

# 亞齊轉型正義之路： 願景、挫折與重啓

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本文由歷史與制度觀點，討論亞齊自分離主義衝突結束後之轉型正義發展歷程。2005年簽署的《赫爾辛基協定》涵蓋了各項轉型正義措施，然其落實一方面受限於和平優先的考量，以致偏重特赦及賠償層面；復因印尼全國轉型正義工程停滯，使得究責與真相探詢缺乏具體進展。為謀突破，亞齊公民社會採取草根途徑與真相優先策略，終於促使亞齊議會於2013年通過《亞齊真相和解委員會條例》。在制度設計上，亞齊的真相和解工作聚焦受害者團體的需求，並力圖與在地政治菁英確保合作，以牟轉型正義願景的充分實現。

關鍵字：赫爾辛基協定、亞齊、轉型正義、和平建設、真相和解委員會

# The Dynamics of Transitional Justice in Aceh: From Helsinki MoU to Aceh KKR

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## ABSTRACT

From institutional and historical perspectives, this study explores how Acehese society addressed massive human rights violations during the insurgency years. The 2005 Helsinki Memorandum of Understanding between the Indonesian government and Free Aceh Movement (GAM) entails expansive measures of transitional justice. However, implementation was first conditioned by the “peace vs. justice” tradeoff. Consequently, amnesty and reparation (compensation) were prioritized. In addition, the failure of Jakarta to realize transitional justice at the national level prevented Aceh from pursuing truth and reckoning. Despite the unfavorable context, civil society groups in Aceh, with the help of counterparts across Indonesia and the Asia-Pacific, advocated the Truth and Reconciliation Commission (KKR) at the local level. Disagreements between the elite in Jakarta and the elite in Aceh facilitated groundbreaking legislation of the *KKR Qanun* (bylaw) in 2013. Inspired by the grass-roots experiences, the institutional design of the Aceh KKR reflects a victim-centered approach, and rehabilitation is considered necessary for the revelation of the truth.

Key Words: Helsinki Memorandum of Understanding, Aceh, transitional justice, peace-building, Truth and Reconciliation Commission