

## ABSTRAK

Penggunaan teknologi informasi di kalangan pelajar dan anak-anak bukanlah merupakan hal baru. Penggunaan platform layanan digital turut melahirkan berbagai tantangan yang berpotensi mengancam hak privasi atas data pribadi anak.

Penelitian ini bertujuan untuk mengetahui pengaturan perlindungan hak privasi atas data pribadi anak menurut hukum internasional dan hukum nasional Indonesia, serta untuk menganalisis perlindungan hukum hak privasi atas data pribadi anak oleh Pemerintah Indonesia. Penelitian ini merupakan penelitian hukum normatif dengan metode pendekatan perundang-undangan dan pendekatan konseptual. Data yang digunakan adalah data sekunder dengan metode pengumpulan data berdasarkan studi kepustakaan kemudian disajikan dalam bentuk uraian sistematis dan logis serta menggunakan metode analisis kualitatif.

Hasil penelitian dan pembahasan menunjukkan bahwa pengaturan secara umum menurut hukum internasional dapat ditemukan dalam: Pasal 12 Universal Declaration of Human Rights 1948 dan Pasal 17 International Covenant on Civil and Political Rights 1966. Pengaturan hak privasi atas data pribadi anak secara khusus dapat ditemukan dalam: Pasal 16 Convention on the Rights of the Child 1989, OECD Council Recommendation on The Protection of Children Online 2012, APEC Privacy Framework 2015, Pasal 6, 8, & Pasal 38 General Data Protection Regulations 2018. Menurut hukum nasional Indonesia secara umum dapat ditemukan dalam: Pasal 28F & 28G UUD 1945; Pasal 14 UU No. 39 Tahun 1999 tentang Hak Asasi Manusia; Pasal 26 UU No. 19 Tahun 2016 tentang Informasi dan Transaksi Elektronik serta Pasal 3 dan Pasal 25 UU No. 27 Tahun 2022 tentang Perlindungan Data Pribadi. Pemerintah Indonesia turut berupaya memberikan perlindungan hukum terhadap hak privasi atas data pribadi anak dengan mengesahkan UU No. 27 Tahun 2022 tentang Perlindungan Data Pribadi didukung dengan program Gerakan Nasional Literasi Digital. Perlindungan data pribadi anak dalam GNLD termasuk salah satu dari fokus kerja program GNLD untuk mendukung transformasi digital di Indonesia.

Kata Kunci : Perlindungan, Hak Privasi, Data Pribadi, Anak

## **ABSTRACT**

*The use of information technology among students and children is nothing new. The use of digital service platforms also creates challenges that have the potential to threaten the privacy rights of children's personal data.*

*This study aims to determine the regulation of the protection of privacy rights over children's personal data according to international law and Indonesian national law, as well as to analyze the legal protection of privacy rights over children's personal data by the Government of Indonesia. This research is normative legal research with a statute approach and conceptual approach. The data used is secondary data with data collection methods based on literature studies and then presented in the form of systematic and logical descriptions and using qualitative analysis methods.*

*The results of the research and discussion show that general arrangements according to international law can be found in Article 12 of the Universal Declaration of Human Rights 1948 and Article 17 of the International Covenant on Civil and Political Rights 1966. Regulations on the right to privacy of children's personal data in particular can be found in Article 16 Convention on the Rights of the Child 1989, OECD Council Recommendation on The Protection of Children Online 2012, APEC Privacy Framework 2015, Articles 6, 8, & Article 38 of the General Data Protection Regulations 2018. According to national law Indonesia in general can be found in Articles 28F & 28G of the 1945 Constitution; Article 14 of Law no. 39 of 1999 concerning Human Rights; Article 26 Law no. 19 of 2016 concerning Information and Electronic Transactions and Articles 3 and Article 25 of Law no. 27 of 2022 concerning Personal Data Protection. The Indonesian government is also trying to provide legal protection for privacy rights over children's personal data by passing Law no. 27 of 2022 concerning the Protection of Personal Data is supported by the Digital Literacy National Movement program. Protection of children's personal data in GNLD is one of the focuses of the GNLD program's work to support digital transformation in Indonesia.*

*Keywords: Protection, Privacy Rights, Personal Data, Children*