Safeguarding peace in Aceh

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Democracy is in good shape in Aceh. The level of violence is low, the economy is growing and post tsunami reconstruction is on track. Having experienced three decades of conflict and devastation from the tsunami in 2004, many challenges remain for the provincial leaders. Foremost among these challenges is the reintegration into society of former GAM combatants.

The widely-held view about Aceh is that democracy is flourishing and is in a healthier state than elsewhere in Indonesia. Politically speaking, Aceh virtually underwent a revolution. A peace process was established, resulting in the Helsinki Peace Agreement (Memorandum of Understanding, MoU). Soon afterwards came the adoption by the Indonesian parliament, the DPR, of the UUPA, the Law on Governance of Aceh. Since then, successful local elections (pilkada) have been held as part of the reform process in Indonesia that followed the downfall of Suharto.

The MoU has provided democratic space and is an important move away from authoritarian, centralist rule from Jakarta. This is the best example of far-reaching regional autonomy in the largest archipelago in the world which can, if properly implemented, set an example for other regions.

Many independent candidates scored victories in the local elections in a sharp break from the politics of Suharto’s New Order rule. The candidates of Jakarta-based political parties won very few seats. The posts of governor, deputy-governor and heads of districts were almost all won by independent candidates (GAM, or GAM sympathisers).

Division of labour
The governor, Irwandi Yusuf and vice-governor, Muhammad Nazar both lack experience in government. Irwandi studied veterinary science in the US and was for several years the underground GAM (Gerakan Aceh Merdeka, Acehnese Independence Movement) representative in Jakarta. Nazar was the chair of SIRA which successfully campaigned in the late 1990s for a referendum on Aceh’s political future.

Both were arrested and given heavy sentences. Irwandi made a spectacular escape from prison during the tsunami-induced floods in Banda Aceh while Nazar was released from prison in Malang as part of the MoU agreement. The duo won their posts with a large majority, a clear indication of the preference of the Acehnese electorate for local candidates.

Economically, Aceh was in bad shape, having just emerged from three decades of war and the tsunami disaster which ravaged virtually all parts of Aceh. These two dramas
represented a turning point. With the peace process on track, the tsunami disaster made Aceh headline news globally and money came pouring in from all corners of the world for rehabilitation and reconstruction of the devastated region.

Having spent years in opposition to Jakarta, Irwandi and Nazar were well aware of the many challenges. They had received massive support from the voters, meaning that the expectations were very high. For the first time since Indonesian independence in 1945, the Acehnese were able to vote for independent candidates. Irwandi and Nazar now needed to identify their priorities: creating new opportunities for the economy and continuing with political reform.

Since taking office, Irwandi has focused on the economy while Nazar has concentrated on dealing with Jakarta ministers as well as on the issues of justice and human rights, including the establishment of a truth and reconciliation commission and a human rights court.

The important issue of reintegrating GAM combatants is being handled jointly by the two men. This issue is crucial in judging whether the new administration has coped successfully with the post-conflict peace process.

It’s the economy, stupid
The need to provide new economic incentives is at the top of Governor Irwandi’s agenda. He realises that the political changes in Aceh should also have a positive impact on the economy. Acehnese should now enjoy better living standards and better opportunities for their families.

Since becoming governor, Irwandi has made several business trips abroad, to the US, India, Malaysia, Germany and Turkey to make contact with prospective investors. While he has been criticised for spending too much time abroad, his aim was to ‘sell’ Aceh to foreign investors. His encounter in the US with billionaire George Soros was headline news. It remains to be seen whether these efforts will bear fruit.

The Irwandi administration is also concentrating on strengthening the grassroots economy. Most ambitious is the decision to make large tracts of land available to small-holder palm oil producers: four hectares have been allocated to each family. Other ambitious plans aim to end the isolation of inland villages by building roads to the coast to boost the export of agricultural products. Several harbours will be built or repaired. The ports of Sabang and Krueng Geukuh will become container ports while Kuala Langsa, Krueng Geukuh, Krueng Raya and Labuhan Haji will be equipped to handle exports.

But Governor Irwandi is facing many challenges and stumbling blocks. Corruption is still rampant and cannot be stamped out at a stroke. Irwandi’s energetic performance is also seen as a threat to the Acehnese elite. Political opposition and even sabotage is likely if his policies threaten the privileges of certain vested interests. Irwandi has made preliminary efforts to curb the notoriously corrupt bureaucracy and has taken many ad hoc decisions about economic projects, often involving former GAM members as well as the many Acehnese who lived abroad during the conflict.
While the budget is now 600 percent higher than formerly, the old bureaucracy cannot simply be discarded to make way for new appointees because the role of the administration is so crucial. Irwandi inherited a decaying war economy which cannot be transformed overnight. Illegal logging is still rampant despite the moratorium on all logging announced several months ago.

While the tsunami was a terrible disaster in human terms, it dramatically boosted Aceh economically. Around US$8 billion has so far been provided for reconstruction by the Indonesian government and foreign donors. Another US$6 billion is expected in the next two years. One need only visit cities like of Banda Aceh and Lhok Seumawe or the harbour city of Sabang to see the boom effect of all this development.

The new development agency, the Rehabilitation and Reconstruction Board of Aceh (BRR), announced that by the end of October, over 100,000 houses had been rebuilt, slightly below the 120,000 target. Half of the 3,000 kilometres of destroyed roads have been rebuilt. Most administration buildings in the districts and sub-districts have been reconstructed, seven airports have been upgraded and three new ones built.

Aceh has all the ingredients for a successful economy. It possesses oil and gas and under the UUPA law, much of the income will flow into the coffers of the provincial administration. The soil in rural Aceh is very fertile; in the central highlands, some of the world’s best Arabica coffee variety is grown, while elsewhere large cocoa, rubber and palm oil plantations have to be revitalised. The Acehnese have a strong entrepreneurial tradition probably spurred on by their strategic location at the northern tip of the Malacca Straits.

The thirty-year conflict had a devastating effect on the economy. An estimated 169,000 people lost their lives during the tsunami and the infrastructure was badly hit. To cope with the lack of expert personnel, the new leaders have focused on education with about one-third of the Aceh budget being devoted to education.

Reintegration, a gigantic task
A sustainable peace process depends greatly on reintegrating the ex-combatants. Returning former combatants to normal social and economic life means providing work for thousands of men and women. All ex-combatants and victims of the conflict should be helped to return to their original communities. Experience of post-conflict situations has taught that failed reintegration is a recipe for renewed conflict. Timor Leste is but one tragic example.

The Helsinki MoU provisions on dealing with reintegration include economic facilitation for former combatants, amnesty for political prisoners and compensation for victims of the conflict. The decision to give special attention to reintegration was one of the positive achievements of the Helsinki-based CMI which brokered the peace process as well as the AMM, the monitoring body consisting of personnel from the EU and ASEAN countries. The regional AMM offices are spending a lot of time on the reintegration process.

A body called BRA (Reintegration Fund) was set up in February 2006 but from the outset, it was confronted by daunting tasks. The first two chairpersons were unable to cope. The present chair is Nur Djuli, a seasoned pro-independence campaigner who was part of the
GAM delegation at the Helsinki talks. For many years Nur Djuli played an active role in the Acehnese diaspora, in particular in neighbouring Malaysia where he was living at the time. BRA is directly under the governor while the BRR falls under the government in Jakarta. In contrast with post-conflict situations in other parts of the globe, a decision was made to give sizable grants to several categories of victims. With a budget of US$150 million, it was decided that GAM combatants would receive $3,500 and GAM non-combatants would receive $1,400. A similar amount has been given to former political prisoners. Former GAM members who surrendered before the peace agreement have been granted $700 and members of former militia groups who sided with Jakarta and fought against GAM have been given $1,400. Other schemes provide for housing assistance for those who lost their homes, medical assistance for the injured and compensation for families who lost relatives in the conflict. A major flaw of BRA is that it deals only with financial compensation while paying no attention to psychological problems. A survey conducted by the Harvard Medical School discovered high levels of trauma among all sections of the population, particularly in the GAM strongholds. BRA’s agenda and its political responsibilities grew more burdensome by the day. Around 600,000 people filed 50,000 requests for help. Confidence in the system soon collapsed, damaging the agency’s reputation. Moreover the role of the BRA was undermined when the GAM leadership, known as the KPA, insisted that the funds should be distributed through its own network. Then there were disagreements over the number of GAM combatants. During the Helsinki talks, it was agreed that there were 3,000 combatants although everyone in Aceh regarded this as a very conservative figure. During the conflict, many GAM guerrillas had continued to live as ordinary villagers who took part in the fighting on a part-time basis, returning to their villages to till in their gardens and fields. Moreover, whenever military operations by Indonesian troops intensified, many GAM members sought refuge in Malaysia. The number of on-and-off armed personnel was at least three times the figure agreed in Helsinki, but GAM had never drawn up a list of card-carrying members. Under these circumstances, GAM produced their figure of 3,000 primarily because they lacked reliable data about their decentralised movement. The decommissioning of the weapons also encouraged GAM negotiators to come up with a lower figure which meant that they would need to hand over fewer weapons. It is not clear whether local GAM units still possess large stocks of arms but with the peace process in place, the likelihood of armed operations is now thankfully remote. Were the reintegration process to fail, new problems could emerge in the form of criminal activities. The allocation of funds to ex-combatants, non-combatants and the 3,204 people who surrendered is now complete. Of the 2,035 ex-political prisoners, three-quarters have received compensation while of the 6,500 registered ex-militia, 62 percent have received money.
The needs of other categories of victims, those whose houses were burned, those with serious injuries and those needing medical treatment have also been addressed by the BRA. However, different figures have been produced by local NGOs, the local administration and other agencies. While 39,926 houses were destroyed during the conflict, only 5,228 have been rebuilt, 13 per cent of the target. Failure to deal with these problems could cause resentment among the victims and former combatants.

Political reform and new tensions
Political changes have occurred at such breathtaking speed that it is not easy to keep track. Apart from the installation of a new government with a new political agenda, at least seven local political parties have been set up. In addition, the political relationship between Jakarta and Banda Aceh has changed while GAM itself has transformed itself into a normal political party, while civil society has been rejuvenated.

Although the election of the governor, the district chiefs, mayors and deputies represented a break with old Jakarta politics, some commentators argue that little has changed. Although nepotism and favouritism still persist, the new real politik is certainly very different. New economic and political groups have emerged, creating a new political and economic landscape.

The old Acehnese elite which was strongly aligned to the political elite in Jakarta have lost much of their economic and political clout, creating new political tensions, while the battle to keep the old established forces on track is still part of the political scene in Aceh. Some of the new power groups are linked to GAM stalwarts. Practically all GAM leaders, including local ones, have set up businesses, providing jobs for GAM ex-combatants.

Most of the earlier generation of GAM leaders came from the Pidie region. The elections that catapulted Irwandi and Nazar into power weakened their position in society while the new businesses created new allegiances and loyalties.

Local parties, a new phenomenon
According to Indonesian law a political party must have branches in at least 15 provinces, which makes it impossible for local parties to contest for seats in an election. But the MoU has provided Aceh with the possibility of establishing local parties, which is indeed happening. It should be noted that the Aceh electorate has always been different. During most of the 32 years of Suharto’s New Order, Golkar, the political vehicle of Suharto, became the ruling party nationally and in the provinces. The Acehnese voted comprehensively for PPP, the Muslim party federation, in a show of defiance towards Jakarta. When the next general election takes place in Indonesia, it will be interesting for parties in the other provinces to see what happens in Aceh, because of the participation of local parties.

At least seven local parties have been set up. The first to emerge, long before the law on local parties had been adopted, was PRA (Partai Rakyat Aceh, Aceh People’s Party) which was set up by younger activists and has now also attracted peasants, professionals, businessmen and NGO activists. PRA has strongly attacked the role of foreign capital in Aceh. It has produced a party manifesto dealing with all aspects of community life and is expected to
perform well. The founders of the party include a number of well-known pro-democracy activists such as Nanda Thamrin, Raihana Diani and Aguswandi.

Soon after the PRA announced its formation, a party called Partai Gab That, came into existence, adopting an Acehnese name, according to a tradition dating back to the time of the Acehnese Sultanate. The founders included students from Muslim schools, members of HUDA, the organisation of the Muslim clergy, former GAM members and former SIRA members. The chair of GAB is Abu Samalanga, a local GAM leader and its manifesto focuses on Muslim principles, including the introduction of Shariah law.

Another party called PARA (Partai Aliansi Rakyat Aceh, the Aceh People’s Party Alliance) was set up by women and focuses on women’s rights. The chair is Zulhafah Luthfi, a well-known activist and most members of the executive committee are women.

In December last year, a group of young activists set up a party called PADAN (Partai Demokratik Aneuk Nanggroe, Democratric Party of the Nanggroe People), dedicated to safeguarding the interests of the youth and declaring its intention to safeguard the peace process. Its manifesto calls for a government free from corruption and the adoption of Shariah law.

PAAS (Partai Aceh Aman Sejahtera, The Acehnese Party for Peace and Welfare) was set up in June this year on the initiative of a group of intellectuals, politicians, professionals and activists from youth and women’s organisations. One of the organisers is Ghazali Abas, an Acehnese politician who was a member of the Indonesian National Congress during the difficult days of the conflict. Ghazali Abas has an excellent reputation as a man of great courage who condemned the many human rights violations during the conflict. PAAS is likely to win support from those Acehnese who are not GAM supporters.

PIAN (Partai Islam Aneuk Nanggroe, Muslim Party for the Nanggroe People) hopes to win votes that formerly went to Jakarta-based Muslim parties. Those involved are mostly well-known local politicians, including Abdullah Saleh who was a member of the local assembly the DPRA. PIAN aims to imbue Islamic principles with Acehnese characteristics. During Suharto’s New Order, most Acehnese votes went to the national Muslim parties, which explains why several of the newly-established Acehnese parties are based on Muslim principles.

Partai GAM

The most important local party will undoubtedly be Partai GAM, which represents the transformation of GAM from a liberation movement into a political party, functioning within the Indonesian state. The founding congress took place on 27 July 2007 in Banda Aceh when the founders, mostly from the Pidie area, spoke of their party as a logical consequence of the peace process. They made a point of stressing that they would now struggle for their objectives by peaceful means.

Taking advantage of the fact that GAM had become a household name in Aceh, the party decided that it would use the GAM flag and symbol. This created quite a stir among decision-makers in Jakarta, with some people, particularly from the armed forces, declaring
that it was unacceptable for the GAM flag and symbols to be used. Behind these objections was the fear that the new party would win a huge majority, sending the national parties into oblivion. In fact, this had already happened during the local elections. People in other provinces, particularly in Papua are watching these developments with great interest while some commentators suggest that the authorities in Jakarta may try to block the establishment of Partai GAM.

There are plenty of politicians in Jakarta who don’t trust GAM and fear that it might revert to an armed struggle but this is very unlikely bearing in mind that all the GAM combatants handed in the bulk of their weapons as part of the decommissioning process. There is little doubt that the vast majority of Acehnese are more than happy that they can now pursue their everyday activities free from the fear of the violence which took so many lives during the conflict.

The rapid transformation of GAM leaders into businessmen is perhaps the most striking feature of conditions in Aceh today. However, this is not just a procedural matter. Much will depend on whether there is the necessary political will in Jakarta to allow Partai GAM as to be registered as a political party.

In Aceh itself, this party is facing problems. Most of the founders come from the Pidie group who the older generation of GAM leaders, and consist primarily of Acehnese who were members of the exiled GAM government based in Sweden. During the local pilkada elections, most rank-and-file GAM members supported the younger generation, represented by Irwandi and Nazar. Although the older generation are widely acknowledged for their role in concluding the peace process and as the signatories of the MoU, real power now lies in the hands of Irwandi and his friends.

A likely political solution could be for the several wings in the GAM party to agree to work together in a single party or for the younger generation members to set up their own party. Indeed, as we went to press, it was announced that SIRA, the organisation that struggled so persistently for a referendum and that was always very close to GAM, has now transformed itself into a political party.

A softer version of Shariah law
While current political conditions have created new possibilities and problems, a few certainties remain. While the GAM and pro-GAM parties are bound to win a majority of votes, pluralism is here to stay, thanks to the variety of local parties that have been formed.

While Shariah law is certainly a contentious issue, it is unlikely to become a matter for heated debate during the elections. The existence of secular and religious parties differs somewhat from the pluralism in Java. Although the secular parties including Partai GAM are critical of Shariah law, their strategy is to avoid making it a major issue. Instead, the intention is to treat it as relating to moral questions and educational activities rather than incorporating it into the legal framework.

The men and women now in government will seek to ensure that implementation of Shariah law will be very mild. While opposition to Shariah law is strong in Aceh, any moves to attack it frontally would create deep divisions. Throughout the history of Aceh, even during
the period of the Acehnese Sultanate in the 17th century, there was no move to adopt the principles of Shariah law. Islamic laws and customary laws were both used to deal with crime. At present, Shariah law punishments such as caning have been implemented for relatively minor misdemeanours such as indecency, adultery, robbery and gambling. More serious crimes such as corruption are dealt with by the criminal courts, creating the impression that Shariah law is only applicable to petty crime and used against the poor. Some women activists have publicly accused the Shariah police, a special unit of the Shariah Department, of intruding into their private lives in such matters as for example deciding whether the women are properly dressed.

Pressing human rights issues
While the peace process has been a success, there has been little progress on three major human rights issues. Speaking at a student seminar in August which was held on the second anniversary of the MoU, vice-governor Muhammad Nazar spoke of the need to set up a Truth and Reconciliation Commission (TRC) and a human rights court. He said that his administration Aceh had asked the central government to draft the necessary regulations for the establishment of a TRC and a human rights court. Many local human rights organisations have stepped up their campaign on the these two issues, as well as calling for the release of the few remaining political prisoners.

It is generally true that there is a reluctance in a post-conflict situations to set up a TRC and a human rights court out of concern that any action taken against perpetrators of violence could disrupt the peace process. Indonesia is a good example of this reluctance. Since the downfall of Suharto in 1998, the human rights court has been almost totally ineffective while efforts to establish a TRC were stifled because of disagreements in the legislature. Similarly with Aceh, the MoU provided for the creation of a human rights court and a TRC but the final version of the law on governance in Aceh, the UUPA, as adopted by the national parliament included a very watered-down version.

Feelings of mistrust in Aceh towards Jakarta are still very strong, as became clear during the local elections. Many Acehnese continue to demand justice for those responsible for gross human rights violations: extrajudicial killings, forced disappearances, torture, rape and other forms of violence. The decision to set up an ad hoc human rights court rests with the parliament in Jakarta while it is very unlikely there is enough courage or political will to set up an HRC in Aceh.

While the creation of a national TRC has been thwarted, the MoU explicitly states that this should happen in Aceh within a year but so far, nothing has happened. A number of Acehnese NGOs have worked together to devise a TRC model that would be suitable for Aceh. Were this to happen, this would represent an important breakthrough.

Finally, with regard to the release of the remaining political prisoners, the Indonesian government acted magnanimously by releasing almost all of the political prisoners in the wake of the MoU agreement. Some of the GAM prisoners had been convicted on criminal charges but the vast majority of the more than two thousand were freed.
At the last count, seven political prisoners were still in custody, three in Cipinang prison in Jakarta (Tengku Ismuadi, Irwan Ilyas and Ibrahim Hasan) and one in Sukamiskin prison in Bandung (Dinan Sabardiman). While awaiting a decision to release all these men, Acehnese NGOs are calling for the prisoners to serve the remainder of their sentences in Aceh.