



ANALYSIS OF GOVERNMENT'S ROLE IN PROTECTING CHILDREN'S RIGHTS FROM EXPLOITATION IN BANDA ACEH VIA QANUN ACEH NO. 11/2008

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Abstract

This study aims to analyze the role of the Banda Aceh City Government in providing legal protection against child exploitation based on Qanun Number 11 of 2008 on Child Protection. The phenomenon of child exploitation, such as child street performers and beggars, persists due to economic hardship, weak family supervision, and limited public awareness. This research employs a qualitative method with a socio-legal approach to assess the effectiveness of implemented policies. The findings indicate that the Banda Aceh City Government, through the Social Service Office, the Office of Women's Empowerment and Child Protection (DP3A), Civil Service Police Unit (Satpol PP), and the local police, has carried out preventive, curative, repressive, and educational roles. However, several challenges remain, including weak law enforcement, limited inter-agency coordination, inadequate facilities, and low public participation. From the perspective of Fiqh Siyasah Tanfidziyyah, child exploitation is a violation of the principles of protecting life (*hifz al-nafs*) and posterity (*hifz al-nasl*). Therefore, child protection must be implemented comprehensively and collaboratively. The study recommends strengthening institutional synergy, enhancing public education, and enforcing stricter legal action against perpetrators to realize Banda Aceh as a child-friendly city.

Keywords: Child Exploitation; Role of Government; Legal Protection

A. Introduction

Basic rights are basic human needs. They are a natural gift of God that must be

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respected as human dignity. In law, procedures in the criminal justice system are determined starting from investigation, prosecution to trial. In fact, efforts to integrate human rights into the legal system aim to guarantee the highest values of justice and humanity in accordance with the dignity of the free individual. (Al Amin Siregar, 2016).

Children are a symbol of hope for the future, not just as the successor of the generation, but also as the successor of ideals and struggles, children's rights are part of human rights that must be guaranteed, protected, and fulfilled by parents, families, society and the state. The fulfillment of children's rights is the foundation and capital of children as the buds of the nation that have the potential to participate in building Indonesia, but what happens in the city of Banda Aceh is that there are beggars and clowns of children due to exploitative activities carried out by parents and irresponsible people just to reap economic benefits (Fachruddin, 1992).

The exploitation of children's rights in the city of Banda Aceh is the result of difficult economic conditions or poverty which is one of the reasons for the occurrence of various social problems, including the exploitation of children's rights, where the child is not met with reasonable needs, both mental, and physical, social, and spiritual. Against the background of the problems that are currently occurring, the poor state of the nation in the future certainly cannot be separated from the condition of the nation's children today as the successors of the nation's leadership, the welfare of children who are not fulfilled their rights must always be a concern and we must be responsible for protecting and maintaining and maintaining these human rights in accordance with the obligations set by law (Ambat, 2013).

In the implementation of child protection, both the state and local governments have an obligation to provide facilities and access for children, especially to ensure that their growth and development are optimal and run well (Andayani et al., 2022). Farid Nyak Umar revealed that he received many reports about the rise of minors who were employed in the mode of scavenging for sustenance, he felt that lately more and more children have been deployed to sell at several red light intersections in the city of Banda Aceh, some even peddled their wares by going around to cafes until late at night. He also emphasized that this is a serious problem, because minors are prohibited from working and can be subject to criminal sanctions (Public Relations, 2023).

These incidents or problems become a terrifying scourge considering that Aceh implements Islamic law. Aceh itself has privileges, especially in terms of the implementation of local government as part of the legal system. This privilege is regulated in Law Number 44 of 1999 concerning the Implementation of Provincial Privileges of the Special Region of Aceh, and is also strengthened by Law Number 11 of 2006 concerning the Government of Aceh. Through these policies and regulations, the Government of Aceh is given the authority to establish Qanun Aceh, which is a regional

law that specifically regulates and determines the implementation of local government and Islamic sharia in the region (Anggriani, 2011).

In addition, based on Qanun Number 11 of 2008 concerning child protection, article 1 paragraph 7 explains that a child is someone who is not yet 18 years old, including those who are still in the womb. The Qanun also regulates child protection, covering children's rights, as well as the implementation of the obligations and responsibilities of parents, families, communities and the Aceh government, in Article 8, it is revealed that the Aceh government and the Regency/City government are obliged to provide attention, guidance, guidance, supervision, as well as assistance and protection for children's religious education (Aceh Government, 2008).

In this case, the institution that plays a role in handling it is the Banda Aceh City Government. Here, the Banda Aceh City Social Service, the Banda Aceh City Women and Children Empowerment Office, the Banda Aceh City Satpol PP, and the Banda Aceh City Police have responsibilities related to the issue of child exploitation problems that are not fulfilled their rights. This is in accordance with the mandate stated in the 1945 Constitution, especially in Article 21 Number 35 of 2014, which states that the central and regional governments are fully responsible for the fulfillment of children's rights regardless of ethnicity, race, class, religion, legal status, ethnicity, culture, and language, as well as mental and physical conditions, Child exploitation that occurs in the city of Banda Aceh has a negative impact on children's education and mental health (RI Kemensesneg, 2014).

The role theory according to Jim Iff and Frank Tesoriero in the field of social development and empowerment must have aspects of the role of Facilitative, the role of Education, the role of Representational, and the role of Technical, the purpose of the role theory of Jim Iff and Frank Tesoriero aims to increase productivity, build cooperation agreements with this theory aims to help institutions in solving existing problems and ensure that this theory is on target and effective (Fridayanti, 2023).

The establishment of these institutions is based on the need of the state to organize government affairs in the social sector in order to realize social welfare for the entire community. The basis for the formation refers to Law Number 23 of 2014 which regulates the distribution of government affairs between the central and regional governments, including social affairs which are obligations that must be carried out by local governments. Government Regulation Number 18 of 2016 concerning regional apparatus provides guidance for the formation, organizational structure, and work procedures of regional apparatus.

The Banda Aceh City Social Service is a work unit that has just been formed within the Banda Aceh City Government based on the Banda Aceh Mayor Regulation Number 46 of 2016, which functions as the implementer of regional autonomy in the social sector.

In accordance with the Perwal, the management of regional development in the field of social welfare is carried out by the Banda Aceh City Social Service (Banda Aceh Social Service). The legal basis that regulates the duties of the Banda Aceh City Social Service in matters related to children is also listed in the Banda Aceh Mayor Regulation Number 28 of 2021 concerning integrative children's social welfare service centers. This regulation directs the implementation of integrated social services for children in order to ensure the protection and fulfillment of children's rights in a maximum and integrated manner (Indonesia et al., 2021). In addition, there are also regulations and supporting institutions such as in Perwal Number 7 of 2010 which explains the details of the duties of structural and non-structural positions within the Office of Women's Empowerment, Child Protection and Family Planning of Banda Aceh City, as well as Perwal Number 12 of 2015 which regulates Operational Procedures for Early Childhood Education Units at the Education Office, Youth and Sports of the City of Banda Aceh. Furthermore, there is Perwal Number 48 of 2016 which discusses the organizational structure and work procedures of the Office of Women's Empowerment, Child Protection, Population Control and Family Planning of the City of Banda Aceh (Vonda & Fitri, 2017).

Although there are various regulations at present, it has not reduced the number of child exploitation in Banda Aceh City, based on a report by the Banda Aceh City Social Service in the Social Rehabilitation Sector that, there were 24 child workers in 2022 and 7 child workers in 2023. In 2023, four out of 7 child workers became victims of exploitation by being told to trade guava fruit on the streets and public places. The children came from Aceh Besar Regency who had previously been fostered at the Lamjabat halfway house and then given to the Aceh Social Service Rumoh Seujahtera Aneuk Nanggroe (RSAN) located in Gue Gajah Village, Darul Imarah District, Aceh Besar (Fiani, 2025).

Islamic law emphasizes the importance of child protection. Parents are obliged to take good care of and maintain their children, as stated in QS. Al-An'am (6):151 which prohibits the exploitation of children for economic reasons. The verses of the Qur'an and the hadith of the Prophet Muhammad (PBUH) make it clear that protecting children is the responsibility of parents and society, a sacred teaching of Divine revelation. In the view of Islamic law, the exploitation of minors is prohibited because it endangers the life and welfare of children. Children must get a good education and protection from exploitation. In the context of the exploitation of child workers in the city of Banda Aceh, Islamic law can be applied to protect children's rights. Child exploitation is punishable by criminal sanctions under Islamic law, falling under the category of *jarimah ta'zir*, where the type and severity of the punishment are determined by the judge or local authority based on the consideration of the case and the perpetrator.

B. Method

This research uses the sociological juridical approach method, which is the study of the interaction between legal and non-legal aspects in the application of law in society. Sociological or empirical research aims to measure the effectiveness of a particular law and regulation or Qanun regarding its effectiveness, so that operational definitions can be taken from these laws and regulations (Susanti, 2021).

The analysis in this study focuses on written legal norms and how these norms are implemented in society, while primary data is obtained through interviews and observations in the field. Meanwhile, secondary data sources are collected from thesis, journals, and legal documents in the form of Law Number 35 of 2014 and Qanun Number 11 of 2008.

C. Findings and Discussion

1. Definition of Children

Children are individuals who are in the stage of growth and development, which in terms of law and society have not reached the level of maturity. From a biological perspective, children refer to humans who have not yet experienced puberty or have not fully reached adulthood. This statement is based on Law Number 35 of 2014 concerning Child Protection, which states that a child is any person under the age of 18, including a fetus that is still in the womb, except in certain situations regulated by law that states that the child has reached adulthood before that age. This definition is in accordance with the provisions of the Convention on the Rights of the Child (CRC) that has been ratified by Indonesia, which stipulates that children under 18 years old, unless otherwise specified by national law (Azaria, 2014)

Juridically, children are positioned as legal subjects who have the right to obtain protection, fulfillment of their basic rights, and guidance to achieve optimal development. From a social perspective, children are seen as social beings who need support and direction from their families, environment, and society to develop their physical, emotional, and intellectual capacities. Viewed from a psychological aspect, childhood is a typical developmental stage, where maturity both physically and mentally is not perfect, so the protection of their rights needs to be adjusted to the level of development.

Children are part of the nation's next generation who play an important role in continuing the task of this nation to ensure the sustainability and progress of a country. Therefore, to ensure that the child can be guaranteed its sustainability, the Aceh government has issued Qanun Number 11 of 2008 regarding children's rights. This Qanun aims to ensure that children's rights are fulfilled for the progress of the nation. In general, children get a general understanding and attention not only in terms of science, but also

from a broader perspective of life, such as religion, law, and sociology which makes the existence of children more relevant and real in society. (Afandy & Desiandri, 2023)

2. Children's Rights

Children's rights are fundamental rights that every child has from the womb until they reach the age of 18 and must be fulfilled by the family, society and the state. These rights are also regulated in the 1989 UN convention, as well as in the Child Protection Act Number 23 of 2002 which has now been amended into Law Number 35 of 2014. The Aceh government itself has also set regulations to protect children's rights as stipulated in Qanun Number 11 of 2008 concerning child protection.

The Convention on the Rights of the Child is an international legal instrument that comprehensively regulates various matters related to children's rights. The Convention came into force globally on September 2, 1990, having previously been adopted by the United Nations General Assembly on November 20, 1989. In accordance with the provisions of Article 49 paragraph 1 of the convention, children are recognized as subjects of law with basic rights and core freedoms, as well as as individuals who are entitled to special protection from the state and society.

The main purpose of the Convention on the Rights of the Child is to ensure the fulfillment and protection of children's rights as a whole, including the right of children to grow and develop in a safe and prosperous manner. This convention was born from the awareness of the position of children as a vulnerable group and dependent on adults, both physically, emotionally, and socially. This understanding emphasizes the importance of providing adequate support and protection, such as fulfilling nutrition, physical and mental health, safety, and an environment conducive to optimal child growth. As a form of commitment to the protection of children's rights, Indonesia ratified the Convention on the Rights of the Child in 1990 through Presidential Decree of the Republic of Indonesia Number 36 of 1990. This convention has been implemented in Indonesia since October 5, 1990, in accordance with the provisions of Article 49 paragraph (2). Therefore, the Indonesian state has a constitutional and ethical responsibility to ensure the respect, protection, and fulfillment of children's rights in all aspects of national life (Afandy & Desiandri, 2023).

According to Ki Hajar Dewantara, children's rights include the opportunity to obtain a liberating and comprehensive education, which involves the development of character, thought, and physicality. The education must focus on children, respect the uniqueness of each individual, and be directed at the progress of the nation. According to Arif Gosita, it means that child protection aims to ensure that children can carry out their rights and obligations rationally and responsibly. This protection means ensuring that children avoid environmental threats that have the potential to hinder their physical, mental, and social development. Meanwhile, according to Bismat Siregar, legal

protection for children is not enough only from the juridical aspect but must also consider the economic, social, and cultural context for the protection of children as a whole (Satriya, 2016).

The fulfillment of children's rights is a shared responsibility between the family, society, state, and local government. The protection and fulfillment of children's rights must be a top priority to create a healthy, intelligent, and characterful generation. Thus, children who are fulfilled their rights can hold the nation's relay for the sake of the future of a golden nation and children can also grow and develop optimally and contribute positively to the future of the nation and state.

3. Rules for the Protection of Exploitation of Children's Rights

To protect children's rights from exploitation, the government establishes regulations that provide special rights or protection to children in accordance with the provisions of Article 66 of Law Number 35 of 2014 concerning Child Protection. Therefore, the government has an obligation to safeguard the rights of children from exploitation. Article 23 of the Child Protection Law states that the state is obliged to ensure the protection, care, and welfare of children by paying attention to the rights and obligations of parents, guardians or other parties who are legally responsible for children. In addition, Article 23 paragraph 2 of the Child Protection Law, which explains that "The State, Government, and Regional Governments are in charge of supervising the implementation of legal protection for children".

The role of the community in protecting children's rights is carried out by involving social organizations, academics and child observers. The responsibility of parents, as stated in Article 26 Paragraph 1 of the Child Protection Law, is that parents have the obligation to nurture, care, educate, and protect children and help the development of children according to their abilities, talents, and interests. Law Number 23 of 2002 concerning child protection, which has now changed to Law Number 35 of 2014, states that children are a very important part of human survival and the sustainability of a nation and state (Ministry of Internal Affairs, 2014).

In Article 64 of Law Number 39 of 1999 it is stated that "every child has the right to be protected from economically exploitative acts and from all types of work that have the potential to endanger him so that he or she can interfere with his education, health, physical, moral, social life, as well as his mental and spiritual health." Furthermore, Article 65 of Law Number 39 of 1999 also stipulates that "every child has the right to be protected from sexual exploitation and abuse, kidnapping, child trafficking, as well as from various forms of abuse of narcotics, psychotropics, and other addictive substances. (Komnas HAM, 1999).

The Aceh government also regulates child protection issues listed in Qanun Number 11 of 2008 regarding child protection. Article 8 states that "The Government of

Aceh and the Regency/City Government are obliged to provide attention, guidance, supervision, assistance and protection". Meanwhile, in Article 24 it is stated that "Child Protection is all efforts to ensure and protect children and their rights so that they can live, grow, develop and participate, optimally in accordance with human dignity and dignity, and are protected from violence and discrimination". The Qanun is not specifically described in the article but in the Qanun it recognizes exploitation as a form of violation of children's rights and places it in the category of children who need special protection (Aceh Government, 2008).

The Banda Aceh City Government took steps by ratifying the Qanun of Banda Aceh City Number 2 of 2021 concerning Child-Friendly Cities, in Article 11 Paragraph 1 Letter C, Children's Rights in exploitative situations get the Right to special protection as referred to in Article 6 Paragraph 2. Article 11 Paragraph 4 explains that children in situations of exploitation, both economically and sexually, including victims of violence, poor parenting, drugs, disease, kidnapping, child trafficking, disability, and neglect, are entitled to protection, nurturing, supervision, treatment, and rehabilitation from the Banda Aceh City Government (Mayor of Banda Aceh, 2021).

The Banda Aceh City Government also made supporting regulations through Perwal Number 14 of 2018 concerning the Development of Child-Friendly Cities, in Article 28 Letter B, the City Government is obliged to provide protection to children victims of exploitation in the form of guarantees for the fulfillment of the rights of children who are victims of violence, discrimination of exploitation both economically and sexually. The forms of protection guaranteed in Pewal are in the form of legal and social protection, fulfillment of basic rights, rehabilitation and assistance (Banda Aceh City Government, 2018).

Child Exploitation

According to KBBI, child exploitation is "the utilization or use for individual gain or extortion of the power of others" that is not commendable, often excessive and arbitrary for economic gain without proper compensation. In child protection, this is a discriminatory act that ignores the child's basic rights (Ariani et al., 2022). Kartono in the Great Dictionary of Psychology calls it "the tendency of individuals to take advantage of others to meet their personal needs, without paying attention to the needs of that person" (Yesika, 2018). Law No. 23/2002 defines it as the act of parents or other parties who "place, allow, do, order, or participate in economic or sexual exploitation of children", while Law No. 35/2014 divides it into four types.

Physical exploitation is "the dominant and unbalanced use of children's labor" such as the work of construction workers that inhibits growth and causes injuries. Social exploitation causes "emotional development blockage" through verbal insults that make

children shy and isolated. Sexual exploitation involves children engaging in "inappropriate sexual activity" such as prostitution or abuse, physically and psychologically damaged. Economic exploitation forces children to beg or sell hawkers for profit, causing "chronic fatigue and social stigma" (Hadith, 2022).

The main triggering factor is poverty which encourages families to "employ their children to sustain their income" (original source). Lack of parenting knowledge and "low levels of education" exacerbate it, as crucial education reduces poverty and improves understanding of child protection (Usman, 2004). Victim children often come from families with domestic violence, gambling, loan sharking, divorce, or drugs, where parents act for personal interests even though punishment does not have a deterrent effect (Abbdurahman, 2016).

Government Institutions in the Protection of Children's Rights

Government institutions in the field of child rights protection in Indonesia consist of various main institutions, which are as follows:

1. Social Service

The main function of the Social Service in carrying out its duties for the protection of children's rights is to be divided into 3 parts, namely:

- a. The Preventive Function is the prevention of the exploitation of children's rights, in preventing the Social Service carrying out activities such as socialization and talk shows about the dangers of child exploitation in the community, the Social Service also identifies areas that are considered prone to child exploitation in the city of Banda Aceh, and also the Social Service educates parents about the importance of child protection. Based on Law Number 35 of 2014 concerning child protection, in Article 13 and Qanun Number 11 of 2008 in Article 14 paragraph 2.
- b. The Curative and Rehabilitative function is the direct handling of child victims of child exploitation, in the direct handling of the Social Service conducting outreach and raids on exploited children, the Social Service also collects data and assesses victims of exploitation carried out by Pepsos, Pepsos also conducts coaching and recovery, the Social Service also provides a coaching place in the form of UPTD RSAN. Based on Law Number 35 of 2014 in article 59 and Qanun of Banda Aceh City Number 2 of 2021 concerning child-friendly cities in article 4.
- c. The coordinating function is to coordinate across institutions in carrying out child protection such as coordinating with DP3A, Satpol PP, Police and NGOs. Based on Qanun Number 11 of 2008 in Article 13.

The Banda Aceh City Social Service has strategic and operational tasks in outreaching, rescuing, and rehabilitating children victims of exploitation, as part of the implementation of child protection obligations by local governments as mandated in

Article 59 Paragraph of Law Number 35 of 2014 and based on the Qanun of Banda Aceh City Number 2 of 2021 concerning Child-Friendly Cities, The Social Service is obliged to carry out social outreach efforts for children in public spaces, such as buskers, beggars, and hawkers, through social patrols and raids followed by assessments at UPTD RSAN, in accordance with the mandate of Article 21 Paragraph 5 concerning the continuous implementation of Child-Friendly Cities (Government of Aceh, 2021).

The Social Service also carries out social and psychosocial rehabilitation tasks, the Social Service is obliged to provide assistance and skills training services for children who are victims of exploitation, in line with the principles of empowerment and recovery regulated in Law Number 35 of 2014 and Law Number 11 of 2009 concerning Social Welfare (Ramadan, 2025). The Social Service is tasked and plays a role in educating and socializing the law to the community and business actors, to prevent exploitative practices against children, this step is in line with the provisions in Government Regulation Number. 78 of 2021 is a derivative of Law Number 35 of 2014, especially in Articles 16 and 17 which emphasize the importance of legal counseling and multi-stakeholder collaboration in the implementation of child protection (Fatimah et al., 2023).

The authority of the Social Service in carrying out child protection is tasked with identifying, outreaching, and collecting data on children victims of exploitation in the Banda Aceh City area. They have special officers who collect data related to this phenomenon. Based on Qanun Number 11 of 2008 article 47. The Social Service is also authorized to provide shelter services such as the Technical Implementation Unit of the Rumoh Seujahtra Aneuk Nanggroe Service (UPTD RSAN) which is one of the technical units within the Aceh Social Service.

2. Women's Empowerment and Child Protection Office (DP3A)

The function of the Women's Empowerment and Child Protection Office (DP3A) in child protection is based on Qanun and laws, especially Qanun Number 11 of 2008 concerning Child Protection and Law Number 35 of 2014 concerning Child Protection. In carrying out its functions, DP3A takes care of aspects of local government related to women's empowerment and child protection as a leading sector for the fulfillment of children's rights in the city of Banda Aceh. Another function of DP3A is also to be the implementer of child protection policies in accordance with the principles of non-discrimination, the best interests for children, the right to live and develop, and respect for children's opinions (Strategic Plan, 2022)

The main task of DP3A is to provide assistance to victims of child exploitation intensively by the Social Service and DP3A, where the victim's children are evacuated from dangerous situations and then placed in temporary shelters such as the Lamjabat Shelter House or Rumoh Seujahtera Aneuk Nanggroe (RSAN) under the supervision of

the Social Service. In this place, children receive protection, psychological recovery, rehabilitation services, and comprehensive needs assessments before they can be returned to their families or returned safely (Dinsos, 2023), Based on Qanun Kota Number 2 of 2021. DP3A also conducts socialization activities followed by training for parents and the community to be able to recognize and prevent child exploitation from an early age, so that child protection becomes a sustainable shared responsibility.

The authority of DP3A is to formulate and implement child protection policies based on qanun and laws, to facilitate legal and psychological assistance for children victims of violence or discrimination, to develop and supervise child protection service institutions and to encourage child-friendly policies in all public service sectors and to monitor the implementation of children's rights in families, schools, and communities.

3. Pamong Praja Police Unit

The function of the Pamong Praja Police Unit (Satpol PP) in child protection is based on the Law and Qanun. The main function of Satpol PP is to prepare plans and implement the enforcement of Qanun and Islamic Sharia as well as the implementation of public order and public peace as part of efforts to protect the community including the protection of children, based on the Regulation of the Mayor of Banda Aceh Number 44 of 2016 concerning the Composition, Position, Duties, Functions, Authority, and Work Procedures of the Banda Aceh City Satpol PP (Lestari, 2021)

The main task of Satpol PP in child protection is to conduct control and raids with the Social Service and DP3A in catching minors who carry out activities of busking, begging, and selling hawkers in a number of road locations, especially in intersection areas or traffic lights, restaurants and warkops. Including activities that can disrupt the activities of the general public and undermine children's rights.

The authority of the Satpol PP to carry out and discipline and take action against violations that disturb peace and public order in their area, which of course has implications for the protection of children from unsafe situations. Coordinate with police officers and other agencies for the enforcement of qanun and community protection travel regulations, including child protection.

4. City Resort Police (Polresta)

The function of the Police in the context of child protection is to enforce the law against violations and crimes involving children as victims and perpetrators. Another function is to protect and protect children from acts of violence, exploitation, or other crimes. Other functions are also mediators and liaison between child victims and protection institutions such as the Social Service and DP3A. This function is based on the Regulation of the National Police Chief Number 10 of 2007 concerning the Organization and Work Procedures of the Women and Children Service Unit (UPPA).

The main tasks carried out are in the form of receiving reports and conducting

investigations into cases of violence or crimes committed against children, handling children's cases, either as victims, perpetrators, or witnesses, with a legal approach that is in favor of the best interests of children. Then provide temporary protection, such as securing the location or escorting the victim's child during the legal process (Dewi et al., 2024).

Police Authority in Child Protection Carry out investigative and investigative actions against perpetrators of violence and crimes against children. Take legal action according to procedures to protect children's rights during the case handling process. Coordinate with other law enforcement officials, government agencies, and civil society for integrated handling of children's cases.

The Role of the Banda Aceh City Government in Legal Protection against the Exploitation of Children's Rights

The implementation of legal protection against the exploitation of children's rights carried out by the Banda Aceh City Government is in line with Islamic law applied in Aceh by referring to the applicable policies. The Banda Aceh City Government plays an important role in efforts to protect the law against the exploitation of children's rights, both economically, socially, sexually, and physically. Data on the number of child exploitation cases in Banda Aceh City from 2020 to 2024 is as follows.

Table 1 Number of Child Exploitation Cases in Banda Aceh City

Year	Number of Child Exploitation Cases in Banda Aceh City
2020	13
2021	32
2022	24
2023	7
2024	5

Based on data obtained directly through an initial survey conducted at the Banda Aceh City Social Service, it is known that child exploitation cases in Banda Aceh City have decreased from several years, where in 2020 it amounted to 13, in 2021 it increased to 31, in 2022 it increased to 24, in 2023 it decreased again to 7, and in 2024 it decreased again to 5. Based on the data obtained, it can be concluded that the city of Banda Aceh has not been completely free from the existence of exploitation of children's rights. The phenomenon of exploitation of children's rights that continues to develop in this city is a serious problem that requires serious attention and handling from the Banda Aceh City Government, considering that the City of Banda Aceh is a Middle City.

As the first step in the protection of the exploitation of children's rights, the Banda Aceh City Government through the Banda Aceh City Social Service implemented PKSAI (integrative child social welfare center) the initial goal of organizing PKSAI in order to create a responsive and integrated child protection system to protect children who need special protection, especially for children in vulnerable situations. In its implementation, the Banda Aceh City Government through the Social Service coordinates across institutions that connect the Banda Aceh Police, DP3A Banda Aceh, Satpol PP, and other related institutions.

The Social Service also routinely conducts socialization to the community directly or through social media and print media, in order to educate the public on the importance of the role of the community in dealing with the problem of child exploitation which has been difficult to reveal because they are a hidden network, therefore the role of the community is very important in responding to this problem as explained by Mrs. Kemalahayati as employees of the Banda Aceh City Social Service.

In reporting on the problem of exploitation of children's rights, the Social Service did not receive the report in 2024 the Banda Aceh City Social Service only received 2 reports, from the two reports, the children who were victims of the exploitation were not residents of Banda Aceh City but from outside the region, where the Banda Aceh City Government itself had limited authority and could only record and carry out assessments and then return the children back to their families.

The Banda Aceh City Government has an important role in running coaching and mentoring programs for child victims of exploitation. Through DP3A and the Social Service, efforts are made to realize the protection of the rights of children who are exploited through coaching and supervision activities. The results of a research interview conducted by the researcher with one of the respondents, Mrs. Kumalahayati as an employee of the Banda Aceh City Social Service, explained how the efforts of the Banda Aceh City Government in carrying out coaching and assistance programs for victims of child rights exploitation, the Social Service and DP3A have several roles. The role of Facilities, which is a role carried out to facilitate, strengthen and appreciate the contributions of individuals, groups, and the community in increasing productivity, in carrying out the role, there is a special task as a group facilitator, where the Social Service plays a role in providing facilities and infrastructure that are needed, including for children who are victims of exploitation. One form of facility provided is the provision of temporary housing by the Social Service in the form of UPTD RSAN. The Banda Aceh City Social Service collaborates with the Aceh Social Service in providing UPTD facilities, especially for children who were caught in raids carried out by Satpol PP. While at UPTD, victims of child exploitation are also facilitated with a room with a maximum of four people, beds, closets, toiletries, uniforms, slippers, and meals three times a day.

The role of Education, in carrying out its duties, the Banda Aceh City Social Service together with the DP3A of Banda Aceh City is required to not only increase the productivity of vulnerable groups, but also be active in providing education that encourages the improvement of knowledge, skills, and experiences for individuals or groups, as well as society in general. One of the main target groups is People with Social Welfare Problems (MSMEs). The Social Service and DP3A have carried out various educational efforts for MSMEs in accordance with applicable regulations, including skills training and character development that refers to the implementation of Islamic Sharia in Aceh. However, in cases such as children who are busking or trading, the Social Service and DP3A do not have the authority to prohibit it completely, because such activities are considered a form of profession as long as they are not carried out during school hours and continue to dress according to sharia. For more serious handling of exploitation, cases will be delegated to relevant agencies such as the Women's Empowerment and Child Protection Office. The Social Service and DP3A also play a role in assisting and coaching physical and mental for children who are caught in raids Before entering UPTD RSAN, children are first recorded in detail so that they no longer repeat their actions. The importance of community support in reporting and handling cases of exploitation, because most of the children who are caught come from backgrounds that make a living from unprosperous families and lack knowledge and literacy. In the UPTD, the Social Service and DP3A conduct coaching through a psychological approach and include physical, mental, and social aspects based on skills and life skills.

Representational Role, In carrying out its representative role, the Government of Banda Aceh City through the Banda Aceh City Social Service and the Banda Aceh City Women's Empowerment and Child Protection Office actively interacts with various institutions and elements of society to support the handling of social problems, especially in cases of child exploitation. This interaction is manifested in the form of cooperation, advocacy, the use of social media, and strengthening networks between agencies and communities. The Social Service and DP3A have established a strategic partnership with Satpol PP in the implementation of raids and control, as well as with the Police to follow up on violations of the law related to child exploitation, especially against perpetrators in order to have a deterrent effect. The community is also involved as a reporting partner if they find a child who is suspected of being exploited, especially by their own parents. The Social Service and DP3A also provide education to the public not to give money and show compassion for children on the street as a form of early prevention against the impact of covert exploitation practices.

Technical Role, the Banda Aceh City Government is required to master "technical role" in order to be able to see the success of the ability of its institutions to collect and analyze data. In the collection of child exploitation data, there are partners of officers or

special employees in collecting data on children who are indicated to be exploited. That way, it can be said that the "technical role" has also been realized through the Banda Aceh City Social Service and the Banda Aceh City DP3A. In handling child exploitation cases, it has been carried out in accordance with the role of each institution. The Banda Aceh City Social Service has limited authority in directly handling child exploitation cases, but the Social Service is authorized to collect data and assess as the first step in the problem of exploitation of children's rights, then children who have been recorded are referred to UPTD to receive coaching and mental recovery. DP3A Banda Aceh City has the same authority as the Social Service, which does not have direct authority in controlling the exploitation of children's rights, but DP3A is authorized to provide coaching assistance while at UPTD through a psychological approach to overcome trauma through counseling and providing a sense of security so that his confidence is restored. In terms of control and screening, it is the authority of Satpol PP to conduct raids around the roads of Banda Aceh City which are indicated by the exploitation of children's rights and it is its main task to bring order and submit it to the Social Service for data collection. In dealing with perpetrators of child rights exploitation, it is the authority of the Police to follow up on the actions of the perpetrators of exploitation in accordance with the applicable law to ensnare the perpetrators.

Obstacles of the Banda Aceh City Government in Handling the Exploitation of Children's Rights

In handling cases of exploitation of children's rights, the Banda Aceh City Government still experiences several obstacles as follows. First, the obstacles in terms of law enforcement against child exploitation perpetrators are considered to be weak, so they do not have a deterrent effect. As a result, the Banda Aceh City Government through its related institutions has dealt with the same perpetrators several times repeatedly. In an interview, Mrs. Kemalahayati as an employee of the Banda Aceh Social Service stated that they often secure the same children and parents, but coaching efforts alone are not enough to have an impact. Due to limited authority, further action was left to the police in ensnaring the perpetrators to get punishment according to the law. But there are no regulations that can have a deterrent effect on the perpetrators.

Second, most of the obstacles from the perpetrators of exploitation and victims of exploitation who were caught in the raid by the Satpol PP and the Social Service were not natives of Banda Aceh City. This is an administrative obstacle for the Banda Aceh City Government in dealing with the problem of exploitation of children's rights. many of them are immigrants from outside the region such as Sigli and Langsa. They often carry out activities such as begging, busking, and hawking, but the people of Banda Aceh City are still sympathetic and feel compassion for the children who carry out these activities. Such attitudes encourage them to continue to carry out activities like this on the streets

of Banda Aceh City.

Third, the obstacles to handling the exploitation of children's rights in Banda Aceh City still cannot be carried out comprehensively due to limited facilities and infrastructure. One of the main obstacles for the Banda Aceh City Government in dealing with the problem of exploitation of children's rights is the limited coordination between relevant institutions in dealing with this problem. For example, in conducting screening activities or raids on the exploitation of children's rights, the Social Service and DP3A must first coordinate with the Satpol PP to conduct raids, this hinders the mobility of the Social Service and DP3A in disciplining the children who are victims of the exploitation.

Thus, in dealing with the problem of exploitation of children's rights, it is still not optimal due to the obstacles faced by the Banda Aceh City Government. It can be explained that the efforts of the Banda Aceh City Government have not been fully effective. Several obstacles arise, among others, due to weak law enforcement against child exploitation perpetrators, which does not have a deterrent effect on perpetrators, and coordination that is still not optimal. In addition, the majority of perpetrators and victims of this exploitation are not residents of Banda Aceh City, making it difficult to investigate and assess the investigation and assessment process by the Banda Aceh City Government through the Social Service. Another obstacle is the limited facilities and infrastructure in the available UPTD. Finally, the number of human resources in the social sector who are still lacking in handling cases of exploitation of children's rights causes the supervision process at UPTD to be not optimal.

Analysis of the Role of the Banda Aceh City Government According to Qanun Number 11 of 2008 Qanun Number 11 of 2008 concerning child protection, regulates in detail about child protection in Aceh, in article 8 states that the Aceh government and the regency/city government are obliged to provide attention, guidance, guidance and supervision. The Banda Aceh City Government through the Social Service, DP3A, Satpol PP and the Police as the owner of the role and authority in providing social protection to children who are vulnerable to social influences in the community, which refers to article 8. The role and function of the Banda Aceh City Government in implementing Qanun Number 11 of 2008 from the results of an interview with Ibuk Kemalahayati as a Young Expert Social Extension Officer of the Banda Aceh City Social Service explained that, this child protection effort is also in line with Qanun Aceh Number 11 of 2008 concerning Child Protection, which affirms that every child has the right to protection from acts of violence, neglect, exploitation, and discrimination. This Qanun is the basis of regional law in protecting children from practices that threaten their rights, and serves as a reference in the implementation of protection programs by related institutions.

As an implementation of this policy, the Banda Aceh City Government through the Banda Aceh Social Service implements PKSAI (Integrative Child Social Welfare Center) in

accordance with the Banda Aceh City Regulation Number 28 of 2021. This approach aims to create a responsive and integrated child protection system, especially for children who fall into the category of special protection needs. PKSAI is a strategic platform that unites various institutions and agencies in a joint working mechanism to handle cases related to child protection. The implementation of this approach involves cross-sectors such as the Police, the Women's Empowerment and Child Protection Office (DP3A), Satpol PP, and other institutions. This collaboration is a tangible form of the implementation of Article 46 of Qanun Aceh Number 11 of 2008, which expressly stipulates that child protection efforts must be carried out through cooperation between local governments and community institutions, both non-governmental organizations, educational institutions, and religious institutions.

In its implementation, the implementation of PKSAI still faces various obstacles. One of the main challenges is the lack of coordination between sectors, especially in handling the follow-up of cases of children who are victims of exploitation. A number of cases show that there are shortcomings in the coordination system between institutions, the lack of an integrated information system, and the limited number of professionals who have special expertise in the field of child protection. This condition inhibits rapid response and effective treatment for children who are in vulnerable or emergency conditions. Public participation in supporting the implementation of PKSAI is also still relatively low. In fact, Article 12 of Qanun Aceh Number 11 of 2008 states that child protection is a shared responsibility between the government and the community. However, public awareness of the importance of their role in reporting, advocacy, and mentoring for children is still lacking. Many citizens do not understand the reporting procedure if they find a child who is a victim of exploitation, or are unaware that giving money to a child on the street can exacerbate the practice of hidden exploitation.

The Banda Aceh City Government through the Social Service and DP3A also actively disseminates the issue of exploitation of children's rights to the community through social media, talk shows, and direct meetings. This is important because exploiters often work in hidden networks. As affirmed in Qanun Number 11 of 2008, the community also has a responsibility to support child protection efforts through reporting and active participation. However, the number of reports related to exploitation cases is still relatively minimal. Throughout 2024, the Social Service has only received two reports, of which both victims came from outside the Banda Aceh City area. In this situation, the authority of the Social Service is limited to collecting data and returning children to their areas of origin. This is in line with Article 18 of Qanun Number 11 of 2008, which emphasizes that cross-regional child protection must be carried out through coordination with relevant agencies. This step has a high urgency because child exploitation is often carried out by hidden networks and is systematic. Exploiters often

come from the child's immediate environment, including the family, so that this kind of case is difficult to detect by the authorities or official institutions. In situations like this, community involvement is very important. This is in line with the provisions in Article 12 and Article 13 of the Aceh Qanun Number 11 of 2008, which affirm that the community is an important part of the child protection system.

The Banda Aceh City Government through the Social Service and DP3A also carries out a coaching role through the provision of facilities, including temporary shelter for UPTD children caught in the raid. In this place, they will be given basic facilities such as beds, food, and daily necessities. The government also provides guidance and psychological approaches to children who are victims of exploitation. This is in line with Article 11 of Qanun Number 11 of 2008 which emphasizes that the government has a responsibility to provide basic services for children who need special protection. Children caught in raids are generally victims of complex social conditions such as poverty, family violence, or neglect. Therefore, the approach to them should be rehabilitative and educational, not repressive, in accordance with the mandate of protection carried out in Qanun Number 11 of 2008.

However, another challenge that arises is the lack of an integrated data collection and monitoring system for children who have been accommodated at UPTD. Many of them return to the streets after being discharged because there are no advanced mechanisms that guarantee the sustainability of coaching and protection. This condition is contrary to the principle of sustainable child protection as stated in Article 3, which emphasizes the importance of ensuring optimal child growth and development and freedom from violence, exploitation, and discrimination.

In its educational role, the Banda Aceh City Government through the Social Service and DP3A provides skills training and character development based on Islamic law, especially for children from underprivileged families. However, activities such as busking or trading cannot be completely prohibited if they are done outside school hours and still dress according to sharia norms. To handle more serious cases of exploitation, the Social Service collaborates with the Mother and Child Protection Office. This role is a tangible form of implementation of Article 9 of Qanun Number 11 of 2008, which states that every child has the right to education and self-development according to their talents and interests. The Social Service takes an important role in bridging the gap in access to formal and informal education, especially for children who are difficult to reach by the national education system directly.

In handling serious cases such as sexual or commercial exploitation of children, the Social Service collaborates with DP3A and law enforcement officials. However, this collaboration is not optimal because there are still obstacles such as lack of data integration, weak coordination, and the lack of an integrated referral system that is

responsive and sustainable. In this problem, the approach to children's economic activities that are not exploitative is carried out in a repressive manner, which risks inhibiting the emotional development and independence of children, as well as worsening the economic condition of their families. Therefore, a more educational and community-based approach is needed, such as entrepreneurship training, character development through religious activities such as Islamic boarding schools, and family assistance based on Islamic values. This approach is in line with Article 8 of Qanun Number 11 of 2008, which emphasizes the importance of children's spiritual and moral development from an early age.

The representative role of the Banda Aceh City Government is carried out through cooperation with various institutions and agencies such as Satpol PP, Polres, as well as community involvement as reporting partners. One form of education to the public not to give money to children on the street is part of efforts to prevent covert exploitation. Meanwhile, the technical role is carried out through data collection and analysis by field officers to identify children who are at risk or have been victims of exploitation. All of these roles are in line with the provisions of Qanun Number 11 of 2008 which emphasizes that child protection must be data-based, systematic, and sustainable.

The procedure for handling cases is carried out in stages, starting with summoning parents to be educated, followed by making a statement, and if the violation continues to be repeated, it will involve law enforcement officials. This approach reflects the principles of preventive and repressive protection, as stated in the Qanun, while still prioritizing the best interests of the child.

The handling of people who exploit children by the police usually starts from receiving reports, both from the results of joint raids and from the public who know of child exploitation cases. After that, the police will investigate the case by looking for evidence, such as interviewing witnesses or collecting video footage. If the evidence is sufficient, the case will be transferred to the prosecutor's office for further processing in court. All of this is done in accordance with the provisions of Law Number 35 of 2014 Article 88, which stipulates that perpetrators can be sentenced to imprisonment for up to 10 years and subject to a fine of Rp200 million.

Analysis of the Role of the Banda Aceh City Government According to Fiqh Siyasaah Tanfidziyyah

Fiqh Siyasaah Tanfidziyyah is very relevant and necessary in the analysis of the role of the Banda Aceh City Government, in discussing policies and actions to protect the benefit of the community and clean the social environment from evil and evil. In the context of legal protection against the exploitation of children's rights, this needs to be done to see how the role carried out by the Banda Aceh City Government is in line with

the applicable Sharia or vice versa. The Social Service as part of the Regional Government has a role in legal protection against the exploitation of children's rights, which is in line with the principles of *Siyasah Tanfidziyyah*.

Policy Implementation (*Al-Shulthah Al-Tanfidziyyah*), the Banda Aceh City Government is tasked with implementing Qanun Regulation Number 11 of 2008 concerning child protection, including preventing the exploitation of children's rights. The steps taken by the Banda Aceh City Government through the Social Service to carry out prevention are in the form of conducting a talk show with the community in preventing exploitation, conducting socialization, and spreading prevention of exploitation on social media. In the event that the social service does not have the authority, therefore coordination is carried out with the police and satpol pp to take action against the perpetrators of child rights exploitation, then the victims of this exploitation get rehabilitation by the social service in the orphanage, they are also subjected to physical, spiritual and religious bombing. The actions taken by the social service are part of Qanun Number 11 of 2008 to uphold law and social justice.

Providing Services and Assistance, the Banda Aceh City Social Service and DP3A provide social services, such as temporary shelter, social guidance, rehabilitation, and empowerment for children victims of child rights exploitation. The efforts made by the social service aim to restore the rights of children who should play and create which is abused by the perpetrator, where several cases of exploitation of the rights of the perpetrator's child are the parents of the child himself. The social service also ensures that they are protected from violence and further exploitation, this action is in accordance with the *Fiqh Siyasah Tanfidziyyah* on *Hifz al-Nafs* on the protection of life and children and *Hifz al-Nasl* on the protection of offspring and the younger generation. Socialization and Education, the Banda Aceh City Social Service and DP3A also educate the public about the dangers of exploitation of children's rights and the importance of protecting children's rights. This education and socialization is very important to be carried out because the awareness of the people of Banda Aceh city is very minimal in knowledge of the exploitation of children's rights, where the purpose of this is to build collective awareness and prevent the exploitation of children's rights in the community of the city of Banda Aceh.

Advocacy and Representation, DP3A Banda Aceh City acts as an advocate for child victims of child rights exploitation by providing legal protection, accompanying legal processes, and ensuring that children's rights are fulfilled during the case handling process. Coordination with Other Institutions, In carrying out its duties in dealing with the exploitation of children's rights, the Social Service must coordinate with the Banda Aceh City Child Protection Women's Empowerment Office, the Banda Aceh City Police and, Satpol PP to ensure that the handling of this exploitation of children's rights runs

effectively and integrated. Because the perpetrators who exploit children's rights are very covert and very organized, therefore the Banda Aceh City Social Service carries out a lot of coordination by related institutions, as said by Mrs. Kemalahayati as an employee of the Banda Aceh City Social Service.

The Banda Aceh City Government has played a role as it should as written in Qanun Number 11 of 2008 and then also plays a strategic role in legal protection against the exploitation of children's rights in accordance with Fiqh Siyasaḥ Tanfidziyyah, namely as a policy implementer, social service provider which includes *Hifz al-Nafs* and *Hifz al-Nasl*, as an educator, advocate, and cross-agency coordinator. All of these roles must and have been carried out by the Banda Aceh City Government with the principles of trust, justice, and orientation to the benefit of the community and the protection of children's rights.

D. Conclusion

The exploitation of children's rights in Banda Aceh City is still a serious problem that requires comprehensive attention and handling. Based on Qanun Number 11 of 2008 concerning Child Protection, the Banda Aceh City Government has a legal and moral responsibility to ensure the protection of children, especially from forms of economic, social, physical, and sexual exploitation.

Through the Social Service, DP3A, Satpol PP, and the Police, the government has carried out a preventive, curative, repressive, and educational role in handling child exploitation cases. This effort includes coaching, psychological assistance, raids, assessments, and cross-agency cooperation. However, implementation in the field still faces a number of obstacles such as weak law enforcement against perpetrators, limited facilities, lack of coordination between agencies, and low public participation in reporting.

In the perspective of Fiqh Siyasaḥ Tanfidziyyah, the government has carried out the role of *tanfidziyah* (policy executor) in accordance with Islamic law, especially in maintaining the welfare and protection of souls and generations (*ḥifz al-nafs* and *ḥifz al-nasl*). Nevertheless, the optimization of the child protection system in Banda Aceh is still very necessary, especially in the form of improving public education, strengthening institutional coordination, and stricter law enforcement against child exploitation perpetrators.

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