

Legal Review of the Procedure for Settling Liwath Crimes in the Context of the Jinayah Procedure Law in Banda Aceh City

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Abstract

The evidentiary efforts for the criminal offense of *Jarimah Liwath* in Aceh, regulated in the Qanun Acara Jinayah, are often suboptimal and constrained by the demand for strict standards of evidence. This problem arises in the context of implementing Aceh's special autonomy, which began with Law Number 44 of 1999 concerning the Administration of the Special Region of Aceh Province, was followed by Law Number 18 of 2001 concerning Special Autonomy for *Nanggroe Aceh Darussalam* Province, and subsequently replaced by Law Number 11 of 2006 concerning the Governance of Aceh. This framework encompasses the implementation of Islamic Sharia Law and Jinayah (Criminal) Law. One of the criminal offenses in the Qanun Acara Jinayah is *Jarimah Liwath*, the settlement procedure of which is regulated in the *Qanun Acara Jinayah* (Code of Criminal Procedure). This research aims to conduct a juridical review of the *Jarimah Liwath* settlement procedure (including evidentiary efforts) within the context of the *Qanun Acara Jinayah* in Banda Aceh City, as well as to identify the constraints faced by law enforcement officials, particularly the *Satpol PP and WH*. The methodology employed is a normative-empirical approach using qualitative descriptive techniques, through interviews and documentation. The research findings indicate that evidentiary efforts for *Jarimah Liwath* by investigators have not been optimal. This is due to the difficult nature of proving *Jarimah Liwath*, where the *Qanun Acara Jinayah* mandates strict standards of evidence. Juridically, a review of the implementation of these rigorous evidentiary procedures is necessary for the settlement of *Jarimah Liwath* cases.

Keywords: *Jarimah Liwath, Qanun Acara Jinayah Event, Settlement Procedure*

Introduction

Aceh is one of the provinces in Indonesia that has been granted special autonomy by the central government to govern its own government as stipulated in Article 18B, paragraphs (1) and (2) of the 1945 Constitution in its second amendment, which states that the state recognizes and respects regions that have special or distinctive governments governed by law. The State recognizes and respects customary law community units and their traditional rights as long as they exist and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as regulated by law.

Aceh as one of the provinces in Indonesia that is given the authority by the central government to organize a special and special government as stipulated in

Article 18B in paragraphs (1) and (2) of the 1945 Constitution in the second amendment, namely the State recognizes and respects special or special local government units regulated by law. The State recognizes and respects the unity of customary law communities and their traditional rights as long as they are alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia, as regulated in law. This specificity covers the field of law and courts, a number of criminal offenses are resolved by the general court, some are resolved by the Syar'iyah Court and some are quite resolved by customary courts at the gampong level.

As an implementation of the implementation of the privileges and specificities of Aceh as mandated by the 1945 Constitution, the Government of the Republic of Indonesia established Law Number 44 of 1999 concerning the Implementation of the Privileges of the Province of the Special Region of Aceh, as a form of the Central Government's seriousness in realizing the privileges and specificity of Aceh. Furthermore, as the Government's recognition of the specificity of Aceh, Law Number 18 of 2001 concerning the Special Autonomy of Nanggroe Aceh Darussalam Province was formed, which subsequently this law was repealed and replaced with Law Number 11 of 2006 concerning the Government of Aceh, hereinafter referred to as the UUPA which more specifically regulates special autonomy in Aceh. All regulations, both new and old, the issue of legal pluralism is not considered as a conflict for justice seekers, in fact there is a possibility that the alternative provided is a justice for society.

Other Acehnese privileges and specificities that have been regulated in the Aceh Government Law, namely the authority of the Syar'iyah Court as mentioned in Article 128, which is further regulated in the Jinayat Procedural Law and the Aceh Qanun on the Jinayat Law is also very clear regulating the authority of the Court and the application of article after article related to the Jinayat Qanun has also been carried out, including cases of sexual harassment and rape. with the enactment of Law Number 11 of 2006 concerning the Government of Aceh and Qanun Aceh Number 7 of 2013 concerning the Procedural Law of Jinayat and Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat. In Qanun Aceh Number 6 of 2014 concerning the Law of Jinayat there are 10 (ten) jarimah that are under the authority of the Syar'iyah Court, namely Judi (maisir), khamar (liquor), khalwat, ikhtilat, adultery, accusing adultery, sexual harassment, rape of Liwath (homosexual) and Musahaqah (lesbian). The Satpol PP and Wilayatul Hisbah Banda Aceh City officials have the duties and functions as an investigation and investigation institution for violations of Islamic Sharia Qanun, including allegations of jarimah liwath, based on the legal framework of Qanun Aceh (such as Qanun No. 6 of 2014 concerning Jinayat Law). With clear authority, they develop qanun's enforcement programs, coordinate with the Police and PPNS, and carry out technical activities such as taking fingerprints and photos, summoning

witnesses or suspects, examining documents/evidence, including confiscation, and being authorized to stop investigations if there is insufficient evidence.

According to the Great Dictionary of the Indonesian Language, homosexuality (liwāṭh) is a state of attraction to people of the same sex. Homosexuality is the sexual choice of the same sex to be his or her partner. (Lewis, 1983) Sexual preferences are more aimed at obtaining sexual satisfaction. (William, 1966) Homosexual is defined as a person who experiences emotional, romantic, sexual attraction or affection for the same sex. (APA, 2012) Sociologically, a homosexual is someone who tends to prioritize people of the same sex as a sexual partner. (Macionis, 2010) According to experts Deti Riyanti and Sinly Evan Putra, homosexuality is an abnormality of sexual orientation that is characterized by the emergence of a liking for other people who have the same sex or gender identity. (Verdict et al., 2024) Society and religion itself tend to see homosexual behavior as an act that is deviant and violates the nature that Allah has bestowed on man himself. (Shihab, 1996)

Jarimah liwāṭh is regulated in Article 63 paragraph (1) of Qanun Aceh Number 6 of 2014 concerning Qanun Law Jinayat. Although there are rules, in reality jarimah liwāṭh still occurs in the jurisdiction of the Banda Aceh City Syar'iyah Court and there are obstacles in the process of proving it. Based on Qanun Jinayat Number 6 of 2014, Article 63 paragraph (1), the punishment given to the perpetrator of liwāṭh is the punishment of whipping or a fine in the form of gold or imprisonment. (Arias & Naranjo, 2014) The number of whipping or fines depends on the degree of the offense. Everyone who performs jarimah liwath is threatened with uqubat takzir at most 100 (one hundred lashes or a maximum fine of 1,000 (thousand) grams of pure gold or imprisonment for a maximum of 100 (one hundred) months.

The process of settling Jarimah liwath in Aceh is juridically obliged to submit to the framework of the Qanun of the Jinayah Event. The Qanun of the Jinayah Event sets a strict standard of proof, which is a combination of the principles of classical Islamic criminal law and the provisions of modern procedural law. Traditionally in Islamic Criminal Law, the proof of liwath is categorized as very heavy (including jarimah hudud), requiring a repeated confession (Iqrar) or testimony (Syahadah) from four fair male witnesses and seeing the act firsthand. These burdensome conditions are primarily intended to prevent defamation and protect the honor of individuals.

However, in practice the implementation of the Qanun of the Jinayah Event has been adjusted to be more functional, the Qanun of the Jinayah Procedural Law (Articles 180-181) explicitly accommodates various types of modern evidence. Proof is no longer only based on iqrar and shahadah which are very difficult to fulfill, but is strengthened by: Witness Statements (at least two people), Defendant's Testimony (Confession), Evidence (including visum et repertum from medical examinations), and Electronic Evidence. This reflects the efforts to adapt sharia law in Aceh so that law enforcement can be carried out without sacrificing the principle of justice.

Previous journal studies show that research on Jarimah Liwath in the Acehese legal system is systematically divided into two main focuses. First, the literature focuses on the juridical position of delicacies and the implications of sanctions. Research such as Ridwan Nurdin's confirms the status of Qanun Jinayah as a *lex specialis* in Aceh, which is the material basis for homosexual criminalization (Nurdin, 2018). Case study of the decision of the Banda Aceh MS judge (for example, Decision No. 4/JN/2021/MS. Bna) analyzed by various researchers shows that there is a disparity in sanctions ('Uqubat Ta'zir a maximum of 100 lashes), where the sanctions imposed are often below the maximum limit. This disparity is seen as a flexible application of the Ta'zir principle, taking into account non-juridical factors such as remorse and the defendant's attitude during the trial. Second, the literature criticizes the procedural and evidentiary aspects, which are regulated by Qanun Aceh Number 7 of 2013 concerning the Jinayah Procedural Law. The researchers highlight that the Qanun of the Jinayat Event innovatively accommodates modern and conventional evidence simultaneously (Articles 180 and 181 of the Qanun of the Jinayat Event). However, an empirical study of Liwath's case by Melan Septia Ningsih and Mukhlis identified the main obstacles in the field, namely the difficulty of proving the element of sexual contact and the lack of eyewitnesses who meet the criteria of the Shahadah. As a result, the success of the prosecution is highly dependent on the Defendant's Testimony (*iqrar*) corroborated by the Evidence, including digital evidence and *Visum et Repertum*, confirming the role of *iqrar* as the 'ultimate evidence' in the Ta'zir case in the Syar'iyah Court (Ningsih & Mukhlis, 2021).

Although the evidentiary instrument has been expanded, the principle of prudence remains key: A Judge of the Syar'iyah Court can only impose a *uqubat* (sanction) if there are at least two valid pieces of evidence and the Judge personally has full confidence that the defendant has actually committed the crime. The actual cases that occurred, such as the arrest of a gay couple in early 2025 and two students at Taman Bustanussalatin in April 2025 in Banda Aceh, became real case studies. For example, the handling of the April 16, 2025 case was based on public reports that triggered the investigation and were strengthened by the suspect's confession. This process shows that Satpol PP and WH as the initial investigators must process these findings through the formal mechanism of the Jinayah Event, where each piece of evidence must be juridically tested before the file is transferred to the Syar'iyah Court.

Given the complexity between classical norms, the provisions of modern events in the Qanun of Jinayat Events, and law enforcement practices on the ground, it becomes very important to conduct a Juridical Review of the entire Settlement Procedure, particularly regarding how the evidence was obtained, processed, and used to achieve the Judge's conviction in Banda Aceh. Therefore, from the background of the above problem, I try to research the Juridical Review of the Jarimah Liwath

Settlement Procedure in the Context of Qanun of the Jinayah Event in the City of Banda Aceh.

Research Methods

The approach applied in this study is an empirical normative approach. An empirical normative approach is a type of research that aims to understand a situation in a context by focusing on a detailed and in-depth description of the picture of natural conditions, as well as describing what actually happens according to the existing reality. (Humanika, 2008) In this study, what we want to describe are the concrete steps taken by Satpol PP and Wilayatul Hisbah in the city of Banda Aceh in order to prove jarimah liwath.

The type of research used focuses on the collection and analysis of non-numerical data to describe the phenomenon or role of Satpol PP in overcoming radia liwath from qualitative descriptive research.

This study aims to analyze and describe the role of Satpol PP and WH in dealing with jarimah liwath in Banda Aceh City, which involves data collection through interviews, observations, and documentation. The data used is Primary Data which is data that has been obtained directly from the source of origin, both through the interview process and reviewing documents. In this case, primary data was obtained from the results of interviews with Satpol PP and WH officials related to efforts to overcome liwath jarimah in the city of Banda Aceh.

Then use secondary data which is a source of information that supports and strengthens primary data by providing additional explanations about existing primary data, so as to allow for deeper analysis and understanding. Secondary data is used to supplement information relevant to the research object. This data is referred to as indirect data. Secondary data sources in this study include supporting books, scientific journals, articles, internet sources, theses, and official documents related to this research topic.

Discussion/results

A. Legal Basis and Stages of the Jarimah Liwath Settlement Procedure

The formalization and implementation of Islamic sharia in Aceh is legally formally regulated in the Aceh Law and Qanun. The theoretical basis of this study rests on two main pillars, the Theory of Evidence in Islamic Criminal Law (Jinayah) and the Theory of Legal Convergence. In the context of Jinayah, the evidence of Liwath's jarimah is traditionally very strict, generally requiring four fair male witnesses (*Syahadah*) or confession (*Iqrar*). However, Qanun Aceh Number 7 of 2013 concerning the Jinayat Procedural Law shows a progressive effort called the Convergence Theory. The Qanun Event Jinayat accommodates modern evidence (expert testimony, physical evidence, and electronic evidence) which is based on the Theory of Positive Proof According to the Law, but still absorbs the spirit of Islamic

Law with the principle of 'minimum two pieces of evidence' (Article 177) and the principle of 'Syubhat' (doubt in favor of the defendant). Theoretically, this is a legal *ijtihad* to bridge the gap between the idealism of *fiqh* based on *hadd* and the need for *ta'zir* in the Indonesian positive legal system. This is as stipulated in Article 133, namely the task of investigation and investigation for the enforcement of Islamic shari'a which is the authority of the Syar'iyah Court as long as it is carried out by the National Police of the Republic of Indonesia and Civil Servant Investigators.

Furthermore, in Article 128 paragraph (1), Islamic sharia courts in Aceh are part of the national judicial system in the religious justice environment conducted by the Syar'iyah Court which is free from the influence of any party. Paragraph (2) The Syar'iyah Court is a court for every person who is a Muslim and is in Aceh. Paragraph (3) The Syar'iyah Court has the authority to examine, adjudicate, decide, and resolve cases that include the fields of *ahwal al-syakhsiyah* (family law), *muamalah* (civil law), and *jinayah* (criminal law) based on Islamic law. Paragraph (4) Further provisions regarding the fields of *ahwal alsyakhsiyah* (family law), *muamalah* (civil law), and *jinayah* (criminal law) as intended in paragraph (3) are regulated by the Qanun Aceh. Article 129 paragraph (1) In the event of an act of *jinnah* committed by two or more people together, among whom are non-Muslims, the perpetrator who is a non-Muslim religion may choose and submit voluntarily to the law of *jinayah*. Paragraph (2) Every person who is not a Muslim commits an act of *jinnah* that is not regulated in the Criminal Code or criminal provisions outside the Criminal Code shall apply to the law of *jinayah*. Paragraph (3) Acehnese who commit acts of adultery outside Aceh shall apply to the Criminal Code. The authority of investigation and investigation is also regulated in Law Number 11 of 2006 concerning the Government of Aceh as mentioned in Article 133, namely the task of investigation and investigation for the enforcement of Islamic law which is the authority of the Sharia Court as long as it is carried out by the National Police of the Republic of Indonesia and Civil Servant Investigators. The authority of proof is regulated in more detail in the Aceh Qanun Number 7 of 2013 concerning the *Jinayat Procedural Law*, as in Article 6, namely the Investigator is a Police and PPNS Official who has been authorized by the Law and/or Qanun to conduct an investigation.

Article 9 paragraph (2) The PPNS Investigator as referred to in Article 8 paragraph (1) b, is authorized to: a. receive reports or complaints from a person about the existence of criminal acts of violation of Qanun and/or other laws and regulations; b. carry out the first action at the Crime Scene (Crime Scene) and conduct an examination; c. order a suspect to stop and check the suspect's identity card; d. conduct searches, arrests, and detentions; e. confiscating objects and/or letters in accordance with laws and regulations; f. taking fingerprints and photographing a suspect; g. summoning persons to be heard and examined as Suspects or Witnesses; h. to bring in the necessary expert witnesses in connection with the examination of the case; i. make

a Warrant for the Commencement of Investigation (SPDP) to the Public Prosecutor with a copy to the PPNS Korwas after first coordinating with the Korwas; j. terminate the investigation after coordinating with the public prosecutor and the copy is submitted to the PPNS Korwas and then notify the Suspect or his attorney; and/or k. carry out other actions in accordance with the Laws and Regulations.

Furthermore, regarding the proof of both jarimah liwath and other jarimah as stipulated in Article 181 paragraph (1) Valid evidence consists of: a. witness statements; b. expert testimony; c. evidence; d. letters; e. electronic evidence; f. the confession of the Defendant; g. the Defendant's statement; paragraph (2) Things that are generally known do not need to be proved. In the theory of proof of the Qanun of the Aceh Jinayah Event (Qanun No. 7 of 2013), the judge's belief is the main basis but must be conveyed through at least two valid evidence in order to impose uqubat (Article 177) . Admitted evidence includes the defendant's confession, witness statements, expert testimony, letters, instructions, and the judge's knowledge (Article 178). But in many other cases, an absolute confession is not enough it must be reinforced with secondary evidence, affirming the principle of "minimum of two pieces of evidence".

The evidence in Qanun Aceh Number 7 of 2013 concerning the Procedural Law of Jinayat, which contains the principle that the judge cannot impose uqubat except after obtaining conviction based on at least two valid evidence, as stated in Article 177. Article 178 regulates the procedures for submitting claims and defenses in the trial process; He stipulated that after the investigation is declared complete, the Public Prosecutor is obliged to file a charge ('uqubat), then the defendant or legal counsel submits a defense in writing and gets the last turn so that the defendant's impartial rights are maintained. Thus, Article 178 focuses more on the order of administrative proceedings and the guarantee of the rights of the accused at the court table, including the mechanism for requesting additional investigations if necessary.

Meanwhile, Article 181 emphasizes the type and scope of valid evidence that can be used to prove a jarimah in the realm of jinayah. He exhaustively detailed seven types of evidence: witness statements, expert testimony, physical evidence, letters, electronic evidence, defendant's confession, and defendant's testimony This article provides a clear framework for valid sources of evidence, while excluding other sources that are not listed, thus limiting the interpretation space of judges and investigators to only take into account evidence that is formally recognized. Thus, the functions of the two articles are very different but complementary: Article 178 regulates the trial procedure and the rights of related parties, while Article 181 regulates evidentiary material through valid evidence. Both are important pillars in ensuring that the jinayah process takes place fairly, orderly, and legally formally.

B. Juridical Analysis of Implementation and Obstacles in Proving Jarimah Liwath

The procedure for settling the *liwath jarimah* applied by the Satpol PP and Wilayatul Hisbah (WH) of Banda Aceh City is carried out guided by a double legal framework: namely the Aceh Qanun Number 7 of 2013 concerning the *Jinayah Procedural Law*, and subsidiarily, the Criminal Procedure Code (KUHAP) when the *Jinayah Procedure Qanun* does not regulate in detail (Said, 45). Despite formal compliance, this process is often technically hampered and becomes not optimal, which directly slows down law enforcement efforts against *jarimah liwath*.

The main obstacle from a juridical-practical perspective is the absence of detailed and systematic regulations regarding the stages and mechanisms of proof specific to *jarimah liwath*. The Head of the Legislative Division of Satpol PP and WH of Banda Aceh City emphasized that the existing regulations are still partial and do not touch the essential technical aspects needed to build a strong legal construction.

As a result of the absence of comprehensive technical instructions, law enforcement officials (APH) tend to rely on readily available evidence. The evidence includes witness statements, the results of the *visum*, or the results of coordination with the Prosecutor's Office, without being supported by clear guidelines regarding the deadline, type, or level of completeness that are the minimum requirements for proof. This creates a juridical loophole that is the main obstacle in strengthening the legitimacy of the legal process.

The absence of detailed provisions regarding the criminal elements that must be proven and systematic investigation procedures make it difficult for Satpol PP/WH investigators to formulate legal construction of facts and verify allegations systematically. Without a comprehensive standard of proof, the investigative method tends to be static and vulnerable to legal objections from the defendant in the future, and even has the potential to cause defects in law enforcement efforts (Mahfud, 22-23). This directly tests the durability of the minimum principle of proof of the Qanun of the *Jinayah Event* (Article 177). This principle requires that the judge's conviction must be formed from at least two valid evidence. In cases where a confession is withdrawn and a *visum* fails to be obtained, the investigating apparatus relies only on peripheral evidence (public reports or officers' statements). The quality of this evidence is often considered insufficient to achieve the judge's full conviction, even though this is an absolute prerequisite in the Qanun of the *Jinayah Event* (Said, 45).

Based on information circulating in early 2025, there has been an arrest of a gay couple in the Banda Aceh area, both of whom were arrested in a boarding house in a nude state and finally carried out the execution of the whip in February. Then in April there was an arrest of two students who allegedly made out in the bathroom of Taman Bustanussalatin, both of whom were brought by the Satpol PP & WH of the city of Banda Aceh for questioning and both were sentenced to 80 lashes in public by the sharia court.

According to the Head of Investigation and Investigation of Satpol PP and WH, *proving jarimah liwath* is much more difficult than *Maisir*, *Khamar*, or *Khalwat*. The main difficulty lies in the core element of *liwath*: inserting the penis (genitals) into the anus. This requires eyewitness or, most importantly, an immediate medical examination by a doctor. If the *visum* is late or the doctor refuses to do it due to limited facilities, the case is difficult to prove, which is not in line with the Theory of Positive Proof According to the Law which requires proof only based on the law, the following is a table of recapitalization of *jarimah liwath* data for the last 3 years.

Table 1: Recapitulation of *liwath jarimah* data

No.	Year	Quantity	Remarks
1.	Year 2023	2	Case
2.	Year 2024	4	Case
3.	Year 2025	2	Case
	Quantity	8	Case

Source : *Satpol PP and WH Banda Aceh City*

In the context of data, Table 1 presents a recapitulation of the data of the *liwath jarimah* that was successfully handled and recorded at the investigation level by the Satpol PP and WH of Banda Aceh City over a period of three years. This figure (total of 8 cases) reflects the number of cases that have risen to the enforcement stage (P-16/Investigation). It's important to note that this data is partial; it does not include data from the Prosecutor's Office and the Syar'iyah Court that reflect the final decision. For a more in-depth analysis, the data should ideally contain details about the cases that were successfully delegated to the Public Prosecutor (P-21) and those that were terminated (SP3) as a reflection of the validation of the evidence. Nevertheless, the data from Satpol PP/WH is an important indicator of the initial difficulties of discovery and proof which is the main focus in the analysis of juridical-practical constraints, where there are fluctuations in cases and there is a tendency to increase in 2024.

Overall, the obstacles faced in *proving Jarimah Liwath* in Banda Aceh are not a reflection of the failure of the system, but rather the inherent dynamics of applying ideal religious norms into positive legal practice. The Qanun Event Jinayat has taken a significant juridical step by accommodating modern evidence such as *visum* and electronic evidence, a progressive attempt to bridge classical Islamic Criminal Law with the realities of contemporary law enforcement. The efforts of Satpol PP and WH in reaching at least two valid evidence, although difficult, show a strong commitment to *the principle of syubhat* that doubt must benefit the defendant so that substantive justice of Sharia is maintained. Technical constraints and regulatory partiality should be seen as opportunities for refinement of the Qanun framework of the Jinayat Event in the future, not a fundamental weakness. Therefore, the revision needed is not only in the Qanun itself, but also in the issuance of *the Mayor/Governor Regulation or Standard*

Operating Procedures (SOP) at the implementation level which specifically and systematically regulates the technical mechanism of proof, including mandatory and fast coordination with the Hospital/Prosecutor's Office. By focusing on this technical-operational aspect, the legal system in Aceh can continue to optimize the procedure for the settlement of *Jarimah Liwath* for the sake of upholding legal justice and the privileges of Islamic Sharia in the region. Through inter-institutional synergy and technical detail-oriented revisions, the legal system in Aceh can continue to optimize the procedure for the settlement of *Jarimah Liwath* for the sake of upholding legal justice and Islamic Sharia privileges in the region.

Conclusion

A juridical review of the settlement procedure of *Jarimah Liwath* in the city of Banda Aceh confirms that Qanun Aceh Number 7 of 2013 concerning the *Jinayat Procedural Law* is a progressive juridical foundation that integrates the principles of Islamic Criminal Law (*Jinayah*) with the positive legal system of Indonesia. This procedure is based on the Theory of Legal Convergence, which significantly modifies the traditional evidentiary mechanism of *Hadd* (four witnesses) into a *Ta'zir mechanism* that accommodates modern evidence including electronic evidence, expert testimony, and *Visum et Repertum* in accordance with the principle of "minimum of two valid evidence". This principle maintains the principle of *Syubhat* (doubt in favor of the defendant) and requires that the judge's conviction must be built on the minimum of valid evidence.

Procedurally, the Satpol PP and WH of Banda Aceh City carry out the task of investigation and investigation (as mandated by Article 133 of the Aceh Government Law) with concrete actions in the field: making arrests, securing initial evidence, and intensifying investigations which are highly dependent on the acquisition of *Iqrar* (confession of the defendant). Although *Iqrar* is often the dominant evidence in the *Syar'iyah Court*, such as in cases where his arrest occurred in April 2024 which led to a whipping verdict, his success is largely determined by the strengthening of secondary evidence.

The main juridical-practical obstacle in this procedure is the absence of detailed and systematic operational technical regulations under the Qanun of the *Jinayat Event*. The absence of comprehensive technical instructions on the criminal elements of *Liwath*, the standardization of digital evidence collection, and the mandatory rapid coordination protocol with the Hospital for *Visum et Repertum*, make it difficult for the authorities to formulate a strong and systematic legal construction. This creates a loophole that has the potential to undermine the legitimacy of the process and test the robustness of the minimum evidentiary principle.

In closing, the legal system in Aceh has taken significant steps within the framework of the Qanun Acara *Jinayat*, but the improvement of the procedure for the

settlement of Jarimah Liwath requires the issuance of a Standard Operating Procedure (SOP) at the technical-operational level. This SOP must specifically regulate the technical proof mechanism and accelerate inter-agency coordination, in order to ensure that the process of resolving Jarimah Liwath runs in a fair, orderly, and optimal manner, while upholding the privileges of Islamic Sharia in the region.

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