

Advancing Social Justice Through Child Guardianship Reform: UNICEF And Policy Gaps In Aceh

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ABSTRACT

This study analyzes the legal basis for UNICEF's presence and activities in Indonesia, focusing on its role in facilitating and advocating for the supervision of child guardianship at the Aceh Baitul Mal in accordance with Qanun Baitul Mal Number 3 of 2021 and Minister of Social Affairs Regulation Number 7 of 2024. It employs a normative juridical method, using library-based legal research to collect and analyze secondary legal materials and interviews with experts. UNICEF Aceh plays a significant role in strengthening the child guardianship system in Aceh through capacity building, regulatory enhancement, and community-based legal protection. Indonesia ratified the Convention on the Rights of the Child through Presidential Decree Number 36 of 1990. Through a Memorandum of Understanding, UNICEF has extended its contributions to the Special Province of Aceh, which applies Syariah and Baitul Mal, the institution for managing and supervising the inheritance of orphans. The presence of UNICEF is driven by existing legal gaps and ongoing challenges in fully realizing children's rights, particularly those of orphaned children. This role is carried out through strategic partnerships with Aceh Baitul Mal and the Indonesian Center for Aceh Islamic and Sharia Studies (ICAIOS), focusing on supervising guardianship for orphaned children. The issue stems from a regulatory vacuum surrounding guardianship supervision after the Sharia Court determines guardianship. Initiated in 2023, the collaboration led to the drafting of procedures for guardianship supervision as mandated by Aceh Qanun Number 10 of 2018, which have been pilot-tested at various levels to support more effective regulatory frameworks.

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1. INTRODUCTION

The deep-seated concerns of the United Nations (UN) and the global community regarding the welfare of post-war children in Europe led to the establishment of a temporary relief fund in 1946. Originally named the United Nations International Children's Emergency Fund, this organization was tasked with a primary mandate: to safeguard the lives and foster the development of vulnerable children worldwide. On December 11, 1946, a UN General Assembly resolution formalized its existence, marking the birth of UNICEF. (Bahter, 2020)

As an international body dedicated specifically to child advocacy, UNICEF played a pivotal role in drafting the Convention on the Rights of the Child (CRC). This document represents the pinnacle of a long historical struggle for youth rights. While the UN had already ratified the Universal Declaration of Human Rights in 1948, there was a growing consensus that the unique needs of children required a specialized legal framework. Consequently, the CRC was adopted by the UN General Assembly on November 20, 1989, and officially came into force on September 2, 1990. (Bahter, 2020)

In the decade preceding this, the 1959 Declaration of the Rights of the Child had prompted the UN Commission on Human Rights to begin drafting the convention. Indonesia was among the early supporters, formally ratifying the CRC on August 25, 1990, through Presidential Decree No. 36 of 1990. This move underscored the Indonesian government's commitment to protecting its youngest citizens, with the decree taking full effect on October 5, 1990. (Children's Rights Wales, 2025)

Interestingly, UNICEF's involvement in Indonesia predates the convention by decades, starting as early as 1948. Their initial mission was an emergency intervention to combat famine on Lombok Island. Formal cooperation was solidified in 1950 during Indonesia's early independence phase. Recognizing a significant opportunity to improve the lives of women and children, UNICEF focused its early efforts on nutrition and rural health. By 1953, Indonesia became a formal member, and by 1959, a nutrition program was active across 100 villages in eight provinces. Beyond nutrition, UNICEF was instrumental in fighting diseases such as malaria, leprosy, and tuberculosis. After a brief withdrawal in 1965, Indonesia rejoined the UN in 1966, further strengthening its partnership with the organization. (UNICEF, n.d.).

The catastrophic 2004 tsunami in Aceh marked a turning point in this partnership. The disaster claimed over 170,000 lives and decimated critical infrastructure, including sanitation and water supplies. UNICEF was one of the first international responders on the ground, prioritizing the needs of child survivors (Syamsidik et al., 2019, p. 6). In the aftermath, they collaborated with the government to rebuild over 346 earthquake-resistant schools and restore healthcare facilities. These efforts went beyond physical reconstruction, providing essential psychological rehabilitation and launching "Back to School" campaigns to ensure educational continuity. (Asbar, 2018, p. 8)

Today, UNICEF remains a consistent presence in Aceh, addressing complex issues such as the guardianship of orphans In Aceh's unique socio-legal landscape,

the Baitul Mal Aceh, as stipulated in Qanun Aceh No. 10 of 2018 concerning Baitul Mal, plays a vital role. Established under Islamic Sharia principles, this independent institution manages zakat, infaq, and waqf to bolster the local economy. Its legal foundation is rooted in several laws, including the Law on the Governing of Aceh (No. 11 of 2006). (Sari et al., 2023)

Despite its significant mandate, Baitul Mal faces practical challenges, particularly in supervising the guardianship of orphans. While UNICEF does not partner directly with Baitul Mal, it provides crucial support through third-party entities like ICAIOS (International Centre for Aceh and Indian Ocean Studies). ICAIOS is a cross-disciplinary research center focused on Aceh's history and social dynamics (ICAIOS, 2011). Since 2020, through initiatives like the "Family and Power Relations" volunteer movement, these collaborations have aimed to foster a healthier and more balanced social structure for vulnerable families in Aceh.

The protection of orphaned children in Aceh has become an increasingly important legal and institutional issue. So, this study aims to analyze the legal foundations governing UNICEF's involvement in orphan guardianship supervision in Aceh and to examine the implementation of guardianship supervision mechanisms carried out through the collaboration between UNICEF, Baitul Mal Aceh, and related institutions. The study further seeks to identify the existing regulatory vacuum in post-appointment guardianship supervision and evaluate the institutional efforts undertaken to strengthen child protection mechanisms in Aceh within the framework of international child rights law, Indonesian national law, and Acehnese regional regulations.

Literature Review

The protection of children constitutes one of the fundamental obligations of modern states within the international human rights framework. The Convention on the Rights of the Child (CRC) 1989 represents the primary international legal instrument governing children's rights and state obligations concerning child welfare and protection. Indonesia ratified the CRC through Presidential Decree No. 36 of 1990, thereby accepting legal responsibilities to ensure the protection and fulfillment of children's rights within domestic legal systems.

The CRC establishes four core principles that serve as the normative foundation for child protection policies. First, the principle of non-discrimination under Article 2 requires equal protection for all children regardless of social or economic background. Second, Article 3 introduces the principle of the best interests of the child, which requires that all decisions affecting children prioritize their welfare and development. Third, Article 6 guarantees children's rights to survival and development. Fourth, Article 12 recognizes the child's right to participate and express views in matters affecting their lives. (Convention on the Rights of the Child [CRC], 1989)

Furthermore, the CRC Committee through General Comment No. 14 (2013) emphasizes that the best interests of the child principle must function substantively, procedurally, and interpretatively in all child-related decision-making processes. (Committee on the Rights of the Child, 2013, p. 4) Similarly, General Comment No. 5

(2003) stresses that state parties must establish effective legislative, administrative, and institutional measures to ensure the implementation of children's rights.

In Islamic legal tradition, guardianship refers to legal authority exercised over minors or individuals incapable of independently managing their personal or financial affairs. Islamic guardianship principles emphasize the protection of children's welfare, property, and social interests. Previous studies have primarily focused on guardian appointment procedures, judicial considerations, and guardians' legal responsibilities, while limited attention has been given to post-appointment supervision mechanisms and institutional implementation, particularly within Aceh's plural legal system. (Fadilah et al., 2025)

Within Acehnese society, guardianship practices are also influenced by kafalah, an Islamic caregiving concept emphasizing social responsibility toward orphaned children. Unlike formal adoption systems, kafalah preserves the child's biological lineage while assigning caregiving responsibilities to extended family or community members. Through kafalah, a child may be cared for and protected by another family without severing ties to their biological family, including the preservation of the child's original identity and lineage (Assim, 2014, pp. 329–330). This practice reflects Islamic principles prioritizing the welfare, protection, and continuity of family relations for orphaned children.

However, most previous studies discussing kafalah primarily focus on its conceptual and comparative dimensions within Islamic law and international child protection frameworks, particularly regarding its distinction from adoption and foster care (Assim, 2014). Limited research specifically examines how kafalah-based guardianship practices are implemented in post-tsunami Aceh, especially in relation to child protection mechanisms, legal guardianship supervision, and the role of institutions such as UNICEF and Baitul Mal Aceh.

Aceh possesses a unique legal structure within Indonesia due to its special autonomy status under Law No. 11 of 2006 concerning Aceh Governance. The province implements a combination of national law, Islamic law, and customary practices within several governance sectors, including family law and child protection.

The concept of legal pluralism explains how multiple legal systems coexist and interact within a single social environment. In Aceh, guardianship supervision is influenced simultaneously by international human rights law, Indonesian national legislation, Islamic legal principles, and local customary norms.

2. RESEARCH METHOD

This study employs a normative juridical approach combined with a sociological-institutional approach to analyze the legal foundations and implementation of orphan guardianship supervision in Aceh.

The normative juridical approach is used to examine the hierarchy and harmonization of legal instruments governing child protection and guardianship

supervision, including the Convention on the Rights of the Child (CRC) 1989, Law No. 35 of 2014 concerning Child Protection, Law No. 11 of 2006 concerning Aceh Governance, Government Regulation No. 29 of 2019 concerning Guardianship Appointment Procedures, Minister of Social Affairs Regulation No. 7 of 2024, and Qanun Aceh No. 10 of 2018 as amended by Qanun No. 3 of 2021 concerning Baitul Mal.

This research also applies conceptual and comparative approaches to identify legal inconsistencies, regulatory gaps, and institutional implementation problems concerning orphan guardianship supervision in Aceh.

In addition, this study utilizes a sociological-institutional perspective to examine how guardianship supervision operates within Acehnese social structures, institutional capacities, and local community practices.

This methodological approach is considered appropriate because the research problem examined in this study involves not only the existence of legal norms governing orphan guardianship supervision, but also the interaction between legal frameworks, institutional implementation, and social realities in Aceh. The normative juridical approach enables the study to analyze the hierarchy, consistency, and legal implications of international, national, and regional regulations related to child protection and guardianship supervision. At the same time, the sociological-institutional perspective supports the analysis of UNICEF's role by examining how legal mechanisms are implemented through institutional cooperation, community structures, and local governance practices.

Data collection was conducted through library research and semi-structured interviews. Interviews were carried out purposively with key informants, including officials from Baitul Mal Aceh, academics, Mahkamah Syar'iyah practitioners, and UNICEF-related stakeholders involved in guardianship supervision programs in Aceh.

The collected data were analyzed qualitatively through legal interpretation, thematic categorization, and institutional analysis to evaluate the effectiveness of guardianship supervision mechanisms and their conformity with the best interests of the child principle under the CRC.

3. RESULTS AND DISCUSSION

From a child protection perspective, guardianship supervision should not merely be understood as a formal legal mechanism for appointing guardians, but also as a continuous institutional effort to ensure that guardians exercise their authority in accordance with the best interests of the child principle under the Convention on the Rights of the Child (CRC). In this context, effective supervision includes not only legal recognition of guardianship, but also monitoring children's welfare, inheritance protection, educational access, and protection from neglect or abuse. (Committee on the Rights of the Child, 2013).

Furthermore, the implementation of guardianship supervision in Aceh may also be examined through a sociological institutionalism perspective, which emphasizes that institutional effectiveness depends not only on formal legal authority, but also on organizational capacity, inter-institutional coordination, and public legitimacy. Therefore, although Baitul Mal Aceh has formally been granted supervisory authority under Qanun Aceh No. 10 of 2018, the effectiveness of such supervision remains closely influenced by operational mechanisms, institutional coordination, and community acceptance within Aceh's socio-legal environment.

UNICEF and Child Guardianship in Aceh

Operating under the United Nations mandate, UNICEF is dedicated to upholding the rights of children globally, ensuring protection regardless of gender, ethnicity, or creed. Its presence is particularly vital in regions where children face systemic vulnerabilities. In Indonesia, UNICEF's operations are formalized through a Memorandum of Understanding (MoU), positioning the agency as a strategic development partner to the government. (H. Rangkuti, personal communication, September 9, 2025) Under this legal framework, UNICEF maintains field offices across several provinces, including Aceh, East Java, NTT, Makassar, and Papua. (H. Rangkuti, personal communication, September 9, 2025)

This widespread integration was made possible through close coordination with Bappenas and the Ministry of Home Affairs, leading to institutional agreements that allow UNICEF to provide targeted support. While financial figures vary, UNICEF's primary contribution lies in capacity building—raising awareness about children's rights, combating poverty, and strengthening local systems. (H. Rangkuti, personal communication, September 9, 2025)

In Aceh, UNICEF is one of the longest-operating UN entities, with a history that predates the 2004 tsunami. Their presence is driven by critical causality indicators, with poverty serving as a primary driver of various derivative issues affecting children's quality of life. (Badan Pusat Statistik, 2024, p. 14) These challenges range from maternal malnutrition—which can lead to stunting and impaired cognitive development—to weakened immune systems in newborns. (Kementerian Kesehatan Republik Indonesia, 2024, p. 12)

To address these multifaceted issues, the UNICEF Aceh field office utilizes specialized divisions. These include teams focused on nutrition and stunting, maternal and neonatal health, and immunization. Other divisions manage water, sanitation, and hygiene (WASH) initiatives, child protection from violence, and interventions for children living in economically precarious households. (H. Rangkuti, personal communication, September 9, 2025)

A notable example of UNICEF's methodical approach is its 2018 sanitation program. Rather than implementing a "one-size-fits-all" solution, UNICEF, in partnership with the Aceh Hijau Foundation, conducted extensive preliminary research and comparative studies. This included a benchmarking visit to BAZNAS in West Nusa Tenggara (NTB) to study their successful sanitation models. The insights

gained from this exchange allowed for the launch of a tailored pilot program in Aceh in 2019. (H. Rangkuti, personal communication, September 9, 2025)

While sanitation might seem indirect, it is a fundamental pillar of child development. Clean water prevents contamination, and improved latrine facilities ensure safety and better rest for children, eliminating the need to leave the home at night. These efforts align with the Sustainable Development Goals (SDGs) adopted by 193 world leaders in 2015. Under the theme "Transforming Our World," the 17 SDGs provide a roadmap to end poverty and ensure global welfare by 2030. (H. Rangkuti, personal communication, September 9, 2025)

Before examining UNICEF's specific role in Aceh, it is important to recognize that UNICEF operates under a global mandate to promote and safeguard children's rights worldwide. In Indonesia, UNICEF conducts its activities through formal cooperation frameworks and partnerships with the Government of Indonesia, particularly in supporting the implementation of child protection policies and programs consistent with the Convention on the Rights of the Child (CRC).

Through these institutional arrangements, UNICEF possesses the authority to support both national and regional child protection initiatives, including programs implemented in Aceh as a province with special autonomy status and the application of Islamic legal governance. Within this context, UNICEF's role should not be understood as functioning as a direct guardian for orphaned children. Rather, UNICEF acts as a facilitating and supporting institution aimed at strengthening the effectiveness of existing guardianship systems and child protection mechanism. Their contribution to child guardianship can be summarized into four key pillars:

1. Policy and Capacity Strengthening: Collaborating with institutions like Baitul Mal Aceh (BMA) and the Syar'iyah Court through workshops and Focus Group Discussions (FGDs) to refine guardianship supervision models.
2. Regulatory Refinement: Providing technical expertise for the revision of the Baitul Mal Qanun (local regulation) and the drafting of Governor Regulations (Ranpergub) to create clear, actionable guidelines from the provincial to the village level.
3. Legal and Rights Protection: Ensuring that orphans' rights (including education, care, and asset management) are prioritized, consistent with the "best interests of the child" principle.
4. Community-Based Approaches: Encouraging a holistic supervision model that empowers local community leaders (such as Keuchik and Tuha Peut) to work in tandem with formal state institutions.

UNICEF's Role in the Supervision of Program for Orphan Guardianship in Aceh

In 2018, a pivotal forum addressing contemporary issues in Aceh was convened at the Baitul Mal Aceh, involving UNICEF and several prominent non-governmental organizations, including the Aceh Hijau Foundation and ICAIOS. During this session,

Prof. Dr. H. Al Yasa Abubakar proposed a transformative initiative focused on the supervision of orphan guardianship. He emphasized the urgent necessity for a robust legal framework to ensure that guardians are not merely appointed at random, but are qualified individuals held strictly accountable for their conduct. (H. Rangkuti, personal communication, September 9, 2025)

This proposal was born out of necessity, addressing a long-standing vacuum in guardianship oversight that has left many orphans vulnerable. The historical absence of rigorous law enforcement has led to numerous cases where orphaned children became victims of negligence. To this day, a significant number of orphans remain abandoned without any clear party being held responsible. Prof. Alyasa poignantly questioned, "When an orphan is neglected, the guardian remains indifferent, and society turns a blind eye, who then provides protection?" (Alyasa', personal communication, July 26, 2025)

He argued that the government, specifically the Mahkamah Syar'iyah, has occasionally, though inadvertently, placed orphans in precarious positions rather than safeguarding them. In reality, these children possess fundamental rights to physical and mental security, education, and the integrity of their inherited assets. Consequently, establishing clear legal standards is essential to guide judges when presiding over guardianship appointments in the Syar'iyah Court.

In the Acehese context, Baitul Mal serves as the primary institution tasked with the direct supervision of child guardianship. It operates alongside two other vital entities: the Office of Women's Empowerment and Child Protection and the Social Services Department. Each institution functions within a distinct yet complementary mandate. Baitul Mal is responsible for matters relating to Sharia implementation and the management of religious and charitable assets, while the Office of Women's Empowerment and Child Protection concentrates on child protection policies and advocacy initiatives. Meanwhile, the Social Services Department delivers social welfare assistance and public support services.

This structural arrangement is anchored in Qanun Number 11 of 2008 on Child Protection. Moreover, Baitul Mal is uniquely positioned as a government body utilizing an Islamic Financing system, drawing resources from Zakat, Infaq, Sadaqah, and Waqf (H. Rangkuti, personal communication, September 9, 2025). The evolution of the guardianship supervision program, from a conceptual framework into a formal Qanun and eventually a Gubernatorial Regulation, has required extensive human resources and a series of strategic phases. This makes Baitul Mal a viable alternative for financing and sustaining orphan oversight initiatives.

UNICEF's integration into this program was not immediate but followed a deliberate, multi-year strategic roadmap. Their projects are characterized by annual continuity, progressing through systematic stages: preliminary research, consolidation of stakeholders, institutional capacity building, and finally, the implementation of guardianship supervision.

It was in 2023 that UNICEF formally aligned with Baitul Mal Aceh to focus on orphan guardianship. For this initiative, UNICEF partnered with ICAIOS, an NGO

with extensive prior experience in this specialized field. Through this synergy, UNICEF provides essential technical assistance to Baitul Mal Aceh, helping to define the nuances of guardianship and its effective oversight. (H. Rangkuti, personal communication, September 9, 2025).

Furthermore, this partnership clarifies the hierarchical responsibilities among the various levels of Baitul Mal—from the Provincial level to the City (Banda Aceh) and down to the Village (Gampong) level. Under the Qanun's provisions, the Provincial Baitul Mal supervises the City level, which in turn oversees the Village level (Qanun Aceh No. 10 of 2018, as amended by Qanun Aceh No. 3 of 2021). This collaborative effort has culminated in the creation of a comprehensive legal guide, serving as the definitive document for executing guardianship supervision in the region. (H. Rangkuti, personal communication, September 9, 2025).

The Dilemma of Guardianship Implementation and Oversight by Baitul Mal Aceh

The procedural framework for child guardianship in Aceh is anchored in the Mahkamah Syar'iyah (the Sharia Court). Based on Law No. 11 of 2006 on the Governance of Aceh, this jurisdiction is designated because matters involving the welfare and assets of minors under Islamic principles fall strictly within the purview of religious courts.

The formalization of guardianship typically unfolds through four critical legal stages:

1. **Petition Filing:** The process begins when an interested party—usually the biological mother (widow), grandparents, or close relatives—submits a voluntary petition (Voluntair) to the Chief of the Mahkamah Syar'iyah. The primary criteria for such a petition include the child being a minor (under 18 and unmarried) and no longer being under parental authority, either due to the death of both parents or the surviving parent's incapacity. Frequently, these petitions are motivated by the need to manage inherited assets belonging to the child.
2. **Registration and Litigation:** Upon filing, the petitioner must provide essential documentation, including identity cards (KTP), birth certificates, and death certificates of the previous guardians or parents. After the court fees are settled, a hearing schedule is established.
3. **Evidentiary Examination:** During the trial, judges scrutinize the authenticity of documents and evaluate the petitioner's motives. Testimony from at least two witnesses is required to verify the suitability of the prospective guardian and ensure the child's best interests are prioritized, particularly regarding any significant assets.
4. **Judicial Decree:** If the court is satisfied that the petitioner meets the requirements under Article 107 of the Compilation of Islamic Law (KHI), a decree is issued. This legal instrument officially designates the petitioner as the Guardian (Wali) or Asset Guardian (Wali Harta), providing the legal standing to act on the child's behalf.

While the court provides a legal foundation for guardianship, the aftermath of these appointments reveals a troubling lack of order. Currently, guardianship in Aceh remains largely unregulated post-decree; there are no stringent requirements forcing orphans to have a guardian, nor is there an established mechanism for accountability if an orphan is neglected. (Alyasa', personal communication, July 26, 2025) To remedy this, the protection of an orphan's physical, educational, and financial rights must be monitored by a competent authority.

Under Aceh Qanun No. 10 of 2018 (as amended by Qanun No. 3 of 2021), Baitul Mal Aceh is legally mandated to oversee guardianship. However, this mandate has remained stagnant due to a lack of technical guidelines and implementing regulations. The Baitul Mal structure is divided into three tiers: Provincial, City/District, and Village (Gampong), with the latter intended to be the primary observer on the ground. (Analiansyah, personal communication, July 23, 2025) Unfortunately, a legal vacuum persists because the Qanun does not explicitly detail the necessary derivative regulations, such as Gubernatorial Regulations (Peraturan Gubernur), leaving the institution unable to take concrete action. (Analiansyah, personal communication, July 23, 2025)

To bridge this gap, Professor Analiansyah, acting as project manager, conducted extensive research into the Indonesian legislative landscape. His findings highlighted a significant omission: while national laws define the role of a guardian, they fail to provide a definitive classification of who qualifies as one. To address this, Baitul Mal collaborated with ICAIOS to draft internal agency regulations, despite internal debates regarding whether a Gubernatorial Regulation or a simple internal agency rule would suffice.

Comparative studies were also conducted, contrasting guardianship concepts in Aceh and Bali with those in Kelantan and Kuala Lumpur, Malaysia. These studies revealed that Malaysia's guardianship systems are significantly more advanced than Indonesia's current framework. Following these insights, a specialized team chaired by Afridal Darmi (Chairman of the Truth and Reconciliation Commission) was formed to create a strategic roadmap. Professor Analiansyah served as a field researcher, providing critical perspectives that shaped the final draft. This momentum was further bolstered by an offer from UNICEF, in partnership with ICAIOS, to develop technical guidelines (Juknis). This initiative, led by Professor Analiansyah, culminated in the creation of an Academic Draft aimed at formalizing these procedures. (Analiansyah, personal communication, July 23, 2025)

Once the drafts were completed, training sessions were conducted across five districts-Banda Aceh, Sabang, Aceh Besar, Aceh Tengah, and Bireuen-as well as the Provincial Baitul Mal. These sessions served as a field test for the proposed guidelines, ensuring there were no conflicting perspectives between local and provincial officials. The process was met with widespread support, with stakeholders urging for immediate legalization. (Analiansyah, personal communication, July 23, 2025)

The team also extended their reach to the grassroots level, training Baitul Mal Gampong officers. Two villages from each district participated in socialization and

capacity-building workshops. As of now, the proposal for orphan guardianship supervision in Aceh is progressing toward being codified into a Qanun, which will subsequently be followed by a Gubernatorial Regulation to ensure full implementation. (Analiansyah, personal communication, July 23, 2025)

Aceh has a unique framework of social welfare institutions, including the Baitul Mal Aceh (BMA), which distributes zakat and social assistance. Dilemmas surrounding child guardianship within the Baitul Mal often arise regarding accountability, protection of children's rights, and continuity of care.

1. Unclear guardianship mechanisms: Policies often differ from one region to another, resulting in inconsistent guarantees for children's rights in Indonesia.
2. Accountability and transparency: The risk of misuse of funds or guardianship without adequate oversight. This would lead to the quality of care, education, and health of children under institutional or foster care.
3. Legal certainty and local culture: The application of Sharia and customary law in Aceh sometimes influences guardianship and child placement procedures.

Hence it needs more serious efforts to standardize guardianship policies; establish consistent national-regional guidelines on the selection, placement, evaluation, and release of guardianship. Additionally it should include children's rights, guardians' obligations, and reporting channels for violations.

Coordination meetings between the BMA, social services, district courts, and related institutions to agree on guardianship guidelines; Development of standard operating procedures (SOPs) complete with a reporting process for violations; Rollout of a pilot standardized guardianship program in several regions before national adoption; training for BMA employees and prospective foster guardians on children's rights, financial management, and guardianship ethics.

The dual role of Baitul Mal Aceh (BMA) and the Ministry of Social Affairs (Kemensos) in overseeing child guardianship in Aceh can lead to overlapping authority, reporting confusion, and potential inconsistencies in the protection of children's rights. Here's a brief but focused exploration. Two institutions have mandates related to child welfare and guardianship, but the scope of their authority may differ:

1. The BMA focuses on distributing zakat, social assistance, and direct support to families and children through local mechanisms.
2. The Ministry of Social Affairs has a national framework for child protection, guardianship, and the social protection system, which is regulated by law and national guidelines. Differences in jurisdiction, operational standards, and accountability between the two institutions have the potential to create duplication of duties or, conversely, gaps if one institution is not functioning optimally.

4. CONCLUSION

UNICEF's Multidimensional Interventions in Aceh prioritizes addressing child welfare issues rooted in systemic poverty, such as stunting, inadequate healthcare, and vulnerability to violence. To combat these challenges effectively, UNICEF has established specialized sectors – ranging from nutrition and health to sanitation – and actively supports the Sustainable Development Goals (SDGs), notably through the 2019 sanitation pilot projects. Beyond direct aid, UNICEF plays a transformative role in reinforcing Aceh's child guardianship framework. This is achieved through institutional capacity building, regulatory refinement in collaboration with the Baitul Mal Aceh (BMA) and the Mahkamah Syar'iyah, and the promotion of community-based legal protection mechanisms.

The movement toward structured orphan protection was catalyzed in 2018, who advocated for a definitive legal framework to oversee guardianship. Consequently, Baitul Mal Aceh (BMA) was designated as the primary executive body for this oversight. In 2023, the partnership expanded as UNICEF joined forces with BMA and the NGO ICAIOS to provide specialized technical assistance. This collaboration centers on operationalizing a tiered supervision system—spanning from the Provincial level down to the Gampong (village)—and has successfully produced a legal guidebook outlining standardized procedures for guardianship oversight.

While the legal appointment of a child's guardian falls under the jurisdiction of the Mahkamah Syar'iyah through formal judicial decrees, a persistent regulatory vacuum regarding post-appointment supervision has historically left many orphans without adequate protection. To address this gap, Aceh Qanun No. 10 of 2018 officially tasked Baitul Mal Aceh with the supervisory mandate. Under the strategic leadership BMA, UNICEF, and ICAIOS have collaborated to draft essential regulatory frameworks, technical guidelines (Juknis), and academic papers. These drafts have undergone rigorous field-testing and socialization through training programs in five pilot regions. These steps are critical milestones toward the finalization of the Qanun and the subsequent Gubernatorial Regulation, aiming to establish a superior protection system for orphans in Aceh.

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