

ABSTRACT

This study examines the scope of criminal sanctions stipulated in Article 87 of Law Number 35 of 2014 concerning Child Protection, with particular emphasis on its effectiveness in ensuring legal protection for children in Indonesia. The provision gives rise to juridical concerns because its formulation differs substantially from Article 87 of Law Number 23 of 2002, particularly due to the removal of the explicit reference to Article 15 as one of the legal foundations for imposing criminal liability. This research employs a normative legal research method using both the statutory approach and the conceptual approach. The legal materials analyzed consist of the 1945 Constitution of the Republic of Indonesia, Law Number 23 of 2002 concerning Child Protection, and Law Number 35 of 2014 concerning Child Protection. The findings indicate that the criminal sanctions under Article 87 of Law Number 35 of 2014 are confined to violations of Article 76H, namely the recruitment or exploitation of children for military or other purposes and the failure to provide protection for abandoned children. Compared with Article 87 of Law Number 23 of 2002, which expressly imposed criminal liability for violations of both Article 15 and Article 63, the current provision reflects a considerably narrower scope. This limitation gives rise to legal uncertainty regarding criminal protection for children exposed to political exploitation, armed conflict, social unrest, and other forms of violence that were previously covered under the earlier legislation. Viewed through the perspectives of the rule of law, legal protection, legal certainty, and the objectives of law, these findings demonstrate the importance of adopting a systematic interpretation and conducting legislative evaluation to ensure that Article 87 provides clear, coherent, and comprehensive criminal protection in accordance with the principles of justice, legal certainty, and legal expediency.

Keywords: *Child Protection; Article 87; Criminal Threat; Legal Certainty; Law Number 35 of 2014*