

## **From Conception to Childhood: The Evolution and Significance of Children's Human Rights**

**Dedisyah Putra<sup>1\*</sup>, Kasman<sup>1</sup>, Sumper Mulia Harahap<sup>1</sup>, Amrar Mahfuzh Faza<sup>1</sup>, Liantha Adam Nasution<sup>1</sup>, Lazuardi Maulana Affan<sup>2</sup>**

<sup>1</sup>STAIN Mandailing Natal, Sumatera Utara, Indonesia

<sup>2</sup>Al-Azhar University, Cairo, Egypt

\*Corresponding Author Email: [dedisyahputra@stain-madina.ac.id](mailto:dedisyahputra@stain-madina.ac.id)

### **ABSTRACT**

This study aims to examine the evolution and significance of children's human rights from conception to childhood, with a particular focus on the Indonesian context, which is rich in cultural and religious diversity. Through a qualitative approach with normative and historical methods, this study analyzes the development of international and national legal norms governing child protection, as well as how social and religious dynamics influence the understanding of children's rights, especially in the prenatal phase. Data were collected through a documentary study of international legal instruments such as the Convention on the Rights of the Child (CRC), Indonesian laws and regulations, as well as academic literature and reports from international organizations. The results of the study show that although Indonesia has adopted various instruments for protecting children's rights, there are still normative gaps related to the recognition and protection of children's rights from infancy. Differences in views arising from cultural and religious diversity are both challenges and potential in formulating more inclusive policies. Therefore, a legal approach is needed that is not only based on international standards but is also sensitive to local values. This study is expected to contribute to the development of more comprehensive and contextual child protection policies in Indonesia.

Keywords: Children's Rights, Conception, Culture, Human Rights, Indonesia

### **ABSTRAK**

Penelitian ini bertujuan untuk mengkaji evolusi dan signifikansi hak asasi anak sejak masa konsepsi hingga masa kanak-kanak, dengan fokus khusus pada konteks Indonesia yang kaya akan keberagaman budaya dan keyakinan. Melalui pendekatan kualitatif dengan metode normatif dan historis, penelitian ini menganalisis perkembangan norma hukum internasional dan nasional yang mengatur perlindungan anak, serta bagaimana dinamika sosial dan keagamaan memengaruhi pemahaman terhadap hak anak, terutama pada fase prenatal. Data dikumpulkan melalui studi dokumentasi terhadap instrumen hukum internasional seperti *Convention on the Rights of the Child* (CRC), peraturan perundang-undangan Indonesia, serta literatur akademik dan laporan organisasi internasional. Hasil penelitian menunjukkan bahwa meskipun Indonesia telah mengadopsi berbagai instrumen perlindungan hak anak, masih terdapat celah normatif terkait pengakuan dan perlindungan hak anak sejak dalam kandungan. Perbedaan pandangan yang lahir dari keragaman budaya dan agama menjadi tantangan sekaligus potensi dalam merumuskan kebijakan yang lebih inklusif. Oleh karena itu, diperlukan pendekatan hukum yang tidak hanya berbasis pada standar internasional, tetapi juga sensitif terhadap nilai-nilai lokal. Penelitian ini diharapkan dapat memberikan kontribusi bagi pengembangan kebijakan perlindungan anak yang lebih komprehensif dan kontekstual di Indonesia.

Kata kunci: Budaya, Hak Anak, Konsepsi, Hak Asasi Manusia, Indonesia

## **INTRODUCTION**

Children's human rights are an integral part of human rights that require special protection due to their physical, psychological, and social vulnerabilities. As global awareness of the importance of child protection grows, the international community has produced various legal instruments that regulate children's rights, such as the 1989 Convention on the Rights of the Child (CRC) which has been ratified by almost all countries in the world (General Assembly, 1989). However, there are various debates and dynamics in understanding the initial limits of child rights protection, whether starting from birth or even from the womb. This is a crucial point in the formation of legal and ethical policies related to the life and welfare of children.

Historical developments show that the concept of children's rights did not emerge suddenly, but rather through a long evolutionary process influenced by social, cultural, political, and humanitarian values. In the early 20th century, children's rights were only understood as the right to basic protection, but later developed into the right to participation, identity, and protection from discrimination and violence (General, 2009). In this context, important questions arise regarding the extent to which the legal system has responded to children's needs comprehensively, including at the prenatal stage (before birth). Many countries still do not have strong regulations regarding child protection from conception, creating legal loopholes that can ignore the basic rights of the fetus.

Furthermore, the relevance of this research is even stronger when linked to various contemporary issues such as abortion, unwanted pregnancy, reproductive health, and so on. Child protection in conflict and poverty situations. The debate about when an individual is considered a "legal subject" with rights continues to be an ethical and legal challenge. Therefore, there is a need for an in-depth study of how children's rights are understood and recognized from conception to childhood, and how international and national legal frameworks respond to these dynamics.

This study aims to trace the historical evolution and development of legal norms regarding children's rights, and to evaluate the significance of recognizing children's rights from the time in the womb. By analyzing various legal instruments and academic literature, it is hoped that this study can provide conceptual and practical contributions to the formulation of more inclusive and holistic child protection policies.

Indonesia as a multicultural and multireligious country, faces complexity in formulating and implementing policies related to children's rights, especially those related to the prenatal phase. Some groups of people who are based on certain religious teachings believe that the life and rights of children begin at conception, while other groups believe that legal recognition of rights is only given after birth. These differences in perspective not only influence the formulation of legal policies but also have an impact on social practices such as decision-making in cases of unwanted pregnancy, abortion, or maternal and fetal health care (Surjadaja, 2008).

Furthermore, cultural diversity in Indonesia also plays a role in shaping public perceptions of children and their legal status before birth. In some local cultures, fetuses are already considered part of the community and are given customary protection, while in others, this may not be the case. These differences raise critical questions about the extent to which national legal systems can embrace such diversity and formulate norms that can guarantee fair and inclusive child protection, without neglecting universal human rights values.

Therefore, it is important to conduct an in-depth study of the evolution of the concept of children's rights from a legal perspective and how these principles are adapted in the pluralistic Indonesian context. This study will trace the normative development of children's rights from conception to childhood, both in international and national contexts, and examine its significance for the formation of legal policies that are responsive to children's needs and respect the diversity of beliefs and cultures in Indonesia. Thus, it is hoped that this study can provide conceptual and practical contributions in strengthening the child rights protection system in Indonesia.

## **RESEARCH METHOD**

The research method used in the study entitled *From Conception to Childhood: The Evolution and Significance of Children's Human Rights* is a qualitative research method with a normative and historical approach (Lexy J. Maleong, 2009). The normative approach is used to analyze various international and national legal instruments that regulate and guarantee children's rights, from the time in the womb to childhood. Meanwhile, the historical approach is used to trace the historical development of the concept and recognition of children's rights in the international and national legal systems, including changes in views on the legal status of fetuses over time. This study uses primary data in the form of legal documents such as the Convention on the Rights of the Child (CRC), the Universal Declaration of Human Rights (UDHR), and various relevant laws and regulations. Secondary data is obtained from academic literature, journal articles, reports from international organizations such as UNICEF and WHO, and previous studies relevant to the topic. Data collection techniques are carried out through documentation studies, while data analysis is carried out using content analysis to examine the normative content of legal documents, as well as historical analysis to understand the dynamics of the development of the concept of children's rights over time. With this approach, research is expected to provide a comprehensive understanding of the evolution and importance of protecting children's rights from the womb to their early growth period.

## **RESULTS AND DISCUSSION**

### **Historical Evolution of Children's Rights in International Perspective**

The recognition and protection of children's human rights have evolved significantly during the last century, reflecting greater awareness of their vulnerability and the need to safeguard their well-being from the early stages of existence. Traditionally, children were often seen as simple extensions of the rights of their parents or economic activities within the family structure, with a limited consideration for their individual needs and aspirations (Clark et al., 2020). The historical context of children's rights is marked by a gradual transition from this perception towards a more nuanced understanding that children have the right to specific protections and rights, starting from the prenatal phase through the development of early childhood.

The advent of children's rights as a distinct category within human rights obtained momentum in the mid twentieth century, rooted in the consequences of the Second World War, which underlined the devastating consequences of the war on youth. This period saw the establishment of the Universal Declaration of Human Rights in 1948, which, although not specific to children, laid the foundations for subsequent tools that would have addressed their unique needs. The 1959 declaration of the child's rights marked a fundamental step, articulating the fundamental rights of children, including the right to protection, education, and health care, thus recognizing their individuality and dependence (Keeley, 2018). This moment marks a new world chapter, which is expected to bring balance in providing protection and respecting every soul after the prolonged war, which has claimed many lives.

The 1989 adoption of the Child's Rights Convention (CRC) represented a monumental milestone in the evolution of children's human rights, since it fully recognized the rights of children from birth to the age of eighteen. In particular, the CRC has outlined the specific rights associated with the prenatal phase, which recognizes the rights of the child not yet born in a support environment that promotes health and well-being. The introduction of Article 6 underlined the intrinsic right to the life and development of the child, further strengthening the need to guarantee protections that begin from conception (Sven Bernhard Gareis, 2012). This shows that this rule emerged because of a strong push towards human awareness itself, that protecting rights from the womb is a necessity in order to protect the safety of children before they are born into the world.

This transformation in recognizing the rights of children has been significantly influenced by the changes in society, including progress in understanding the development of children, psychology, and the impact of childhood adverse experiences. A greater awareness of issues such as malnutrition, abuse, and abandonment has stimulated defense efforts aimed at enforcing the rights that guarantee the physical, emotional, and psychological development of children (Clark et al., 2020). In addition, global movements towards gender equality, the equity of health, and social justice have converged to create a more holistic picture for children's rights, underlining the importance of intersectional approaches that consider race, disability, and socio-economic status.

While the company continues to evolve, it also the recognition of children's intrinsic rights. In contemporary discussions surrounding children's rights, there is a pronounced attention to their voices and agency. This turn recognizes that children are not only passive protection recipients, but active participants in affirming their rights and expressing their needs and desires. The emphasis on participatory rights underlines the meaning of involving children in the decisions that influence their lives, thus promoting environments that respect their opinions and experiences (Watkins, 2016) because in reality, every individual has the right to be heard and to give an opinion as a form of equality in establishing relationships in the family and in society.

In summary, the evolution of children's human rights underlines an important paradigm passage to the recognition of the need for complete protective measures that include both prenatal development and the various dimensions of early childhood. It illuminates the current efforts to contest systemic injustices while supporting policies that promote the rights and general well-being of children in a constantly evolving world. The concept of children's human rights has evolved significantly in recent decades, underlining the importance of considering the needs and vulnerabilities of the unique development of children. Defined in general, children's human rights include a series of essential rights not only for individual well-being but also as fundamental elements for society's progress. Important international legal documents, in particular the United Nations Convention on the Rights of the Child (CRC) established in 1989, played a fundamental role in recognizing and codifying these rights globally. At the center of this picture are the rights relating to health, education, and protection from abuse and abandonment, which collectively underline the need to safeguard children from prenatal phases through the development of early childhood.

The right to health is fundamental in the speech on children's human rights. This right includes access to health services, proper nutrition, and safe life environments, which are crucial for holistic development. From the prenatal phase, maternal health significantly influences the future results on health of a child. The research indicates that factors such as maternal nutrition, access to prenatal care, and the avoidance of harmful substances can drastically influence the physical and cognitive development of a child

(Black et al., 2021). The implications of the right to health extend beyond immediate medical assistance. They influence the educational achievement, emotional well-being, and the ability for a future socio-economic commitment. Therefore, investments in maternal and child health are essential to promote an environment in which children can thrive.

In addition, the right to education represents a milestone for the realization of human rights during the life of a child. The CRC not only explicitly requires the accessibility of children to quality education, but also highlights the importance of education that respects the rights and dignity of children. Education for early childhood, in particular, has attracted attention due to its role in improving cognitive skills, social skills, and emotional development. Studies have shown that the advantages of the first learning experiences are profound, modeling not only immediate academic results but also long-term success in adulthood (Uchitel et al., 2019). Recognizing education as a right ensures that all children, regardless of their socio-economic status or background, have a fair opportunity to develop their full potential.

Protection from abuse and abandonment is probably one of the most critical rights offered to children, as they are particularly vulnerable to various forms of damage, including physical, emotional, and psychological abuse. This particular right requires that states not only issue rigorous laws against the abuse of minors, but also promote the awareness of the public and provide roads for intervention and rehabilitation. The implications of these protective measures extend into the kingdoms of the development of the child, underlining the need for safe environments that lead to healthy growth. The negative effects of abuse, such as interrupted attachment models, delays in development, and mental health problems, can hinder the ability of a child to establish stable relationships and fully commit themselves to their educational environments (Biglan et al., 2012). Therefore, an emphasis on protection not only preserves the rights of the individual child but also promotes the social conditions that improve the overall development of the child.

In summarizing these critical areas of children's human rights, health, education, and protection from abuses, it becomes evident that ensuring that these rights are not simply a legal obligation but a moral imperative that can significantly influence children's development trajectories. While the discourse that surrounds the rights of children continues to evolve, it is essential that the interested parties recognize the interconnected nature of these rights and the cumulative impact they exercise on the general well-being of children and on social outcomes. The evolution of children's human rights required an extended understanding of the rights that extend to the prenatal stage, in which children to be born are increasingly recognized as entities that deserve protection under the standards of human rights. At the heart of this discourse is the debate surrounding the rights of children to be born, in particular in the context of genetic health. Legal discussions often focus on the balance between a mother's rights and the emerging rights of the fetus, which has been a controversial question in many jurisdictions. The principles devoted in various international instruments, such as the Convention on Children's Rights (CRC), suggest an implicit recognition of the need to protect the health and well-being of children from birth as part of the rights of children. The substantial aim of this paper is to show that children's rights, including the right to education, health, protection and self-development, are an integral part of human rights that must be guaranteed from the time of conception (in the womb) to childhood.

In particular, this paper asserts that: The right to education and health is not just a basic need, but is a child's basic right which is guaranteed in various international instruments such as the Convention on the Rights of the Child (CRC) and in the framework of Indonesian national law (for example Law No. 23 of 2002 concerning Child Protection). Fulfillment of these rights must begin from the prenatal period, because factors such as maternal nutrition, access to maternal and child health services, and a supportive social environment greatly influence a child's future development. This reflects the child's right to life, growth, and

development, and protection from the womb. Early childhood education (ECE) and protection from violence are also examined as important aspects of children's rights, as they are directly related to children's psychosocial well-being and future potential. Maternal reproductive health and abortion policies are also examined in the context of the tension between the fetus's right to life and the woman's right to her body, suggesting that the protection of children's rights must be carried out by considering legal, ethical, and social aspects in a balanced manner.

### **Legal and Ethical Analysis of Child Rights Protection Since Conception**

#### **1. Protection Rights: Strengthening Law and Bioethics in Preventing Exploitation**

Children's rights to protection include protection from physical and psychological violence, economic and sexual exploitation, neglect, and forms of modern exploitation that are not yet explicitly regulated, such as genetically-based exploitation or the use of children's biological information. Although the Convention on the Rights of the Child (CRC) does not explicitly mention genetic exploitation, the principles of non-maleficence and human dignity can be used as ethical and legal references in preventing child abuse, even from the prenatal period (Black et al., 2021). In Indonesia, Law No. 35 of 2014 concerning Child Protection Article 13 states that children have the right to protection from abuse in any form. However, there is no legal umbrella that specifically regulates bioethical violations related to children. This is important considering the development of genetic engineering technology and the potential for violations of children's rights as test subjects or organ exploitation (Ornoy et al., 2015).

The right to protection is the foundation of the entire child rights system. Although this article has touched on the importance of prenatal health and its impact on child development, it is necessary to emphasize that children's rights to protection do not only cover medical aspects, but also legal and ethical aspects, including from the threat of genetic exploitation, violence, neglect, and discriminatory actions since in the womb. In recent developments, forms of exploitation of children, especially those with certain genetic conditions or disabilities, have become a global ethical issue. For example, the use of children's genetic information in research or the forced use of children for organ donation without legal consent constitutes a violation of the right to protection of bodily integrity and human dignity. Here, the principle of caution and the principle of non-maleficence (doing no harm) in bioethics become important to be applied legally and in policy.

Unfortunately, national regulations such as Law No. 23 of 2002 concerning Child Protection have not explicitly regulated the protection of children in the context of bioethics and genetically-based exploitation. This shows the urgency of strengthening legal norms that not only protect children physically, but also from practices that conflict with the principles of justice and dignity.

#### **2. Provision Rights: Social Justice in Public Services for Children**

The right to fulfillment or provision is the right of children to obtain basic needs such as education, nutrition, housing, sanitation, and health services equally. CRC Article 24 emphasizes that children have the right to the highest standard of health and access to medical facilities. This is also reflected in Law No. 36 of 2009 concerning Health and Law No. 23 of 2002, which has been revised by Law No. 35 of 2014 concerning Child Protection. Service gaps are still a major obstacle, especially in underdeveloped, border, and island areas (Lestari Santoso et al., 2021). This inequality violates the principles of justice and equity, because

children from poor groups, people with disabilities, and remote areas do not enjoy the same rights. Therefore, the state is obliged to act as a guarantor of social rights (welfare guarantor), not just as a passive regulator (Uchitel et al., 2019).

Provision rights include the state's obligation to ensure the fulfillment of children's basic needs such as education, health, nutrition, housing, and psychosocial support. In the context of this article, the rights to health and education have been explained, but it must be emphasized that the fulfillment of children's rights should not depend on social background, geographic location, or parental status. The principle of distributive justice must be the basis of public policy, where all children, including those living in poverty or in remote areas, have equal access to services. In this context, the concept of "the best interest of the child" as regulated in the Convention on the Rights of the Child (Article 3) and Law No. 35 of 2014, should be used as a central principle in decision-making by the state, not just a slogan.

### 3. Participation Rights: Children's Autonomy in Decision Making

Participation is a child's right to be heard and involved in decisions that affect his or her life, as stated in CRC Article 12. In the medical context, many important decisions, such as treatment, reproductive procedures, and termination of care, are taken without considering the child's voice. In fact, the modern ethical approach emphasizes the importance of respect for autonomy, even for children, according to their level of maturity (Khosla et al., 2016). In Indonesia, there is no comprehensive policy that requires children to be involved in medical decision-making. In fact, according to General Comment No. 12 CRC, children's participation is part of empowerment and protection. In practice, children's participation is also important in the world of education, justice, and social services, as a form of recognition of them as rights holders (Watkins, 2016).

Children's right to participation is often ignored in policies and in medical and social practices. Children are often considered not mature enough to make choices, even though the principle of autonomy in ethics teaches that every individual, including children, has the right to express their opinions according to their level of maturity. For example, in medical decision-making concerning a child's life or body (such as surgery, abortion, or invasive therapy), children's opinions are rarely considered. In fact, Article 12 of the CRC and several international jurisdictions have stipulated that children must be given space for active participation, even in clinical contexts. Ethical dilemmas arise when children's opinions conflict with parental decisions or the considerations of medical personnel. In this situation, comprehensive consideration is needed based on the principles of beneficence, non-maleficence, and respect for autonomy, while still prioritizing the best interests of the child as the highest moral value in legal practice and policy.

### 4. Non-Discrimination Rights: Inclusivity in Legal and Social Systems

CRC Article 2 requires state parties to guarantee all children's rights without any discrimination. However, in practice in Indonesia, discrimination against children still occurs, both structurally and culturally, especially against: Girls in child marriage practices (Kistiana et al., 2025), Children from non marital families, Children with disabilities (Mahmud et al., 2021), Child victims of sexual violence (Rinwigati, 2022). In the context of national law, Article 28I of the 1945 Constitution and Article 21 of the Child Protection Law already regulate the principle of equality. However, a dilemma arises when customary or religious norms conflict with this principle. Therefore, it is important for the state to prioritize the principle of the best interests of the child (CRC Article 3), not simply following the pressure of the social majority.

The principle of nondiscrimination demands that every child be treated equally, regardless of religious background, gender, birth status, disability, or cultural identity. In practice, many children

especially girls, children with disabilities, and children from low-income families face systemic barriers in accessing health and education services. In addition, children born out of wedlock or children who are victims of sexual violence are also often victims of social and legal discrimination, both directly and structurally. The principles of justice and equality before the law guaranteed in the Indonesian constitution (UUD 1945 Articles 28D and 28I) and KHA Article 2 must be actualized into affirmative and inclusive sectoral policies.

These four basic rights protection, fulfillment, participation, and nondiscrimination cannot be separated from legal and ethical considerations in child protection from the prenatal period. In the Indonesian context, there needs to be a strengthening of regulations based on a rights-based approach and mainstreaming the principles of justice, autonomy, and the best interests of the child. Integration between international norms such as the CRC, bioethical principles (Britto et al., 2017), and the local Indonesian context is a strategic step to create a fair, progressive, and inclusive child protection policy.

Research highlights the primordial importance of maternal health and prenatal care to shape the future well-being of children. Mother's health during pregnancy has important ramifications not only for the immediate development environment of the fetus, but also for the long-term physical and psychological health of the postnatal child. Studies carried out by Alston (Philip Alston, 2017) and Cook (Rebecca J. Cook, 2017) point out that unfavorable maternal health problems - such as malnutrition, drug addiction, and untreated medical conditions - can lead to complications during gestation, resulting in a higher incidence of low birth weight, prematurity, and developmental disorders. These results have not only an impact on the immediate health of the child, but can also affirm a cycle of disadvantage that can persist in the subsequent stages of childhood and beyond.

Legal discussions surrounding prenatal rights are still complicated by variable socio-cultural contexts and different interpretations of what constitutes the personality and the legal status of the born child. In some legal frameworks, the rights of the mother, including her autonomy on reproductive choices, may be prioritized over the rights allocated to the fetus. This has led to a range of policies, from those that grant substantial rights and protections to children to be born at one end, to those which allow many reproductive freedoms without important fetal rights at the other. The implications of these fluctuating legal perspectives directly influence access to care and prenatal support systems, which are essential to maternal and child health.

In addition, ensuring fair access to quality prenatal care presents both a challenge and an opportunity to improve the broader protections for the rights of the child. Socioeconomic disparities often lead to uneven access to health resources, and marginalized women can deal with systemic obstacles in obtaining necessary prenatal care. This inequality threatens not only the health and safety of children to be born, but also contradicts the principles of universal human rights, which defend non-discrimination and equality. The recognition of prenatal rights must therefore be accompanied by a commitment to improve maternal health services and to approach the underlying social determinants of health, which have a disproportionate impact in a disproportionate manner.

In this complex environment, the importance of integrating maternal health as a pivotal component of children's rights becomes obvious. It is essential to promote an environment in which pregnant people have access to complete health resources, education, and support systems. The interaction between prenatal

rights and maternal wellbeing requires a holistic approach to the development of policies that recognize the interdependence of maternal and infant health and the deep impact of early development factors on the long-term trajectories of children (Ornoy et al., 2015). By prioritizing prenatal rights in the broader framework of children's human rights, societies can make significant progress to improve health outcomes and ensure that all children have the opportunity to prosper from the very beginning of life. The prenatal environment plays a crucial role in the trajectory of children's development, influencing their health outcomes and general well-being. Maternal behavior and the surrounding environment during pregnancy can significantly affect fetal development, with implications that extend to childhood and beyond. Studies have indicated that factors such as maternal nutrition, psychological stress, and exposure to environmental toxins are critical determinants of fetal health and can affect the health of children (Gu & Guan, 2021).

Proper maternal nutrition is essential for optimal fetal growth. During pregnancy, the development fetus is completely based on the intake of maternal nutrients to facilitate essential physiological processes, including organ formation and brain development. An essential nutrient deficiency, such as folic acid, iron, and omega-3 fatty acids, can lead to adverse results, including neural tube defects, cognitive deterioration, and growth restrictions (Lee et al., 2014). On the contrary, excessive intake of unhealthy foods, particularly those high in refined sugars and saturated fats, can predispose the fetus to metabolic disorders, leading to the risk of obesity and related complications in childhood (Ornoy et al., 2015). Therefore, understanding the critical nature of maternal nutrition not only underlines the need for adequate dietary guidelines but also aligns with the rights of children to a healthy beginning in life as articulated in several human rights frameworks.

Psychological stress during pregnancy is another significant factor that affects fetal development. Maternal stress, either derived from socio-economic challenges, relationship problems, or mental health disorders, can have harmful effects on the development fetus. Chronic stress has been related to prematurity, low birth weight, and the development of an altered fetal brain, which in turn can lead to emotional and childhood behavior problems (Wisborg et al., 2018). The fetal programming hypothesis postulates that adverse prenatal experiences, including psychological stress, can lead to lasting changes in the child's neuroendocrine and immune systems, which potentially predispose them to several health problems throughout their lives. Therefore, it is imperative to ensure that mothers expect to receive adequate support and resources to handle stress, thus promoting maternal and child health.

Exposure to environmental toxins also raises a significant risk for fetal development. It has been shown that substances such as lead, mercury, pesticides, and phthalates negatively affect developmental outcomes. For example, lead exposure during pregnancy is associated with cognitive deficits and behavioral problems in children, while prenatal exposure to high levels of mercury can cause neurological and developmental disorders (Longo, 2010). In addition, the widespread presence of endocrine chemicals in the environment raises concerns about their potential to alter fetal growth and development, which can subsequently affect children's health. Given this context, the importance of advocating policies that minimize exposure to environmental toxins during pregnancy becomes evident, aligning with the principles of human rights that prioritize the protection of vulnerable populations, including unborn children (Grandjean & Landrigan, 2014).

Collectively, these factors emphasize the essential interaction between maternal behavior and environmental influences in fetal health. Ensure adequate nutrition, address psychological stress, and mitigate environmental toxins not only to safeguard the well-being of the developing fetus, but also defend children's rights to a healthy development environment from the beginning of life. The evolution of children's human rights requires a multifaceted approach that recognizes and addresses these critical prenatal factors

to promote a healthier generation. The experience of childbirth is a critical factor that affects the results of maternal and child health, with implications that extend beyond the immediate event to shape the trajectory of the development of the newborn. The research indicates that the delivery methods and the level of maternal support during childbirth significantly influence the psychological and physical well-being of mothers and their babies (Khosla et al., 2016). However, this requires positive support from the surrounding environment, such as husband's support, support and concern from the family and community, including when post-natal disasters occur, such as miscarriage, death of a baby in the womb or after birth, or a baby being born with an imperfect disability. Every mother who has just given birth needs good support to quickly recover and recover after the delivery process.

The method of choice of childbirth, vaginal or caesarean section, has implications for neonatal health. Vaginal deliveries, associated with lower rates of certain complications, create a favorable environment to initialize the baby's microbiome, which plays a crucial role in the development of the immune system (Hyde et al., 2012). On the contrary, caesarean section, although necessary in certain high-risk scenarios, can lead to a higher prevalence of respiratory anguish and long-term metabolic disorders in the child (Tribe et al., 2018). It has been shown that the delivery route influences not only immediate health results, but also the process of psychological union between mother and children, a crucial factor for effective attachment and safe development.

In addition to the physical delivery method, the psychological aspects of childbirth cannot be overlooked. Maternal support during labor, characterized by the presence of qualified assistants, family support, and the availability of emotional comfort, has deep effects on maternal stress levels and the general experience of birth (Cacciatore, 2013). High levels of maternal stress and anxiety during childbirth have been linked to adverse results, such as premature birth and interpersonal attachment problems postnatally. The emotional support received by mothers during childbirth can cushion stress responses and promote a healthier psychological state, which later fosters better developmental results for the child.

The importance of emotional and psychological support extends to the concept of 'continuous job support', which is shown to reduce the probability of caesarean section and lower complications. The continuous support of trained caregivers or doulas has also been associated with greater maternal satisfaction and a more favorable birth narrative, which are fundamental to establishing maternal mental health after delivery. This highlights the interconnection of emotional well-being and physical health, which suggests that positive birth experiences can improve maternal abilities to participate in parenting behavior after the child's arrival (World Health Organization, 2018). In addition, the context and the environment in which childbirth occurs, which extends from births in the home to hospital births, can greatly influence health outcomes. The evidence suggests that births in the home attended by qualified health professionals result in comparable or even better results for mothers and babies than births in the hospital, provided that pregnancies are low risk (Carlsson et al., 2020). Familiarity and comfort of being at home can relieve stress and increase satisfaction with the birth experience. In contrast, the clinical atmosphere of hospitals can contribute to feelings of fear and anxiety, affecting the responses of maternal stress and, subsequently, the psychological state of the newborn.

In summary, the delivery methods and the quality of maternal support during childbirth are crucial determinants of health results for both the mother and the child. The psychosocial environment that surrounds the birth experience is correlated directly with the immediate and long-term health of the newborn, thus influencing the widest discourse on the human rights of children, particularly in terms of the

right to health and the optimal well-being of the early stages of life. Understanding that childbirth is not simply a biological process, but a complex interaction of physical, emotional, and social factors, underlines the multifaceted nature of maternal and child health and the need for comprehensive policies and practices that respect and protect the rights and responsibilities of parents. Nourishing care during the critical first years of life is a fundamental aspect of childhood development that deeply influences the formation of human capital and the various developmental needs of children. The concept of development care includes a range of elements, including reactive care, adequate nutrition, security, and early learning opportunities. These components are not simply beneficial; These are essential conditions for cognitive, emotional, and social development, which collectively lay the basics of future well-being and productivity.

### **Legal Implications for Abortion, Reproductive Health, and Maternal Rights Issues**

The act of abortion has complex legal implications because it involves two intersecting legal subjects: the rights of the child in the womb (fetus) and the rights of the mother as an individual with bodily autonomy. In the Indonesian legal system and various international legal regimes, abortion is regulated by considering aspects of legality, ethics, religion, and human rights, so that the regulation is not singular, but rather contextual.

Protection of children's rights since in the womb has complex legal consequences, especially related to abortion, reproductive health, and women's rights. In the Indonesian context, this issue is very sensitive because it involves legal, religious, and ethical dimensions. Abortion is often seen as a violation of the child's right to life, but in certain situations, such as medical emergencies or pregnancy due to rape, the mother's rights and safety also need to be guaranteed. Legally, Law No. 36 of 2009 concerning Health Article 75 paragraph (2) (Sampebulu, 2019) allows abortion under two conditions: If the pregnancy endangers the life of the mother or fetus, and if the pregnancy occurs as a result of rape and has the potential to cause psychological trauma.

Although this regulation reflects an effort to balance the rights of the fetus and the rights of the mother, its implementation in the field still faces many obstacles, such as social pressure, cultural stigma, limited safe health services, and minimal understanding of medical personnel. The imbalance in the protection of rights between the mother and fetus actually risks encouraging illegal abortions that endanger the safety of the mother and have the potential to cause human rights violations. On the other hand, many women do not have full autonomy over their bodies due to family pressure or social norms, which leads to violations of their reproductive rights.

Challenges in Implementing Abortion and Reproductive Health Laws. Some of the main obstacles in implementing reproductive health policies in Indonesia include:

1. Patriarchal Cultural Stigma: Reproductive decisions are still influenced by patriarchal norms that limit women's autonomy (Kaplan & Knoll, 2019), (Rodliyah et al., n.d.).
2. Diverse Religious Interpretations: Rejection of contraception or abortion often arises due to differences in religious views, which has an impact on low coverage of family planning services in several areas (Brenner, 2012), (Usrina et al., 2022).
3. Limited Access to Services: Underdeveloped areas still lack facilities and health workers for pregnancy and reproductive services (Hardhantyo & Chuang, 2021).
4. Inadequately Comprehensive Sexuality Education: School curricula have not effectively addressed aspects of body rights, sexual violence, or prevention of adolescent pregnancy (Pakasi, 2013).

5. **Overlapping Regulations:** Differences between national policies and morality-based local regulations often hinder access to reproductive services (Kistiana et al., 2025), (World Health Organization Regional Office for South-East Asia, 2007).
6. **Lack of Gender Sensitivity among Medical Personnel:** Many medical personnel do not yet have a fair perspective on patients, especially victims of pregnancy due to sexual violence (Asmira, n.d.).
7. **Political Pressure from Conservative Groups:** The issues of abortion and sex education are often used as political tools and cause obstacles to policy reform (Poerwandari et al., 2018).

The legal implications of abortion in Indonesia demonstrate the need for a holistic, fair, and human rights-based legal approach that not only protects the fetus but also guarantees the safety, dignity, and autonomy of the mother. Policy reform must be supported by education, strengthening services, and dialogue between stakeholders so that the protection of children and women goes hand in hand.

The legal implications of abortion reflect the tension between the principles of protecting the fetus's right to life and the mother's bodily autonomy. In Indonesia, the legal approach is still restrictive, but it provides limited space in medical emergencies or pregnancies resulting from rape. To prevent human rights violations and negative social impacts, the following are needed:

1. Policy reform based on human rights and the principles of reproductive justice,
2. Increased education, and access to safe and legal reproductive health services,
3. A legal approach that takes into account ethical, medical, and social aspects in a balanced manner.

The protection of children's rights in Indonesia is supported by both international commitments and national legislation. Indonesia ratified the UN Convention on the Rights of the Child (CRC) through Presidential Decree No. 36 of 1990, which has influenced national policies and legal frameworks. Domestically, the primary legal basis is Law No. 23 of 2002 on Child Protection, later amended by Law No. 35 of 2014, which guarantees children's rights to life, development, protection, and participation. Additionally, Law No. 11 of 2012 on the Juvenile Criminal Justice System introduced restorative justice principles for minors, while other laws address issues such as child labor and the right to education. Institutional support comes from bodies such as the Ministry of Women Empowerment and Child Protection (KPPPA), the Indonesian Child Protection Commission (KPAI), and integrated service centers (P2TP2A) that offer support for victims. Despite these efforts, several challenges persist, including child abuse, exploitation, trafficking, child marriage, and limited access to quality education, particularly in remote and rural areas. Although the legal marriage age for girls was increased from 16 to 19 through Law No. 16 of 2019, cultural practices still allow exceptions. Moreover, child labor remains prevalent in informal sectors like agriculture and domestic work (Alifiyah & Anshori, 2023). To address these issues, the government has launched several initiatives, such as the National Strategy for the Elimination of Violence Against Children and the establishment of Family Learning Centers (PUSPAGA), which aim to strengthen parenting and family-based protection. Nongovernmental organizations also play a crucial role in promoting child welfare across education, health, and protection sectors. Moving forward, Indonesia must focus on strengthening law enforcement, empowering communities, improving data systems, and raising awareness to ensure that the rights of every child are respected and fulfilled.

Indonesia is known as a religious society; of course, it adheres to religious teachings, including the concept of protecting the rights of family members. Islam and the prohibition of domestic violence are also in line with the basic goals of human rights (Putra & Acela, 2023). Indonesia is a country with a very diverse

cultural and religious wealth. This diversity is both a strength and a challenge in protecting children's rights. On the one hand, local and religious values can strengthen the sense of collective responsibility for children's welfare. However, on the other hand, differences in interpretation of these values often lead to inconsistencies in the implementation of child protection regulations, especially in terms of children's rights from conception or before birth (Elsayed, 2024).

Culturally, many indigenous communities in Indonesia have traditions that uphold family values and the existence of children as successors to the lineage. For example, in Batak culture, children are an inheritance (*tano porlak*) that must be protected from the womb, and in Balinese culture, a three-month ceremony is performed as a form of respect for the fetus (Sitompul et al., 2022). Traditions such as these show that in indigenous communities, the existence of children even before birth has been recognized and protected socially. However, this recognition is not always accompanied by consistent formal legal protection, especially when customary norms conflict with state law or universal human rights.

From a religious perspective, views on children's rights from conception vary widely. In Islam, most scholars believe that life begins when the fetus is 120 days old (*nafkh al-ruh*), and from that point on, the fetus is considered to have a right to life that should not be disturbed except in emergencies (Nurhidayati et al., 2021). In Christianity, life is often considered to begin at conception, and acts such as abortion are considered a violation of the value of life (Brattston, 2010). Hinduism and Buddhism also have strong ethical views on respecting life from the beginning. However, differences in interpretation within and between religions make the state face a dilemma in determining the limits of legal protection that is inclusive but does not conflict with the values of the majority (Vanessa R Sasson, 2008). Thus, the alignment between religious beliefs and regulations set by the state must be able to work hand in hand, strengthening each other so that there is no conflict between what is believed (faith) and the regulations that apply from the position of sovereign citizens.

Socially, there are still challenges in reconciling traditional and religious norms with human rights principles, especially on sensitive issues such as abortion, early marriage, and violence against children. Some traditional practices that endanger children, such as child marriage, are still often justified on the basis of custom or religion, even though they have been prohibited by law. This reflects the tug of war between modern legal norms and socio-religious norms that are still strong in society (AFRICAN UNION, 2015). The state has an important role to play in building a bridge between local values and universal principles of child protection. A dialogic, participatory, and culturally sensitive approach is essential so that child protection policies are not only top-down, but can be accepted and internalized by society. Collaboration between the government, religious leaders, traditional leaders, and civil society organizations is key to establishing an effective, sustainable, and appropriate child protection system for the pluralistic context of Indonesia.

Religion-based social protection has a significant contribution in supporting the fulfillment of children's rights in Indonesia. In a religious society like Indonesia, religious teachings are not only spiritual guidelines, but also form social norms and encourage solidarity towards vulnerable groups, including children. In Islam, children are considered a trust that must be protected and their rights fulfilled, such as the right to care, education, protection from violence, and a decent life (Ainiyah, 2013). Religious institutions such as the National Zakat Agency (BAZNAS) and private zakat institutions also play a role in distributing zakat, infaq, and sedekah funds to support child protection programs, especially for orphans, the poor, and abandoned children (*Optimalisasi Penghimpunan Zakat Digital*, n.d.). Not only in Islam, similar values are also found in Christianity, Hinduism, and Buddhism, where compassion, protection of the weak, and education of children are important parts of religious moral doctrine (Aris Kristianto, 2018). Many religious institutions run schools, orphanages, and rehabilitation centers that provide services not only physically but

also morally and spiritually, which simultaneously strengthens children's character building. However, to ensure its compliance with the principles of children's rights, it is important that religious social services are carried out in an inclusive, nondiscriminatory manner, and in the best interests of the child (Muhammed Bah, 2022). Therefore, the partnership between religious institutions and the state needs to be strengthened as a collaborative strategy in fulfilling children's rights, especially in areas that are less accessible to government services.

One of the cases that emerged at the national level and illustrated the serious challenges in child protection was the case of alleged sexual violence against three children in East Luwu, South Sulawesi, which occurred in 2019 and returned to the public spotlight in 2021. The three children were suspected of being victims of sexual violence by their biological father, but the handling process drew sharp criticism because it was considered slow and did not side with the victims. The report from the victim's mother was temporarily stopped by the police on the grounds of a lack of evidence, even though there were medical and psychological indications that showed trauma in the children.

This case became a widespread spotlight after being reported by investigative media and sparked a public campaign on social media demanding justice and legal protection for the victims. The strong reaction from the public showed that there was increasing public awareness of the issue of child protection, but on the other hand, it also revealed weaknesses in the law enforcement system and coordination between agencies that should work to protect children's rights. Weaknesses in the child forensic approach, a lack of understanding of the victim's perspective by law enforcement officers, and minimal psychological support services were the main obstacles in handling this case. This case study shows that although the legal framework in Indonesia is quite comprehensive, its implementation at the local level still faces major challenges. This emphasizes the importance of training law enforcement officers who are sensitive to child issues, strengthening child protection institutions in the regions, and providing holistic service support for victims and families. In addition, this case also emphasizes the importance of the role of the media, civil society, and religious institutions in advocating for justice and strengthening the child protection system in Indonesia.

Furthermore, a concerning case was also found. One case of online child sexual exploitation that was quite shocking occurred in Bandung City in 2020. This case involved an adult perpetrator who used social media and messaging applications to manipulate and exploit a number of minors. The perpetrator disguised himself as a child the same age as the victim and built emotional closeness through online conversations (grooming). After gaining trust, the perpetrator forced the victim to send photos and videos containing sexual elements, then threatened to spread them if the victim did not continue to comply with the request. This method is known as "sextortion", and is a form of child sexual exploitation that is increasingly common in the digital era. The case came to light after the parents of one of the victims became suspicious of changes in their child's behavior and reported it to the authorities (Chusairi, n.d.). The investigation process eventually led to the arrest of the perpetrator, but the investigation was hampered by the lack of investigator capacity in handling cybercrime involving children as victims. This case also opened the public's eyes to the weak digital literacy among children and parents, as well as the limitations of the online protection system owned by the state and digital platform providers.

From this case, it can be seen that child exploitation no longer occurs only physically, but also through cyberspace, which is actually more difficult to detect and handle. Weaknesses in online supervision, less-than-optimal early detection systems, and limited education about digital security for children are major

challenges in protecting children in the digital era. A report from ECPAT Indonesia (Nalele, 2019) and the Ministry of Women's Empowerment and Child Protection (KPPPA) stated that Indonesia is one of the countries with a high level of vulnerability to online sexual crimes against children, and the number continues to increase during the COVID-19 pandemic. This case emphasizes the importance of an adaptive child protection approach to technological developments, including the need to improve children's digital literacy, strengthen the cyber legal system that favors child victims, and collaboration between the government, digital platform providers, schools, and families to build a safe digital space for children (Fachrur Razy Mahka et al., n.d.).

### **Policy Directions and Recommendations for Inclusive Child Rights Protection**

In an effort to build an inclusive child rights protection system in Indonesia, policies must be able to respond to the complexity of social realities consisting of diverse religious views, local cultures, and socioeconomic challenges. Recognition of children's rights from conception to childhood needs to be realized in the form of regulations, programs, and approaches that are adaptive, collaborative, and oriented towards human rights without ignoring the local context. Some efforts that can be encouraged to realize this include:

1. **Harmonization of National Law and Local Values:** The government needs to strengthen the synergy between positive law and cultural and religious values that exist in society. This can be done through a crosssector dialogue process between policy makers, religious figures, traditional figures, academics, and civil society organizations to ensure that the protection of children's rights does not create cultural resistance but is instead strengthened by local norms. For example, the involvement of traditional figures and religious leaders in socializing the prohibition of child marriage has proven effective in several areas, such as Lombok (Fauzi, 2019) and Bone (Hasan & Suwarni, 2012).
2. **Strengthening Child Protection Regulations Since Conception** needs to formulate a more assertive legal position regarding fetal protection, while maintaining a balance between the rights of the child and the rights of the mother. This is important so that in cases involving abortion, unwanted pregnancy, and sexual violence, the state can provide fair, ethical, and non-discriminatory guidance towards women (Munro Review of Child Protection, 2011). Regulatory revisions need to be based on the principle of the best interests of the child, as well as the protection of women's dignity and safety.
3. **Integration of Child Rights and Reproductive Education into the Education System:** Inclusive policies must make education on child rights, gender equality, and reproductive health part of the national curriculum, especially at the junior and senior high school levels (Noonan et al., 2009). This material is important to build early awareness of the importance of protecting children and individual rights over their bodies, as well as preventing risky practices such as sexual violence and early marriage.
4. **Provision of Safe and Affordable Reproductive Health Services.** Central and regional governments need to ensure the availability and accessibility of reproductive health services, including pregnancy counseling, maternal care, and psychological support for adolescents (Appleford et al., 2020). These services must be available in a non-discriminatory manner, especially for vulnerable groups such as girls, victims of sexual violence, and the poor. Increasing the capacity of health workers to provide rights-based and gender-sensitive services is also a priority.
5. **Strengthening Community-Based Child Protection Systems.** The community-based child protection approach needs to be expanded to create a safe and supportive environment for children (Wessells, 2015). The involvement of integrated health post cadres, teachers, community leaders, and village officials in monitoring, reporting, and taking action against cases of child rights violations can be an effective prevention model, especially in remote areas.

6. **Monitoring, Evaluation, and Accountability of Policy Implementation.** Child protection policies must be accompanied by an integrated monitoring and evaluation system, so that the effectiveness of the program can be measured and adjusted to the social dynamics that occur. The involvement of independent institutions and civil society participation in overseeing implementation is also important so that policies do not stop at the document level, but are actually implemented in the field.

International executives and policies promoting children's rights highlight the obligation to maintain these rights at several levels, from the world to the local. By integrating the principles established in the CRC and other international instruments in national and local legislation, governments can strengthen their commitment to the protection and achievement of children's rights to all aspects of their early development. The consequences of neglecting the rights of children during the prenatal and early childhood phases occur deeply in various socio-economic contexts all over the world. A summary of case studies illustrates how these violations can perpetuate disadvantage cycles, often perpetuating a lineage of inequality and vulnerability.

In the context of the United States, discrepancies in access to maternal healthcare demonstrate the harmful effects of neglecting the rights of individuals in pregnancy, particularly among marginalized communities. According to the Centers for Disease Control and Prevention (CDC), color women are three or four times more likely to experience deaths related to pregnancy than their white counterparts. This disparity can often be traced back to systemic inequalities in accessing health care and quality (Pisoni et al., 2014). Inadequate prenatal assistance not only endangers maternal health but can also lead to negative neonatal results such as low birth weight and developmental delays, perpetuating a disadvantageous cycle that affects children throughout life.

The prenatal development stage is increasingly recognized as a critical period to establish a base for children's health and general well-being. Includes maternal health considerations, nutrition, and environmental factors that directly influence the child's development from birth. The research consistently demonstrated that prenatal adverse conditions can lead to long-term negative results for children (Argyaki et al., 2019). Consequently, policies that guarantee equitable access to health services and interventions for expectant mothers are vital to protect the rights of children even before birth. In the early years of childhood, particularly from birth to five, children suffer physical, emotional, and cognitive development. This internship is crucial for various rights, including the right to health, education, and protection against violence and abuse. Early childhood effective policies should not only recognize these rights, but also address social determinants that disproportionately affect marginalized groups. Disparities in access to quality prenatal care of quality and early childhood education can significantly prevent the potential of a child, which emphasizes the need for law enforcement and reform in public policies.

In addition, multisectoral approaches involving health care, education, and social services are fundamental to defending children's rights. Health service providers play a critical role in monitoring and promoting the health and well-being of mothers and children, ensuring that possible problems are promptly addressed. Educational institutions can serve as environments where children learn about their rights as they acquire life essential skills. Meanwhile, social services can provide the necessary support systems for families facing socioeconomic challenges. By promoting collaboration between these sectors, there is a broader strategy that guarantees the protection and realization of children's rights from the early stages.

Access to health care is essential for children, especially during stages of prenatal and early development, as it considerably influences their physical and mental health results. Prenatal care, which includes regular health assessments, nutrition management and projections for high risk conditions, plays a vital role in reducing maternal and infantless morbidity and mortality rates. A lack of prenatal care can lead

to developmental delays and increased sensitivity to chronic diseases later in life. In addition, studies have shown that children of marginalized communities are often faced with substantial obstacles to access to adequate health care services, leading to significant disparities that can affect their growth, immunity, and global quality of life. The existence of integrated health posts and midwives in every village and complete health equipment in every community health center has become a necessity without exception in remote areas (Rambu Ngana et al., 2012).

Likewise, the right to education is essential to shape the cognitive, social, and emotional skills of a child. The early childhood period is a critical moment for learning; Consequently, access to quality educational resources and programs is essential. Educational inequalities, characterized by insufficient funding, the lack of qualified educators, and limited access to learning equipment, affect children in a disproportionate manner in low-income and poorly served areas. These disparities promote educational gaps, which can manifest themselves as a drop in school performance and limited future economic opportunities. In addition, the psychosocial advantages of early education, including improved social skills and emotional resilience, are also reduced in disadvantaged contexts, highlighting the essential nature of fair access to educational opportunities.

Social services, including mental health care, nutritional assistance, and family support programs, contribute significantly to the creation of a stimulating environment for children. These services are particularly crucial for families faced with socio-economic challenges because they provide resources that promote stability and improve the development of the child. Research indicates that access to complete social services can mitigate the effects of poverty, reduce stress within families, and create a primary support network for children's education. Children who do not have access to these vital services run an increased risk of experiencing negative results, such as behavioral problems, academic difficulties, and long-term health problems.

The intersection of health care, education, and social services illustrates the importance of an integrated approach in the shelter of children's rights. The disparities in access to these services affect not only individual children but can perpetuate the cycles of poverty and disadvantage within communities. The long-term consequences of these inequalities can be deep, affecting not only the immediate cohort of children but also future generations, because educational and health disparities can become anchored within socio-economic structures. Consequently, a complete understanding of children's rights in these areas is essential to promote a fair society where all children can achieve their full potential, thus contributing to the global objectives of child protection and human development. The evolution of children's human rights has been considerably influenced by international executives and policies designed to protect these rights from prenatal stages to the development of early childhood. At the heart of these global efforts is the Convention on Children's Rights (CRC), adopted by the United Nations General Assembly in 1989. The CRC represents a revolutionary approach to the protection and promotion of children's rights, providing a complete framework that recognizes the vulnerabilities and unique rights of children at various stages of development.

In addition, the role of institutions, including educational organizations, health systems, and social services, is essential to facilitate the realization of children's rights. Institutions are responsible not only for the promotion of environments free from violence and discrimination, but also for promoting early childhood development programs that are based on evidence and culturally sensitive. A multidisciplinary approach that integrates education, health care, and social services is essential to meet the complex nature of children's needs. As indicated by (Geovani et al., 2021), stakeholders must collaborate to provide complete support systems which guarantee that the stages of prenatal and early development meet with appropriate care, creating a solid base for well-being for life. Despite significant advances made in the recognition of children's rights, politics and practice gaps remain prevalent. It is essential to illuminate these disparities and tirelessly defend the political reforms that prioritize the holistic well-being of children during their most formative years. A sustained commitment to awareness and education in relation to children's rights among all those standard, educators, health professionals and policy training will be positive changes. The integration of children's rights in various sectors represents not only an ethical imperative, but also a strategic investment in the future of societies. Ensuring that children receive the protections and rights inherent in their rights is fundamentally linked to the health and prosperity of future generations. Therefore,

immediate measurements must be taken to fill existing gaps and enable the next generation, ensuring that they have every opportunity to prosper.

## CONCLUSION

Protection of children's rights, from conception to childhood, is an integral part of the fulfillment of human rights that must be guaranteed by the state, society, and family. In Indonesia, the complexity of child protection is reinforced by diverse socio-cultural and religious contexts. This diversity, although a national treasure, also brings its own challenges in formulating and implementing inclusive and fair policies. This study shows that cultural and religious views in Indonesia generally recognize the importance of protecting children, even from the womb. However, differences in the interpretation of when life begins and the role of women in reproductive decision-making often give rise to ethical, social, and legal dilemmas. This is reflected in issues such as abortion, unwanted pregnancies, and access to reproductive health services that still face various structural and cultural barriers. Fulfilling children's rights requires an integrated approach between social, health and education services. Access to these services is critical to supporting children's development, especially for poor families. Inequality in access can exacerbate the cycle of poverty and intergenerational inequality. International frameworks such as the CRC and SDGs emphasize the importance of protecting children's rights comprehensively. While progress has been made, gaps between policy and practice remain. Therefore, collaborative efforts across sectors are needed to ensure that all children grow up in safe, healthy and supportive environments for their future.

The main challenges in implementing child rights protection include social stigma, unequal access to health services, lack of reproductive education, and overlapping regulations. In addition, the dominance of conservative interpretations of religious and cultural values often hinders policy reforms based on the principles of equality and justice. Therefore, a more progressive policy direction is needed that is sensitive to the context of pluralism in Indonesian society. A collaborative approach between the state, religious leaders, traditional leaders, and civil society is essential in forming a strong, comprehensive, and widely accepted framework for child rights protection. Policies must be based on the principles of the best interests of the child, gender equality, and respect for the dignity of women as mothers. With inclusive synergy and based on human rights, Indonesia has great potential to become a country that not only formally recognizes children's rights, but is also able to realize a real, fair, and sustainable protection ecosystem for future generations.

## REFERENCES

- African Union. (2015). *The Effects of Traditional and Religious Practices of Child Marriage on Africa's Socio-Economic Development*. <http://pages.au.int/cecm>
- Ainiyah, N. (2013). *Pembentukan Karakter Melalui Pendidikan Agama Islam* (Vol. 13, Issue 1).
- Alifiyah, R., & Anshori, I. (2023). Legal Protection for Children in Cases of Domestic Violence in the Indonesian Households. *El-Usrah: Jurnal Hukum Keluarga*, 6(2), 348. <https://doi.org/10.22373/ujhk.v6i2.19153>
- Appleford, G., RamaRao, S., & Bellows, B. (2020). The inclusion of sexual and reproductive health services within universal health care through intentional design. *Sexual and Reproductive Health Matters*, 28(2), 1799589. <https://doi.org/10.1080/26410397.2020.1799589>

- Argyraki, M., Damdimopoulou, P., Chatzimeletiou, K., Grimbizis, G. F., Tarlatzis, B. C., Syrrou, M., & Lambropoulos, A. (2019). In-utero stress and mode of conception: impact on regulation of imprinted genes, fetal development and future health. *Human Reproduction Update*, 25(6), 777–801. <https://doi.org/10.1093/humupd/dmz025>
- Aris Kristianto. (2018). *PLURALISME AGAMA DI INDONESIA*.
- Asmira, E. (n.d.). *Let's Talk About (Non-Consensual) Sex: The Struggle Against Rape In Indonesia Sesilia Esti Asmira*.
- Biglan, A., Flay, B. R., Embry, D. D., & Sandler, I. N. (2012). The critical role of nurturing environments for promoting human well-being. *American Psychologist*, 67(4), 257–271. <https://doi.org/10.1037/a0026796>
- Black, M. M., Behrman, J. R., Daelmans, B., Prado, E. L., Richter, L., Tomlinson, M., Trude, A. C. B., Wertlieb, D., Wuermli, A. J., & Yoshikawa, H. (2021). The principles of Nurturing Care promote human capital and mitigate adversities from preconception through adolescence. In *BMJ Global Health* (Vol. 6, Issue 4). BMJ Publishing Group. <https://doi.org/10.1136/bmjgh-2020-004436>
- Brattston, D. W. T. (2010). Your Children's Education: Duties in Christian Education, by Parents as Teachers, and Children as Learners. *Journal of Christian Education*, os-53(3), 19–28. <https://doi.org/10.1177/002196571005300304>
- Brenner, S. A. (2012). *The Domestication of Desire: Women, Wealth, and Modernity in Java*. Princeton University Press.
- Britto, P. R., Lye, S. J., Proulx, K., Yousafzai, A. K., Matthews, S. G., Vaivada, T., Perez-Escamilla, R., Rao, N., Ip, P., Fernald, L. C. H., MacMillan, H., Hanson, M., Wachs, T. D., Yao, H., Yoshikawa, H., Cerezo, A., Leckman, J. F., & Bhutta, Z. A. (2017). Nurturing care: promoting early childhood development. *The Lancet*, 389(10064), 91–102. [https://doi.org/10.1016/S0140-6736\(16\)31390-3](https://doi.org/10.1016/S0140-6736(16)31390-3)
- Cacciatore, J. (2013). Psychological effects of stillbirth. *Seminars in Fetal and Neonatal Medicine*, 18(2), 76–82. <https://doi.org/10.1016/j.siny.2012.09.001>
- Carlsson, I.-M., Larsson, I., & Jormfeldt, H. (2020). Place and space in relation to childbirth: a critical interpretive synthesis. *International Journal of Qualitative Studies on Health and Well-Being*, 15(sup1), 1667143. <https://doi.org/10.1080/17482631.2019.1667143>
- Chusairi, A. (n.d.). Online Child Sexual Exploitation and Abuse (OCSEA) of Children and Adolescents: A Systematic Literature Review. *Juli*, 29, 281–306. <https://doi.org/10.20885/psikologika.vol29.iss2.art7>
- Clark, H., Coll-Seck, A. M., Banerjee, A., Peterson, S., Dalglish, S. L., Ameratunga, S., Balabanova, D., Bhan, M. K., Bhutta, Z. A., Borrazzo, J., Claeson, M., Doherty, T., El-Jardali, F., George, A. S., Gichaga, A., Gram, L., Hipgrave, D. B., Kwamie, A., Meng, Q., ... Costello, A. (2020). A future for the world's children? A WHO–UNICEF–Lancet Commission. In *The Lancet* (Vol. 395, Issue 10224, pp. 605–658). Lancet Publishing Group. [https://doi.org/10.1016/S0140-6736\(19\)32540-1](https://doi.org/10.1016/S0140-6736(19)32540-1)
- Elsayed, W. (2024). Building a better society: The Vital role of Family's social values in creating a culture of giving in young Children's minds. *Heliyon*, 10(7). <https://doi.org/10.1016/j.heliyon.2024.e29208>
- Fachrur Razy Mahka, M., sagita, F., Umar, N., Zuhriyah, S., & Lilis Sukanda, N. (n.d.). *Strategi Hukum Preventif dalam Meningkatkan Perlindungan Anak di Era Digital*.
- Fauzi, M. L. (2019). Actors and norms in an Islamic marriage: A study of madura community in Rural Eastern East Java. *Journal of Indonesian Islam*, 13(2), 297–325. <https://doi.org/10.15642/JIIS.2019.13.2.297-325>
- General Assembly, U. N. (1989). *Convention on the Rights of the Child*. <http://www.hrweb.org/legal/child.html>
- General, D. (2009). *Convention on the Rights of the Child*. EXT.
- Geovani, I., Nurkhotijah, S., Kurniawan, H., Milanie, F., & Ilham, R. N. (2021). *Juridical Analysis Of Victims Of The Economic Exploitation Of Children Under The Age To Realize Legal Protection From*

- Human Rights Aspects (Research Study At The Office Of Social And Community Empowerment In Batam City)* (Vol. 45).
- Grandjean, P., & Landrigan, P. J. (2014). Neurobehavioural effects of developmental toxicity. In *The Lancet Neurology* (Vol. 13, Issue 3, pp. 330–338). [https://doi.org/10.1016/S1474-4422\(13\)70278-3](https://doi.org/10.1016/S1474-4422(13)70278-3)
- Gu, J., & Guan, H.-B. (2021). Maternal psychological stress during pregnancy and risk of congenital heart disease in offspring: A systematic review and meta-analysis. *Journal of Affective Disorders*, 291, 32–38. <https://doi.org/10.1016/j.jad.2021.05.002>
- Hardhantyo, M., & Chuang, Y.-C. (2021). Urban-rural differences in factors associated with incomplete basic immunization among children in Indonesia: A nationwide multilevel study. *Pediatrics & Neonatology*, 62(1), 80–89. <https://doi.org/10.1016/j.pedneo.2020.09.004>
- Hasan, A. B. P., & Suwarni, E. (2012). Policies and Practices for Promoting Multicultural Awareness of Indigenous Early Childhood Education in Indonesia. *International Journal of Child Care and Education Policy*, 6(1), 63–94. <https://doi.org/10.1007/2288-6729-6-1-63>
- Hyde, M. J., Mostyn, A., Modi, N., & Kemp, P. R. (2012). The health implications of birth by Caesarean section. *Biological Reviews*, 87(1), 229–243. <https://doi.org/10.1111/j.1469-185X.2011.00195.x>
- Kaplan, D., & Knoll, E. (2019). A Cultural Model of Parenthood as Engineering: How Caregiving Fathers Construct a Gender-Neutral View of the Parent Role. *Journal of Family Issues*, 40(3), 363–389. <https://doi.org/10.1177/0192513X18811387>
- Keeley, B. Ed. ; L. C. Ed. (2018). *The state of the world's children 2017 : children in a digital world*. UNICEF.
- Khosla, R., Zampas, C., Vogel, J. P., Bohren, M. A., Roseman, M., & Erdman, J. N. (2016). Christina Zampas is Reproductive and Sexual Health Fellow, International Reproductive and Sexual Health Law Program. In *Reproductive Health and Research*.
- Kistiana, S., Fajarningtias, D. N., & Riany, Y. E. (2025). Assessing Child Marriage in Indonesia: A Call for Educational Empowerment. *Jurnal Kesehatan Masyarakat*, 20(3), 512–522. <https://doi.org/10.15294/kemas.v20i3.14145>
- Lee, B.-E., Park, H., Hong, Y.-C., Ha, M., Kim, Y., Chang, N., Kim, B.-N., Kim, Y. J., Yu, S.-D., & Ha, E.-H. (2014). Prenatal bisphenol A and birth outcomes: MOCEH (Mothers and Children's Environmental Health) study. *International Journal of Hygiene and Environmental Health*, 217(2–3), 328–334. <https://doi.org/10.1016/j.ijheh.2013.07.005>
- Lestari Santoso, N. P., Dudhat, A., Teja Sukmana, H., Mardiansyah, A., & Hardini, M. (2021). Modern Technology Advances with Benefits for Humanity to Demonstrate Design with Conventional Sources Islamic. *International Journal of Cyber and IT Service Management*, 1(1), 14–36. <https://doi.org/10.34306/ijcitsm.v1i1.8>
- Lexy j. Maleong. (2009). *Metode Penelitian Kualitatif*. Remaja Rosdakarya.
- Longo, L. D. (2010). Environmental pollution and pregnancy: Risks and uncertainties for the fetus and infant. *American Journal of Obstetrics and Gynecology*, 137(2), 162–173. [https://doi.org/10.1016/0002-9378\(80\)90770-X](https://doi.org/10.1016/0002-9378(80)90770-X)
- Mahmud, A., Ekoriano, M., Titisari, A. S., Wijayanti, U. T., Sitorus, M. A., & Rahmadhony, A. (2021). Determinants Of Modern Contraceptives Use In Indonesia: A Spatial Analysis. In *Systematic Reviews in Pharmacy* (Vol. 12, Issue 03).
- Muhammed Bah, Y. (2022). Combating Child Abuse in Indonesia: Achievements and Challenges. *International Journal of Management (IJM)*, 13(3), 192–213. <https://doi.org/10.34218/IJM.13.3.2022.016>
- Munro Review of Child Protection, E. M. (2011). *The Munro Review of Child Protection: final report, a child-centred system* (Great Britain Department for Education, Ed.; 2nd ed., Vol. 1). The Stationery Office.
-

- 
- Nalele, Y. B. M. (2019). The Role Of End Child Prostitution, Child Pornography And Trafficking Of Children For Sexual Purposes (ECPAT) In Addressing The Child's Commercial Sexual Exploitation (ESKA) In Indonesia (2011 - 2015). *Sociae Polites*, 20(1), 1-19. <https://doi.org/10.33541/sp.v20i1.1435>
- Noonan, K. G., Sabel, C. F., & Simon, W. H. (2009). Legal Accountability in the Service-Based Welfare State: Lessons from Child Welfare Reform. *Law & Social Inquiry*, 34(03), 523-568. <https://doi.org/10.1111/j.1747-4469.2009.01157.x>
- Nurhidayati, T., Rofiq, M. N., & Sholihah, M. (2021). The Concept of Sustainable Children Education in Qur'an Perspective. *Southeast Asian Journal of Islamic Education*, 4(1), 73-96. <https://doi.org/10.21093/sajie.v0i0.3842>
- Optimalisasi Penghimpunan Zakat Digital*. (n.d.).
- Ornoy, A., Reece, E. A., Pavlinkova, G., Kappen, C., & Miller, R. K. (2015). Effect of maternal diabetes on the embryo, fetus, and children: Congenital anomalies, genetic and epigenetic changes and developmental outcomes. *Birth Defects Research Part C: Embryo Today: Reviews*, 105(1), 53-72. <https://doi.org/10.1002/bdrc.21090>
- Pakasi, D. (2013). All rights reserved. *Asia-Pacific E-Journal of Health Social*, 2(2).
- Philip Alston. (2017). *The Unborn Child and Abortion Under the Draft Convention on the Rights of the Child* (1st ed., Vol. 1). Taylor & Francis Group.
- Pisoni, C., Garofoli, F., Tzialla, C., Orcesi, S., Spinillo, A., Politi, P., Balottin, U., Manzoni, P., & Stronati, M. (2014). Risk and protective factors in maternal-fetal attachment development. *Early Human Development*, 90, S45-S46. [https://doi.org/10.1016/S0378-3782\(14\)50012-6](https://doi.org/10.1016/S0378-3782(14)50012-6)
- Poerwandari, E. K., Munti, R. B., & Viemilawati, J. (2018). Pro-women's policy advocacy movements in Indonesia: Struggles and reflections. *Asian Journal of Women's Studies*, 24(4), 489-509. <https://doi.org/10.1080/12259276.2018.1538646>
- Putra, D., & Acela, N. (2023). Human Rights Protection in the Islamic Family Law: A Case Study Concerning Domestic Violences. *El-Usrah: Jurnal Hukum Keluarga*, 6(1), 1. <https://doi.org/10.22373/ujhk.v6i1.18511>
- Rambu Ngana, F., Myers, B. A., & Belton, S. (2012). Health reporting system in two subdistricts in Eastern Indonesia: Highlighting the role of village midwives. *Midwifery*, 28(6), 809-815. <https://doi.org/10.1016/j.midw.2011.09.005>
- Rebecca J. Cook. (2017). *International Human Rights and Women's Reproductive Health* (1st ed., Vol. 1). Taylor & Francis Group.
- Rinwigati, P. (2022). Defining Rape in Indonesia: A Never-Ending Struggle. In *Gender-Based Violence in South-East Asia* (pp. 51-68). Springer Nature Singapore. [https://doi.org/10.1007/978-981-19-2492-7\\_4](https://doi.org/10.1007/978-981-19-2492-7_4)
- Rodliyah, S., Purwasito, A., Sudardi, B., & Abdullah. (n.d.). Belis And The Perspective Of Dignified Women In The Marital System Of East Nusa Tenggara (NTT) People. *Journal of Education and Social Sciences*, 5(2).
- Sampebulu, H. P. (2019). Abortion: A Review on Indonesia Regulations. *Rechtsidee*, 6(1). <https://doi.org/10.21070/jihr.2019.6.73>
- Sitompul, R., Lubis, M., Pakpahan, E. F., Munawir, Z., & Ridwan, M. (2022). The effect of marriage culture in Batak Toba to the children. *Journal of Human Behavior in the Social Environment*, 32(5), 557-573. <https://doi.org/10.1080/10911359.2021.1924915>
- Surjadjaja, C. (2008). Policy Analysis of Abortion in Indonesia: The Dynamic of State Power, Human Need and Women's Right. *IDS Bulletin*, 39(3), 62-71. <https://doi.org/10.1111/j.1759-5436.2008.tb00463.x>
- Sven Bernhard Gareis. (2012). *The United Nations* (2nd ed.). Bloomsbury Publishing.
- Tribe, R. M., Taylor, P. D., Kelly, N. M., Rees, D., Sandall, J., & Kennedy, H. P. (2018). Parturition and the perinatal period: can mode of delivery impact on the future health of the neonate? *The Journal of Physiology*, 596(23), 5709-5722. <https://doi.org/10.1113/JP275429>
-

- Uchitel, J., Alden, E., Bhutta, Z. A., Goldhagen, J., Narayan, A. P., Raman, S., Spencer, N., Wertlieb, D., Wettach, J., Woolfenden, S., & Mikati, M. A. (2019). The Rights of Children for Optimal Development and Nurturing Care. *Pediatrics*, *144*(6). <https://doi.org/10.1542/peds.2019-0487>
- Usrina, N., Ismail, I., Gustiana, G., Halimatussakdiah, H., & Hanum, N. (2022). DETERMINANTS REASONS OF UNMET NEED FOR FAMILY PLANNING OF CHILDBEARING AGE COUPLES IN ACEH, INDONESIA. *International Journal of Education and Social Science Research*, *05*(06), 113–126. <https://doi.org/10.37500/ijessr.2022.5610>
- Vanessa R Sasson, J. M. L. (2008). *Imagining the Fetus the Unborn in Myth, Religion, and Culture*. Oxford University Press.
- Watkins, K. (2016). *A fair chance for every child*. [www.soapbox.co.uk](http://www.soapbox.co.uk)
- Wessells, M. G. (2015). Bottom-up approaches to strengthening child protection systems: Placing children, families, and communities at the center. *Child Abuse & Neglect*, *43*, 8–21. <https://doi.org/10.1016/j.chiabu.2015.04.006>
- Wisborg, K., Barklin, A., Hedegaard, M., & Henriksen, T. (2018). Psychological stress during pregnancy and stillbirth: prospective study. *BJOG: An International Journal of Obstetrics & Gynaecology*, *115*(7), 882–885. <https://doi.org/10.1111/j.1471-0528.2008.01734.x>
- World Health Organization Regional Office for South-East Asia. (2007). *Review of the health sector response to HIV and AIDS in Indonesia, 2007*. World Health Organization, Regional Office for South-East Asia.
- World Health Organization. (2018). *WHO Recommendations on Intrapartum Care for a Positive Childbirth Experience*. World Health Organization.