



CASE STUDY

Comparative Research on Gender & Reparations in South-East Asia: *Aceh, Indonesia*





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ABOUT ASIA JUSTICE AND RIGHTS

Asia Justice and Rights (AJAR) is a regional human rights organisation based in Jakarta, Indonesia. AJAR works to increase the capacity of local and national organisations in the fight against entrenched impunity and to contribute to building cultures based on accountability, justice and willingness to learn from the root causes of mass human rights violations in the Asia Pacific region.

ABOUT YAYASAN PASKA ACEH

Yayasan PASKA Aceh is a nonprofit organisation based in Pidie, Aceh, Indonesia, that focuses on the development of socio-economic activities and empowerment of post-conflict victims in Aceh.

PHOTOS

1. Dara and her mother had to find a place to live after their house in Tampui was burned down. The conflict in Aceh left a deep scar for her. © Asia Justice and Rights/Okky Ardy
2. Mirah had to endure the pain and trauma after her husband had to flee to the mountain when the military came to her village. She was then taken by the military and detained for the absence of her husband, leaving her seven year-old daughter without parent. © Asia Justice and Rights/Okky Ardy

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INTRODUCTION

Aceh has maintained its formal peace after turbulent civil conflicts, martial laws, and a tsunami for seventeen years. The Acehnese community continues to thrive with their own local laws and regulations as attempts to build reparation for a long-lasting peace. The road to justice and permanent peace, however, is still full of obstacles. This research is about how women victims in Aceh access and experience reparations after years of CSO-based (Civil Society Organisations) and formal reparation programs take place. The research focuses on women who are political prisoners and victims of torture, sexual and gender-based violence (SGBV). By understanding the challenges and opportunities faced by Acehnese women victims for justice and peace, we offer key findings and some policy suggestions for policymakers and the community actors.

We gather the data from two villages, amounting to 74 women.¹ All of the women experienced torture due to their family members' affiliation to the Aceh Freedom Movement (*Gerakan Aceh Merdeka*, GAM). A handful of them (48%) survived sexual assault and violence in various forms. At least 32% of women suffered from material loss, and all of the women expressed psychological distress given the trauma during the conflict. The condition does not only affect them individually, but their relationship with family and community members. Although this research focuses on women, we also recorded the sexual violence and harassment employed as torture that men victims suffered during the conflict.

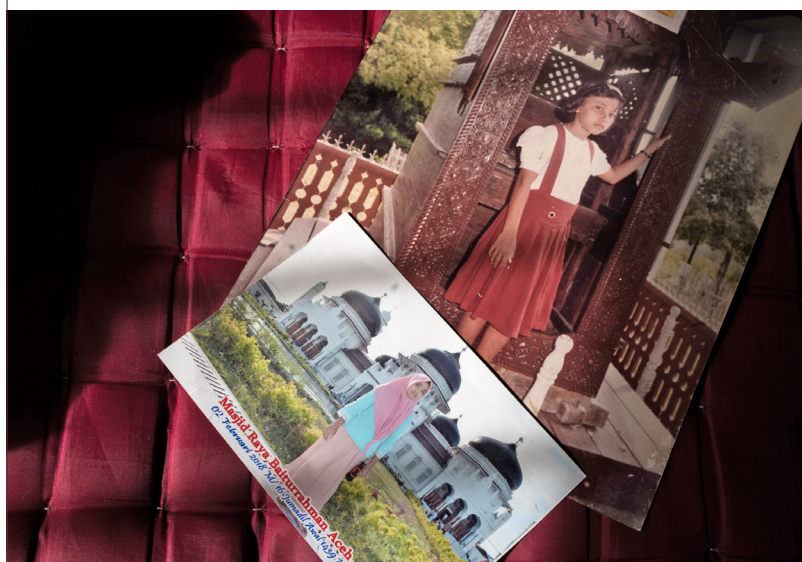
CONTEXT

The victims in Aceh faced unique challenges as a result of armed conflicts (1976-2004), military operations (1990-1998), martial law (2003-2004), and the devastating Indian Ocean Tsunami in 2005 that forced the Aceh Freedom Movement (*Gerakan Aceh Merdeka*, GAM) and the Indonesian government to a ceasefire. Thus, the experience of victims reflects interconnected and perpetual violence, and impunity.

It is even more complicated once we consider the history of Aceh with the Indonesian government, which is full of distrust and dissatisfaction.

The tipping point for the Acehnese against the Indonesian central government took place in Arun, North Aceh in 1971 when the Indonesian government decided to give the concessions to foreign company, Mobil Oil (now Exxon). The economic dissatisfaction soon turned political as the discovery led to militarisation in the mining area, resulting in violence and torture against the local population. In 1976, Hasan di Tiro established the Aceh Freedom Movement and created an armed conflict. The rest was a painful and violent history, with approximate casualties amounting to 15,000, mostly from civilians.

The conflict that started in 1976 developed into several phases based on the conflict escalation and the shifts in the strategies used both by the Indonesian Military and the GAM. The conflict started rather small, as admitted by the GAM leaders, and eventually was suppressed in 1979. However, the conflict was reignited when international funds came to support the GAM in the 1980s, which led to larger supporters and more trained combatants participating in the cause. Indonesia took an extreme measure by deploying a military operation area (*Daerah Operasi Militer*, DOM) in Aceh from 1989 to



Dhien, a survivor, photographed posing in her house right before the conflict in the 1970s. The other photo shows her daughter in front of Aceh's Baiturrahman mosque, thirteen years after the conflict ended. © Asia Justice and Rights/Okky Ardy

¹ AJAR conducted training to develop community learning centres with Yayasan PASKA Aceh since 2016 in Pidie and Pidie Jaya regencies. Some of the interviews quoted here are acquired during participatory documentation process with Yayasan PASKA Aceh throughout 2020-2022.

1998. The situation mostly took a toll on Acehese civilians, and only drove the latter to be more sympathetic towards GAM. During the financial crisis in 1998, the DOM status was lifted but violence still ensued, solidifying the alienation that most Acehese felt against the central government in Jakarta. After the failure of a peace process in Tokyo in 2003, the Indonesian government imposed martial law for about a year; human rights violations escalated during this stage. The Indian Ocean Tsunami that took away 170,000 lives in Aceh forced both parties to settle peace accordingly.

Each phase of the conflict carried different effects for the victims and accumulated their traumas and suffering as the conflict continued. The conflict has generated massive crimes against humanity, including but not limited to torture, enforced disappearance, and other forms of violations. Once the conflict ended, there was victimisation ongoing between generations due to the perpetual conflict followed by the tsunami in 2004. Almost all of the victims we interviewed stated that their parents or grandparents had been the victims of conflict violence in different timelines. The tsunami also did not immediately cease the conflict; we find victims, devastated by the loss from the disaster, continued being assaulted by the Indonesian military. Hence, the violence in Aceh was not a single, individual case, but rather a historical and accumulating case shared by millions.

GENDER-BASED VIOLENCE IN CONFLICT

During the conflict, Acehese women faced inexplicable atrocities that forced them to simultaneously protect themselves and their family members. The gender-based violence during the conflict is not only a byproduct of conflicts, but rather it transforms into combat strategies that debilitate not only the individual women victims but also their communities during the conflict. Gender-based violence that occurred during the conflict

also influences the peacebuilding process after the conflict ceased. After all, the nature of gender-based violence is structural and cannot easily be resolved without any systematic attempt for reparations. Despite their underappreciated role in the patriarchal Acehese society, systematically targeting women during the conflict has proven to be a successful conflict tactic. It intends to discourage the morals of combatants because their families are at stake and create division among the population to decrease the material and symbolic support for the GAM members and their potential informants.

Based on the Acehese victims' testimonies, we find various ways in which gender-based violence during the conflict is deployed:

a. As a Conflict Strategy

For women in the conflict zone, the danger of gender-based violence during the conflict always lurked, since rape and sexual assault were systematically used against them in past times and by the Indonesian military. Even without rape, the violence against women during the conflict reflects the common terror tactic deployed in armed conflicts, to spread fear against the opposite party². The terror tactic aims to influence the way the victims were perceived by the community, this often shunned and excommunicated them due to the stigma affiliated with the independence movement. The stigmatisation even ran deeper when the perpetrators raped or sexually assaulted/harassed the women victims. Dara, one of the victims in Pidie, described how perpetual violence increasingly worsened the abuse that she endured. First, when she was still a child, her family and particularly her mother, constantly suffered from the abuse of the Indonesian military because her dad joined GAM in the 90s:

'The military from Cubo and Tringgadeng always searched our house. The people around us did not care, they mocked us. The neighbors said that we were the children of GAM. No one cared if we were dead or alive – they ridiculed us for having a father in GAM. We were so ashamed of our condition, and we felt isolated in the village.'

2 Cases of sexual violence were reported to be used as military tactic, such as during the 1975-1999 invasion of East Timor (Commission for Reception, Truth and Reconciliation in East Timor (2005) *Chega!* Final Report), and 1965 (National Commission on Violence against Women (2007) *Gender-Based Crimes Against Humanity: Listening to the Voices of Women Survivors of 1965*). It was assumed that Indonesia learned the tactics to spread fear as used by Japan during the 1942-1945 invasion in the country.



Dara was just nine year-old when the military came into her village. Since then, Dara, her mother, and her siblings still lived in constant trauma. © Asia Justice and Rights/Okky Ardy

When Dara grew up, she became the main target of the terror:

‘The military officers dragged me down and pointed their guns at me. They hit my head with the gun and forced me to strip my clothes. They started touching my body and forced their hands into [...] They made me wear a military bullet vest and then strangled me. I fought so hard, I did not want them to rape me. This happened everyday whenever they headed back to their headquarters after the operation. They stopped by my house and harassed me.’

The violence, and the impunity that came after conflicts, becomes a generational issue for many women. Hence, it is not surprising that more than 50% of the women victims we interviewed prioritised their hopes that Aceh would never have to suffer from any conflicts and they aim for everlasting peace. However, their post-conflict conditions signal that such a dream, albeit attainable, requires massive work.

b. As the Right to Maim

Gender-based violence in conflict also becomes the foundation for the perpetrators to control the victims and the afflicted population³ by maiming them. Specifically, gender-based violence affects women beyond their individual conditions, but also the relationships that they have with other family members, in particular with their partners. A part of gender-based violence is its way to debilitate

women’s individual and collective being. The physical, psychological, and the social traumas from the conflict shape how the women rebuild their lives. For example, a lot of women in this research express difficulties in their daily lives as the aftermath of torture both from their experience and from their family members such as their husband.

“My husband became deaf because of the torture from the military... I often fought with my husband because his condition drove him to be more temperamental.”
- Safariah Hamzah

“My husband was frequently tortured; he had melted plastic dripped on his skin and was hit with a gun. Now he is often angry and unpredictable... I’m frequently beaten and only after hitting me he realised what’s going on and apologised for what he’s done. Maybe it’s due to the torture and beating he received during the conflict period.” - Saudah

Safariah and Saudah’s experiences illuminate how the accumulation of pain suffered by their husbands and themselves afflict their relationship with each other. In doing so, gender-based violence is not an exclusive phenomenon for women, but a shared experience that spills over to their surrounding communities.

In the patriarchal society, the absence of men in the household can jeopardise women’s safety and make them vulnerable to violence conducted during the conflict. The stigma of being a widow also deepens the trauma that the women have to endure. Such trauma and conditions that make women’s position in the community precarious also force women to rely on equally risky institutions such as polygamous marriage. Suryani, a victim from Tiro, reflected on how her new husband treated her badly because she was only “the third wife.”

c. As Intergenerational Dispossession

As a part of the systematic terror during the conflict, many properties of women and their households were destroyed and/or confiscated by the Indonesian Military. The tactic was to ensure that the GAM militias were resource-deprived and cut off from the community support. In doing so, however, the effect of such violence becomes cataclysmic since the material dispossession would radically change the livelihood

3 Puar, J.K., 2017. The right to maim. In *The Right to Maim*. Duke University Press.

trajectory of victims and in the long run would also affect the hierarchy among victims that can give them financial access for healing in any forms⁴

“One day, the Military ambushed our house, caught us cooking and storing ransoms for the GAM members in the nearby mountain. They kicked and stomped on my husband, and broke his ribs. The Military thought we were hiding the GAM members.” - Ummiyah

It is important to note that property destruction does not always indicate victims’ support for the GAM members. Frequently, destroying victims’ livelihood resources is more about spreading terrors and weakening their link or sympathy to the GAM members. Those who had no or weak affiliation with the GAM members also suffered from material losses:

“All of my possessions were burned down by the military. Including our chairs, taken by M. Diah, a member of the military commando resident. He said it was for his office. I highly doubt if it were true. My stall, where my income was from, was also gone.” - Nurhayati

The loss was consequently detrimental to the already traumatised psyche of the victims, because it meant that they could no longer feed their children or family members. Especially, the properties that were destroyed mostly belonged to women’s responsibilities like housework. Men could also still run away and live in a fugitive state during the conflict, which many of the victims’ husbands or male family members do. For women, however, such a situation was impossible and only worsened their already-precarious state during the conflict.

ROAD TO JUSTICE AND PEACE

Transitional justice in Aceh has been full of progress and setbacks, though most promising for the future work of peacebuilding is attributable to the grass-

roots level work and participation. The Helsinki Memorandum of Understanding (MoU) in 2005 has set the foundation for the road to peace-building in Aceh, such as ensuring the existence of human rights courts and the truth commission. However, even from early on, the national government and later supported by the Acehese government downplayed and limited the provisions mandating peacebuilding. The Aceh Truth and Reconciliation Commission (*Komisi Kebenaran dan Rekonsiliasi Aceh*, KKR Aceh), for example, faced initial cancellation and multiple



Sarah was caught and detained by the military when she was 18 year-old for her alleged involvement with Aceh Freedom Movement. She wishes that people in Aceh can live in peace for generations to come. © Asia Justice and Rights/Okky Ardy

delays.⁵ Thus, the MoU was mostly geared and enforced for political issues and security, specifically to destroy the firearms in Aceh and tame the possible political dissatisfaction in Aceh.⁶

In the early decade of post-conflict work, the work for victims’ well-being mostly relied on sets of international and national legal frameworks, particularly on victim protections. The national laws in particular, however, are mostly by-the-book and rarely implemented in terms of material recognition for victims’ loss, especially for their financial and psychosocial issues. This has been the general theme for human rights protections in Indonesia, in which

4 Asia Justice and Rights. “Exchange Visit to Aceh and Workshop on Natural Resources in Transition” (September 9-15, 2015).

5 MoU Helsinki on TRC and the Law 27/2004 on TRC annulled by the Constitutional Court.

6 Clarke, Ross, Wandita, Galuh, and Samsidar. 2008. “Considering Victims: The Aceh Peace Process from a Transitional Justice Perspective.” *ICTJ Occasional Paper Series*. International Center for Transitional Justice. Aspinall, Edward. 2008. “Peace Without Justice? The Helsinki Peace Process in Aceh” *The Centre for Humanitarian Dialogue Report*.

despite the existence of laws that protect victims of gross human rights violations, the implementations have been suboptimal.⁷

The Indonesia National Commission for Human Rights (Komnas HAM) and Indonesia National Commission for Violence Against Women (Komnas Perempuan) have been the primary institutions for Acehese victims to seek justice and reparation rights before the TRC. In addition to that, the National Commission of Victims and Witness Protection also supports the administrative and financial needs of the victims. One of the breakthroughs from Komnas HAM that the Acehese victims could access was the victim status letter, which formalised the state's acknowledgement for the human rights violations that the victims suffered. Through this means, the victims can receive limited financial compensation and access affordable, if not free, healthcare. Unfortunately, this healthcare access later merged into Indonesia's universal healthcare system, abandoning the victim's status and the reparation value.

In 2002, the government of Aceh mandated *dijyat*, or financial compensation known in Islamic jurisprudence for those whose family members had been killed or disappeared by force during the conflict. Women victims are the major and primary recipients of *dijyat*. Despite the different contexts and conditions of women victims, *dijyat* rate is similar across the demography (US\$207). The distribution of *dijyat* also faced serious issues like transparency, corruption, and the lack of state acknowledgement of the victims' experience, leading to victims' further grievances, anger, and dissatisfaction. Hence, despite the material compensation that they received, victims of gender-based violence expressed their restless trauma:

"The government gave me 3 million rupiah; but it won't erase my pain and wound. It feels like I am stranded in a vast ocean, helplessly buoying to nowhere." - Ummiyah

In particular, Acehese women still struggle with the traumas and other psychological damage that have intervened in their daily lives since the conflict era. There is yet a systematic psychosocial assistance for the victims for their traumas or any other conflict-induced stress disorder.

The pivotal moment for the peacebuilding and transitional justice in Aceh was the establishment of Aceh Truth and Reconciliation Commission in 2016. The Acehese government issued a mandate for the Truth and Reconciliation Commission in 2013, as a part of the Helsinki Memorandum. The operation, however, had been turbulent with the commission facing multiple delays for the official establishment. In the end, the Aceh TRC became official in 2016, but still faces multiple obstacles such as lack of funding, supportive infrastructures, and human resources. Nevertheless, the Aceh TRC is a promising step to institutionalise the path towards justice and peace that the victims deserve.

LOCAL POLICIES AND ACEH TRUTH AND RECONCILIATION COMMISSION

Before establishing the Aceh TRC, the Aceh Reintegration Agency (*Badan Reintegrasi Damai Aceh*, BRDA, est. in 2006) led the way to start the reintegration process after conflicts. BRDA also serves to follow up the agreements from MOU Helsinki, and mostly works at the provincial and district level. BRDA works to help former GAM combatants, political prisoners during the conflict, and victims of conflict re-enter and integrate into their lives after the conflict. Among a few important dimensions, BRDA is responsible for allocating resources like land and funds for victims to start businesses and/or secure jobs to rebuild their lives after surviving conflict atrocities. However, BRDA has received criticisms due to miscoordination, controversial corruption, and lacking necessary resources and infrastructure to run its programs.⁸ Due to its overly politicised operation, many stakeholders opted out from the initiative thus limiting BRDA resources and work scope.

Due to the limited scope of BRDA, the process to establish a truth reconciliation commission had been

7 AJAR & KontraS Aceh. 2017. *Transitional Justice: Indonesia Case Study*.

8 Clarke, Ross, Wandita, Galuh, and Samsidar. 2008. "Considering Victims: The Aceh Peace Process from a Transitional Justice Perspective." *ICTJ Occasional Paper Series*. International Center for Transitional Justice

seriously delayed. Even though it is mandated in an agreement of MOU Helsinki, the plan was received rather enthusiastically by the majority of BRDA stakeholders, especially from national and local officials. Reparation programs from BRDA, after all, barely touch upon any truth-seeking process, furthering alienation and lacking acknowledgement to victims' suffering.

After a series of setbacks, Qanun no.17 of 2013 mandates the establishment of the Aceh TRC, and it specifically demands three basic principles for the new commission: reveal the truth about past human rights violations, perpetrators and victims reconciliation, and comprehensive reparations for the victims. Finally, in 2016, the commission was established and is running with promising programs, aiming for Aceh's own and nationally-supported laws to truly build reparation and reconciliation that are based on the truth.

The Aceh TRC has made tremendous progress despite its rough initial establishment. They held two out of three planned public hearings on different themes: torture (2018) and disappearance (2019)⁹; although the hearing on extrajudicial killing has been suspended because of the pandemic. In these initiatives, victims came with their own statements of their truth and participated in the public hearing. In addition to that, victims of Rumah Geudong also initiated memorialisation of the torture that happened. The commission supported the memorialisation of Rumah Geudong, a former detention centre and torture operation during the conflict as a part of victim reparation.¹⁰ In 2021, the Aceh TRC handed findings and recommendations to the Aceh Parliament, consisting of 5,000 statements from victims of human rights violations (1976-2005). Within the lists, the commission recommended 245 names in need of urgent reparations and assistance.¹¹ The initiative was supported by the governor of Aceh, Nova Iriansyah.

Despite this promising milestone, the Aceh TRC still faces serious obstacles, including limited budget

and resources, and political apathy from local and national governments. Institutionally, the Law on Governing Aceh in 2006 limits the court's jurisdiction to settle potential abuses in the future, and dilutes the Aceh TRC's position under the non-existing national TRC. Right now, the commission is also still a local institution whilst it is not supposed to be, because TRCs in general require a national-level setup. Meaning, the TRC needs full protection from higher-level state elites to ensure its work and operation at the local level are implemented. The Aceh TRC currently needs to run the reparation programs effectively for the victims, and is in need of resources for advocacy and campaigns to do so. The Aceh TRC also needs to establish coordination with other national-level institutions to distribute aid rightfully belonging to victims, i.e., LSPK, Komnas HAM.

Beyond the systematic and bureaucratic barriers, the prolonged and unaddressed traumas and restlessness among victims and other parties (like former combatants) create an environment of distrust. As a result, the Aceh TRC has received accusations of "opening old wounds" of the Acehnese or of being too inefficient and unable to fulfil its promises. The commission also cannot grant full security for victims to speak out because freedom of "speech as victims does not guarantee their freedom after speaking"¹²

LESSONS LEARNED: THE GENDER GAPS IN ACEH'S REPARATION

While law by-the-book protects and provides legal basis to protect and rebuild victims' lives, gender dimension is occasionally left behind in the peace

9 Asia Justice and Rights, 17 July 2019, "Aceh TRC Commission Public Hearing in North Aceh: The Urgency to Provide Reparation for Victims." <https://asia-ajar.org/2019/07/18/aceh-truth-and-reconciliation-commission-public-hearing-in-north-aceh-the-urgency-to-provide-reparation-for-victims/>

10 Asia Justice and Rights, 3 March 2020. "Remembering Rumoh Geudong, Raising Hope for Truth and Justice in Pidie-Aceh, Indonesia." <https://asia-ajar.org/2020/03/03/press-release-remembering-rumoh-geudong-raising-hope-for-truth-and-justice-in-pidie-aceh-indonesia/>

11 Asia Justice and Rights, 31 December 2021. "Handover of Truth and Reconciliation Commission Findings and Recommendations to Aceh Parliament, A Milestone for Truth and Justice in Indonesia." <https://asia-ajar.org/2021/12/31/indonesia-handover-of-truth-and-reconciliation-commission-findings-and-recommendations-to-aceh-parliament/>

12 Transitional Justice Asia Network. 2020. "The Aceh Truth and Reconciliation Commission" in *Foundations for Peace: Transitional Justice in Asian Context*. <https://asia-ajar.org/resources/books-research/foundation-for-peace-transitional-justice-in-asia-contexts/>

and reparation process. Women's conditions did not necessarily improve once the conflict ended due to the intergenerational and systemic effects of the violence. The Indonesian government and the GAM authorities agreed to settle for peace with Helsinki MOU in 2005. And within that framework, programs for reparations for victims' post-conflict lives are available, ranging from psychological to material assistance. Still, the plans are largely negligent to the needs of women's conflict victims, and assume that general reparation programs may work or adapt to their needs.

The patriarchal dimension of the conflict and of Acehese society makes it difficult for women to be more open about their experiences. It is important to note, however, that such a condition is not unique to the Acehese people, since putting the burden of conflict onto women is a general pattern for many post-conflict victims. In other words, women's suffering tends to be invisible after the conflict because they were also invisible *during* the conflict.

When post-conflict societies rebuild their lives, most of the responsibilities fall onto women because of the debilitating effects of conflict for men who commonly became the combatants. Women take over the breadwinner positions and the community leadership (to some degree), while struggling with their own trauma. Their own trauma was not only secondary, but most Acehese women in the research also survived torture, detainment, sexual assault, and rapes following the terror tactics of Indonesia's military during the conflict.¹³ Hence the reparation and healing process for women after conflicts will take multiple layers to address and need cautions to avoid the risk of revictimisation. There is yet a policy that carefully considers this shifting role that may jeopardise peacebuilding at the individual and community level.

While struggling to make a living, women conflict victims have to cope with their traumas, and slow reparation and truth-seeking process only exacerbate their burden:

"I was so traumatised by what happened to me. When I closed my head, all I can see and remember are those screams of tortured people. When I walk, I feel so empty."
- Siti Mariam Hasballah

Women victims tend to feel isolated due to their traumas, and their new obligation to carry their

families forward further alienates them. The condition worsens when other family members also deal with conflict traumas, i.e., tortured or former combatant husbands who increased the likelihood of trauma-induced domestic violence.

"Who did what" during the conflict can also shape the dynamics of women conflict victims and affect the community support that they deserve. For example, the community tends to shun away those who had direct connections to GAM members either due to fear or anger that such affiliation had cost traumas for other members of the community. This



Keumala still remembers vividly how in 1998, she had to endure torture in this exact chair — a chair which she took and kept later from the burned military post as 'silent witness' for all the horrible things she experienced.
© Asia Justice and Rights/Okky Ardy

situation only perpetuates victims' pain and revictimisation:

"After they killed my son, every inch of my body hurts — my heart, my chest. My vision worsens because I just can't stop crying. I can't think straight, I'm always angry. My neighbours don't know what to do with me. Of course, after the conflict, they started to accept me again, but it is clear that they ignore me." - Juariyah

Most of the time, those who bear such revictimisation are women, the stigma still lingers to women even when their GAM-member families passed away. In other words, the reintegration program has not happened smoothly, especially for the stigma attached to poorer victims who do not

13 Asia Justice and Rights. 2016. *Enduring Impunity: Women Surviving Atrocities in the Absence of Justice*. <https://asia-ajar.org/resources/books-research/enduring-impunity-women-surviving-atrocities-in-the-absence-of-justice/>

have any political positions or leverage in post-conflict Aceh.

The gender gap in reparation policies also manifests in the generalisation of victims' needs, especially in terms of material and psychological assistance. Many land distribution and small business programs initiated by BRDA rarely consider the maiming effect of conflicts that render most victims disabled, mentally and/or physically. While helpful, such assisting programs will not last in the long term nor significantly contribute to long-lasting peace and build justice. Furthermore, aids that do not come with acknowledgement nor truth-seeking processes will be perceived as ignorant attempts by the victims, or that the government is lacking care since the message given is that everything can be resolved with money and welfare programs:

"The government must care about us. I want the government to care about and acknowledge my pain. Don't just talk and promise. I start forgetting what happened, but I do not want to. We used to protect and help them during the conflict, but now no one even thinks of victims anymore." - Ainol Mardiah

The lack of transparent and caring processes in reparation and peacebuilding is especially harmful and emotionally hurtful for women victims who have to carry the post-conflict burdens. The situation has been damaging to the psyche of victims who struggle in their daily lives to maintain a sense of normalcy after the conflict that uprooted their lives. There is no easy way to rebound from conflict and the trauma that it has caused to victims. Especially when these women victims are expected to carry a gendered new role to rebuild their conflict-affected families and communities:

"Even in my prayers, I still can't forgive what the military did to me and my family." - Hamidah Piah

Pathways to justice and peace are indeed full of pebbles and rocks. These obstacles can be minimised with processes that centre truth-seeking as the foundation for reparation and reconciliation. Truth-seeking can also help design programs that attend to victims' different needs. In doing so, state institutions and CSOs can help victims to move forward while simultaneously healing the wounds that shape their future.

It is important to note, however, regardless of the challenges that remain, opportunities still flourish. In particular, the work of CSOs and victims that develop stronger amidst the pandemic can be the pivotal ground for change. Especially the local CSOs like

PASKA (*Yayasan Pengembangan Aktivitas Sosial Ekonomi Masyarakat Aceh*, Aceh Socio-Economic Development) and RPUK (*Relawan Perempuan untuk Kemanusiaan*, Women Volunteers for Humanity), supported by regional and national CSOs like AJAR, have been the frontline for mitigating women victims' needs. For example, local CSOs have been crucial in ensuring women victims' financial rights after the conflict, and helping victims navigate the foot-dragging bureaucracy. In doing so, changes and roads to justice and peace in principle can be moved significantly from below. What the involved stakeholders need is to ensure, enable, and maintain such works.

RECOMMENDATIONS

Learning from the sociopolitical contexts in Aceh and the victims' experiences, we generate recommendations either to help policymaking and/or community building and organising on the grass-roots level. For the general recommendations:

a) Creating safe environments for women victims to speak up

One of the crucial programs held by the Aceh TRC is public hearing of human rights violations from the victims. This process is to ensure the dimension of truth-seeking, in order to encourage institutional reform, prosecution initiatives, and reparation. However, speaking out the truth is still dangerous in Aceh, especially for the women victims who suffered from gender-based violence that may involve sexual harassment and assaults. In such a persistently patriarchal society, being outspoken about sexual assaults that the women endured can jeopardise them. Victim-blaming is still a recurrent reason why many women in this research hesitate to speak. Institutionally, accusing of someone for raping or assaulting women will require the shariah law enforcement to act, and if the women cannot prove their cases, they will receive corporal punishments publicly. In doing so, public hearing is risky for women victims, because their truth will not only affect them, but also their communities that will also feel humiliated by their testimonies.

Simultaneously, truth-seeking is a fundamental process for post-conflict communities. Many women

feel helpless because they feel like their grievances mean nothing to others. They carry their traumas silently while continuing their lives; the absence of acknowledgement to their pain and experience perpetuates the psycho-social burdens of victims. Such a situation later becomes psychosomatic and influences women victims' physical health. The feeling of being abandoned also isolates women victims, impacting their participation in community victim groups.

In doing so, providing and creating a safe environment in which women can speak their truth beyond their victim groups is critical for their healing and preparation processes. Ensuring victims' right to

community power. In the case of Aceh, victims may feel shunned away if they have direct connections to GAM during the conflict. As an effect of the conflict tactic, GAM-affiliated victims were sometimes even excommunicated and struggled to readjust to the community lives after the conflict. Readjusting can be harder, especially when GAM stigma still lingers in the community. In addition to degraded socio-cultural status, the condition may worsen if the victims also lost their resources during the conflict, as the military usually destroyed the properties of GAM family members.

In our findings, multiple GAM family victims often expressed their anxiety over the community distrust because they were affiliated with GAM, implicating that they were complicit in the torture and harassment that happened in the villages. This dynamic can influence victims' social relationships to each other and may affect victims' healing processes. For example, victims may feel discouraged because they have no resources to offer for victim groups, or they may find it difficult to share their stories, and hence are inactive, in victims' learning groups. Such a situation may impede their trauma recovery as a collective due to the isolating feeling.

CSOs and partners involved in healing and community empowerment after conflicts in Aceh may want to consider victims' social dynamics to ensure and provide accessible and equal community spaces for healing and recovery. In that way, truth-seeking can also start within the

communities that carry the burden of collective traumas. In the long term, such a strategy can also strengthen solidarities among victims and build a caring relationship among victims.



It has been 21 years since Dhien's father was abducted by unidentified persons. To this day, Dhien and her mother continue to look for his father's whereabouts, while continue facing intimidation from people related to both sides of the conflict. © Asia Justice and Rights/Okky Ardy

speaking about their pain is a nascent, but indispensable, step to address their traumas and build roads for reparation and prosecution.

b) Ensuring equal and accessible participation for the women victims in organising their communities

A common, but rarely addressed, pattern that we find from the women victims is the dynamics between them that may jeopardise collective and

c) Strengthening community empowerment and resources for women victims' needs

Victims have expressed their excitement for CSO learning groups. For them, CSO learning groups have generated both tangible and intangible benefits

for their personal reparation processes. Particularly for women, they can speak more openly about their conflict experiences, which may not be an option when they talk to their family members. Many victims feel encouraged and supported through learning groups because the latter increases their sense of belonging to their communities. They address the happiness from sharing the burdens with other women victims and the groups also make them brave enough to speak up. Materially, learning groups open some financial opportunities, because such spaces provide information of where and how to access resources for victims of Aceh conflicts.

Drawing from such experiences, resources for learning groups should be enhanced to ensure the benefits that victims receive from opening up and learning from one another. Victim learning groups can also help provide reparation at the micro-level, in which they can share their coping strategies, acknowledge their pain, and address their trauma. Learning groups can also be useful to understand victims' dynamics and relationships, and to map them later for designing programs that are sensitive to their relationships. In the long term, strong victim communities offer a solid political group for advocacy. Hence, CSO and other official institutions working with conflict victims should build victim groups and/or associations in which they can use as a safe and resourceful space.

In the long run, dedicating resources and strengthening communities specifically to address women victims will open leadership opportunities for them. Women leadership is essential in rebuilding lives after the conflict, because it will help them to reclaim their stories and voices, and recenter their very own experience for necessary research to build equitable and gender-sensitive reparation programs, and eventually peace.

d) Designing efficient bureaucracy and reparation programs according to women victims' rights and different needs

Victims identification is still a persistent problem in the case of Aceh reparation efforts. One central issue is that different institutions offer different accesses for the victims, and most of the time the access they

receive is not designed for their conditions, but rather general social welfare programs. For example, victims may receive healthcare procedures as their reparation rights, but this system later is redirected to Indonesia Universal Healthcare System which is already mandatory and given in Indonesia's citizenship. In other words, such service does not specifically address and acknowledge victims' rights and status, mandated by MoU Helsinki.

The convoluted bureaucracy for reparation programs needs to be resolved since it can detrimentally affect victims' rights and access to welfare and resources. Especially when coordination between local and national institutions that assist victims are subpar. The bureaucracy problems for victims' provisions can potentially jeopardise victims' multiple rights. For example, The Aceh Reintegration Program may deny victims' requests for assistance because the latter have received funds from other institutions like Baitul Mal. Hence, administrative issues can create animosity between victims and governments, weakening the peace-building processes.

Many victims have accessed *diyot* but indeed, as many women victims may address: giving them a fixed amount of money does not acknowledge and heal their pain. The amount of reparation money that victims can access is also similar across all demographics. This situation can perpetuate inequality among victims since each victim will have different backgrounds. The *diyot* money may suffice for others, but it may not for victims who lost all of their properties and suffered heavy trauma from tortures. In doing so, it is important to also create a comprehensive and secure database of victims that details their conditions so local and national institutions can create victims-oriented policies.

e) Increasing capacity for Aceh TRC

The Aceh TRC is a crucial component to ensure peacebuilding in the region. Not only is the commission a mandate from the Helsinki MoU, but the TRC should also be a coordinating and binding institution for victims to access and tap into their rights and resources. Other national and local agencies should help and establish bureaucratic partnership with the Aceh TRC to distribute victims' provisions accordingly. And in return, due to its proximity with the victims, the commission can help the institutions to design programs that fit victims'



As her journey to healing after conflict continued, Meulu helps people around her to heal as well by leading the community learning centre and majlis ta'lim. Other than taking care of her farm for her livelihood, she also participated in the local family welfare movement (PKK). © Asia Justice and Rights/Okky Ardy

needs. In order to build such a partnership, the Aceh TRC will need tremendous help from other local and national institutions. Especially if the commission aims to have multiple programs and manage victims databases that will be critical for their work.

The Aceh TRC also needs resources for massive advocacies that they will do to implement transitional justice in Aceh. More than public hearings and relaying accesses and resources for victims, the Aceh TRC frequently works to overturn some decisions that may be harmful for victims, or to secure victims' rights. For example, the commission will have to make multiple appeals to make the local legislative act upon their research and victim databases. The Aceh TRC will also need to act if the justice process is derailed, i.e., corruption that involved funds for victims of conflicts and tsunami in Aceh.¹⁴

The commission will have to work to follow up on the recommendations, research, and works that it has done for victims. The problems with Indonesia's legal system in Indonesia is that it often requires additional

advocacy; the court decisions, as favourable they may be for victims, are often not being enforced or are too slow to implement. Hence, the Aceh TRC will need resources to organise their work and build its political bargain so that it has power to politically pressure the policymakers.

f) Ensuring women victims' rights to material reparations

Material reparations are sensitive, but crucial issues, for many victims of Aceh conflicts. This is indeed not to say that other immaterial reparation programs are less significant. The loss of properties or other livelihood resources, however, is damaging to both psychosocial traumas of women victims, and it influences their participation in the learning groups. Many victims express their difficulties to follow reparation programs as they also struggle to make a living in everyday lives, now that they become the

14 For example: in 2008, the Aceh Reintegration Agency got involved in series of scandals involving corruptions and sexual harassment. This situation resulted in the loss of educational funds dedicated for victims' children.

breadwinners. This economic inequality also reflects the inequality of victims' accessing their resources and rights and mobility/exit plan from trauma.

The existing financial compensation for victims does not address the inequality among victims since their material loss can vary. Thus, it is crucial to create a database that also reflects the different conditions and needs for victims. Such a database will also need to identify the loss that victims have to endure and the consequences of such loss. The aftermath of property loss usually becomes the women's burden because the male breadwinners in the family had been maimed, making livelihoods a responsibility for women. In doing so, material losses can count as a gendered pattern of violence because they systematically further women's victimisation after the conflict.

g) Developing gender-sensitive methods for the reparation of women victims

While it is important to channel tangible resources for women as a part of reparation programs, equally pivotal is to have methods that ensure such strategies and make psychosocial change for women as well. Creating gender-sensitive methods can also become a way to acknowledge women's pain and trauma that they have endured. At the grass-roots level, this need becomes important since one of the main grievances from the women victim is the lack of official, or unofficial, acknowledgement for what happened to them. The methods can also provide the long-term rehabilitation for another persistent problem that the women victims face: the further violence such as continuing domestic violence from their husbands.

The Aceh TRC may also apply the varieties of gender-sensitive methods to acknowledge women's experience, to further help them document the victims' testimonies comprehensively for future policy use. At the grass-roots level, many CSOs have attempted to expand practical methods to document women's experiences, grievances, and hopes; for example, through body mapping to identify the physical effects of traumas, symbolising their hopes and pains with certain objects.¹⁵ Such methods may help women's psychosocial welfare to process the

trauma, while they embark in their journey for everlasting peace in their communities. Furthermore, such methods will help destigmatize women victims' experience, so the safe environment to speak out their truth will flourish.

h) Dedicating specific programs and resources for women victims' children

One crucial theme from women's testimonies about their torture and conflict experience is the future of their children. Many women worry that their experiences and status as victims of the conflict will hinder their children's possibility to have better lives, in terms of financial and educational opportunities. Children of women victims are also those trapped in violence and poverty. To address the issue, policies specifically to address and uplift the children's well-being is indispensable. In particular, the children would need assistance to support their psychosocial welfare and education. Scholarship funds for the victims' children may be crucial; and the psychosocial help through counselling and/or community work may help women victims, their children, and their community to cut the intergenerational traumas.

Support for women victims' children will be a serious encouragement for women's participation in peacebuilding. When women victims complain about their livelihoods, it reflects their concern over their children's future – or their inability to make ends meet for their children. Helping specific resources and programs to support the children will undoubtedly take one burden from the women to provide for their children fully.

i) Acknowledging women victims' experience by marking the sites of violence for preventive education

Commemorating the violence that happened in the community may serve as an official acknowledgement, particularly for the women

15 See AJAR's manual series: *Stone & Flower: A Guide to Understanding and Action for Women Survivors* (2015) and *Mosaic: A Manual for Rebuilding Lives and Communities After Torture* (2018).

victims whose experience is often ignored by the authorities. The commemoration then is important to highlight the women's role during and after the conflict. Women victims mention how their community shuns them because of their victimhood status. By commemorating the atrocities, the sites can build a new social cohesion and understanding

among the community members to move forward together and destigmatise women's experience. In the long run, commemorating or marking the sites of violence provide an educational opportunity for everyone involved and for the future generation so it can fulfil the women's wish to not repeat the conflict again