

## **BAB V**

### **KESIMPULAN**

Setiap anak memiliki hak yang sama pentingnya dengan individu lain. Anak sebagai individu yang utuh, memiliki hak untuk terlindungi dari segala tindakan yang dapat menghambat pertumbuhan dan perkembangannya. Sejalan dengan peran negara dalam Konvensi Wina 1993, negara bertanggung jawab dalam memastikan terpenuhinya Hak Asasi Manusia, termasuk Hak Ana. Dalam menjalankan tanggung jawab internasional negara meratifikasi perjanjian internasional terkait perlindungan hak anak. Pada 1994 Afghanistan meratifikasi *the Convention on the Rights of the Child* dan meratifikasi *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography* pada 2002. Walaupun ratifikasi telah dilakukan, hak anak di Afghanistan masih terancam, bahkan hampir 95 persen tindakan kejahatan manusia dilakukan untuk tujuan eksploitasi seksual terhadap anak.

*Bacha bazi* merupakan bentuk dari kejahatan eksploitasi seksual terhadap anak di Afghanistan. Praktik *Bacha bazi* dilakukan oleh pria dewasa kepada anak laki-laki berusia 10-18 tahun untuk dijadikan objek seksual. Sebagai praktik eksploitasi seksual, *bacha bazi* dapat merusak kondisi mental anak dalam jangka waktu panjang. Terganggunya kesehatan mental yang berupa gangguan seksualitas yang dapat memicu korban untuk terlibat dalam praktik *bacha bazi*, sebagai *bacha baz* ataupun *bacha berish*. Dampak lain yang ditimbulkan adalah, korban *bacha bazi* dikucilkan di masyarakat, dan hal tersebut mempengaruhi kesempatan kerja yang dimiliki. Dalam cakupan yang lebih luas, *bacha bazi* dapat memicu intensitas konflik domestik, khususnya antara kelompok Islam Taliban dan kelompok oposisi Taliban.

Melihat banyaknya dampak buruk dari praktek *bacha bazi* tidak serta merta membuat angka kejahatan eksploitasi seksual menurun. Maraknya praktek *bacha bazi* dilatarbelakangi oleh beberapa aspek meliputi, tingginya angka kemiskinan, pendidikan yang buruk, rendahnya

kesadaran masyarakat mengenai pentingnya melindungi hak anak, lemahnya penegakan hukum dan korupsi. Untuk dapat mengatasi meluasnya praktik *bacha bazi*, UNICEF sebagai organisasi internasional berkomitmen untuk membantu pemerintah Afghanistan dalam memastikan terlindunginya hak anak, khususnya dari tindakan kejahatan eksploitasi seksual. UNICEF berupaya membantu pemerintah Afghanistan dalam mewujudkan komitmen internasional terkait perlindungan hak anak. Upaya yang dilakukan UNICEF untuk membantu pemerintah Afghanistan dilandasi dengan fungsi-fungsi utama organisasi internasional.

Sejak 2007-2015, UNICEF telah berupaya membantu pemerintah dalam memastikan terlaksananya komitmen internasional melalui sebuah konferensi nasional yang bertujuan untuk mengkaji mekanisme perlindungan anak di Afghanistan. UNICEF bekerjasama dengan *Human Rights Support Unit* (HRSU) dalam membantu pemerintah mengembangkan undang-undang sesuai dengan mandat konvensi perlindungan anak. Upaya pengembangan aturan dan kebijakan dilakukan UNICEF melalui kerjasama dengan IOM khususnya terkait dengan kebijakan perlindungan terhadap korban eksploitasi seksual.

UNICEF bersama dengan *Save the Children* untuk melibatkan masyarakat dalam upaya perlindungan hak anak melalui pengembangan *monitoring tool*. UNICEF dan pemerintah pun berupaya aktif dalam melibatkan masyarakat lokal dalam program CPAN, khususnya dalam menjalankan fungsi monitoring. Bekerjasama dengan MoLSAMD, tokoh agamawan, dan media lokal untuk melakukan kampanye guna meningkatkan kesadaran masyarakat mengenai pentingnya perlindungan hak anak. Selain melakukan sosialisasi, UNICEF bekerjasama dengan IOM, dan AIHRC untuk mengadvokasi pemerintah Afghanistan untuk meningkatkan mekanisme perlindungan anak dari kejahatan eksploitasi seksual dan terkait pemenjaraan anak.

Upaya lainnya yang dilakukan UNICEF dalam meningkatkan kesadaran masyarakat masyarakat terkait perlindungan hak anak adalah dengan menjalankan fungsi informasi melalui penerbitan laporan, survei, dan hasil penelitian melalui website resmi UNICEF. Dan untuk

memastikan efektivitas dan relevansi upaya pemerintah, UNICEF melakukan evaluasi program dan memberikan bantuan dana untuk pengembangan program CPAN dalam memberikan perlindungan maksimal terhadap hak anak.

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