



The Kidfluencer Phenomenon and Modern Slavery: A Critical Analysis of Indonesia's Legal Framework in Protecting Children from Digital Exploitation

Alvan Rahfiansyah Lubis^{1*}

¹Postgraduate Study Program in Law, Universitas Islam Negeri Sunan Gunung Djati, Bandung, Indonesia

ARTICLE INFO

Keywords:

Child exploitation
Digital media
Indonesia
Kidfluencer
Legal framework

*Corresponding author:

Alvan Rahfiansyah Lubis

E-mail address:

Alvanlubis04@gmail.com

The author has reviewed and approved the final version of the manuscript.

<https://doi.org/10.37275/arkus.v11i1.681>

ABSTRACT

The digital era has ushered in unprecedented opportunities for children to engage with online platforms. However, this increased accessibility has also exposed them to new forms of exploitation, including the "kidfluencer" phenomenon. This study examines the legal framework in Indonesia concerning child digital exploitation, focusing on the adequacy of existing laws in protecting children involved in the creation of digital content for commercial purposes. This research employed a qualitative legal research methodology. It involved a comprehensive review of relevant national legislation, international legal instruments, academic literature, and reports from governmental and non-governmental organizations. A comparative analysis was conducted to assess the alignment of Indonesian laws with international standards for child protection. The study revealed that while Indonesia has ratified international conventions and enacted laws related to child protection, gaps exist in addressing the specific nuances of digital exploitation. Existing laws primarily focus on traditional forms of child labor and abuse, lacking explicit provisions for online exploitation, particularly within the context of the kidfluencer phenomenon. In conclusion, this research highlights the urgent need for Indonesia to strengthen its legal framework to specifically address the exploitation of children in the digital realm. Recommendations include amending existing laws to include explicit provisions on digital exploitation, enhancing law enforcement capacity, raising public awareness, and fostering collaboration between stakeholders such as the government, digital platforms, and civil society organizations.

1. Introduction

The dawn of the digital age has ushered in a period of unprecedented interconnectedness and technological advancement. This era has brought about profound societal shifts, transforming the way we communicate, work, and interact with the world around us. One of the most significant transformations has been the rise of social media and online platforms, which have fundamentally altered the landscape of childhood. While these digital spaces offer children incredible opportunities for learning, creativity, and social interaction, they also present a unique set of challenges and risks that necessitate careful consideration and legal protection.¹⁻³

In recent years, the emergence of "kidfluencers" has shone a spotlight on the complex intersection of childhood, digital technology, and commercial exploitation. Kidfluencers are children whose online presence, often curated and managed by their parents or guardians, generates significant economic benefits through advertising, sponsorships, and other commercial ventures. While this phenomenon may seem innocuous on the surface, it raises profound ethical and legal concerns that warrant in-depth examination.^{4,5} Children engaged in content creation for commercial purposes may be subjected to long working hours, pressure to perform, invasion of privacy, and potential psychological harm. This exploitation, often hidden in plain sight, can be

regarded as a modern form of slavery, violating fundamental human rights principles and national child protection laws.^{6,7}

Indonesia, with its large and young population, coupled with a high internet penetration rate, is particularly vulnerable to this form of exploitation. The Indonesian legal framework, while well-intentioned, faces challenges in adequately protecting children from the unique risks posed by the digital age. Existing laws often focus on traditional forms of child labor and abuse, lacking the specificity and nuance needed to address the complexities of online exploitation.⁸⁻¹⁰ This research delves into the intricate landscape of child digital exploitation in Indonesia, focusing on the adequacy of the existing legal framework in protecting children involved in the creation of digital content for commercial purposes.

2. Methods

This research delves into the complex issue of child digital exploitation in Indonesia, focusing specifically on the kidfluencer phenomenon and the adequacy of the existing legal framework. To achieve a comprehensive understanding of this multifaceted issue, the study employs a qualitative legal research methodology that combines both doctrinal and empirical approaches. This methodology allows for an in-depth exploration of the legal and ethical dimensions of child digital exploitation, as well as an assessment of the practical application and limitations of the current legal framework.

The doctrinal aspect of this research involves a thorough examination of existing legal texts and scholarly works relevant to child protection, digital exploitation, and the legal framework in Indonesia. This analysis draws upon a wide range of sources, including national legislation, international legal instruments, academic literature, and reports from governmental and non-governmental organizations.

The review of national legislation focuses on key laws relevant to child protection in the digital age, including; Child Protection Law No. 35 of 2014: This law serves as the primary legal framework for child

protection in Indonesia. The analysis examines its provisions on child labor, parental consent, and protection from abuse and exploitation, assessing their applicability to the digital realm; Information and Electronic Transactions Law No. 11 of 2008: This law regulates online activities and addresses cybercrimes. The research investigates its provisions on child online privacy, data protection, and the dissemination of child sexual abuse material; Criminal Code: The Criminal Code's provisions on child abuse, sexual exploitation, trafficking, and forced labor are analyzed to determine their effectiveness in addressing digital forms of exploitation; Ministerial Regulations: Relevant ministerial regulations that provide guidance on child protection, child-friendly internet usage, and online safety are also examined.

To assess Indonesia's compliance with international standards, the research analyzes relevant international legal instruments, including; United Nations Convention on the Rights of the Child (UNCRC): The UNCRC provides a comprehensive framework for child rights protection. The research examines its principles and provisions relevant to digital exploitation, including the right to protection from economic exploitation, the right to education, and the right to privacy; International Labour Organization (ILO) Convention No. 182 on the Worst Forms of Child Labour: This convention addresses the most severe forms of child labor, including trafficking and slavery. The research analyzes its relevance to the kidfluencer phenomenon and other forms of digital exploitation.

The research draws upon a wide range of academic literature, including books, journal articles, and research reports on child rights, digital exploitation, and the legal framework for child protection in Indonesia and globally. This literature review provides a theoretical and empirical foundation for understanding the complexities of child digital exploitation and identifying best practices for prevention and intervention. Reports and documents from governmental institutions, non-governmental organizations, and international organizations are also analyzed to gain insights into the current state of child

digital exploitation in Indonesia and the efforts being made to address it.

To bridge the gap between legal theory and practice, the research incorporates an empirical dimension through the development of simulated case studies. These case studies are carefully crafted based on real-world examples of kidfluencer exploitation in Indonesia, ensuring that they reflect the diverse and evolving nature of digital exploitation. The case studies serve several important purposes; Practical Application of the Legal Framework: By applying existing laws and regulations to specific scenarios of kidfluencer exploitation, the research assesses the practical application and limitations of the current legal framework; Identification of Gaps and Challenges: The case studies help to identify gaps and ambiguities in the law, as well as challenges in enforcement and implementation; Impact Assessment: Through the case studies, the research examines the potential physical, psychological, and social impacts of digital exploitation on children.

The data collected from the doctrinal and empirical analyses are carefully analyzed and interpreted to draw meaningful conclusions and develop recommendations. Thematic analysis is used to identify key themes and patterns related to the legal framework, enforcement challenges, and the impact of digital exploitation on children. A comparative analysis is also conducted to evaluate the alignment of Indonesian laws with international standards for child protection. This analysis helps to identify areas where Indonesia's legal framework can be strengthened to better protect children's rights in the digital age. The research findings are presented in a clear and concise manner, supported by evidence from the doctrinal and empirical analyses. The study concludes with a set of recommendations aimed at strengthening Indonesia's legal and regulatory framework, enhancing law enforcement capacity, raising public awareness, and fostering collaboration among stakeholders to effectively address the issue of child digital exploitation.

3. Results

Table 1 provides a concise overview of the Indonesian legal framework concerning child protection in the digital age, highlighting both the strengths and weaknesses of the existing legislation. While Indonesia has several laws that touch upon child protection, including the Child Protection Law, Criminal Code, and Information and Electronic Transactions Law, none of them comprehensively address the unique challenges of digital exploitation. This fragmentation creates ambiguity and potential loopholes that can be exploited by those seeking to profit from children's online activities. Existing laws often lack specific provisions regarding digital exploitation, particularly concerning kidfluencers and commercial content creation. This lack of clarity makes it difficult to apply traditional offenses to the digital context, such as determining what constitutes child labor or exploitation in the context of online content creation. The legal framework is unclear on the application of parental consent to online activities, particularly concerning kidfluencers. This ambiguity raises concerns about whether parents fully understand the potential risks and implications of their children's online activities and whether they are adequately equipped to protect their children's rights and well-being. The digital nature of online exploitation poses significant challenges for law enforcement. Gathering evidence, prosecuting online offenses, and conducting cross-border investigations can be complex and resource-intensive. Additionally, the sheer volume of online content and the rapid evolution of digital platforms make it difficult to monitor and identify exploitative practices effectively. Ministerial regulations, while providing further guidance on child protection, often face implementation challenges due to limited resources, coordination issues, and a lack of enforcement capacity. Keeping these regulations updated to keep pace with the evolving digital landscape is also a significant challenge. Effective collaboration and coordination between different government agencies are crucial for comprehensive child protection in the

digital age. However, limited resources and potential implementation of child protection measures. coordination challenges can hinder the effective

Table 1. Overview of the Indonesian legal framework for child protection in the digital age.

Legislation	Key provisions relevant to digital child exploitation	Challenges and limitations
Child Protection Law No. 35 of 2014	<ul style="list-style-type: none"> Defines a child as anyone under 18 years old. Prohibits all forms of violence, exploitation, and neglect against children. Mandates the creation of a child-friendly environment. Requires parental consent for children's involvement in work. 	<ul style="list-style-type: none"> Lack of specific provisions on digital exploitation: The law primarily focuses on traditional forms of child labor and abuse, with limited guidance on online exploitation in the context of kidfluencers. Ambiguity regarding parental consent: The law is unclear on the application of parental consent to online activities, particularly in the context of kidfluencers and commercial content creation.
Criminal Code	<ul style="list-style-type: none"> Criminalizes various forms of child abuse, including sexual exploitation, trafficking, and forced labor. Contains provisions on child pornography and online sexual grooming. 	<ul style="list-style-type: none"> Challenges in applying traditional offenses to the digital context: Existing provisions may not adequately capture the nuances of online exploitation, such as psychological harm and online grooming. Difficulties in gathering evidence and prosecuting online offenses: The digital nature of these crimes poses challenges for law enforcement in terms of evidence collection and cross-border investigations.
Information and Electronic Transactions Law No. 11 of 2008	<ul style="list-style-type: none"> Regulates online activities and addresses cybercrimes. Prohibits the dissemination of child sexual abuse material. Contains provisions on data protection and privacy. 	<ul style="list-style-type: none"> Limited oversight of digital content: The sheer volume of online content and the rapid evolution of digital platforms make it difficult to monitor and identify exploitative practices. Lack of specific provisions on child online privacy: The law does not adequately address the unique privacy concerns of children in the digital age.
Ministerial Regulations	<ul style="list-style-type: none"> Provide further guidance on child protection, including guidelines on child-friendly internet usage and online safety. Outline the roles and responsibilities of various government agencies in child protection. 	<ul style="list-style-type: none"> Implementation challenges: Ministerial regulations may not be effectively implemented due to a lack of resources, coordination, and enforcement capacity. Need for regular updates: Regulations need to be regularly updated to keep pace with the evolving digital landscape and new forms of online exploitation.
Government Institutions	<ul style="list-style-type: none"> Ministry of Social Affairs: Responsible for child welfare and social protection. National Commission on Child Protection (Komnas Perlindungan Anak): Independent institution tasked with monitoring and promoting child protection. Ministry of Communication and Informatics: Regulates the information and communication technology sector. 	<ul style="list-style-type: none"> Coordination challenges: Effective collaboration and coordination between different government agencies are crucial for comprehensive child protection in the digital age. Limited resources: Government institutions may face resource constraints in effectively implementing child protection measures in the digital sphere.

Table 2 effectively illustrates the multifaceted challenges Indonesia faces in addressing the digital exploitation of children. It categorizes these challenges into four key areas: legal framework, enforcement, societal, and technological, providing specific examples to illustrate each challenge; Legal Framework: Existing laws are not tailored to address the nuances of online exploitation, especially concerning kidfluencers. This ambiguity makes it difficult to determine what constitutes child labor or exploitation in the digital realm, as highlighted by the example of parents allowing excessive livestreaming by a 6-year-old under the guise of "play." The legal framework lacks clarity on parental consent for online activities, particularly for kidfluencers involved in commercial content creation. This ambiguity can lead to situations where parents may unknowingly consent to exploitative practices due to a lack of awareness or understanding of the potential risks; Enforcement: The sheer volume of online content and the rapid evolution of digital platforms make it challenging to monitor and identify instances of child exploitation. This is exemplified by the case of inappropriate content on a lesser-known platform going unnoticed by authorities. Limited resources and specialized training hinder effective investigation and prosecution of online child exploitation. The example of an unreported online grooming case underscores the lack of awareness and resources within law enforcement; Societal: Many parents and guardians are unaware of the potential risks associated with their children's online activities, including the kidfluencer phenomenon. This lack of awareness can lead to parents unknowingly exposing their children to harm, as illustrated by the example of parents encouraging participation in risky viral challenges. Society often views kidfluencer activities as harmless entertainment, overlooking the potential for exploitation and long-term harm. This normalization can desensitize people to the signs of child exploitation, as seen in the example of dismissing a child's exhaustion and distress as "part of the job."; Technological: New platforms and technologies emerge

constantly, making it challenging for legal frameworks and enforcement to keep pace. This is exemplified by the emergence of a new live-streaming app lacking adequate child protection measures. The anonymity and easy access to children online increase their vulnerability to online predators and exploitation. The example of a child being contacted by an online predator posing as a peer highlights this risk.

Table 3 presents three compelling case studies that effectively illustrate the diverse manifestations and potential consequences of child exploitation in the Indonesian digital context. Each case highlights specific vulnerabilities and challenges faced by children engaged in different types of online activities; Case Study 1: "Little Chef": This case involves a 7-year-old child whose parents manage a popular cooking channel on YouTube. The child spends excessive hours filming, prepping, and promoting the channel, often missing school and playtime. The content includes staged mishaps and emotional reactions aimed at garnering views. This case exemplifies exploitation through excessive working hours, interference with education, and potential emotional distress. The pressure to perform and create engaging content can take a toll on the child's well-being. The Child Protection Law is relevant, but challenges arise in applying traditional child labor laws to online content creation. Ambiguity regarding parental consent and the child's best interests further complicates the situation. The child may experience physical exhaustion, sleep deprivation, and potential nutritional deficiencies. Psychologically, the child may face stress, anxiety, and pressure to perform. Socially, limited interaction with peers and dependence on online validation can hinder healthy development; Case Study 2: "Family Vlogger": This case involves a 10-year-old child whose family extensively documents and monetizes their daily life across multiple platforms (YouTube, Instagram, TikTok). The child's private moments, including bath time and tantrums, are shared online, and personal information is revealed for engagement. The child is encouraged to interact with strangers online. This case highlights the invasion of

privacy and exploitation of personal information. The child's right to privacy is violated, and they are exposed to potential online predators. The Information and Electronic Transactions Law is relevant, but concerns about invasion of privacy and exploitation of personal information remain. Challenges arise in protecting children's privacy in the digital space and enforcing data protection laws. Psychologically, the child may experience anxiety, self-esteem issues, and a distorted sense of privacy. Socially, they may face difficulties forming healthy boundaries. Safety risks include online grooming, stalking, and other forms of online abuse; Case Study 3: "Gamer Prodigy": This case involves a 13-year-old child who livestreams gaming sessions for hours each day on Twitch and YouTube. Encouraged by parents to maximize donations and sponsorships, the child experiences

online harassment and pressure to win. Sleep and schoolwork are neglected. This case demonstrates exploitation through excessive working hours, exposure to online harassment, and interference with education. The pressure to perform and generate income can negatively impact the child's well-being. The Child Protection Law is relevant, but challenges arise in applying child labor laws to online gaming and addressing online harassment and cyberbullying. Balancing online activities with education and well-being is crucial. Physically, the child may experience sleep deprivation, eye strain, and physical inactivity. Psychologically, stress, anxiety, and addiction to gaming are concerns. Socially, the child may experience isolation, low self-esteem, and difficulties with interpersonal relationships.

Table 2. Gaps and challenges in addressing digital exploitation of children in Indonesia.

Category	Gap/challenge	Description	Example
Legal Framework	Lack of specific provisions on digital exploitation	Existing laws primarily focus on traditional forms of child labor and abuse, with limited guidance on online exploitation, particularly in the context of kidfluencers.	The Child Protection Law lacks specific provisions for regulating children's working hours and conditions in online content creation.
	Ambiguity regarding parental consent	The law is unclear on the application of parental consent to online activities, particularly concerning kidfluencers and commercial content creation.	Parents allow a 6-year-old to engage in excessive livestreaming for commercial purposes, claiming it falls under "play" and not "work."
Enforcement	Weak oversight of digital content	The sheer volume of online content and the rapid evolution of digital platforms make it difficult to monitor and identify exploitative practices.	A child is featured in inappropriate content on a lesser-known social media platform that escapes the attention of authorities.
	Inadequate law enforcement	Limited resources and lack of specialized training hinder law enforcement efforts in investigating and prosecuting online child exploitation cases.	A case of online grooming of a child goes unreported and uninvestigated due to a lack of awareness and resources within law enforcement.
Societal	Low public awareness	Many parents and guardians are unaware of the potential harm associated with their children's involvement in the kidfluencer phenomenon and other online activities.	Parents encourage their child to participate in viral challenges that involve risky behavior, unaware of the potential long-term consequences.
	Normalization of exploitation	Society may view kidfluencer activities as harmless entertainment, overlooking the potential for exploitation and long-term harm to children.	A child's exhaustion and distress from constant filming are dismissed as "part of the job" by their parents and followers.
Technological	The rapid evolution of digital platforms	New platforms and technologies emerge constantly, making it challenging for legal frameworks and enforcement to keep pace.	A new live-streaming app gains popularity among children, but lacks adequate child protection measures, exposing them to potential harm.
	Anonymity and accessibility	The anonymity and easy access to children online increase their vulnerability to online predators and exploitation.	A child is contacted by an online predator posing as a peer on a social media platform with limited identity verification.

Table 3. Case studies of child exploitation in the Indonesian digital context.

Case study	Age of child	Platform	Description of exploitation	Relevant laws and challenges	Potential impacts on child
Case Study 1: "Little Chef"	7 years old	YouTube	Parents manage a popular cooking channel featuring their child. The child spends several hours each day filming, prepping, and promoting the channel, often missing school and playtime. Content includes staged mishaps and emotional reactions for views.	<ul style="list-style-type: none"> Child Protection Law No. 35 of 2014: Concerns about excessive working hours, interference with education, and potential emotional distress. Challenges: Difficulty in applying traditional child labor laws to online content creation; ambiguity regarding parental consent and the child's best interests. 	<ul style="list-style-type: none"> Physical: Exhaustion, sleep deprivation, potential nutritional deficiencies. Psychological: Stress, anxiety, pressure to perform, emotional exhaustion. Social: Limited social interaction with peers, dependence on online validation.
Case Study 2: "Family Vlogger"	10 years old	Multiple platforms (YouTube, Instagram, TikTok)	Family's daily life is extensively documented and monetized. Child's private moments, including bath time and tantrums, are shared online. Personal information is revealed for engagement. Child is encouraged to interact with strangers online.	<ul style="list-style-type: none"> Information and Electronic Transactions Law No. 11 of 2008: Concerns about invasion of privacy, exploitation of personal information, and potential exposure to online predators. Challenges: Lack of clear legal provisions on protecting children's privacy in the digital space; difficulties in enforcing data protection laws. 	<ul style="list-style-type: none"> Psychological: Anxiety, self-esteem issues, distorted sense of privacy. Social: Difficulty forming healthy boundaries, potential for cyberbullying. Safety: Risk of online grooming, stalking, and other forms of online abuse.
Case Study 3: "Gamer Prodigy"	13 years old	Twitch, YouTube	Child livestreams gaming sessions for hours each day, encouraged by parents to maximize donations and sponsorships. Child experiences online harassment and pressure to win. Sleep and schoolwork are neglected.	<ul style="list-style-type: none"> Child Protection Law No. 35 of 2014: Concerns about excessive working hours, exposure to online harassment, and interference with education. Challenges: Applying child labor laws to the context of online gaming; addressing online harassment and cyberbullying; balancing online activities with education and well-being. 	<ul style="list-style-type: none"> Physical: Sleep deprivation, eye strain, physical inactivity. Psychological: Stress, anxiety, addiction to gaming, low self-esteem. Social: Social isolation, difficulties with interpersonal relationships.

4. Discussion

The rapid evolution of digital technologies and the rise of the kidfluencer phenomenon have exposed significant gaps and limitations in Indonesia's legal framework for child protection. While existing laws provide a foundation for safeguarding children's rights, they are not adequately equipped to address the unique challenges posed by the digital age. This inadequacy creates a legal vacuum that allows exploitative practices to go unpunished, leaving kidfluencers and other children engaged in online activities vulnerable to abuse and exploitation. One of the most significant limitations of the current legal framework is the lack of specific provisions on digital exploitation. Existing laws, such as the Child Protection Law No. 35 of 2014, primarily focus on traditional forms of child labor and abuse, with limited guidance on online exploitation. This lack of specificity creates ambiguity and uncertainty in applying the law to the digital context, particularly concerning kidfluencers and commercial content creation. For instance, the Child Protection Law prohibits "all forms of exploitation" against children, but it does not explicitly define what constitutes exploitation in the digital realm. This lack of clarity makes it difficult to determine whether certain practices, such as excessive working hours, pressure to perform, or exposure to harmful content, constitute child exploitation under the law. Similarly, the Criminal Code criminalizes various forms of child abuse, including sexual exploitation, trafficking, and forced labor. However, these provisions are primarily designed to address offline offenses and may not be readily applicable to online forms of exploitation. For example, the Criminal Code's provisions on child pornography may not adequately address the issue of children creating sexually suggestive content for online platforms. This lack of specificity in the law creates a legal gray area where exploitative practices can thrive. Perpetrators may exploit children under the guise of legitimate online activities, such as creating content for social media or participating in online gaming, without fear of legal repercussions.

Another significant limitation of the current legal framework is the ambiguity surrounding parental consent in the digital context. While the Child Protection Law mandates parental consent for children's involvement in work, it remains unclear how this applies to online activities, particularly in the context of kidfluencers and commercial content creation. This ambiguity stems from the fact that the law does not explicitly define "work" in the digital context. It is unclear whether creating content for social media, participating in online gaming tournaments, or engaging in other online activities that generate income constitute "work" under the law. This lack of clarity creates uncertainty about when parental consent is required and what constitutes valid consent. Furthermore, even when parental consent is obtained, it may not always be sufficient to protect children from exploitation. Parents or guardians may not fully understand the potential risks and long-term consequences of their children's online activities. They may be swayed by the allure of fame, fortune, or social media validation, leading them to consent to exploitative practices that harm their children's well-being. This ambiguity regarding parental consent creates a situation where children may be exploited with the unwitting approval of their parents or guardians. It highlights the need for clearer legal guidelines on parental consent in the digital context, ensuring that parents are fully informed of the potential risks and that their consent is given freely and with full understanding of the implications. Even when existing laws can be applied to digital exploitation, challenges arise in adapting traditional legal concepts to the online environment. For instance, determining what constitutes child labor in the context of online content creation can be complex. Unlike traditional forms of child labor, which often involve physically demanding tasks and fixed working hours, online content creation can be more fluid and less structured. Children may engage in content creation activities intermittently throughout the day, making it difficult to assess whether they are exceeding reasonable working hours or experiencing undue

pressure to perform. Similarly, applying laws on child abuse and neglect to the digital context can be challenging. Online abuse can take many forms, including cyberbullying, online grooming, and exposure to harmful content. These forms of abuse may not leave physical scars, but they can have profound psychological and emotional impacts on children. Identifying and addressing these forms of online abuse requires specialized knowledge and expertise that may not be readily available within the current legal and law enforcement framework. The gaps and limitations in the current legal framework highlight the urgent need for a comprehensive legal framework that specifically addresses digital exploitation. This framework should include clear definitions of digital exploitation, specific provisions on parental consent in the online environment, and guidelines for applying traditional laws to the digital context. Furthermore, the legal framework should address emerging forms of digital exploitation, such as the use of artificial intelligence and virtual reality technologies to create exploitative content featuring children. It should also consider the cross-border nature of online exploitation and provide mechanisms for international cooperation in investigating and prosecuting offenders.¹¹⁻¹³

The sheer volume of online content and the rapid proliferation of digital platforms pose significant challenges to enforcement efforts. Regulators and law enforcement agencies find it difficult to monitor and identify exploitative practices effectively due to the overwhelming amount of content generated daily on various platforms. The decentralized nature of the internet and the emergence of new platforms further complicate the task of monitoring online content. Law enforcement agencies often lack the resources and specialized training necessary to investigate and prosecute online child exploitation cases. The complex and evolving nature of digital exploitation requires specialized skills and knowledge to gather evidence, conduct digital forensics, and navigate the legal complexities of online investigations. However, many law enforcement agencies lack the funding, personnel,

and training to effectively address these challenges. Limited resources and a lack of specialized training hinder law enforcement efforts in investigating and prosecuting online child exploitation cases. The technical expertise needed to gather evidence and prosecute online offenses is often lacking, and the cross-border nature of these crimes adds another layer of complexity. Many parents and guardians are unaware of the potential risks associated with their children's involvement in the kidfluencer phenomenon and other online activities. This lack of awareness can lead to parents unknowingly consenting to exploitative practices or failing to recognize the signs of their children's distress. In certain online spaces, the exploitation of children, particularly kidfluencers, has become normalized. The pursuit of views, likes, and sponsorships can overshadow the well-being of the child. This normalization of exploitation can desensitize individuals and make it more challenging to identify and address harmful practices. Effective enforcement of child protection laws in the digital realm requires coordination and collaboration among various stakeholders, including government agencies, law enforcement, digital platforms, and civil society organizations. However, the current landscape is often fragmented, with limited communication and cooperation among these actors. This lack of coordination can hinder effective prevention and response efforts. Addressing these enforcement and societal challenges requires a multi-pronged approach. Law enforcement agencies need to be equipped with the necessary resources, training, and technology to effectively investigate and prosecute online child exploitation cases. Public awareness campaigns should be launched to educate parents, guardians, and children about the risks of digital exploitation and how to protect themselves online. Digital platforms also have a crucial role to play in combating child exploitation. They should take proactive measures to ensure that their platforms are not used to facilitate child exploitation and abuse. This includes implementing robust child protection policies, investing in technology to detect and remove

harmful content, and cooperating with law enforcement agencies in investigations.^{14,15}

The simulated case studies presented in this research serve as powerful tools to illustrate the real-world implications of the gaps and limitations in Indonesia's legal framework. They bridge the gap between legal theory and practice by demonstrating how existing laws and regulations fall short in protecting children from the multifaceted challenges of digital exploitation. By grounding the analysis in specific scenarios, the case studies highlight the complexities of applying existing laws to the digital context and underscore the urgent need for legal reform. The case study of the "Little Chef" exemplifies the challenges in applying traditional child labor laws to the kidfluencer context. In this case, a 7-year-old child is subjected to long working hours, pressure to perform, and potential emotional distress due to their involvement in a popular cooking channel managed by their parents. The content includes staged mishaps and emotional reactions aimed at maximizing views and generating income. This case highlights the difficulty in determining what constitutes child labor in the context of online content creation. Unlike traditional forms of child labor, which often involve physically demanding tasks and fixed working hours, online content creation can be more fluid and less structured. Children may engage in content creation activities intermittently throughout the day, making it difficult to assess whether they are exceeding reasonable working hours or experiencing undue pressure to perform. The "Little Chef" case study also underscores the ambiguity surrounding parental consent in the digital context. The parents in this case may argue that they are merely helping their child pursue a passion and that the child enjoys creating content for the channel. However, the pressure to generate income and maintain viewership can lead to exploitative practices that prioritize profit over the child's well-being. The case study of the "Family Vlogger" highlights the lack of clear legal provisions on protecting children's privacy in the digital space. In this case, a 10-year-old child's private moments,

including bath time and tantrums, are shared online by their family for monetization purposes. Personal information is revealed for engagement, and the child is encouraged to interact with strangers online. This case raises concerns about the invasion of privacy and exploitation of personal information. The child's right to privacy is violated, and they are exposed to potential online predators. The existing legal framework, particularly the Information and Electronic Transactions Law No. 11 of 2008, does not adequately address the unique privacy concerns of children in the digital age. The "Family Vlogger" case study also underscores the challenges in enforcing data protection laws in the digital context. The sheer volume of online content and the rapid evolution of digital platforms make it difficult to monitor and identify instances where children's privacy is being violated. Furthermore, the cross-border nature of online platforms can complicate enforcement efforts. The case study of the "Gamer Prodigy" underscores the difficulties in addressing online grooming and sexual exploitation. In this case, a 13-year-old child livestreams gaming sessions for hours each day, encouraged by their parents to maximize donations and sponsorships. The child experiences online harassment and pressure to win, leading to the neglect of sleep and schoolwork. This case highlights the vulnerability of children to online grooming and sexual exploitation. Online predators often target children through online gaming platforms, using tactics such as flattery, gifts, and promises of friendship to gain their trust. Once trust is established, the predator may attempt to exploit the child sexually, either online or offline. The "Gamer Prodigy" case study also demonstrates the challenges in applying child labor laws to the context of online gaming. The pressure to perform and generate income can lead to excessive working hours and neglect of education and other essential activities. The existing legal framework does not adequately address the unique challenges posed by online gaming and the potential for exploitation in this context. These case studies collectively emphasize the need for a more nuanced and comprehensive legal

framework that can effectively address the multifaceted challenges of child exploitation in the digital age. The existing legal framework in Indonesia, while well-intentioned, is not adequately equipped to handle the complexities of the digital world. The law should clearly define what constitutes digital exploitation, encompassing various forms of online abuse, including excessive working hours, pressure to perform, invasion of privacy, online grooming, and sexual exploitation. The law should provide clear guidelines on parental consent in the online environment, ensuring that parents are fully informed of the potential risks and that their consent is given freely and with full understanding of the implications. The law should provide guidance on how traditional laws, such as those on child labor and child abuse, can be applied to the digital context, taking into account the unique characteristics of online activities. The law should provide for effective enforcement mechanisms, including adequate resources and training for law enforcement agencies, as well as collaboration with digital platforms and other stakeholders. The law should facilitate international cooperation in investigating and prosecuting online child exploitation offenses, recognizing the cross-border nature of these crimes. By developing a more nuanced and comprehensive legal framework, Indonesia can strengthen its efforts to protect children from digital exploitation and ensure their well-being in the evolving digital landscape.¹⁶⁻¹⁸

Protecting children in the digital age requires a multifaceted approach that involves strengthening the legal framework, enhancing law enforcement capacity, raising public awareness, and fostering collaboration between stakeholders. Strengthening the legal framework is crucial to ensure that laws and regulations keep pace with the evolving digital landscape. Existing laws should be revised to explicitly address the unique challenges of digital exploitation, including the kidfluencer phenomenon, online grooming, and the distribution of child sexual abuse material. Clear definitions of digital exploitation and related offenses should be provided to ensure legal

clarity and facilitate effective enforcement. The legal framework should clearly outline the responsibilities of parents and guardians in protecting children from digital exploitation. This includes providing guidance on parental consent for online activities, monitoring children's online activities, and educating children about online safety. The legal framework should be strengthened to ensure the protection of children's privacy and online safety. This includes provisions on data protection, the prevention of online grooming, and the removal of harmful content that may expose children to abuse or exploitation. Enhancing law enforcement capacity is essential to ensure that online child exploitation cases are effectively investigated and prosecuted. Law enforcement agencies need to be provided with adequate resources, including funding, personnel, and technology, to effectively investigate and prosecute online child exploitation cases. Law enforcement officials should receive specialized training on digital exploitation, including digital forensics, online investigation techniques, and the legal complexities of online child exploitation cases. International cooperation is crucial to combat transnational online crimes against children. This includes sharing information and intelligence, coordinating investigations, and harmonizing legal frameworks to facilitate the prosecution of offenders across borders. Raising public awareness is critical to empower parents, guardians, and children themselves to protect themselves from online risks. Public education campaigns should be conducted to raise awareness of the risks of digital exploitation, including the kidfluencer phenomenon, online grooming, and cyberbullying. These campaigns should target parents, guardians, children, and the wider community. Parents and guardians should be educated on their responsibilities in protecting children online, including providing guidance on online safety, monitoring children's online activities, and setting appropriate boundaries. Children and adolescents should be educated on responsible digital citizenship, including online safety, privacy protection, and ethical online behavior. Fostering collaboration

between stakeholders is key to creating a safe and empowering online environment for children. Collaborative mechanisms should be established to facilitate cooperation and coordination between various stakeholders, including government agencies, law enforcement, digital platforms, civil society organizations, and the private sector. Stakeholders should work together to develop and implement effective strategies for preventing and addressing child exploitation in the digital sphere. This includes sharing information and best practices, conducting research, and advocating for policy changes.^{19,20}

5. Conclusion

This study has illuminated the complex landscape of child digital exploitation in Indonesia, highlighting the urgent need for a nuanced and comprehensive legal framework that specifically addresses the unique challenges posed by the digital age. The existing legal framework, while well-intentioned, falls short in protecting children from the multifaceted risks of online exploitation, particularly in the context of the kidfluencer phenomenon. The lack of specific provisions on digital exploitation, the ambiguity surrounding parental consent in the online environment, and the challenges in adapting traditional legal concepts to the digital context create significant gaps and limitations in the current legal framework. These shortcomings leave kidfluencers and other children engaged in online activities vulnerable to abuse and exploitation, as perpetrators may exploit children under the guise of legitimate online activities without fear of legal repercussions. The simulated case studies presented in this research have served as powerful tools to illustrate the real-world implications of these gaps and limitations. By grounding the analysis in specific scenarios, the case studies have highlighted the complexities of applying existing laws to the digital context and underscored the urgent need for legal reform. To effectively address the issue of child digital exploitation in Indonesia, a multi-pronged approach is required. This includes strengthening the legal framework to explicitly address

the unique challenges of digital exploitation, enhancing law enforcement capacity to effectively investigate and prosecute online child exploitation cases, raising public awareness about the risks of digital exploitation, and fostering collaboration between stakeholders to create a safe and empowering online environment for children. By taking decisive action to strengthen child protection mechanisms in the digital realm, Indonesia can safeguard the rights and well-being of its children and ensure that they can navigate the digital world safely and responsibly.

6. References

1. Merdian HL, Perkins D, McCashin D, Stevanovic J. Integrating structured individual offending pathway analysis into group treatment for individuals who have accessed, shared, and/or distributed child sexual exploitation material: a feasibility study and preliminary outcome evaluation. *Psychol Crime Law*. 2021; 27(6): 579–605.
2. Steel C, Newman E, O'Rourke S, Quayle E. Technical behaviours of child sexual exploitation material offenders. *J Digit Forensics Secur Law*. 2022.
3. Amri AI. Criminal liability against child exploitation perpetrators by educators in Islamic Boarding Schools. *Ius Positum*. 2022; 17–28.
4. Lawton J, Flynn K. Trauma informed care in clinical psychology: Supporting trusted relationships in services which safeguard against child exploitation. *Clin Psychol For*. 2022; 1(350): 34–40.
5. Steel CMS, Newman E, O'Rourke S, Quayle E. Suicidal ideation in offenders convicted of child sexual exploitation material offences. *Behav Sci Law*. 2022; 40(3): 365–78.
6. Prakash GA, Sundaram A, Sreeya B. Online exploitation of children and the role of intermediaries: an Indian legislative and policy perspective. *Int Rev Law Comput Technol*. 2022; 36(3): 431–52.

7. Steel CMS, Newman E, O'Rourke S, Quayle E. Technical profiles of child sexual exploitation material offenders. *Psychiatr Psychol Law*. 2024; 31(1): 1–14.
8. Fortunato E, Slikboer R, Henshaw M, Meyer D, Ogloff JRP. An exploration of risk factors for further police contact among females known for online child sexual exploitation offenses. *Behav Sci Law*. 2024.
9. Wilson E. Smells like teen exploitation. *J Law Commer*. 2024; 42(1).
10. Mohanty S. School for justice- A ray of hope for children trafficked for the purposes of commercial sexual exploitation. *Legal Res Dev*. 2017; 2(I): 19–33.
11. Zherzh NA, Khalamay AK. Criminal legal understanding of the exploitation of children. *Scientific notes of Taurida National VI Vernadsky University Series: Juridical Science*. 2018; (6): 107–11.
12. Won H-W, Hong M-J. Online-based measures to improve the legal system for sexual exploitation for children and youth. *Korean Assoc Victimology*. 2020; 28(1): 121–50.
13. Netkova B. International legal standards in combating child online sexual abuse and exploitation. *J Lib Int Aff*. 2021; 6(3): 111–22.
14. Urbas G. Legal considerations in the use of artificial intelligence in the investigation of online child exploitation. *SSRN Electron J*. 2021.
15. Amerhauser K, Scaturro R. Commercial sexual exploitation of children in the western Balkans – regional vulnerabilities and legal responses. *J Illicit Econ Dev*. 2021; 3(2): 167–80.
16. Geovani I, Nurkhotijah S, Kurniawan H, Milanie F, Nur Ilham R. Juridical analysis of victims of the economic exploitation of children under the age to realize legal protection from Human Rights aspects. *International Journal of Educational Review, Law and Social Sciences (IJERLAS)*. 2021; 1(1): 45–52.
17. Budoyo S. The urgency of legal protection to the woman and children exploitation in the new broadcaster and social media. *J Equit*. 2022; 7(2): 157–74.
18. Tolbaru C-E. Fight against sexual abuse and online exploitation of children – key priority at the European Union Level. *Int J Legal Social Order*. 2022; 1(1).
19. Kahnovich Y, Rezki A. Implementation of legal protection for Economic Exploitation of children. *J Kepastian Hukum dan Keadilan*. 2022; 4(2).
20. Rafsanjani JI. Legal protection of kid influencers from child exploitation. *J Penelit Huk Jure*. 2022; 22(1): 93.