

The Role of the Aceh Truth and Reconciliation Commission in Efforts to Restore the Rights of Conflict Victims in Aceh

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Abstract

The armed conflict in Aceh for nearly three decades has had serious impacts on civil society, including family loss, psychological trauma, poverty, and limited access to justice. The establishment of the Aceh Truth and Reconciliation Commission (KKR) is an important effort in the framework of transitional justice to uncover the truth and restore victims' rights. However, the cancellation of Law Number 27 of 2004 concerning KKR by the Constitutional Court erased the basis of national law, thereby weakening the state's responsibility in the recovery of victims. This study aims to analyze the role of the Aceh KKR in restoring victims' rights and the impact of the repeal of the law on the effectiveness of recovery. This study uses an empirical-normative method with a legislative and sociological approach. Primary data were obtained through in-depth interviews with three families of conflict victims in Blang Bintang District, Aceh Besar, while secondary data came from academic literature, laws and regulations, and reports from human rights institutions. The analysis was carried out qualitatively to understand the relationship between the legal framework and the social reality of the victim. The results of the study show that the Aceh KKR carries out recovery through disclosure of the truth, reparation recommendations, and social reconciliation. However, the absence of national legal support creates legal uncertainty, administrative barriers, and psychological burdens for victims. Thus, the Aceh KKR plays an important but limited role in the national legal vacuum. Therefore, this study recommends strengthening the national legal framework that supports transitional justice as well as the implementation of effective and sustainable reparations for conflict victims.

Keywords: Aceh Truth and Reconciliation Commission; Victims' Rights Recovery; Aceh Conflict; Reconciliation; Post-Conflict.

Abstrak

Konflik bersenjata di Aceh selama hampir tiga dekade telah menimbulkan dampak serius bagi masyarakat sipil, termasuk kehilangan keluarga, trauma psikologis, kemiskinan, dan keterbatasan akses terhadap keadilan. Pembentukan Komisi Kebenaran dan Rekonsiliasi (KKR) Aceh menjadi upaya penting dalam kerangka keadilan transisional untuk mengungkap kebenaran dan memulihkan hak korban. Namun, pembatalan Undang-Undang Nomor 27 Tahun 2004 tentang KKR oleh Mahkamah Konstitusi menghapus landasan hukum nasional, sehingga melemahkan tanggung jawab negara dalam



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pemulihan korban. Penelitian ini bertujuan untuk menganalisis peran KKR Aceh dalam memulihkan hak korban serta dampak pencabutan undang-undang tersebut terhadap efektivitas pemulihan. Penelitian ini menggunakan metode empiris-normatif dengan pendekatan perundang-undangan dan sosiologis. Data primer diperoleh melalui wawancara mendalam dengan tiga keluarga korban konflik di Kecamatan Blang Bintang, Aceh Besar, sedangkan data sekunder berasal dari literatur akademik, peraturan perundang-undangan, dan laporan lembaga hak asasi manusia. Analisis dilakukan secara kualitatif untuk memahami hubungan antara kerangka hukum dan realitas sosial korban. Hasil penelitian menunjukkan bahwa KKR Aceh menjalankan pemulihan melalui pengungkapan kebenaran, rekomendasi reparasi, dan rekonsiliasi sosial. Namun, ketiadaan dukungan hukum nasional menimbulkan ketidakpastian hukum, hambatan administratif, dan beban psikologis bagi korban. Dengan demikian, KKR Aceh berperan penting namun terbatas dalam kekosongan hukum nasional. Oleh karena itu, penelitian ini merekomendasikan penguatan kerangka hukum nasional yang mendukung keadilan transisional serta implementasi reparasi yang efektif dan berkelanjutan bagi korban konflik.

Kata Kunci: KKR Aceh; Pemulihan Hak Korban; Konflik Aceh; Rekonsiliasi; Pascakonflik.

INTRODUCTION

The armed conflict that has been going on in Aceh for almost three decades has left a very deep social impact on the community, especially civilians who are direct victims, as the conflict between the Free Aceh Movement (GAM) and the Government of the Republic of Indonesia is not only oriented towards the struggle for political power, but is also colored by systematic violence that reaches people's daily lives and triggers various human rights violations.¹ Throughout the period 1976–2005, thousands of civilians were reported to have been victims of extrajudicial killings, enforced disappearances, torture, and arbitrary detention, which not only resulted in loss of life and liberty, but also caused prolonged psychological trauma, fractured family relationships, and weakened public trust in state institutions.² The impact of the conflict also continues on social and economic aspects, where many victims and their families experience life uncertainty, limited access to justice, and marginalization in society.³

The Aceh conflict not only left a record of physical violence, but also caused psychological trauma, economic vulnerability, and social rifts whose impact is still felt by the community today.⁴ The violence that occurred not only took lives, but also destroyed family structures, cut off access to education, and deprived many residents of their livelihoods. As a result, many victims' families have lost their economic backbone and are trapped in post-conflict structural poverty that is difficult to recover independently. The situation shows that the suffering of victims does not end with the end

¹ Moh Ikhlasul Adha, "Analysis of the Impact of GAM's Armed Conflict with the Government of Indonesia on Civil Society in a Human Rights Perspective," *Gudang Jurnal Multidisciplinary Ilmu 1*, no. 4 (2023): 17–21, <https://doi.org/10.59435/gjmi.v1i4.96>.

² Al-Chaidar, Sayed Mudhahar Ahmad, and Yarmen Dinamika, *Aceh Bersimbah Darah: Revealing the Implementation of the Status of Military Operations Areas (DOM) in Aceh 1989-1998*, 5 ed. (Jakarta: Pustaka Al-Kautsar, 1999).

³ Galuh Wandita, Agustina Amtaran, and Ani Sipa, *Surviving in Impunity: The Stories of Women Survivors Who Never Achieved Justice* (Jakarta: Asia Justice and Rights (AJAR), 2015).

⁴ Arif B. Prasetyo, *Post-Tsunami and Post-Conflict Aceh* (Bali: Pustaka Larasan, 2012).

of the armed conflict, but continues in the form of complex social and economic problems.⁵

Academic studies and reports by human rights institutions confirm that the Aceh conflict is marked by gross human rights violations involving both sides, based on findings of systematic violent practices such as extrajudicial killings, torture, and other repressive acts that meet the elements of crimes under international law.⁶ Some international reports even mention that throughout the conflict, some 10,000 to 30,000 people lost their lives, with the majority of the victims coming from civilians who were not directly involved in the armed conflict.⁷ This fact shows that the conflict in Aceh is not only a political and security issue, but also a serious humanitarian crisis that leaves a deep impact on the victims and the wider community.⁸ Therefore, the academic literature emphasizes that the resolution of the Aceh conflict cannot be carried out through a conventional approach alone, but requires a special mechanism oriented towards the disclosure of the truth, the enforcement of justice, and the restoration of the rights of victims in a dignified and sustainable manner.

In resolving past human rights violations, the legal literature introduces the concept of transitional justice as an approach that seeks to balance the elements of truth, justice, and reconciliation in a post-conflict society.⁹ This approach is based on the assumption that settlement through judicial mechanisms alone is often inadequate to address the complexity of conflict impacts, especially when violations occur systematically and widely.¹⁰ The establishment of the Truth and Reconciliation Commission (KKR) is seen as an important instrument in the process of revealing the truth, acknowledging the suffering of victims, and formulating recommendations for fair and meaningful reparations.¹¹ With this role, the KKR is theoretically placed as a bridge that connects the demands of legal justice with the need for social reconciliation, so that it is expected to be able to encourage the restoration of trust, the restoration of the dignity of victims, and the creation of sustainable peace.

Studies on the Aceh Truth and Reconciliation Commission (KKR) have indeed been conducted by a number of researchers, but the analysis that specifically highlights the impact of the repeal of Law Number 27 of 2004 on the effectiveness of restoring the rights of victims of the Aceh conflict is still relatively limited. This condition can be seen from the tendency of research to focus more on the aspects of victimology and institutional urgency of the KKR, without directly linking it to the legal consequences

⁵ Hadiwinata and Bob Sugeng, *The Transformation of the Free Aceh Movement: From the Bullet Box to the Ballot Box A Success Story of the Combatant Transformation Program in Aceh* (Jakarta: Friedrich Ebert Stiftung, 2010).

⁶ Sri Lestari Wahyuningroem, "Peace or Justice? Transformation for Women in Conflict and Post-Conflict Areas in Papua and Aceh," *Women's Journal* 26, no. 3 (2021): 173–84, <https://doi.org/10.34309/jp.v26i3.622>.

⁷ Laode M. Syarif and Dadang Trisasongko, *Measuring the Reality and Perception of Torture in Indonesia Through the Torture Index and the Torture Perception Index* (Jakarta: The Partnership for Governance Reform, 2012).

⁸ Aceh Truth and Reconciliation Commission (KKR), *Peulara Damèe: Caring for the Memory of the Aceh Truth and Reconciliation Commission (KKR) Findings Report* (Banda Aceh: KKR Aceh, 2023).

⁹ Asher Tumbo, "The Concept of Transitional Justice in Handling Gross Human Rights Violations in Indonesia," *Paulus Law Journal* 1, no. 2 (2020): 72–87, <https://doi.org/10.51342/plj.v1i2.100>.

¹⁰ Khairil Akbar, "The Legal Politics of the Establishment of the Aceh Truth and Reconciliation Commission," *Jurnal Lex Renaissance* 2, no. 2 (2017): 195–212, <https://doi.org/10.20885/JLR.vol2.iss2.art11>.

¹¹ Wahyuningroem, "Peace or Justice?"

that arose after the Constitutional Court's decision that annulled the law. The research of Dwi Rahmawati and Fajar Imamudin, for example, focuses on the position of victims and the effectiveness of the Aceh KKR from a victimology perspective,¹² while Nanda Riski Tantawi and M. Ya'qub Aiyub Kadir emphasize the urgency of establishing the Aceh KKR as an effort to fight the national forgetfulness of past human rights violations.¹³ Therefore, this study is here to fill the gap in the study by critically analyzing the role of the Aceh KKR in the situation of national legal vacuum due to the revocation of the KKR Law, as well as its implications for the process and effectiveness of the restoration of the rights of conflict victims in Aceh.

Based on the social reality and the development of the literature, the main problem in this study lies in the role of the Aceh Truth and Reconciliation Commission (KKR) in restoring the rights of conflict victims in the midst of the various structural and legal limitations it faces. This problem is important because the success rate of victim recovery is one of the main indicators of achieving effective reconciliation in the post-conflict context. For example, the various recommendations related to reparations and recognition of victims produced by the Aceh KKR often face obstacles in the implementation stage, both due to weak institutional support and limited legitimacy at the national level after the repeal of the KKR Law. Therefore, this study is focused on in-depth analysis of the role of the Aceh KKR in the process of restoring the rights of conflict victims, as well as examining the impact of the repeal of the national KKR Law on the fulfillment and protection of the rights of Aceh conflict victims.

RESEARCH METHODS

This study uses a normative empirical method by combining a statute approach and a sociological approach to obtain a comprehensive understanding of the role of the Aceh Truth and Reconciliation Commission (KKR) in restoring the rights of victims of armed conflict. This method was chosen because it not only examines legal norms textually, but also examines their implementation in the social reality of post-conflict society. The legislative approach was used to analyze various legal instruments related to the Civil Society, including Law No. 27 of 2004, Constitutional Court Decision No. 006/PUU-IV/2006, and Qanun Aceh No. 17 of 2013, to assess the consistency of norms and the implications of revoking the national legal basis on victim recovery.

Meanwhile, a sociological approach is used to understand law as a social practice that lives in society. This approach focuses on the reality of restoring victims' rights after the repeal of the national KKR Law, especially related to how the role of the Aceh KKR is felt by victims and victims' families. The source of research data consists of primary and secondary data. Primary data was obtained through in-depth interviews with three families of conflict victims in Blang Bintang District, Aceh Besar, who were purposively selected based on their direct involvement as victims. The secondary data includes primary legal materials, such as laws and regulations and court decisions, as well as secondary legal materials in the form of books, scientific journals, reports of human rights institutions, and other relevant documents.

¹² Dwi Rahmawati dan Fajar Imamudin, "Analysis of Victimhood in The Aceh Conflict Post The Establishment of The Aceh Truth and Reconciliation Commission," *Walrev: Walisongo Law Review* 7, no. 1 (2025): 36–51, <https://doi.org/10.21580/walrev.2024.6.2.26960>.

¹³ Nanda Riski Tantawi and M. Yakub Aiyub Kadir, "The Establishment of the Aceh KKR Truth and Reconciliation Commission) Based on Qanun in the Indonesian Legal System," *Student Journal of International Law* 1, no. 1 (2025): 1–11.

Data collection was carried out through interviews and literature studies. Furthermore, the data is analyzed qualitatively through the stages of data reduction, data presentation, and conclusion drawn. The analysis process is carried out by associating empirical findings with applicable legal norms and the concept of transitional justice. Thus, this study produced an in-depth analysis of the effectiveness of the role of the Aceh KKR in restoring victims' rights in the midst of existing legal and institutional limitations.¹⁴

RESULTS AND DISCUSSION

Overview of the Aceh Truth and Reconciliation Commission

The Aceh Truth and Reconciliation Commission (KKR Aceh) is an independent institution designed as an instrument of transitional justice in order to resolve the legacy of the bloody conflict between the Government of the Republic of Indonesia and the people of Aceh.¹⁵ The establishment of this institution did not occur in an empty space, but was driven by the empirical experience of a society that experienced systematic violence, military operations, enforced disappearances, arbitrary detention, torture, destruction of property, and restrictions on social life for more than five decades. The Aceh KKR is a complement to the peace agreement contained in the 2005 Helsinki MoU, which explicitly mandates a mechanism for truth disclosure and reconciliation through the establishment of an official commission, so that its existence is a promise of state and moral hope for the victims of the Aceh conflict to obtain social justice and recognition of their identity as survivors of the historical trauma of prolonged conflict.¹⁶

The conflict in Aceh began long before the emergence of the Free Aceh Movement (GAM). The resistance led by Teungku Muhammad Daud Beureueh in 1953 was the initial phase of the Acehnese people's disobedience to the central authority, which was triggered by disillusionment over unfulfilled political promises, such as the implementation of Islamic sharia and broad autonomy. This conflict has claimed thousands of lives and given birth to a sense of structural injustice that continues to be passed down from generation to generation. The event was then followed by the GAM rebellion in 1976 which sought to fight for Aceh's independence based on claims of exploitation of natural resources, economic injustice, political marginalization, and the assertion that Aceh had been excluded from the process of forming the modern state of Indonesia without the consent of its people. This prolonged violence is the moral foundation of the presence of the Aceh KKR as a forum that is able to confront the past through a peaceful and dialogical approach, not through weapons or coercion of state power.¹⁷

In the era of intensive military operations between 1989-1998, Aceh became a Military Operations Area (DOM). During this period, the practice of human rights violations became very massive through arrests, torture, criminalization of civilians, rape, and massacres carried out under the pretext of dismantling the GAM network. In contrast, as GAM's power increased after 1998, the group also committed acts of reciprocal violence, including assaults on officials, extortion, intimidation, and executions of

¹⁴ Muhaimin, *Legal Research Methods* (Mataram: Mataram University Press, 2020), <https://eprints.unram.ac.id/20305/1/Metode%20Penelitian%20Hukum.pdf>.

¹⁵ Tantawi and Kadir, "The Establishment of the Aceh KKR Truth and Reconciliation Commission) Based on Qanun in the Indonesian Legal System."

¹⁶ Yusuf Al-Qardhawiy Al-Asyiy, *The Status of Aceh in the Republic of Indonesia after the Helsinki MoU According to International Law* (Yogyakarta: Grafindo Litera Media, 2014).

¹⁷ Darmasjah Djumala, *Soft Power for Aceh: Conflict Resolution and Decentralized Politics* (Jakarta: Kompas Gramedia, 2013).

disloyal citizens. These conditions show that the biggest victims of the conflict are ordinary people, especially women, children, farmers, small traders, and indigenous communities whose lives are sandwiched between the two armed forces. KKR Aceh is here to document the experiences of these forgotten citizens, avoid reducing history to just a winner's narrative, and restore the space of speech to those who have been forced to remain silent for decades by fear and political repression.¹⁸

After the 1998 reforms, various negotiation efforts between the Government of Indonesia and GAM were carried out but continued to meet with impasses. Military operations, humanitarian pauses, and the declaration of a state of emergency have not been able to stop violence, even heightening hatred and social trauma. The 2004 tsunami became a psychological and moral turning point that opened up a wider space for dialogue. The devastating disaster changed the landscape of conflict through humanitarian urgency. The Helsinki negotiations were a peaceful path that was ultimately successful, with a 2005 MoU governing the establishment of a mechanism for the KKR as a way to heal past wounds. Thus, the Aceh KKR is an integral part of the agreed peace political contract, not just an ordinary regional policy, but a symbol of the state's commitment to make up for past negligence through the work of documenting the truth, identifying victims, and straightening out history based on the people's own voice.¹⁹

The Aceh KKR has a different character than the truth commission in other countries. If South Africa, Peru, or Rwanda establish institutions for the expression of truth at the national level, Aceh would be the only region in Indonesia and even in Southeast Asia that has a regional-level KKR legalized through Qanun. After the Constitutional Court canceled Law 27/2004 on the National KKR, Aceh continued to establish its commission through Qanun Number 17 of 2013. This shows that the Aceh KKR is the result of a regional initiative that consistently adheres to the mandate of the peace agreement, as well as showing that Aceh has room for legal specificity in the implementation of transitional justice. Therefore, this institution bears two legitimacies: the historical and political journey of the long conflict from the mandate of the Helsinki MoU and the Aceh Government Law Number 11 of 2006.²⁰

In carrying out its duties, the Aceh KKR works based on the four pillars of transitional justice: truth disclosure, reparations, reconciliation, and institutional reform. The pillars of prosecution are not part of the direct mandate of the Aceh KKR, because this institution is not a court institution, but findings of gross human rights violations can be forwarded to Komnas HAM. This model makes the Aceh KKR more emphasis on the process of social recovery, the restoration of the dignity of victims, and the recording of official histories. KKR Aceh's programs include the collection of testimonies, investigations, recommendations for urgent reparations, historical documentation programs, community reconciliation forums, and the preparation of annual reports to policy recommendations. This testimony will later become a moral archive of the nation, as well as a reference for future generations so that similar tragedies will not be repeated.

The journey of the Aceh KKR faces many challenges. The formation of the commission was delayed for more than a decade due to the cancellation of the National Law, the lack of a budget basis, the political resistance of some elites, and limited support from local governments. When the Aceh KKR started work in 2017, the workload was

¹⁸ Cakra Arbas, *Aceh & MoU Helsinki in the Unitary State of the Republic of Indonesia* (Jakarta: PT. Sofmedia, 2015).

¹⁹ Arbas.

²⁰ Rahayu, *Human Rights Law* (Semarang: Dipenogoro University Publishing Agency, 2015).

already piling up: tens of thousands of victims were waiting to speak out and get recognition. Moreover, the process of gathering truth is not only administrative; It concerns a complicated emotional dimension. Many victims face deep trauma, endure fear, or deal with perpetrators who still have social power in society. Therefore, the success of the Aceh KKR is not measured by the number of cases formally resolved, but the extent to which victims obtain safe space and recognition of their suffering through legitimate state mechanisms.²¹

The Aceh KKR is an important part of Aceh's post-conflict social reconstruction. It relinks the people's trust in the state, fills the void of truth that is allowed to drag on, and becomes a historical institution to care for the collective memory of the Acehnese people. In a broader context, the Aceh KKR is an example of the implementation of transitional justice in Indonesia that tries to build peace not through impunity, but through honest testimony and community-based reconciliation. His presence reminded that post-conflict development is not just physical development, but the development of memory, human dignity, and the ability of people to coexist after the dark period. Thus, the Aceh KKR deserves to be called the most important heritage of the Helsinki MoU and at the same time a living instrument that guards Aceh's peace so that it remains valuable, meaningful, and sustainable for future generations.²²

The Role of the Aceh KKR in Restoring the Rights of Conflict Victims

The armed conflict in Aceh over a span of more than 30 years involved intensive security operations and the armed resistance of the Free Aceh Movement (GAM), leaving a profound humanitarian impact on the civilian population. People experience arbitrary arrests, enforced disappearances, torture, killings without due process, house burning, forced migration, and structural impoverishment.²³ This condition is exacerbated by the lack of legal channels to seek justice during conflicts. The Aceh Truth and Reconciliation Commission (KKR) was born through the Aceh Qanun Number 17 of 2013, after the 2005 Helsinki Peace Agreement mandated the existence of a transitional justice-based past settlement mechanism. KKR Aceh officially operated on October 24, 2016 and became the first institution in Indonesia specifically designed to deal with gross non-judicial human rights violations at the regional level.²⁴

The mandate of the Aceh KKR contains four fundamental elements that are internationally recognized, namely the right to truth, the right to justice, the right to reparation, and the guarantee of non-recurrence. In the institutional document of the Aceh KKR, it is clearly explained that the state is obliged to provide recovery to the victims and ensure that there is no impunity. Victims' rights cannot be relied on the court process alone, especially in Aceh, where most cases are inadequate to be processed judicially due to lack of evidence, loss of witnesses, and political constraints. The KKR is tasked with unearthing the truth and guiding the state to be present through reparations policies. The pillar of non-recurrence guarantees requires the state to carry out institutional reforms and policy structuring so that similar conflicts do not occur again.²⁵

²¹ Aceh Truth and Reconciliation Commission (KKR), *Peulara Damèe: Caring for the Memory of the Aceh Truth and Reconciliation Commission (KKR) Findings Report*.

²² Djumala, *Soft Power for Aceh: Conflict Resolution and the Politics of Decentralization*.

²³ Rahayu, *Human Rights Law*.

²⁴ Muhammad Heikal Daudy, "Reconciliation in Aceh: Opportunities and Challenges," *Journal of Justice Ocean Law* 14, no. 1 (2019): 111–19, <https://doi.org/10.33059/jhsk.v14i1.1100>.

²⁵ Akbar, "The Legal Politics of the Establishment of the Aceh Truth and Reconciliation Commission."

Disclosure of the truth is the starting point for the restoration of victims' rights. Therefore, since the beginning of its operation, the Aceh KKR has focused on collecting victim statements, analyzing patterns of violence, and systematically documenting human rights violations. As of 2021, the Aceh KKR has recorded 5,264 statements from victims and their families in 14 districts/cities in Aceh, making this the largest database of human rights violations in Aceh's history. The testimony hearing was held at strategic locations such as the Aceh Governor's Hall and the Aceh House of Representatives building to strengthen public legitimacy. At the forum, the victim recounted torture, shooting, rape, and the disappearance of family members. This kind of open testimony not only generates data, but also provides space for survivors to be recognized as holders of authentic experiences that have been shut down by the country's security system.²⁶

To deepen the mapping of human rights violations, the Aceh KKR developed a thematic investigation method that combines research, field data collection, and expert involvement. The agency's report explained that three themes were chosen as priorities: sexual violence, disappearances, and the existence of security posts (*sattis*) that are the locations of torture. This investigation aims to unravel the patterns, perpetrators, critical locations, and structural dynamics behind violence. Deepening the theme of sexual violence is important because many female survivors harbor trauma without ever reporting due to social stigma and the threat of reprisals. So are enforced disappearances, which leave thousands of families without certainty of the fate of their family members. The findings of the investigation become the basis for policy recommendations for the state, as well as a historical basis so that crimes against humanity are known to the public and do not repeat.²⁷

The next central role of the Aceh KKR is to compile and submit reparation recommendations to the local and central governments as a form of fulfilling the rights of victims. Based on the work progress report, until 2021 the Aceh KKR has recommended at least dozens of victims to receive urgent recovery, both in the form of financial assistance, medical services, and psychological interventions. However, the KKR does not have the authority to execute. Therefore, the institution encourages that reparation recommendations be translated into state planning documents, especially the Provincial and Regency Medium-Term Development Plans (RPJM), so that reparation funding is not partial, but systemic and sustainable. The recommendations of the KKR are also addressed to the Aceh House of Representatives and the district government to issue a formal policy. If these recommendations are ignored, recovery will only become a discourse and justice for victims remains pending. The involvement of LPSK, Komnas Perempuan, and related ministries expands the opportunities for the realization of reparations in Aceh.²⁸

The recovery of victims cannot be uniform, because the losses experienced are multi-layered: physical, psychological, social, economic, and loss of social status and identity. The Aceh KKR adopted the idea of mixed reparations as applied in similar institutions in Morocco, South Africa, and Peru: individual reparations, collective

²⁶ Roichatul Aswidah, Wahyudi Djafar, and Sueb Zakaria, *Institutional Development of Aceh KKR: From Tactical Steps to Strategic Steps* (Jakarta: Institute for Community Studies and Advocacy (ELSAM), 2019).

²⁷ Aceh Truth and Reconciliation Commission (KKR), *Peulara Damèe: Caring for the Memory of the Aceh Truth and Reconciliation Commission (KKR) Findings Report*.

²⁸ Aswidah, Djafar, and Zakaria, *Institutional Development of Aceh KKR: From Tactical Steps to Strategic Steps*.

reparations, psycho-social assistance, as well as symbolic acts such as memorialization and state recognition. The model of administrative reparation initiated is considered more realistic than waiting for a court decision which often takes a long time and does not reach all victims. This is particularly relevant because the victims are large and the violence is systematic. The KKR document emphasizes that reparations must include socio-cultural rights, not just the law. Therefore, the KKR advocates cross-agency cooperation and the use of local resources so that the implementation of recovery is not hampered by budget politics in Jakarta or Banda Aceh.²⁹

The restoration of the rights of civilian victims is not completed by compensation and formal recognition alone. The Aceh KKR views social reconciliation as part of substantial recovery, because the biggest wound of conflict lies in the breakdown of trust between citizens, between society and the state, as well as between victims and perpetrators. KKR conducts community dialogue, cross-regional discussions, and district-level reconciliation programs, one of which is in Bener Meriah, to build a peaceful meeting room. These activities put victims at the center of the narrative and shift the social stigma previously attached to them as "GAM families" or "security disruptors". Reconciliation also encourages the state to re-exist in citizens' relations, not as armed forces, but as a provider of services and protection.³⁰

Because its mandate is not law enforcement, the effectiveness of the Aceh KKR is highly dependent on institutional support and public acceptance. The KKR builds a network of cooperation with Komnas HAM, LPSK, Komnas Perempuan, universities, local governments, customary institutions, and civil society organizations. This collaboration is important to expand the reach of victim services, provide psychosocial workers, open data paths, and strengthen policy advocacy. The KKR institutional document emphasizes the importance of building public awareness through socialization, media, and the formation of community cadres. This effort aims to create a sense of social ownership of the recovery agenda so that success does not depend only on the political elite. When the KKR gains community support, moral legitimacy increases and the chances of implementing recommendations increase. In post-conflict areas, the power of civil society is often a determining factor in the success of long-term transitional justice.³¹

A number of obstacles still hinder the effectiveness of the restoration of victims' rights. First, the limitation of legal authority: the KKR cannot force state institutions to follow up on recommendations, let alone prosecute perpetrators, because it is outside its non-judicial mandate. Second, the lack of political and budgetary support makes the KKR have to struggle to prove the urgency of its work in the midst of development priorities that often ignore the past. Third, the complexity of victims' suffering, ranging from structural poverty to intergenerational trauma, requires long-term multidisciplinary interventions. This challenge shows that the Aceh KKR is not the final solution but the entrance to systemic change. Without government commitment and consistent public participation, the KKR's recommendations will be difficult to transform into real recovery that touches the lives of victims at the gampong level and affected families.³²

²⁹ Aswidah, Djafar, and Zakaria.

³⁰ Muhammad Yunus, "Victims of Enforced Disappearances in the Aceh Conflict; Efforts to Recover and Fulfill Victims' Rights through the Aceh KKR Mechanism," *Adabiya Journal* 24, no. 1 (2022): 95–120, <https://doi.org/10.22373/adabiya.v24i1.12637>.

³¹ Aceh Truth and Reconciliation Commission (KKR), *Peulara Damèe: Caring for the Memory of the Aceh Truth and Reconciliation Commission (KKR) Findings Report*.

³² Daudy, "RECONCILIATION IN ACEH."

Based on the explanation above, the role of the Aceh KKR in restoring the rights of civilian victims of armed conflict is on three important levels: true recovery through the disclosure of the truth, rights *recovery* through recommendations for reparations and victim services, and *social recovery*) through reconciliation and community strengthening. The KKR is an ethical foundation so that Aceh does not build a future on collective amnesia. The documents and testimonies collected are now a public memory and a moral political tool to push the state to account. Although the limitations are still great, the existence of the KKR shows survivors that their experiences are not a secret that the state forgets. As long as the recommendations continue to be pushed and implemented, the Aceh KKR has a strategic position as a peacekeeper and instrument of transitional justice, ensuring that the voices of victims become the foundation of peace that stands the test of time.

The Impact of the Repeal of the KKR Law on the Role of the Aceh KKR in Victim Recovery

The repeal of Law No. 27 of 2004 on the Criminal Court by the Constitutional Court in 2006 left a void of national legal instruments for the settlement of past human rights violations. This ruling stopped plans to establish a national Truth and Reconciliation Commission which is expected to be the door to the recovery of victims from Aceh.³³ This impact is strongly felt by the community, especially the families of the victims who have been waiting for years for certainty about their fate and rights. The absence of a national umbrella forced the regions to build their own recovery schemes, so that the Aceh KKR emerged through Qanun Number 17 of 2013. However, the establishment of the regional KKR does not automatically replace the mandate and legal support of Law Number 27 of 2004 which was canceled.³⁴ The results of interviews with three representatives of families of victims of armed conflict in the Aceh Besar region, especially Blang Bintang District, are as follows:

First, Saudah (52 years old), a victim's wife from Gampong Cot Karieng, described the repeal of the law as "the destruction of hope that has just grown." She said she followed Aceh's post-Helsinki peace developments and believed that the state would record casualties, compensate, and explain what really happened to her husband who was kidnapped during the full years of military operations. When he heard that the KKR Law was repealed, he felt deep disappointment, because for him the law became legal proof that the suffering experienced by his family was recognized by the state. Saudah stated that before the Aceh KKR attended, he felt that he "had no place to complain." Without a national law, he concluded that the central government seems to be moving away from the problem of victims, even though conflict is a state affair. Sababa's view reflects the political trauma as well as the administrative emptiness experienced by female survivors as the burden of the family.

Saudah said he felt a sense of being "turned off from the news," as if the country did not want to remember past tragedies. The absence of national regulations makes victims have no guarantee when or whether recovery will be carried out. For a family like Saudah, formal recognition has healing value: she wants her husband's name to be

³³ Rian Adhivira Prabowo and Kukuh Budi Mulya, "Indonesia's KKR Model Offer in Solving Past Gross Human Rights Violations with a Number of Comparative Experiences," *Journal of Law, Politics and Power* 2, no. 1 (2022): 54–83, <https://doi.org/10.24167/jhpk.v2i1.5648>.

³⁴ Budi Widjarjo and Rizka Argadianti Rachmah, ed., *Legal Aid in Conflict Areas: Learning about Conflict and the Concept and Structural Legal Aid*, 1st Edition (Central Jakarta: Jakarta Legal Aid Institute, 2015).

recorded as a victim, not lost without meaning. The disappearance of Law No. 27 of 2004 feels like the state is letting the memory of the victim go extinguished, leaving her and many other women living in ambiguous circumstances: no legal process, no information, and no form of respect. This creates a continuation of trauma after trauma because the victim not only loses a family member, but also loses hope for the truth.³⁵

Second, Riski (27 years old), a resident of Gampong Bung Pageu, the son of a victim of kidnapping and torture during the conflict, gave a different perspective. He was very young when his father disappeared, so his emotional experiences were formed more by uncertainty than by direct memory. For him, the repeal of the KKR Law has left the post-conflict generation with a void of civic identity. He stated that his family was always "hanging around." They cannot take care of the heir's letter on the basis of conflict victims, cannot access welfare programs that require formal death documents, and do not know whether their father was treated as a victim or considered to be involved in the conflict. Riski called this condition an "administrative wound," that is, wounds that are present not due to bullets or torture, but because of the absence of an official system to include victims in the country's legal structure. Without a national law, he felt his family was in the category of "nameless" in the country's history.

The repeal of the national KKR Law also has an impact on survivors' economic access. Riski explained that when he and his mother took care of educational assistance or economic support, his family's status was never recorded as a survivor of the conflict. He said some of his neighbors were in the same condition. The absence of a national legal umbrella makes it difficult for government agencies to issue special programs because there is no basis for central-level regulation. Acehese programs such as scholarships, housing assistance, or victim compensation are often limited to local data and are not integrated with the national system. This shows how the loss of the Act makes recovery for victims dependent on local initiatives, rather than national obligations. While the recovery of conflict victims should be the task of the state, in reality the community has to wait and find their own way of help.³⁶

Third, Dinda (25), a resident of Gampong Cot Malem, grew up with limited knowledge about her father who was lost during the armed conflict. When his father was forcibly taken from home, he was still a toddler and had no clear memory. Yet throughout his growing up, the shadow of loss always accompanied his family. He said that life without a father figure is not only an emotional one, but also a social one: every simple question "where is your father?" brings back old wounds that his family has never been able to answer. Dinda admitted that her mother often cried secretly when she asked about her father's whereabouts, so she grew up with guilt as if her questions were an additional burden. She describes her family as living in a gray space, not knowing whether to mourn or keep hope, and the uncertainty sticks like an identity they are forced to live.

According to Dinda, the impact of the repeal of the KKR Law was felt directly in her life. He called his family like being on a "path without directions," because no state institution could give answers about his father's fate. Without a national legal framework, there are no official investigations, missing persons lists, or notices they can hold as a hold of truth. When the Aceh KKR started working, Dinda called it the "beginning of recognition," but she was aware that the institution stood within limitations. He once

³⁵ Saudah, "Interview with Representatives of Families of Conflict Victims in Blang Bintang District. Aceh Besar Regency," January 12, 2026.

³⁶ Riski, "Interview with Representatives of Families of Conflict Victims in Blang Bintang District. Aceh Besar Regency," January 12, 2026.

accompanied his mother to deliver a statement, but the process felt like it was only half the journey. For him, the disclosure of the truth is not just a program; It is a basic right for his family to be able to close a chapter of life and move on with life without grasping questions without answers. Dinda hopes that one day the state will formally present the truth, even though all that remains is the name, date, and place of her father's departure.³⁷

The birth of the Aceh KKR is a Regional Response, but it is not equivalent to the National Law. The three informants understood that the Aceh KKR was then formed as an alternative, but they considered that the institution worked within limitations. Saudah called the Aceh KKR a "place to talk," but not an institution that can guarantee recovery. Riski emphasized that although his family had given a statement to the Aceh KKR, the follow-up still depended on the local government. Dinda highlighted that the regional KKR does not have the authority to force different state institutions if there is a national law that binds the ministry. These three voices illustrate the public's understanding that the presence of the Aceh KKR is a temporary solution to a much larger structural vacuum. In other words, the Aceh KKR is a small door opened by the regions after the big door was closed by the Constitutional Court.

When asked what the biggest impact of the repeal of the law was, the informants agreed on a symbolic impact: a loss of trust in the state. Saudah called the state "unarmed," Riski called it "indifferent," and Dinda called it "leaving us halfway." All three use metaphors that describe the emotional distance of the victim feeling that the country is only serious when the conflict is hot, but then leaves when the community has to recover. This psychosocial impact extends to the community: the people in Blang Bintang still hold the narrative that war victims have no place in the state structure. This mistrust is counterproductive to the process of national reconciliation, because the people view peace as an elite agreement, not the restoration of the people. The repeal of the KKR Law thus prolongs the feeling of minority, namely the feeling of being a second-class citizen.

The repeal of Law Number 27 of 2004 also has an institutional impact on the Aceh KKR itself. Since there is no national institution to coordinate, the Aceh KKR must build its own network to ministries, human rights institutions, and local governments, and often has to conduct political advocacy for any recommendations of victims. This means that any recovery effort requires renegotiation, not an automatic procedure as if there is a national law. This situation affects the speed of recovery: recommendations can be sent, but without national authority, implementation is often delayed. Saudah said that until now his family has not received a concrete recovery even though it has been recorded. This shows that the repeal of the Law not only cuts off the formal pathway, but also slows down the administrative ecosystem of victim recovery in Aceh.

Based on the results of interviews with three informants, it can be concluded that the impact of the repeal of the 2004 KKR Law is not only seen in the policy system, but also permeates the lives of the victims' families. First, the repeal of the Law removes the guarantee of recovery at the national level, so that the fulfillment of victims' rights is no longer seen as a state obligation, but as a regional choice. Second, the victim experienced psychological impacts in the form of a loss of hope and a sense of not being recognized. Third, the younger generation like Riski and Dinda experience administrative obstacles and lose the opportunity to know the truth of their family history. Fourth, the burden of social reconciliation completely falls on the people of Aceh, not the state. Thus, the repeal of the Act creates layered structural and emotional impacts, leaving the impression that

³⁷ Dinda, "Interview with Representatives of Families of Conflict Victims in Blang Bintang District. Aceh Besar Regency," January 12, 2026.

the state is present in times of war but absent when wounds need to be healed. The Aceh KKR functions to fill the void, but it continues to run in the shadow of the missing national mandate.

CONCLUSION

Based on the results of the research, it can be concluded that the Aceh Truth and Reconciliation Commission (KKR) has a strategic role in restoring the rights of civilian victims of armed conflict through three main dimensions that are integrated with each other, namely truth recovery, rights recovery, and social recovery. Through the disclosure of the truth, the collection of victim data, as well as the implementation of testimony hearings and thematic investigations, the Aceh KKR contributes to building collective recognition of the victim's experience. In addition, efforts to prepare reparation recommendations and provide psychosocial services show a commitment to substantive restoration of victims' rights. At the same time, social reconciliation initiatives play an important role in restoring public trust and strengthening post-conflict social cohesion.

However, the repeal of Law No. 27 of 2004 concerning the Truth and Reconciliation Commission has had a significant impact on the effectiveness of the restoration of victims' rights. The absence of a national legal basis has led to a shift in responsibility from the state to local governments, thereby weakening the legitimacy and institutional carrying capacity of the Aceh KKR. Empirical findings show that this condition not only creates policy vacuums and administrative barriers, but also worsens the psychological condition of victims and victims' families, which is characterized by feelings of unrecognition, loss of hope, and prolonged uncertainty. The younger generation of victims also face obstacles in accessing social services and information about the fate of their family members.

Thus, this study confirms that although the Aceh KKR continues to play an important role in the transitional justice framework, its effectiveness is still limited by the absence of strong national legal support. Therefore, it is necessary to strengthen a regulatory framework at the national level that explicitly recognizes and supports transitional justice mechanisms in the regions, as well as ensure the implementation of comprehensive, sustainable, and remedial reparations recommendations for victims of conflict.

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