

LEGAL PROTECTION FOR CHILDREN IN OBTAINING BIRTH CERTIFICATES

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ABSTRACT:

Birth registration is the right of every citizen because a person is actually only recognized after his birth is registered but in reality many children have not been registered so do not have a birth certificate. Purpose of study, Reviewing and analyzing legal protection for children in obtaining a birth certificate base on The Principles of Children Protection and This study uses a normative approach, specifically the analytical descriptive approach. Main finding that Laws that exist on how birth certificates are obtained do not protect children due to one regulation with another existing regulation are discordant making the implementation to be inconsistent

This study is useful for children who live in the East, such as Papua because the coverage of birth certificate ownership is still low and is also useful for child proection law. Novelty of this study. How to obtain a birth certificate for Out-of-Marriage Children and children of unknown origin.

KEYWORDS: legal protection, birth certificates, pocies.

INTRODUCTION:

BACKGROUND:

The Unitary State of the Republic of Indonesia based on the Pancasila and the 1945 Constitution of the Republic of Indonesia is essentially obliged to provide protection and recognition of the determination of personal status and legal status for each Population and Important Event experienced by Indonesian Population who is in and / or in outside the

territory of the Unitary Republic of Indonesia (UU No 23 tahun 2006 Adminduk,).

The 1945 Constitution Article 28 D Paragraph (1) states that "every person has the right to recognition, guarantee, protection, and certainty of law that is just and equal treatment before the law". In addition, the 1945 Constitution also guarantees citizenship status as stipulated in 28 D paragraph (4) which states, "Everyone has the right to citizenship status.

Children are the mandate and at the same time the gift of God Almighty that must always be guarded because children in terms of physical and psychological development of humans are weak, immature and still in need of protection (KPPPA, 2008,p.1)

Failure to protect children threatens national development and has negative effects and consequences must be paid, which will continue to carry over until the children become adult individuals (Inter-Parlementary Union,2006,p.4)

At present there are several laws and implementing regulations whose substance is related to child protection. The aforementioned laws include Law No 39 Year 1999 concerning Human Rights, Law No 35 Year 2014 concerning Amendment to Law No 23 Year 2002 concerning Child Protection, Law No 24 Year 2013 concerning Amendments to Law No 23 of 2006 concerning Population Administration, the implementation needs to be synergized because there are still many children whose rights have not been protected.

Every child has the right to get their name and citizenship recorded on the birth certificate as proof of citizenship ((Save the children 2005, p 7)

Every child born is entitled to obtain legality in the form of a birth certificate as an identity of legal certainty to fulfill the requirements to take care of various community services, such as entering school, making a family card and passport, and applying for a job. There are no exceptions, whether it is a child from unregistered serial marriage in the Office of Religious Affairs (KUA), the results of an affair or living together without marriage (semen leven) as well as children whose findings are unknown who the father and biological mother.

In the context of child protection, the Ministry of Home Affairs issued Circular No. 472.1 / 2218 / SJ and established a Strategic Plan that all children in Indonesia in 2011 had their births recorded. In fact, nationally birth certificate ownership for children is still far from the 100% target set for 2011 (Ministry of Home Affairs-UNICEF, 2008. p. 13)

On a national scale, based on the results of the National Socio-Economic Survey (SUSENAS) conducted by BPS in 2012, of around 82 million Indonesian children, 27% of them do not have birth certificates, 19% have but cannot show, 1% do not know and only 53% who have and can show it

Previously in 2014, the coverage of birth certificate ownership for children aged 0-18 was only 31.25 percent. This is a concern for the State because every Indonesian child has the right to obtain an identity since birth

Presidential Regulation No 2 Year 2015 challenges the National Medium-Term Development Plan (RPJMN) 2015 - 2019. There is a set of birth certificate ownership targets of 75 percent in 2015, 77.5 percent in 2016, 80 percent in 2017, 82, 5 percent in 2018, and 85 percent in 2019. Then making the birth certificate target a national priority

The ownership of civil registration documents is still low, for example (material on

the strategy to increase ownership of the civil registry deed September 2016):

New births 41.71 (SIAK) and 61.62% (LAP AREA) of the target of 77%.

From the data above we can see that there is an increase in birth certificate ownership from year to year and also an increase in birth certificate ownership that exceeds the national target but has not reached 100% meaning there are still children who do not have birth certificates while birth certificates are the basic rights of the child that he must have

One of the factors causing the low ownership of birth certificates include: in the implementation level, regulations regarding the birth certificate are harmonized, such as between Law Number 35 Year 2014 concerning Amendment to Law No 23 Year 2002 concerning Child Protection, in the implementation of making birth certificates as low as possible at the Kelurahan level and in Law No 23 Year 2006 concerning Population Administration for making birth certificates at the Sub-district level or at the Population and civil registry office. Even though with a harmonious and orderly administration the children get their rights.

Law No 35 Year 2014 concerning Amendment to Law No 23 Year 2002 paragraph (4) states that the making of a birth certificate as referred to in paragraph (1) is free of charge. But in Law No 24 Year 2013 concerning Amendments to Law No 23 Year 2006 concerning Population Administration Article 27 paragraph (1) says that every birth must be reported by a resident to the local Implementing Agency no later than 60 (sixty) days from birth. In some areas there are those who give fines to those who are late in reporting the birth of their children.

Although a number of policies regarding the regulation and implementation related to how to obtain a birth certificate have been

issued, the community still complains about the difficulty of obtaining a birth certificate, so that the target of ownership of a birth certificate has not been fulfilled as expected. To ensure that child protection in terms of fulfilling the right of identity can be fully implemented based on the principle of child protection.

LITERATURE REVIEW:

Research on birth certificate ownership has been done several times before. However, the focus on analyzing existing regulations that conflict from one policy to another and how to overcome obstacles to children who are difficult to obtain a birth certificate does not yet exist. Here are some studies on birth certificates, namely

1. Achmad Faizun M, Tri Yuniningsih, R. Slamet Santoso (2013) wrote an Article on Analysis of Policy on Birth Certificate Making in the City of Semarang, This research was to find the best alternatives from these problems and for the creation of a birth certificate procedures become better in order to increase production of a birth certificate to be on the rise.
2. Oetje Subagdja (2016) conducted a study on the effect of communication and employee competence on the quality of birth certificate services at the Population Service and civil registration in Bogor Regency. The phenomenon raised as a research problem was the quality of birth certificate services at the Population and Civil Registration Service in Bogor Regency and their correlation. with employee communication and competency issues.
3. Andi Ni'mah Sulfiani (2016) who examined the Quality of Birth Certificate Services at the Population and Civil Registry Office of Wajo Regency. to find out how the quality of birth certificate services at the Department of Population and Civil Registration Wajo

Regency. This research is located in Wajo Regency

4. Lis Febrianda (2017) conducted a Research on the Reconstruction of Population and Civil Registry service regulation by the Government Bureaucracy in the perspective of the law of State Administration. The phenomenon raised by population services and civil registration by the government bureaucracy is still full of complexity problems that do not only concern the pattern of power relations, but various negative stigma attached to government bureaucracy.

5. Candra Saputra (2017) writes with the title implications of the Constitutional Court ruling No. 18 / PPU / XI / 2013 for the management of late birth certificates in Kulon Progo Regency. with the phenomenon in Article 32 Reporting exceeding 60 days from birth or the late category is carried out after obtaining approval from the head of the local Implementing agency based on the determination of the District court. This is felt by the people to be too complicated and very expensive.

6. Rayani Saragih (2017) examines the legal shift in the registration of child births from unregistered marriages (study at the Office of Population and Civil records in Dumai City). legal certainty

7. Keuis Hera Susanti writes in the ISSN Public Journal - 1412-7083 about the Effect of the Implementation of Birth Certificate Services on Employee Performance to Achieve Public Service Quality The phenomenon of examining the effect of implementing birth certificate

8. Ferry Ferdian (2018) studies the Innovation of Birth Certificate services online at the Population and Civil Registration Office of the City of Banda Aceh, the phenomenon is the phenomenon so that people can easily make birth certificates without thinking about the costs and also saves time in other words, effective and efficient

9. Anindya Arief S wrote under the title Analysis of the Strategy for the Acceleration of Increased Ownership of Birth Certificates in the Population and Civil Registration Office of Kebumen Regency, analyzing strategies in the administration of public services, namely the strategies implemented by the Population and Civil Registration Office in Kebumen Regency in accelerating the increase in ownership of Birth Certificate. it is important to do it as a form of state obligation in order to protect and fulfill the right to self-identity and citizenship status. How Legal Protection of Unlisted Children Fathers 'Names on Birth Certificates and What are the Legal Consequences for Unlisted Children Fathers' Names on Birth Certificates.

10. Umul karima (2018) conduct a study on the legal protection of children whose fathers' names are not listed on the birth certificate (Study at the office population and civil registration Tanah Datar district). How Legal Protection of Non-Listed Children the name of the father in the birth certificate and what the legal consequences of children who do notThe name of the father listed on the Birth Certificate.

B.RESEARCH OBJECTIVE:

In accordance with the problems mentioned above, the research objectives can be described as follows:

1. Review and analyze legal protection for children in obtaining birth certificates based on the principles of child protection.
2. Reviewing and analyzing obstacles in the implementation of the birth certificate making program for legitimate children, out-of-wedlock children, street children, finding children, orphanage children and children born from the followers of faith followers and the way to overcome these obstacles.

C. RESEARCH USE:

This research is expected to be useful for those who pay attention to the protection of children who find it difficult to obtain a birth certificate even if it is needed in their future survival. The usefulness of this research can be reviewed both in terms of theoretical use and in terms of practical use, as follows:

THEORETICAL USES:

This research is expected to contribute thoughts and efforts to develop legal science as a scientific reference for the academic world, especially in the field of Child Protection law relating to the protection of children in obtaining birth certificates

2. PRACTICAL USES:

This research is expected to be useful for the interests of stakeholders including: the Ministry of Home Affairs, the Ministry of Health, the Ministry of National Education, the Ministry of Social Affairs, the Ministry of Religion, and the Ministry of Women's Empowerment and Child Protection, and agencies caring for children in taking legal policies to protect children in obtain a birth certificate

D. FRAMEWORK:

In the context of organizing public welfare which includes the material and spiritual dimensions, the task of the government is to perform public services. Public service is a service task that must be carried out by the state or government officials to the public (community). In welfare law, the function of government is dual because on one hand the government is the ruler, but on the other hand it also functions as a service or protector of the community (Hotma P.Sibuea, 1996,P 63)

THEORY:

1. Welfare State Theory:

The welfare state theory underlies the idea that Indonesia is a rule of law, this means that the state is based on law (*rechtsstaat*), not based on power (*machtstaat*), and governance based on the constitutional system (basic law), not absolutism (power that is unlimited). The task of the government is extended to guarantee the public interest so that its field of work includes various aspects that were originally the affairs of the community such as health issues, education, and birth certificates, in the welfare state, the government is entrusted with the implementation of public welfare.

2. Theory of Human Rights (HAM):

The rule of law with human rights cannot be separated from each other. Legal arguments that can be submitted about this are shown by the characteristics of the rule of law that one of them is the protection of human rights.

Baharudin Lopa defines human rights as: "Rights granted directly by God, the Creator" (natural rights).

Law No. 39 of 1999 concerning human rights confirms:

1. Article 52 paragraph (1): Every child has the right to protection by parents, family, society and country.

This means that the state needs to take the initiative and commit to do it protective measures for vital things for children.

2. Article 53 paragraph (2): Every child since birth is entitled to a the name and status of citizenship.

The meaning of the state is obliged and is looking for strategic steps since children are born by giving their name and citizenship through a birth certificate.

E. METHODOLOGY:

The nature or specification of the research used in this study is descriptive analytical, which describes the applicable laws and regulations associated with legal theories and the practice of implementing positive laws concerning issues. (Soerjono Soekanto,1982, P10)

This study examines the application of the legal principles of the issue of Child Protection in Indonesia in order to provide protection to children through the fulfillment of their right to identity that is physically realized through recording in the birth certificate register and followed by obtaining the birth certificate quote. For this reason, the study was conducted using a normative juridical approach that examined the application of Indonesian laws and regulations governing the problem of fulfilling the child's identity rights to reports on various obstacles that had been encountered in implementation by designated agencies.

This writing uses legal materials, both primary legal materials, secondary legal materials and tertiary legal materials.

Primary Legal Material, that is binding legal material in the form of basic norms or rules as contained in the 1945 Constitution; along with the amendment; as well as Legislation including Act No 1 of 1974 concerning Marriage, Act No 39 of 1999 concerning Human Rights, Act No 12 of 2006 concerning Citizenship, Act No 25 of 2009 concerning Services Public, Law Number 28 Year 2009 concerning Regional Taxes and Regional Levies, Law No 24 Year 2013 concerning Amendment to Law No 23 Year 2006 concerning Population Administration, Law No 35 Year 2014 concerning Amendment to Law No 23 of 2002 concerning child protection, PP No 37 of 2007 concerning the Implementation of Law No 24 of 2013 concerning Amendment to Law No 23 of 2006

concerning Adminduk, Presidential Regulation No 25 of 2008 concerning the requirements and procedures for Population Registration and Civil Registration, 2011 Ministry of Home Affairs Strategic Plan all registered Indonesian children born, Convention on the Rights of the Child (CRC), Compilation of Islamic law and the Book civil law.

Secondary legal material is supporting legal material that provides an explanation of Primary legal material obtained from various literary sources (books or articles in scientific journals and legal magazines) written by Experts in the field of law both nationally and internationally. Other legal sources such as the results of seminars and workshops and electronic documents obtained from the internet will be a complement to enrich the data.

Tertiary legal materials, namely materials that provide information about primary and secondary legal materials, including dictionaries, encyclopedias, magazine articles, newspapers, data print out the internet. (Suharsimi Arikunto,1995, P 236)

In order to obtain data, a data collection technique was carried out using the stages of research in the form of library research and field research.

Literature research begins with a study of the mandate contained in the provisions of the 1945 Constitution and its amendments, then the provisions in the Convention on the Rights of the Child, the right of children to have birth certificates, including the category of fulfillment of children's civil rights, namely names and nationalities and related legislation. among others, the 2010-2014 Long-Term Development Plan and the 2011 Strategic Plan for all Indonesian children for their births and Presidential Regulation No. 2/2015 about the 2015-2019 National Medium-Term Development Plan (RPJMN).

Field research is carried out in order to obtain primary data as supporting data to supplement library research. This field research is needed to obtain data on the application of the legal principles of the issue of Child Protection in Indonesia in order to provide protection to children through the fulfillment of their rights to identity that are physically realized through recording in the birth certificate register and followed by obtaining a birth certificate quote.

The research instrument used in this field research in the form of questionnaires, interview guides, in-depth interviews is a technique for capturing primary data conducted using interview guidelines. Informants were chosen purposively, ie samples that were chosen deliberately because they were considered to have certain characteristics that could enrich the research data (Prasetya Irawan 2006, p17). The informant chosen by the author in this case is the party related to the application of birth registration (respondents who are considered to know and understand the field under study). The field research includes the Ministry of Home Affairs, the Ministry of Women's Empowerment and Child Protection, the Ministry of Social Affairs, the DKI Jakarta Provincial Social Service, the Yogyakarta City Social Service, the Vincentius Orphanage, the Jakarta branch mothers' wing foundation, and the Comparisons / Comparisons in several Provinces and cities to see the regulation and implementation of birth certificates such as the DKI Jakarta Province Population Service, Yogyakarta Special Province Government, the Yogyakarta City Population and Civil Registry Office, Bengkulu Provincial Government, and the Bengkulu City Population and Civil Registry Office.

Finally the data obtained from relevant legal sources are analyzed qualitatively, that is, the data obtained are

arranged systematically and then analyzed qualitatively in order to The purpose of using this qualitative analysis is to obtain views on the implementation of laws and regulations in Indonesia which govern the fulfillment of children's identity rights, barriers that occur as well as solutions needed to overcome these obstacles. Obtain clarity of the problem being discussed. Qualitative data analysis is when what is stated by the respondent in writing or verbally as well as real behavior, is researched and studied as something intact. After the data analysis is complete, the results will be presented descriptively by telling and describing what is in accordance with the problem under study, so as to produce a final conclusion that resembles the answer to the problem raised in the study

DISCUSSION / ANALYSIS:

A. Legal Protection for Children in Obtaining a Birth Certificate Based on Legislation and its implementation

The Indonesian government has been trying to get Indonesian children to get legal protection, especially in the area of ownership of birth certificates, where the government's efforts are manifested by the issuance of several laws and regulations to facilitate Indonesian children in obtaining birth certificates as a form of legal protection. But in its implementation making birth certificates for Indonesian children has many problems because the existing regulations still make it difficult for children to obtain birth certificates.

Out-of marriage Children (Marriage not registered)

Birth registration is carried out without the requirement of marriage certificate / marriage certificate, then the birth certificate only mentions a mother's child in accordance with Law No.1 of 1974 in Article 43 paragraph (1) concerning Marriage reads Children born outside of marriage only have a relationship

civil law with his mother and his mother's family, in practice many problems occur such as There are some people who do not want to make a birth certificate because the birth certificate is only the name of the mother And other problems asked by the Jakarta branch wing wing mother foundation overseas birth registration in the name of the child Aini Rahmadani Muhammad Sudiro there has been a mistake in the recording and issuance of the relevant birth certificate, because the Consulate General of the Republic of Indonesia in Jeddah, the Kingdom of Saudi Arabia only includes the name a father (Muhammad Sudiro), while in positive Indonesian law Indonesia does not regulate the legal status of "the son of a father".

Therefore, the birth certificate in the name of Aini Rahmadani Muhammad Sudiro had to be canceled through a court ruling, then the birth certificate was reissued in accordance with the court ruling.

Results of an interview with the Head of the Population and Information Section Head of the Province of Yogyakarta, Ignatius Ispono in the Special Province of Yogyakarta, there were children born out of wedlock their mother ran away after giving birth and the child was left with his father, the child could not be made a birth certificate because there is no rule for a child's father.

Children of unknown origin (finding children)

Article 28 paragraph (1) of Law No 24 of 2013 concerning Amendment to Law number 23 of 2006 concerning Population Administration and and Article 27 paragraph 4 of Law No 35 of 2014 concerning Amendment to Law No 23 of 2002 concerning Child Protection, states that in the case of a child whose birth process is unknown and his parents are unknown, the birth certificate for the child is based on the information of the person who discovered it and is equipped with a police investigation

report. So children whose parents are unknown and their origins are like children who are thrown away, then the recording of their birth is based on reports of people who find that they are equipped with the Minutes of Examination (BAP) from the police. Interview results with Jakarta branch Sayap Ibu Social Foundation workers. Elvira said some police only wanted to help issue Progress Reports (LAJU) instead of BAP while when arranging Birth Certificates at the Population and Civil Registry Office they asked for BAP.

The interview with the Office of Social Welfare and Community Empowerment of Yogyakarta City Yosef Widiatmoko said that some people in Yogyakarta if they found a child immediately took without going through the adoption procedure and did not follow the adoption arrangements for the child as stipulated in the Law so it was difficult for the making of birth certificates

B. Constraints and ways to overcome obstacles in making birth certificates

Out-of marriage children (marriages that are not registered) and children of unknown origin (children of Findings)

Out-of marriage Children (Marriage not registered)

Out-of marriage Children that are not registered do not have formal documents (the marriage certificate of their parents) issued by the Government. This becomes an obstacle and becomes a legal obstacle in fulfilling birth certificate ownership, that proof of parental marriage is one of the requirements in birth registration as regulated in Presidential Regulation No. 25/2008 Article 52 paragraph (1) concerning Requirements and Procedures for Population Registration and Registration Civil.

Results of interviews with the Head of Population and Civil Registry of Bengkulu Province, Jalaluddin in making birth certificates most people are reluctant to make birth

certificates for their children if they only include the name of their mother, even though the validity of birth certificates for offspring of children who have been issued by the Department of Population and Civil Registration and have also been signed by the Head of the Department of Population and Civil Registry, as well as a legitimate child can be used as authentic evidence for the deed holder who has a guarantee and legal certainty regarding civil status which includes self-identification.

Likewise, in the Marriage Law Article 43 paragraph (1) the provisions regarding out-of-wedlock children are regulated or not recorded, in terms of administration of birth registration, children born out of wedlock will only be recorded as children of the mother without specifying who is the father, and the mother must first fill out a legal marriage statement in the Population and Civil Registry signed by the Head of the Population and Civil Registry Service as one of the requirements in obtaining birth certificates for children outside of marriage. The sound consequences of article 43 (1) of the Marriage Law will be the main problem in the survival of the child in the future or after growing up.

Some of the obstacles that cause the difficulty of registering births for out-of-wedlock children at the Department of Population and Civil Registration (Interview Results with the Head of Civil Registry of Bengkulu City, Widodo), include the following:

a. The attitude of the Indonesian people who still uphold the eastern traditional values. An attitude where people uphold religious and customary law in Indonesian society, having children out of wedlock is a disgrace, the effect is that children born out of wedlock are ostracized, insulted and do not have a proper place in the community. Not only the child outside of marriage gets a deep mental suffering but also in the life of the state gets

difficulties, as does the birth certificate. The community still thinks that out-of-wedlock children do not have the same rights as legitimate children who have complete mothers and fathers, because they are born from a prohibited relationship so that eventually the out-of-wedlock child will have a bleak future. By not having a birth certificate such as not being able to go to school, it is difficult to get work and so forth.

b. Having out of marriage children for Indonesian people is still a scary event because having children out of wedlock means having committed immoral acts. A mother of an out-of-wed child who is going to register the birth of her child must make a birth report from the kelurahan, by making a birth certificate means indirectly notifying the community that she has an out-of-wedlock child, which in the customs of eastern societies especially in Indonesia that having an out-of-wedlock child is a disgrace that must be covered up if necessary hiding the child so that the community does not know.

Therefore the mother would be more choose not to register the birth of her child.

Children of unknown origin (finding children) Obstacles found in the Jakarta branch of the mothers wing foundation (interview with the workers of the Jakarta branch of the mothers wing foundation, Elvira) on finding children where some of the police did not want to issue a BAP so that the administrators at the Jakarta branch of the women's wing foundation found it difficult to make a birth certificate that had an impact on survival child findings such as child findings are delayed to get a new family because one of the conditions for adoption of children (adoption) is a birth certificate. besides finding children who do not get a birth certificate can not get a scholarship for education and health insurance (BPJS) because one of the conditions is also a birth certificate.

The results of an interview with the Yogyakarta City Social Welfare and Community Empowerment Office, Okto Noor Arafat stated what obstacles were found when finding a child immediately took without going through the appointment procedure of the child in the implementation of making birth certificates for children the findings that the Office of Population and Civil Registry officials are reluctant to make birth certificates the finding child is because the parents of the child (the parent who found the child) cannot show the BAP from the Police, marriage book from biological mothers and mothers, birth certificate from the village or kelurahan, certificate from doctor or midwife, hospital that helps with the birth process. Or adoptive parents of children who are reluctant to make the process of recognition of children through trial procedures. This resulted in the child until whenever it would be difficult to get a birth certificate.

CONCLUSION:

1. Legal Protection of children's rights based on the principles of International Child Protection and in accordance with the principles of National Child Protection, but there are still those who have not protected children in obtaining a Birth Certificate, therefore it is necessary to harmonize by proposing changes to the Ministry of Home Affairs a series of statutory regulations such as Law Number 24 Year 2013 concerning Amendments to Law No. 23 of 2006 concerning Population Administration with Law Number 35 of 2014 concerning Amendments to Law Number 23 of 2002 concerning Child Protection.
2. There is a guarantee that every child has the right to obtain protection from the State and the Government has an obligation to provide birth certificates for children, but in fact in the community there are still many obstacles that are obtained when making birth certificates

such as out-of-marriage children have problems in obtaining birth certificates because they do not have a certificate. Marry his parents. Marriage certificate is one of the requirements to make a birth certificate solution by writing the mother's child on the birth certificate. as well as finding children also have problems in taking care of birth certificates because they do not have a BAP because some of the Police do not want to issue a BAP the solution by reporting to the Coordinating Ministry for Political, Legal & Security Affairs (Kemenko Polhukam)

RECOMMENDATION:

1. From the aspect of Protection, the Government needs to rearrange all laws and regulations that contradict their implementation and legislation that is not harmonious, inconsistent and every related Ministry and Regional Government needs to make a Permen or Perda as a follow-up to the existing laws and regulations. such as the need to immediately issue implementing regulations in the form of Presidential Regulation and Regulation of the Minister of Home Affairs, namely Law 24 of 2013 concerning Amendment to Law No. 23 of 2006 concerning Population Administration because it will be used as a basis for amendments to Regional Regulations and Administrative Regulations in Provinces and Regencies / Cities. In addition there needs to be a program that is implemented on an ongoing basis about child protection

2. In reducing obstacles for children in obtaining a birth certificate it is necessary to involve all parties, because there must be cooperation and coordination in synergy to give birth to the best policies for children in Indonesia. And it is necessary to establish a Coordination Forum at both the Central and Regional levels to hold regular meetings in order to find solutions to reduce obstacles both

in the bureaucracy and also with community groups so that the mapping of causes and solutions can be done completely and immediately. Like alternative documents and procedures, and more specifically, it also trains civil registration staff to understand how the so-called fulfillment of children's rights and protections, so that they are not trapped into mere technical administration, but also understand how their obligations to ensure that children's rights are fulfilled without there are obstacles.

LIMITATIONS AND LEARNING FORWARD

Birth registration is part of the civil rights inherent once a person is born. Therefore the State is obliged to respect, fulfill and protect this right. Actually there are some children whose rights must be fulfilled such as legitimate Children, Children outside of Marriage (Marriage that is not registered), Street Children, Children Find Children orphans and children born from Marriage of Adherents to the Confidence of Religion.

In this article the author can only study, analyze and discuss, Children outside of Marriage (Marriage that is not registered), and Children of Findings hopefully in the future the author will review the analysis to other children.

RECOGNITION:

By giving thanks to the presence of God, God the Most Merciful and Merciful, because of His grace and grace, the author can complete this Article.

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