, 34 cases of child victims of pornography and bullying in the digital world were found.

² Syarifah Qurrata A.K.R, "Factors Causing Economic Exploitation of Street Children in the Perspective of Child Protection Law (Study in Malang City)," *Brawijaya Law Student Journal*, No. 1 (2015), pp. 1-15.

³ Stacey B. Steinberg, "Sharenting: Children's Privacy in the Age of Social Media," *Emory Law Journal*, 68 (839), 2017, pp. 839-884.

⁴ KPAI, "Child Protection Data Bank", accessed via <https://bankdata.kpai.go.id/c/tabulasi-data/data-kasus-per-tahun>.

⁵ Aurelia Gracia, "Ria Ricis Takes Child on Jetski: An Example of 'Kidfluencers' Prone to Exploitation," *Magdalene News Article*, accessed via <https://magdalene.co/story/ria-ricis-dan-fenomena-kidfluencers-rawan-eksploitasi-anak/>

According to UNICEF's "*Disrupting Harm in Indonesia*" report, around 56% of children have never told or reported cases of exploitation or mistreatment of children on social media.⁶

Kidfluencers can also experience physical abuse. An example is the case of Moana, as Ria Ricis and Teuku Ryan's child. When she was 5 months old, Moana was invited by her parents to play Jet Ski without wearing a life *jacket*. On The Hermansyah YouTube channel, Ria Ricis as Moana's mother explained why she did not wear a life jacket to Moana. She said that she and her husband saw the calm sea conditions and Moana was too small to choke on the *life jacket*, so they decided not to use it.⁷ Things like this can threaten the safety of children in the world of kidfluencers, where children are forced to follow their parents' wishes because parents do not understand the child's mood, concluding that the child is okay to be treated like that.

The difficulty of distinguishing between coercion and non-coercion for kidfluencers is something that must be considered in protecting children's rights. Because parents have full control over their children, they assume that children will follow whatever their parents want. Various reasons are expressed by parents so as not to be said to exploit their own children, ranging from capturing moments to watch when they grow up, to fostering children's talents and interests. To protect children on social media, parents, communities and the government must work together. With reports from the community, the government can realize child protection by guaranteeing children's rights to live safely without fear. Based on this background, the author is interested in conducting research by examining the factors that cause kidfluencer victims of child exploitation in the digital space and legal protection for victims.

METHOD

This research is a normative legal research, which is a method of research on legislation both in terms of the hierarchy of legislation (vertical) and the harmony of legislation (horizontal).⁸ The harmony is that there is no contradiction between one regulation and another, but the regulations with one another strengthen or reinforce and clarify each other.⁹ The normative legal research method uses the *statute approach* method, which is research that prioritizes legal materials in the form of laws and regulations as a basic reference material in conducting research. This research uses *library research* techniques by collecting data related to the research, namely by examining through literature, books and journals in the form of writings related to research problems.

RESULTS AND DISCUSSION

Factors Causing the Kidfluencer Phenomenon

In a digital world that knows no boundaries between countries so that many people from various circles can access it and it is feared that kidfluencers get discrimination and psychological violence from comments made by others. Parents have an obligation to protect children as stipulated in the Child Protection Law No. 35 of 2014, namely maintaining, safeguarding, educating and protecting children; developing children according to their abilities, talents and interests; avoiding marriage at an early age; and instilling character and ethical values in children. The number of kidfluencers in Indonesia is increasing, until the

⁶ UNICEF Office of Research-Innocenti, "Disrupting Harm in Indonesia-Evidence on Online Child Sexual Exploitation and Abuse," 2022.

⁷ The Hermansyah A6, "Finally Revealed! This is the reason Ria Ricis invited Moana to play JetSki!" YouTube, January 10, 2023, 29:09, https://youtu.be/vCa_YkNfSE0?si=P4s7KuMykNMD5Vd.

⁸ Peter Mahmud Marzuki, *Introduction to Legal Science*, (Jakarta: Kencana, 2008), pp. 23.

⁹ Kusnu Goesniadhie, *Legal Harmonization in the Perspective of Legislation: Lex Specialis A Problem*, (Surabaya: JP Books, 2006), p. 100.

role of children who become workers in the social world is a global issue and has basically become a concern for every country. The presence of the kidfluencer phenomenon is inseparable from the various contributing factors behind it, among others:

1. Family Factors

The most prominent factor in kidfluencer cases is family. The child's family comes from an influencer or artist, where the job is a sideline. But in order to make a profit, they are required to be active and create content that attracts public attention. Parents unconsciously accept influencers as a habit in their community. Children are forced to pose or "play" under the pretext of capturing the moment or developing the child's talents and interests. In a 2021 survey, out of 750 children under 13 interviewed by child safety organization Thorn, 40% admitted to using Instagram. Even though the Instagram application is only limited to users who are at least 13 years old.¹⁰

Without realizing it, parents who publish photos or videos of their children on social media begin to attract the attention of well-known brand entrepreneurs who offer to help them sell their products. As a result, children are forced to accept these offers and the kidfluencer phenomenon emerges, which is claimed to exploit children for money. This trend turns their children into child laborers, who should have free time to play with their peers and not be followed by cameras all the time. However, most of them object to the idea that they have "forced" their children into social media, instead they argue that this is a choice made by their children because their children enjoy social media.

Many artist families in Indonesia have turned their children into kidfluencers. They often create content in the form of *vlogs* starting from when the child was born even when the mother was pregnant. This is similar to the movie "The Truman Show" which shows his life from birth to adulthood that has been planned by the director without Truman realizing, he is highlighted by cameras from various sides. An *online* survey of influencers contacted through Digital Parents' *online* database, found that 70% felt there were no ethical issues associated with *blogging*.¹¹ Parents are said to represent the interests, rights, obligations and responsibilities of their children, therefore, it is ultimately up to parents to decide what minors can and cannot do. On the other hand, parents can create child content without being economically exploited by doing so under parental supervision and aiming for self-expression without providing *ad-sense* in every uploaded photo or video.

2. Environmental Factors

The term environmental factors refer to the social environment in which the child works, which in this case is social media. Many parents make their children as kidfluencers because their friends and relatives also do the same. This is considered normal when they are surrounded and associate with people who are just like them. A supportive environment, namely fellow parents of influencers, so that the children of other influencers are included in the creation of content that follows in the footsteps of parents. They are interested in making their children as kidfluencers because they see their peers succeeding and the work done is profitable without the children working hard.

¹⁰ Thorn, "Responding to Online Threats: Minors' Perspectives on Disclosing, Reporting, and Blocking," accessed via https://info.thorn.org/hubfs/Research/Responding%20to%20Online%20Threats_2021-Full-Report.pdf

¹¹ Catherine Archer, "How Influencers 'Mumpreneur' Bloggers and 'Everyday' Mums Frame Presenting Their Children Online," *Media International Australia*, 170 (1), 2019, pp. 47-56.

According to Bagong Suyanto, a child works (in this case a kidfluencer) due to the influence of peer groups and social environments that support them to work from an early age.¹² When kidfluencers collaborate with their peers, they do not see it as a burden, but rather as an opportunity to play with their friends while earning money through advertisements and *endorsements* that appear in photos or videos and are wrapped up in an accident.

3. Legal Factors

The kidfluencer trend can provide inspiration and entertainment for followers, but their presence also raises debates about marketing ethics, children's privacy, and their impact on child development. Their presence on social media is not always a positive influence on kidfluencers themselves, as no one can guarantee that a child with a social media account will not have their privacy violated. There is a need for boundaries for parents who manage kidfluencer accounts, as there are issues related to bullying in the form of threats and impersonation due to kidfluencers' popularity and high income. In this case, parents should manage the account by determining age-appropriate poses and activities; blocking, closing and/or reporting unethical comments.

The legal factor in question is the unavailability of regulations regarding kidfluencers. Kidfluencers are exempted from child labor laws even though the Job Creation Law was recently established, but the child labor clause has not been updated and still follows the old regulations. Whereas children who become kidfluencers play an important role in the content uploaded. Lawmakers will face difficulties in determining what is meant by "important role" when developing solutions to the kidfluencer problem. However, the term "significant role" may refer to a child's substantial presence in the content. For example, if a parent's YouTube account contains several videos, some of which feature a child, then the child would have a substantial role in the content and would be entitled to a portion of the revenue earned directly from sponsorships, advertisements, and other commercial deals on the social media platform.

One of the reasons why the influencer economy is so unregulated is because social media in general is unregulated. As Instagram has evolved from a simple photo-sharing platform to a sponsorship-rich *online* shopping hub, and regulations addressing this shift have been slow, with political pressures only starting to have an impact since the days of the Covid-19 pandemic. However, most efforts to monitor and regulate social media center on political misinformation.¹³

In addition to the unavailability of laws governing kidfluencers in Indonesia, another factor contributing to the increase in child exploitation is parents' lack of understanding of regulations and treaties that protect children's rights. This is reinforced by UNICEF which states that one of the reasons minors are forced to work is because their parents are unaware of treaties and regulations that protect children's rights.¹⁴ In this case, parents do not understand that kidfluencers are child laborers in the field of social media because they receive rewards for uploading videos or photos,

¹² Bagong Suyanto, *Child Labor and Educational Survival*, (Surabaya: Airlangga University Press, 2003), p. 76.

¹³ Zoha Qamar, "Why 'Kidfluencers' Have so Few Protections - Even as Americans Support Regulating the Industry," 2023, accessed via https://fivethirtyeight-com.translate.google/features/why-kidfluencers-have-so-few-protections-even-as-americans-support-regulating-the-industry/?_x_tr_sl=en&_x_tr_tl=id&_x_tr_hl=id&_x_tr_pto=tc.

¹⁴ Fihra Rizqi, "Legal Protection of Child Victims of Exploitation in Digital Space," *Das Sollen: Journal of Contemporary Studies of Law and Society*, 1 (2), 2023, pp. 1-25.

so parents do not seem to understand child protection regulations from both international and national perspectives.

Children are individuals who have rights and obligations and can make their own choices. Article 10 of the Child Protection Law explains that every child has the right to express and be heard, as well as receive, seek, and provide information in accordance with the level of intelligence and age for self-development in accordance with the values of decency and propriety.

4. Social Factors

The participation of children in entertainment as influencers should raise concerns about the possibility of child exploitation. Instead of being concerned, society chooses to enjoy it, and inadvertently contributes to the proliferation of child content in social media applications. People are comforted by the presence of funny children's content, not realizing that this culture makes it difficult to enforce regulations that are implemented and enforced. Brand collaborations and sponsored content are the most successful, for example, not being seen as obvious advertising, even if the disclosure is buried in the caption. Nonetheless, the effectiveness of stealth marketing may be why some of TikTok's most successful accounts run between accounts featuring companies and products in an inconspicuous way. As a result, viewers find it difficult to distinguish between when a child's presence is monetized and when the child appears in a video to play.

Minors whose faces are clearly displayed on social media will leave a digital footprint that is difficult to erase. When children read and understand what is happening to them, it is feared that the child's psychology will become unstable, which can cause excessive fear, *social anxiety*, and depression. In addition, photos and videos of children can be misused by irresponsible people for commercial or sexual interests. Dr. Nur Ainy, a child psychologist expert at UNAIR said that if children are exposed to cameras very often, and there is pressure to behave in a certain way based on the wishes of adults, they risk limiting their ability to express themselves and explore.¹⁵

Legal Protection of Kidfluencer

Imam Soepomo defines labor or employment as a system of written and unwritten rules governing circumstances in which a person works for another person and receives wages.¹⁶ Meanwhile, human rights are basic rights and obligations that are essential for human beings, both men and women, regardless of race, ethnicity, language, or religion.¹⁷ This will ensure that children's rights to education, ability to develop talents, ability to play, and so on are fulfilled. When these children are not allowed to work, and even if they do, they must fulfill a number of conditions that do not violate the rights of the child.

ILO Convention No. 182 on the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor, the main convention explains that the worst forms of child labor are:

1. All forms of slavery or practices similar to slavery, such as the sale and trafficking of children, *debt bondage* and servitude and forced or compulsory labor, including the forced or compulsory deployment of children for use in armed conflict;
2. The use, provision or offering of children for prostitution, for the production of pornography, or for pornographic performances;

¹⁵ UNAIR News, "Kidsfluencer Phenomenon is Rife, UNAIR Psychologist Reveals Its Impact," 2024, accessed via <https://unair.ac.id/marak-muncul-fenomena-kidsfluencer-psikolog-unair-ungkap-dampaknya/>

¹⁶ Imam Soepomo, *Introduction to Labor Law*, (Jakarta: Djambatan, 1992), pp. 3.

¹⁷ Karina, *Big Indonesian Dictionary*, (Jakarta: Balai Pustaka, 1994), pp. 60.

3. The use, supply or offering of children for illicit activities, in particular for the production and trafficking of drugs as set out in relevant international treaties;
4. Work whose nature or the circumstances in which it is performed may endanger the health, safety, or morals of children.

A child in this case is someone who is not yet 18 years old including those still in the womb. Children should be given education and protection from violence and discrimination, but if seen in reality there are still many parents who are indifferent because they are still carried out even though they are aware of the consequences, as happened to kidfluencers. Kidfluencers are children who work in the world of social media, where the internet is an unsafe place for minors. Therefore, social media applications apply user requirements that are at least 13 years old, especially Instagram. Instagram is widely used by Indonesian influencers to do *endorsements* as part of their work. The impact of these influencers is that their children are also used as "content" to get attention.

Kidfluencers are not included in the official education or training curriculum as stipulated in Article 70 of Labor Law No. 13 Year 2003. This means that the work given to kidfluencers must be light as stipulated in the Labor Law, namely with the consent of parents or guardians, short working hours, not interfering with school time, and others. In addition, legal measures taken by the government to combat child labor are in the form of restrictions on the types or forms of work that cannot be done by children. The Decree of the Minister of Manpower and Transmigration No. KEP.115/MEN/VII/2004 also explains that children's work is carried out to help them develop their talents and interests.¹⁸ The work intended to develop children's talents and interests is work that is usually done by children from an early age and is done according to their abilities and to foster creativity and in accordance with the child's world. For work to develop talents and interests, the Kepmenakertrans provides criteria for child labor, including:

1. The work is usually done by children from an early age;
2. The work is of interest to the child;
3. The work is based on the child's ability;
4. The work fosters creativity and suits the child.

These criteria are put in place to protect the child from possible exploitation and help them to thrive. When looking specifically at exploitation in the entertainment industry that often uses minors as performers, some of them can be said to be forced to work for profit for adults or companies. The profession of children as underage artists in this case can affect the condition and growth of children both physically and mentally. Children become vulnerable to psychological disorders ranging from trauma to depression and excessive fear. Then they are more easily subjected to discrimination and psychological or sexual violence *online*.

Then, Article 75 of the Labor Law obligates the government to make efforts to prevent children from working outside of employment. In this scenario, the government must take action to prohibit children from working outside of employment. However, children under the age of 18 (the minimum age of labor in Indonesia) are considered legally incapable and do not meet the criteria for legal actions. This will make it difficult for the government to help minors work in employment. Moreover, Article 69 opens the opportunity for parents and companies to employ children aged 13 to 15 years to do light work as long as it does not interfere with the child's physical, mental and social development and health.

The Child Protection Law No. 35 of 2014 in Article 11 states that every child has the right to rest and utilize leisure time, mingle with children of the same age, play, recreate, and be creative in accordance with their interests, talents, and intelligence level for self-

¹⁸ Jody Imam Rafsanjani, "Legal Protection of Kidfluencers from Child Exploitation," *De Jure Legal Research*, 22 (1), 2022, pp. 93-104.

development. This becomes blurred when kidfluencers are highlighted while they are playing, even though there are certain intentions of the content, such as making *endorsements*. This is problematic because children who are used as influencers have no control over the videos or photos posted on their social media. Parents often argue that they are the workers behind kidfluencers through content production and contracts, as their children are too young to have their own accounts on social media. Moreover, it is in this way that parents believe that they are "capturing their child's normal activities" indicating a lack of awareness of any deliberate influence that may occur.

Child exploitation is the use or abuse of children for personal gain or other interests that have the potential to damage children physically, emotionally, or psychologically. Child exploitation can occur in various forms, such as sexual exploitation, labor exploitation, economic exploitation, and exploitation for commercial or political purposes. Dr. Nur Ainy said that the presence of children in the entertainment industry will not be a problem if it is done with the aim of developing children's interests and talents, and encouraging children's creativity towards their environment.¹⁹ However, when videos or photos of kidfluencers are seen playing but they still get money or monetization for sponsorship by using certain products, the blurred boundaries between work and play make these kidfluencers vulnerable to excessive control, as well as potential exploitation and coercion from parents, sponsors, and social media platforms where they post content. Kidfluencers are not a common activity for children because not all children do this activity, only artists. So that the main problem in the world of kidfluencers arises, namely the interference of a third party in the form of a company brand to promote its products using the services of children. "Devoting the moment" is used as the main reason to get *ad-sense* from videos or photos of children.

To determine whether or not a kidfluencer is being exploited on social media can be seen from the presence or absence of monetary involvement and sponsorship from brands. An example that can be used is the Kimono Mom YouTube account²⁰ which is Japanese, she often shares cooking moments with her son who is usually called Sutan. In the videos shared, Sutan is seen enjoying the moment of cooking and even helping his mother cut vegetables and fruits which of course are still under his mother's supervision to use cutting tools. This is different from kidfluencers in Indonesia, where most of them use their children to enliven the video and even attract entrepreneurs to advertise their products.

The Decree of the Minister of Manpower and Transmigration No. KEP.115/MEN/VII/2004 stipulates that the maximum time for child labor is 3 hours a day and 12 hours a week and the work is outside of the child's school hours. However, in reality, this is often not considered by parents. Restrictions on working hours are not enforced because it is still often seen from videos shared by their parents that kidfluencers follow their parents to work either in terms of selling products, promoting products, or being invited by television stations whose working hours occur at night. In the end, the child has to sacrifice playtime as a child in general and it is not uncommon to find that it can affect the privacy of the child.

Kidfluencers often occur in children under 13 years old which is a polemic because there is no legal certainty on the issue. This condition is feared to lead to uncertainty of legal protection for children to determine whether parents or companies are guilty in kidfluencer cases. Ironically, regulations on child labor in Indonesia seem to be dormant and stalled. Despite the fact that the establishment of the Job Creation Law substantially updated labor

¹⁹ UNAIR News, *Op.Cit.*

²⁰ <https://youtube.com/@kimonomom?si=oqLsN-Me9Hyu2CfH>

standards, there is no single updated provision on child labor.²¹ Hence, there is no complete regulation on child labor through social media.

Unlike Indonesia, child labor in social media is regulated in Ohio. Called *The Kidfluencer Protection Act*, this law protects child actors who act where acting refers to vlogging or other methods of monetizing content. In this case, any income generated by the kidfluencer will be deposited into the child's fund until they turn 18. This method is similar to *The Coogan Law* implemented in the states of California, New York, Louisiana, Illinois, and New Mexico.²² *The Coogan Law* was formed from the case of Jackie Coogan in the 1900s, who was an actor who often appeared in various movie productions as a child. Due to his work, he managed to accumulate a considerable fortune and was managed by his father. However, after an accident that killed Jackie Coogan's father, his mother and stepfather gained access to the wealth. They then used it to buy useless items that Jackie didn't need, so he took the case to court.²³

When referring to the Manpower Law, the protection of workers is carried out by labor inspectors as stipulated in Article 1 point 3 jo. Presidential Regulation No. 21/2010 on Labor Inspection. The government's efforts to prevent violence against children can be seen in the Decree of the Minister of Manpower and Transmigration which requires companies to report using a form according to the ministerial decree.²⁴ However, this is considered unable to have a significant impact and effect in ensuring the protection of children's rights, due to the absence of further supervision in ensuring that there is no exploitation and the fulfillment of children's rights when becoming kidfluencers.

However, Indonesia still has no regulation on kidfluencers in terms of child financial management and protection. Kidfluencers are prone to exploitation as the child's funds are managed by the parent or guardian, so they can be used to buy what they want without the child's consent. However, Indonesia has an independent institution responsible for child protection in Indonesia, the Indonesian Child Protection Commission (KPAI). In carrying out its duties, KPAI supervises, collects and receives information and complaints, monitors and evaluates the implementation of child protection. Through its function, it can be concluded that KPAI is an institution as an organizer of the protection of children as a whole.

Children are prohibited from working in the worst forms of labor, including work that endangers their health, safety, and morals. If violated, the person who employs the child can be sentenced to imprisonment for a minimum of 2 years and a maximum of 5 years, as well as a fine of 200 million to 500 million rupiah. When children become kidfluencers proven to be dangerous and indicated economic exploitation, then law enforcers currently use child protection law which in Article 76I of the Child Protection Law regulates the prohibition of exploitation activities on children both sexually and economically and can be subject to sanctions in accordance with Article 88, namely imprisonment for a maximum of 10 years and/or a maximum fine of 200 million rupiah.

CONCLUSION

The factors that drive children to become kidfluencers are classified into four factors: family factors, environmental factors, legal factors, and community factors. These four

²¹ Siti Hajar & Joko Setiyono, "The Political Law of Child Labor Regulation as an Effort to Protect Children's Human Rights in Indonesia," *Diversion Law Journal*, 9 (1), 2023, pp. 28-61.

²² Spectrum News 1, "Legislation Seeks to Protect Kidfluencers," accessed via <https://spectrumnews1.com/oh/columbus/news/2024/01/19/legislation-seeks-to-protect-kidfluencers>.

²³ Amber Lynn, "Kidfluencing: The Mental Impacts Posting on Social Media can have on Children and Parents," *Research Archives of Rising Scholars*, 2023, pp. 1-13.

²⁴ Nabila Risfa Izzati, "Legal Protection Against Economic Exploitation of Child Artists: A Comparative Study of Indonesia and the United States," *Arena Hukum*, 2 (1), 2019, pp. 172-194.

variables are interrelated, so parents and society actually have the most important role in protecting children from exploitation. Family factors play an important role because the culture within the family has been that of influencers or performers for generations, so their children are included in that culture. The public's view of children used as content must also be changed by ensuring that each video enjoyed does not contain elements of violence against children's rights and helping to comment with a warning that there is an abuse of children's rights as stipulated in the Child Protection Law, if violations are found. The impact on children who are used as kidfluencers can include *social anxiety*, excessive fear, and depression.

The legal protection of kidfluencers in Indonesia still relies on the Child Protection Law, the Manpower Law, and the Decree of the Minister of Manpower and Transmigration No. KEP.115/MEN/VII/2004, which explains that children may work if it is in accordance with their age and for the development of the child's talents and interests, as well as limited working hours. However, these regulations have not been able to protect kidfluencers as a whole because they work in the field of technology and are conducted by parents, making it difficult to determine whether kidfluencers are economically exploited or not. Children working in social media are never seen as workers but as idols, so the consequence is a disregard for children's rights. It is also unclear which institutions protect kidfluencers, as kidfluencers can be covered by labor, child protection, and advertising, each of which has an authorized institution, namely the Labor Supervisor, the Child Protection Commission (KPAI), and the Indonesian Advertising Commission (KPI).

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