

PERLINDUNGAN PEREMPUAN KORBAN KEKERASAN SEKSUAL  
BERDASARKAN QANUN DI PROVINSI ACEH DITINJAU DARI  
*CONVENTION ON THE ELIMINATION OF ALL FORMS OF  
DISCRIMINATION AGAINST WOMEN*

INTISARI

Oleh:

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Di Indonesia, norma agama seringkali diakomodir dalam peraturan perundang-undangan yang ada. Bahkan, terdapat daerah yang diberikan kewenangan khusus untuk mengatur pemerintahannya berdasarkan ketentuan agama tertentu, yaitu Provinsi Aceh yang menegakkan syariat Islam melalui Qanun. Sayangnya, dalam implementasi Qanun khususnya terkait perlindungan perempuan korban kekerasan seksual, masih belum optimal. Hal ini kontradiktif dengan fakta bahwa Indonesia sendiri merupakan salah satu Negara Peserta dalam *Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)*, sebagai pedoman dalam pembentukan peraturan perundang-undangan sekaligus implementasinya untuk melindungi hak asasi perempuan. Adapun penelitian ini bertujuan untuk mengetahui implikasi Qanun terhadap perlindungan hak perempuan korban kekerasan seksual di Provinsi Aceh, serta perspektif CEDAW terhadapnya.

Penelitian ini dilakukan dengan metode penelitian normatif. Penelitian normatif dimaksudkan untuk melihat kesesuaian antara prinsip dalam Qanun dengan CEDAW, khususnya dalam mengatur perlindungan terhadap perempuan korban kekerasan seksual.

Penelitian ini menyimpulkan dua temuan penting: Pertama, masih ditemukan hambatan-hambatan baik di tataran regulasi maupun implementasi dalam perlindungan perempuan korban kekerasan seksual berdasarkan Qanun di Provinsi Aceh. Kedua, diperlukan adanya tinjauan ulang dan atau revisi terhadap pasal-pasal Qanun yang berpotensi diskriminatif terhadap perempuan korban kekerasan seksual oleh Pemerintah Provinsi Aceh.

Kata kunci: Kekerasan Seksual, Perempuan Korban, Qanun, *Convention on the Elimination of All Forms of Discrimination against Women*

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WOMEN VICTIMS OF SEXUAL VIOLENCE PROTECTION BASED ON  
QANUN IN ACEH PROVINCE VIEWED FROM CONVENTION ON THE  
ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN

ABSTRACT

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In Indonesia, religious norms are often accommodated in the existing laws and regulations. In fact, there is even a region that was given special authority to regulate their government based on certain religious provisions, namely the Aceh Province which enforces Islamic law through Qanun. Unfortunately, the implementation of the Qanun, especially regarding the protection of women victims of sexual violence, is still not optimal. This is contradictory to the fact that Indonesia itself is one of the State Parties in the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), as a guideline in the formation of laws and regulations as well as their implementation to protect women's rights. This study aims to determine the implications of the Qanun on the protection of the rights of women victims of sexual violence in Aceh Province, as well as CEDAW's perspective on it.

This research was conducted with a normative research method. Normative research is intended to examine the compatibility between the principles in the Qanun and CEDAW, particularly in regulating the protection of women victims of sexual violence.

This research highlights two important findings: First, there are still obstacles at the regulatory and implementation levels in conducting the protection of women victims of sexual violence based on the Qanun in Aceh Province. Second, there is an urgency for the Aceh Provincial Government to conduct a review and/or revision of the Qanun articles which have the potential to be discriminatory against women victims of sexual violence.

Keywords: Sexual Violence, Women Victims, Qanun, Convention on the Elimination of All Forms of Discrimination against Women

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