# PROVISION, PROTECTION AND PARTICIPATION: A Study of The Implementation of Children's Rights In Boven Digoel Regency, Papua

Indra Kertati<sup>1</sup> {kertati@yahoo.com}

# Faculty of Social Sciences, University of August 17, 1945, Semarang<sup>1</sup>

#### Abstract

Children as the nation's shoots need protection to grow and develop into healthy and happy adults and enjoy a good life. Boven Digoel's children have not yet obtained children's rights as stated in the Child Protection Act number 23/2002 and 35/2014 concerning Child Protection. The issue of accessibility, coordination and participation of various parties in realizing children's rights is a challenge that must be addressed together. Normatively the law has formulated a mechanism to fulfill children's rights. The Ministry of Women's Empowerment and Child Protection has issued regulations on the mechanisms of protection, service, empowerment and rehabilitation for children with special needs. This research explores the roles of local governments, and stakeholders in fulfilling children's rights. The results of the study : 1. cultural disparities; 2. geographical constraints; low community participation. Some problems that arise include: violence against children, child marriage, health, education and children's participation in development. Boven Digoel is different from other regions; in the constraints of fulfilling children's rights. Therefore, a study in the Implementation of Children's Rights in Boven Digoel District, Papua is very necessary.

Keywords: Children, Policy Implementation, Child Protection, Cluster

### A. Introduction

Child protection in Indonesia has shown complexity. Although there is a mandate of the Law of the Republic of Indonesia number 35 of 2014 about the amendment to Law Number 23 of 2002 concerning child protection which requires governments, local governments, communities, and private party to carry out Children protection, but not able to eliminate the child's gap. Children's problems is like an iceberg. UNICEF noted several issues such as many regulations and policies of child protection rather focus on problems, limited to rehabilitation of victims, than prevention aspects. The lack of authority on child protection at provincial and district levels led to fragmented and less coordinated action. Local governments do not allocate adequate budgets for child protection.

Social and family welfare services have developed a better handling mechanism about children in crisis but not in the prevention. Special Police Units (PPA) and hospital-based integrated service centers (PPT and PKT) provide child-sensitive medical services, psycho-social support, legal aid, and investigative procedures, however, these service units only handle the severe cases. These units do not have the mandate or the capacity to assess Caregiving in the family or to ensure that children receive the proper service and protection after they leave the service center. It also focuses on developing a child's social protection house (RPSA) where child victims can use it as a shelter.

Child protection systems and services only respond when the child is already in crisis. It does not equip the network of social workers and existing professionals with skills to involve communities and families and provide primary and secondary services that protect children. Social workers do not allow to intervene on behalf of the state. Innovative social programs help children as the most vulnerable group.

Child protection has a strong legal basis in Indonesia as mandated in the Convention on the Rights of children. Indonesia ratifies the United Nations Convention on the Rights of children by Presidential Decree No. 36 of 1990. The right of the Children's Convention is an international legal agreement on the rights of children. This Convention sets into 3 things. First, set about the party in obligation to bear the rights; The State. Second, the beneficiary's right party is children. Third, it contains the forms of rights that must be protected, fulfilled and enhanced.

Law No. 23 of 2002 on child protection strengthens the ratification of children's rights conventions. This law has been renewed by Law No. 35 of 2014 which subsequently becomes a legal guide in child protection. [1]The government needs to recognize the progress of child rights fulfillment, in case of: (1) Civil and freedom rights; (2) Family environment and alternative parenting rights; (3) Basic health and welfare rights; (4) The right to education, free time utilization, and Art-Culture activities; and (5) Special protection rights.[2] The government must prepare children's profile to inform the progress of the children's right fulfillment as a base in decision making.

The Boven Digoel Regency is a new district established under Law number 26 of 2002, which is the expansion of Merauke Regency. The government established women Empowerment and Child Protection Board in 2017 based on regulation number 10 of 2017 concerning the change of local regulations number 5 of 2015 about the formation and composition of the regional government unit. The Board has a large-scale task with 6 (six) sub-affairs, 1) women's quality of life, 2) women's protection, 3) family quality, 4) Gender and children Data systems, 5) Children's Rights Fulfillment (PHA), and 6) special protection of children.[3]

The problems faced are complex, besides teenager delinquency, poverty, education, health, including the children marriage. The challenges that must be faced are very heavy. Accessibility to the Districts and Villages is limited, the terrain is difficult to reach, the budget is limited, also the issue of coordination across Regional Organizations (OPD), as well as the participation of the private sector and stakeholders who are not yet solid. The implementation of the policy of fulfilling children's rights is an important issue that must be resolved through a variety of comprehensive approaches and strategies.

The children issue in Boven Digoel is structural poverty; transmitted from parent to children. Some of the communities are nomadic, so the children follow their parents' moves. it causes government no to be able to fulfill the accessibility of children to receive the services. Furthermore, technology plays a vital role in children's daily lives. The use of gadget puts children on the risk of taking the wrong way of self-actualization. The addiction of gadget puts children to easily be involved in quarrels among them and eventually leads to dropping out of school. On the other hand, efforts to realize the children's rights are still centralized in Board of Women Empowerment and Child Protection. The problems faced by the government is not commensurate with the government's ability to undertake. To further disclose how the local government fulfills the rights of children, researchers conduct research on the Implementation of the Children's rights Fulfillment Policy. This research is finding out how far the provision, protection, and participation of children's rights fulfillment are implemented in Boven Digoel Regency? The objective of this research is to describe the implementation of

the fulfillment of children's rights including provision, protection and participation of children to grow and develop.

# B. Methodology

# 1. Theoretical Framework

Children under Law No. 35 of 2014 on child protection, in article 1 of paragraph (1), is a person who is not yet 18 (eighteen) years of age, including a child in the womb. Law No. 11 of 2012 on the Child criminal justice system defines children conflicting with the law as a child with the charge of the law, the child who is the victim of a crime, and the child who is a criminal witness. Children conflict with the law started when they turn 12 years old, but not yet 18 years of age who could be suspected of committing a criminal offense. Children who are victims of criminal acts are children who are not yet 18 years old who suffer from physical, mental, and/or economic losses caused by criminal acts.[4] Law No. 1 of 1974[5] about Marriage defines children as a person under 18 years old and has not married yet, both legally or customarily. According to Law No. 3 of 1997[6] about Child Court defines children as people who are 8 years old, but not yet 18 years of age. Children in Law Number 4 of 1979[7] concerning Child Welfare Article 1 Paragraph (2) states that the definition of a child is someone who is under 21 years of age and has never been married yet. As a manifestation of the Government's commitment to ratify Convention on the Rights of the Child, the Indonesian government has issued Law No. 23 of 2002 on Children's Protection on 22 October 2002, as a whole, the law contains the provisions and principles of the Convention on the Rights of the Child.

UNICEF reminds the need to establish a protected environment for children that will help to prevent and responding to violence, harassment and exploitation involving eight important components namely strengthening government commitment and capacity to fulfilling the child's right to protection; promote adequate law formation and enforcement; dealing with harmful attitudes, habits, and practices; encouraging open discussions on child protection issues that include media and civil society partners; develop life skills, knowledge, and participation of children; building family and community capacities; provide essential services for prevention, recovery, and reintegration, including basic health, education and protection; and build and Implement effective and ongoing monitoring, reporting, and supervision.[12] Amlata Persaud shows that children In adverse conditions have contributed to the rising of the poor cities of the world. Evaluation studies conducted in third world countries regarding street children and child labour, showed that there are vulnerabilities in formal education, public services, participation and health.[14]

The participation of children and youth must be meaningful, safe, and appropriate as a key strategic priority to ensure a sustainable child's welfare and create a democratic society with knowledgeable citizens and engage in all processes Development. Children and youth can play an important role as a transformation agent with the ability to engage in the decision-making process, according to their growing capacity and gradually increasing autonomy. The term 'participation' in the children's field tends to have positive associations, seen as inevitably a 'good thing', something to be promoted, something that should be beneficial to all involved. Academic theorizations have burgeoned in the often inter-related theorizations of civil society, governance,

and social capital. As participation activities have blossomed, the role of adults in promoting and supporting such activities is coming under the spotlight [15]

Hill and Hupe[17] stated there were three developments in implementation studies. First, implementation studies are an ongoing study with the new findings of multidisciplinary. Implementation studies can be a single case related to the policy field. Secondly, new attention to implementation issues can be observed in the literature on multi-level governance i.e. regulating in more than one layer of administration such as the relationship between policy implementation and the establishment of new policies. In this case the required implementation identifies legitimate policy formations that are occurring and on the policy to be generated. Thirdly, implementation studies are conducted under different headings. This type of research broadens perspectives and enhances opportunities for the development of new insights and the use of new sources of knowledge. Systematic research conducted some scholars, especially the Americans, contributed a substantial theoretical-empirical contribution to the accumulated knowledge. They label it as a sub-discipline of the public policy implementation study. One of the characteristics of this study is the focus on confronts the knowledge of subjects that are relatively narrow, systematically, with relevant data sets.

The study of the famous policy implementation was right by Merilee S. Grindle (1980)[18] which believes that the success of public policy implementation is influenced by two fundamental variables, namely content and context of policy implementation. Content of Policy includes: (1) The interests of the target group or the target groups contained in the content of the policy; (2) The type of benefits received by the target groups (3) desired changes from a policy. (4) The position of a program in the course of (5) Implementor (6) adequate resources. The Context of implementation includes (1) How much power, interest, and strategy the actors have involved in the implementation of the policy; (2) The characteristics of the institutions and regimes in power and (3) the level of compliance and the responsiveness of the target group.[19]

Although the approach by Grindle is relatively long, it inspires the study of other implementations. Rahman Khan's Anisur, Shahriar Khandaker reinforces what Grindle is right. According to him, the performance of policy implementation can be categorized into three fields, namely: 1) output and policy results; 2) policy impact ; and 3) The assessment of whether the policy leads to the development of a country or society as a whole. The results of successful policies depend not only on designing effective systems, but also on the implementation of its implementations. This point of view changed with the publication of case studies of Pressman and Wildavsky has very good intentions, the program is not successfully implemented, and the main factors for failure include: 1) the wrong theory for the program; 2) unclear objectives and objectives, 3) lack of coordinated planning; 4) lack of standardization; 5) antipathy agencies; and 6) the complexity of joint action.[20]

The keywords used are change, control, and compliance which are included in the dimensions of policy content and the context of policy implementation. Likewise, the typology of policies made by them belongs to the policy content element and the implementation context according to the union of the two theories of the implementation of Grindle and Hill and Hope's policies resulted in the configuration of ideas for fulfilling children's rights. The theory of policies that are responsive to children's needs will be seen from the

role of the Government and stakeholders in fulfilling children's rights. The theory and context of the content developed is placed on the fulfillment of children's rights as stated in the child protection law. Variables contained in the cluster of children's rights will be tested by taking into account the content and context of the policy. [16]

### 2. Data Collection and Analysis

The research is a qualitative descriptive describing the children's rights fulfillment in Boven Digoel District. Qualitative descriptive research is not the same as qualitative research such as grounded research that is intensely noticing the occurring phenomenon. The goal of descriptive research is to describe a phenomenon and its characteristics. This research is more concerned with what rather than how or why something has happened. Therefore, observation and survey tools are often used to gather data.[23] Qualitative descriptive research is a comprehensive summary of the specific events experienced by individuals or groups. Qualitative descriptive research is about the events, who is involved, what is involved, and where things happen.[24]

The study collects data from an in-depth interview, observation, and Focus Group Discussion (FGD). In-depth interviews with the elected informant, namely children, public figures, officials of the empowerment of women and child protection of Boven Digoel District, head of Puskesmas and teachers. Observation is conducted to determine the pattern of protection of children in utilizing available infrastructure, as well as resources that exist to fulfill their needs. Secondary Data is derived from special publications from Provincial governments and regency governments as well as several reports of similar activities conducted by the Local Government Unit. The writer conducts triangulation of various findings, both secondary and primary data, as part of data processing.[25] Data analysis conducted with trend analysis and children's rights policy analysis.

### C. Results and Discussion

### 1. Provision

At the national level, in addition to the child protection law, there are several provisions as stated in LAW No. 3 of 1997 concerning children's Court, LAW No. 4 of 1997 concerning Disabled, LAW No. 1 year 2000 concerning Ilo Convention ratification No. 182 Concerning The Prohibition And Immediate Action For The Elimination Of The Worst Forms Of Child Labour (ILO Convention No. 182 on banning and immediate elimination of The worst forms of employment for children. [27] Boven Digoel Regency has formed local regulations that will underlie the fulfillment of rights, namely local regulations on the women empowerment and protection , and local regulations on child protection which has been issued in 2018. These two local regulation have not been been socialized and break down into the Regent rules.

#### 2. Protection

# a. The Right of Basic Health and Wealth

Infant's Death Rate (AKB) is the cases of baby's death a the age of 0-12 months old within a year. The number of baby's death in District Boven Digoel was high. In 2016, there were 44 cases of

death of baby and under five years old children, there were 25 baby boys and 19 baby girls. Among the causes of the death in District Boven Digoel were asphyxia, BBLR, diarrhea, pneumonia, and malaria. Based on the interview result with RSUD District Boven Digoel, the baby's deaths were mostly because they took too long to handle the disease, the children taken to the hospital had usually been in a really bad condition. They usually waited until 4 weeks before they decided to take the baby to the hospital. While bad nutrition for babies under five years old shows a tendency to increase. In 2007, bad nutrition case were 3 cases and increased to 65 cases in 2017.[28]

The percentage of the family according to the characteristics and the use of the toilet facility in 2017 showed a rise. For the family who has their own toilets increased from 51.66% to 67.64%. The percentage of the family who has shared toilet increased from 4.72% to 6.32%. The percentage of the family with shared bathroom and no toilet facility is still categorized as high i.e. from 43.62% become 84.98%.

The highest IMS case occurred in 2013 with 128 cases, and the lowest was in 2014 with 51 cases. If it was seen based on the age group, IMS cases in District Boven Digoel occurred in the group of the age 15 years old and older, the highest occurred in the group of the age 25-49 years old with 82 cases. IMS cases were also found in teenage age precisely at the age group of 15-19 years old with 11 cases. The number of HIV AIDs cases in District Boven Digoel showed some increase from 2009-2016. In 2009 the number of case of HIV AIDs was only 2 cases, increased to become 124 cases in 2016. Case Rate according to the Sub-district/Health Centre up to 2016, the highest was Mandobo with 7.21; followed by Mindiptana with 0.74; and Jair with 0.54 per 1000 population. It is influenced by the active finding of Health Care Facilities.

### b. The Fulfillment of the Right of Education

School participation from the people at the age of 7-24 but have never gone to school in District Digoel in 2017 was recorded at 1.73%. Seen based on the proportion of gender, most were in the female group of 2.71% and in a male group of 0.84%. In the group of people at school age who currently still go to school, it reached 37.25% with the domination of the male group of 42.38%. School participation level on the people with the education level of elementary is of 18.97%, junior high school 18.97% and senior high school is 7.81%. School participation by the population on the educational unit of Elementary, Junior High, and Senior High was generally dominated by female. While the population who did not go to school anymore or did not continue at the age of 7-24 was recorded reach up to 34.24%.[29]

The population that went to school if it was seen based on the group age of 7 years and older, then most of the population in District Digoel were included in the category of no longer go to school, i.e. 63.75% in female group and 68.3% in the male group. By not going to school it meant that there were those who could finish their school in various level of education but they did not. Generally, the people in District Boven Digoel could only complete their school at the level of Elementary, with

mostly was male of 17.73% and female of 13.83%. The population at the age of 5 years and older with the education of junior high school was still under 10% i.e. male with 5.91% and female with 9.06%. While the population with the age of 5 years and older with the education of senior high school was even lower, i.e. under 5% both for male and female.

# c. Special Protection

The phenomena of a child who was faced by law became one of a tough issue faced by the Indonesian Government. The number of children faced by law (ABH) has always been increasing from time to time, especially the number of children conflicted by law. Such condition also occurred in District Boven Digoel. Throughout 2016-2017, there had been 6 law cases involving 6 children as the actors (all were male). The lawsuits occurred were sexual abuse and physical violence.

Type of violence towards children in District Boven Digoel was dominated more by rape/sexual abuse cases. The number of cases of rape in District Boven Digoel in 2017 reached up to 11 cases and the cases of abducting underage children were 7 cases in 2017. The high number of sexual abuse in District Boven Digoel was not merely from the rape but it was more from the sexual intercourse between to underage children that ended up in pregnancy. Parents who could not accept that reported it to the P2TP2A of District Boven Digoel for a further report to the authorized party. It was comparable with the number of cases of abducting underage children which in 2017 increased to 7 cases.

One of the disturbing cases was the children's marriage. Even though there was no special report on how many such marriages occurred, yet it was admitted by the people in the level of subdistricts and villages. According to them, such children's marriage events occurred after 2000, and it never happened before. The causes were thought to be the android which got more and more easily to possess and the access to porn sites afterward. Modernization, openness was thought to be the freedom including the freedom to do anything. Underage marriage happened from the unexpected pregnancy caused by free sex. Some existing traditional custom was fading away by the way the children built relationships.

# 3. Partisipation

### a. Civil Rights and Freedom

In terms of civil rights fulfillment, it could be seen from the right to receive a birth certificate. Integrated children and those who received birth certificates in District Boven Digoel at the age of 0-4 years old was as much as 58,55 for boys and 58,68% for girls. While those who received them at the age of 0-17 years old was 67,92% boys and 65,71% girls. In total from each indicator, it reached 58,62% for the age of 0-4. And for the age of 0-17 was 88,815%. Such condition showed that as much as 55,185% children in District Boven Digoel in *de jure* were not considered by the State as

they had not had any basic citizenship document that should have been owned by each and every people, i.e. birth certificate.

In terms of marriage, the issue commonly faced was the unregistered traditional marriage in the civil registration office. The implication was that the ownership of birth certificate for children had been hampered. According to the Chief of District Ki, only 30% of marriages that had been registered, the rest were only done in a religious or traditional way. Total marriages occurred in 2016 was 59,1% from the entire adult population with female domination of 62,49%. There were many children who had not had a birth certificate.

This cluster also measured the information service by the local government. Based on the observation result, District Boven Digoel had had some children-friendly information facilities such as a park, free wifi provided, and Children's Library. Besides, the park, there was also free wifi and a children's library located in some education facilities either in elementary or junior high school in District Boven Digoel. For service such as free wifi currently had been installed in two locations i.e. SD Xaverius and SMP Negeri 1 District Boven Digoel. The wifi was direct support from the Ministry of Research and Higher Education and Ministry of Education and Culture to increase the access of children to internet service. Other than that, there was one Children's Library established in District Boven Digoel, it was located in SD II Tanah Merah.

The establishment of Forum Anak in the level of District Boven Digoel was started in November 2017. Nevertheless, according to the Chief of Forum Anak in the level of District Boven Digoel had never had any training on the protection and the fulfillment of children's rights nor been involved in the activities of *musrenbang*. Besides, Forum Anak of District Boven Digoel did not have a place to gather in order to enable coordination for activities related to the fulfillment and the protection of children's rights. The newly initiated Forum Anak was indeed still too young, but at least the children now have a place to express their interests.

#### b. The Right over Family Environment and Alternative Parenting

The observation results found that in parenting for a family who lives in the city generally has something in common with the parenting pattern of the family outside District Boven Digoel. Children are raised by the family, they also play and go to school. Some that make different is that the children from the downtown of Boven Digoel are partly influenced by the culture from the outside, such as the use of gadgets that dominate them, starts from children to teenagers, music tastes idols and even the bad influences such as free sex. Some children from the marginal group also start to learn how to suck adhesive substance to make them high, to smoke, and to drink.

In the rural area or inland, parenting depends on the condition of the family's profession. Most of the people who live in a rural area and inland work from the forest's products, either by hunting, looking for edible plants, and those who live near to a river, look for fish to eat by the entire family. Children spend most of their time following their parents into the woods for days or play with their friends on the farm, in the woods, in the river, or everywhere they could gather. They have more interaction with their closest family, father, mother, brother, sister, brother or neighbor who at the same time wander from one woods to another. The minimum amount of time they interact with society causes them to close themselves from information access, and access towards the results of regional development. Children also only know the environment which seems full of love, it was proven even though they live in the jungle, the parents, and the children are friendly to new people where they are surrounded by.

The condition of development of abandoned children in District Boven Digoel in 2015 was noted to reach 1129 children. The registry in 2015 was the highest finding for the case of abandoned children, compared to the registry in 2016 which decreased drastically to 263 children. The distribution of abandoned children found in District Boven Digoel, if it was seen based on the data in 2015, the distribution was concentrated in Subdistrict Kombut, Mandobo, and Bomakia. Based on the data result in 2016, it showed that many sub-districts did not register the abandoned children in their region. In 2016, abandoned children were concentrated in Sub-district Jair, it improves compared to the register in 2015.

Specifically, children-friendly infrastructure that should be provided by the local government has not been fulfilled in District Boven Digoel. The existing parks are not feasible to meet the standard of open space parks since they are covered by bushes. In the capital of the District, there are only two parks with good conditions. There is a privately owned swimming pool which is functioned as a facility to interact with family and peers.

Playground for children is still concentrated at schools. There have not been any parks that could be used to interact with family and peers. Children usually use open space to play such as football field, street, river bank, and any other open space. Most of the boys like football. Even some of them have favorite football players that encourage them to have an idea to become one. Some children-friendly infrastructures that have not been fulfilled yet are pavement, smart park, and facilities in service centers such as Health Center, Hospital, and market.

Implementation of public policy in fulfilling child rights is measured from the conten and context of the policy as stated in the child protection law. The research findings suggest that elements of the political process in the form of operational policies that are located by the local government of Boven Digoel, are available, namely the regional regulation on the protection of women and children. This political process should be re-strengthened by the actual steps of programs and activities that support the fulfillment of children's rights.

Grindle's theories of content and policy context can be fully applied in the topic of fulfillment of child rights, but there are factors that are not accounted for either by Grindle nor by Van Meter and Van Horn which is the culture and accessibility in the infrastructure. The change, control and compliance of local governments, which Grindle built as a keyword, is a content that must be built in a policy despite it

being unenforceable by children. The expected change is the children of Boven Digoel have the ability to convey aspirations and needs but, in fact, hindered by the accessibility of facilities and infrastructure, distance to the center of government, including the culture

Some people are still nomadic, and children have to follow the transfer of parents. The ability to make decisions has changed. There is a striking change between the children in city and rural areas. Children in the city have a better decision making, able to regulate in fulfilling their rights and obligations. It is seen from the establishment of the child Forum as a capacity strengthening group and the aspirations of children.

The Grindle theory in terms of context is flexible as each policy context will differ while applied to different objects. Context is a condition in which a situation occurs, such as a physical context including rooms, locations, real objects, landscapes, and so on. The context of the socio-psychological factors concerning of the status of persons involved in communication, their role, and the degree of sincerity.

Context in the fulfillment of children in Boven Digoel beside concerning to the location of children who are scattered in 20 districts and 112 villages, yet on social factors, especially children who living in isolated villages restricted from information access. As an example of Kampung Danowage located in Yaniruma District, the abode of Korowai tribe. The village is located on the border between the Boven Digul Regency, Pegunungan Bintang Regency, Asmat Regency and Yahukimo Regency. The isolated village can only be reached by air transportation with a distance of 30 minutes from Tanah Merah and must be continued by hiking through the small rivers that taking 1 week of land travel. It can be ensured that the fulfillment of the child right cannot be conducted well. Infrastructure and culture context can be established as a new variable in policy implementation research.

### **D.** Conclusions

Regulations on the fulfillment of children's rights at the national and district level have been met properly, but the operational regulation are still not available. It is necessary to form the Regencial Regulation related to the fulfillment of children's rights. The level of participation has been achieved in fulfilling children's rights such as: (1) Regarding the right over the legal law, not all children have a birth certificate or Child's Identity Card (KIA) and (2) regarding with the fulfillment of children's right to have a family environment and alternative parenting, there is something that must be done such as preventing the underage marriage, protecting the abandoned children so that they have comprehensive parenting as well as providing children-friendly infrastructure.

Apart from many issues faced by children in District Boven Digoel, the responsibility for their future is on the shoulder of the government of Boven Digoel, religious figures, people figures, academic figures, entrepreneurs, traditional figures and parents. Children's future could be put on a stake by neglecting their basic rights. The issues they must face must be solved within a process of precise budget planning. Strategical issues of children were integrated with other issues, it must be interpreted in the program and activities that the result could directly be seen. Such a challenge is not to avoid, but it must be

embraced to solve by strengthening the synergy either in terms of policy and program implementation as well as activities inter OPD with the society.

The synergy to prevent, to protect, to serve, as well as to rehabilitate the children included within the vulnerable group needs a big effort. The government needs some funds, resources, and a strong will to realize that Boven Digoel must be shone. Natural and human resources of District Boven Digoel must be ensured to be maintained and optimized to realize children-friendly and care Boven Digoel. Boven Digoel must be good for children, not only as a slogan, nor a dream but in reality that would be gained in the near future, today or tomorrow.

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