Part I:
Political Transition / Democratisation
In the elections for the governorship of Aceh on 9 April 2012, Irwandi Yusuf, the governor from 2007 to 2011, lost to Zaini Abdullah and Muzakir Manaf, who became the new governor and deputy governor, respectively. Abdullah was the foreign minister of the now defunct Free Aceh Movement, or GAM, and Manaf was the commander of GAM’s military wing. They stood for the Party of Aceh, a local political party. After the elections, Yusuf, who ran as an independent candidate, filed an appeal to the Indonesian Constitutional Court in Jakarta, accusing Abdullah’s and Manaf’s supporters of using violence and intimidation to win the elections. The Constitutional Court inspected the case and overturned the appeal. According to its Chief, the appeal was “baseless and unproven”; Yusuf, also a former rebel leader, accepted the ruling and congratulated the winner.¹

Direct elections are the most important political event in Aceh since the peace-deal between the Government of Indonesia and the GAM in August 2005. The agreement, called the Memorandum of Understanding (MoU), stipulates the importance of free and fair local elections for peacebuilding. In the elections of 2012, there were 3,244,680 eligible voters in Aceh, and 75.7% per cent of them visited 9,786 voting booths to cast their votes on the election day. This level of participation was higher than the average level of electoral participation at the national level. Five pairs of candidates ran for the governorship and 137 pairs for district head positions in 17 districts. These candidates ran on national and local political party platforms and as independents. Many of these candidates were affiliated to
GAM, who competed among themselves and with candidates from civil society, technocratic, and other backgrounds.

The importance of post-conflict elections for peace and security in Aceh is obvious. Elections reinforce "the transition from warfare to politics" and "from war to democracy". Elections effectively include former rebels in the political process. In addition, elections play key roles in "managing political competition amongst Aceh's local elites, and providing the basis for good governance and effective development policy in Aceh". Elections also concern another former party to the conflict in Aceh: members of the Indonesian police, assisted by the local military, have exercised their neutrality in all elections since 2005, including the 2012 local elections, by providing security during voting and by guarding the ballot boxes. The police and the military in post-conflict Aceh are no longer repressive institutions. The police, however, face the challenge of dealing with electoral violence and other sources of insecurity originating from former combatants.

This chapter is about how democratisation and the peace process have transformed the security sector governance (SSG) of Indonesia with special reference to the case of Aceh. Democratisation refers to the process of opening up political space, including improvements in contestation, participation, and human rights. SSG refers to "the structures, processes, values and attitudes that shape decisions about security". By treating democratisation and the peace process as causes of reforms in the security sector and not as entry points for security sector reform (SSR) programming, it explores two questions: First, to what extent did democratisation in post-Suharto Indonesia contribute to the peace process in Aceh? Second, to what extent did the peace process in Aceh transform SSG in the province?

Democratisation and SSR

The origin of SSR in Indonesia can be traced to the last year of the New Order under President Suharto and to the demands raised by the protest movement in different parts of the country. Clashes between protesters and the security forces of the New Order shook the country and in several cities led to the largest riots in the history of modern Indonesia, including in Jakarta, Medan, Solo, and other cities. These demands included abolishing the dual function doctrine (dwifungsi) of the armed forces, decentralisation of government, and ending
corruption, collusion, and nepotism (or *Korupsi, Kolusi, and Nepotisme*, known by the acronym KKN). The armed forces, which included the police, were the backbone of the New Order, and their deep involvement in politics was justified by the *dwifungsi* doctrine. As one of the central demands of the protest movement, the abolition of the *dwifungsi* challenged the legitimacy of the New Order, as it was the most important source of distortion in the security sector.

Reformasi, the term used in Indonesia to describe the transition from authoritarianism to democracy, removed many obstacles to reform of the security sector. Former President Suharto, who had created the New Order and who had led it for more than three decades, persuaded himself and others of the efficacy of the regime; it was personally difficult for him to admit the mistakes of his regime. Therefore, when President Suharto stepped down in May 1998, the protests succeeded not only in toppling the regime, but also in removing a major obstacle toward reform of the security sector. The security forces – the steel frame of the New Order – initially tried to suppress the protests, but, in the end, they were unable to block the course of the transition and subsequent reforms. Eventually, the security forces had to face the fact that their future role in the country depended on joining the reformasi movement instead of maintaining the failing regime at all costs.

Reformasi, therefore, marked the end of certain functions, programmes, policies, and organisations inherited from the previous regime. Furthermore, although the politics of the first years of reformasi were chaotic and crisis-ridden, a strategic environment for reforms was created in the country. In the words of Harold Crouch, “the crisis was so severe that most of the surviving members of the New Order elite were persuaded that in order to save themselves they would have to accept substantial reforms, even when such reforms harmed the immediate interests of that elite itself”.

President B.J. Habibie, in power from May 1998 until October 1999, capitalised on these conditions in a way that surprised many: he immediately released political prisoners, freed the media, allowed the formation of new political parties, and prepared the first free election in Indonesia since 1955. He also took a dramatic course of action by disengaging from East Timor.

The military adjusted itself according to the new situation. First, in September 1998 it produced a paper, “The New Paradigm of the
Armed Forces of Indonesia”, which stated its readiness to relinquish many of its political and social roles. For the first time since 1971, the military promised to remain neutral during elections, severing its long link with the Golongan Karya (Golkar) party, the ruling party during the New Order period. The military dissolved its social and political affairs branch, an organisation used by the military to control civilian activities, including political parties, the media, and social organisations. Other important measures taken by the military included withdrawing military officers holding positions in government and the bureaucracy as well as reducing, and ultimately removing, military representation in parliament.

The next phase of reforms came during the presidencies of Abdurrahman Wahid (1999 - 2001) and Megawati Sukarnoputri (2001-2004), mostly through legislation. In 2000, the People’s Consultative Assembly (Majelis Permusyawaratan Rakyat – MPR) produced two important decrees: one on the separation of the police from the armed forces and the other on the roles and functions of the military and the police. These decrees serve as the conceptual foundation of military reform, civil-military relations, and other aspects of SSR. In 2002, during the presidency of Megawati, the parliament adopted the Law on National Defence and the Law on the National Police. In 2004, the parliament passed the Law on the new National Armed Forces of Indonesia (Tentara Nasional Indonesia – TNI).

This legislation formalised the separation of the police from the armed forces. During the New Order, the police was part of the armed forces’ command structure. Since 2000, the police have been responsible for security, order, law enforcement, and serving the public. Also, counterterrorism – an increasingly important task in Indonesia, especially since 2002 – is the responsibility of the police. The police have also been encouraged to improve their professional skills and knowledge. This separation led to new developments in police reform in Indonesia, including the involvement of international donors in police reform as well as the introduction of new philosophies of policing and notably community policing. However, the police force remains a centralised organisation despite the decentralisation of government in the country.

The military’s role includes defending the sovereignty and territorial integrity of the country and protecting the country from security threats. It also includes peacekeeping operations, civic missions, and
assisting the police, based on demands regulated by the law. Certainly, the most important transformation of the role of the military in Indonesia is the ending of the dual function doctrine. The military was to become neutral in party politics, to withdraw from politics, and to respect democratic principles and human rights. The military relinquished its right for active service members to contest elected positions, such that, if members want to occupy a civilian position, they may now only do so after first retiring or resigning from the military. In addition, the ministry of defence has been led by a civilian since 1998, although most of the officials of the ministry are from the military, and the commander of the military is directly subordinate to the president, not the minister of the defence.

The Law on the Armed Forces of Indonesia, signed by President Megawati Sukarnoputri on 16 October 2004, mentions two basic duties for the military: namely (1) military operations for war and (2) military operations other than war. The fulfilment of these duties is to be based on the policy and political decisions of the state. It is interesting to note that the military operations other than war include the following roles and duties:

1. Overcoming separatist movements;
2. Overcoming armed rebellions against the legitimate government;
3. Overcoming acts of terrorism;
4. Securing the border areas;
5. Securing vital and strategic national objects;
6. Implementing world peace tasks in accordance with Indonesia’s foreign policy;
7. Protecting the president, vice president, and their families;
8. Strengthening the capability of defence territories and their supporting forces;
9. Helping local governments (in situations when the local government needs the facilities, equipment, and capabilities of the military to deal with disaster, rehabilitation, and communal conflicts);
10. Helping the police to maintain security and order in accordance with the law;
11. Helping with the protection of visiting heads of government and the representatives of foreign governments in Indonesia;
12. Helping with the mitigation of natural disasters, displacement, and humanitarian assistance;
(13) Helping with search and rescue following accidents; and
(14) Helping the government with securing seafarers and airlines from hijacking, pirating, and smuggling.

Reformasi also brought change to the Attorney General’s Office (AGO). The AGO had been dominated by military officers serving the interests of the Suharto regime, having served as “the judicial arms of the government through which the regime prosecuted, silenced, and punished its opponents, and protected its allies”.11 In addition, it functioned “no more than as the legal protector of the New Order regime and its supporters, especially the military. Cases that involved top military and government officials, for example, rarely went to a public court”.12 Since the Abdurrahman Wahid presidency, the AGO has become civilian in its organisation and has been dominated by civilian officials.13 The AGO oversees the public prosecuting system, recruits and trains prosecutors, addresses public complaints, and provides legal advice to the government.

Despite reforms in the security sector in Indonesia, observers rightly indicate that there still remains a lot to be done. One of the challenges of SSR in Indonesia is how to strengthen the civilian oversight function of civil society and the parliament. Civil society organisations face challenges associated with the real and perceived “incompetence and inexperience of civilians in defence-related issues”.14 The oversight capacity of the parliament is another challenge. At present, the parliament possesses oversight tools that include committee hearings, hearings in plenary sitting, commissions of enquiry, parliamentary questions, the use of parliament question-time, interpellations, and referrals to the ombudsman. At least in formal terms, the Indonesian parliament has, following a period of significant democratisation, all the important oversight tools of a strong parliament. However, the role of the parliament in overseeing the military remains very limited.15

Although rarely studied, the role of the media in Indonesia is very important in strengthening civilian oversight by reflecting the opinions of citizens. The media, especially newspapers and television networks, are very active in their function in at least three important tasks of civilian oversight: first, the media reports citizens’ complaints against the police and the military in Indonesia; second, the media monitors and reports irregularities and corruption in the police and the military; and third, the media informs the public and provides
forums for debate on cases when the police fails to enforce the law. These multiple roles reflect the freedom of the press, the interest of citizens in SSR, and the presence of feedback mechanisms for the performance of the police and the military in Indonesia.

The Peace Process and SSR in Aceh

In many ways, the peace processes in Aceh conform to the common elements of war termination and peacemaking processes. C.R. Mitchell discusses these elements in his classic work on international conflict, which include “modification of coercive strategies, acceptance of some measure of failure or a need to compromise, and abandonment of at least some of the goals for which conflict behaviour was begun and costs and hardships borne”. As can be seen below, these elements are also crucial for improving governance and reform in the security sector in Aceh. Certainly, for both parties the peace process is complex, divisive, and long. In the light of subsequent developments, many of the measures taken and policies instituted with regard to these features suffered from setbacks and inconsistencies during the implementation phase.

Firstly, regime change in Jakarta facilitated a modification in the government’s strategy toward the restive province. For more than two decades since the conflict erupted in 1976, the central government of Indonesia responded to the armed insurgency in Aceh with a counterinsurgency operation or “security approach”. During the Suharto era, there was no negotiation between the central government and the rebel group. Indeed, the Indonesian military believed that the security approach was the only way to deal with the problem in Aceh. GAM, on the other hand, “adopted a military strategy of attrition and guerrilla warfare tactics, making use of its superior knowledge of the terrain and the population to counterbalance its lack of real military capacity”. There were no efforts from either side to explore alternative, nonviolent avenues to end the conflict.

It was not until the change of leadership in Jakarta in 1998 that any significant change in Jakarta’s attitude toward the conflict in Aceh was clearly noticeable. In August 1998, President Habibie and the military Commander-in-Chief Wiranto visited the province, granted amnesty to hundreds of political prisoners, declared the end of a military operation known by its acronym DOM (Daerah Operasi Militer – military operation area), and made an unprecedented
apology to the people of Aceh. Habibie also introduced other new approaches to the problem in Aceh. The most important of these was the establishment of fact-finding missions to investigate human rights abuses in Aceh and the adoption of the new law on the Special Status of the Province of Aceh Special Region in 1999. This law, and the Law on Regional Government and Fiscal Balance between the Central Government and the Regions, both adopted in the same year, also increased the autonomous status of Aceh province.

These new approaches, however, took place in a very different context in Aceh. After the fall of Suharto, demands for independence in the province increased significantly. The wider context in which these demands were made was created by the fall of the authoritarian regime, the referendum for East Timor, and the taking place of general discussions on autonomy and federalism in Indonesia. Since February 1999, discourse on a referendum as a way to solve the problem of Aceh took centre stage. The idea spread among students in Aceh very rapidly, and they soon became the key proponents of the referendum agenda, visiting rural areas to ‘socialise’ among the population and promote the idea. Later, in September 1999 the ulama, Muslim legal scholars from traditional educational institutions in Aceh (dayah), announced their support for a referendum as the best way to deal with the problem in Aceh. Even the governor of Aceh and the provincial legislature supported the idea of a referendum: the governor stated that, for the people at the grassroots, a referendum means independence.

The above conditions made peace negotiations impossible, as the language of the rebellion was increasingly framed in terms of self-determination, a norm enshrined in many international instruments including the Charter of the United Nations. This invited a harsher response from Jakarta and reinforced the commitment of the central government, especially that of the military, to frame its response in terms of the norm of territorial integrity, another well protected principle of international relations. The military launched several counterinsurgency operations that led to some of the worst human rights violations in the history of the conflict, including Idi Cut (3 February 1999), Simpang KKA (3 May 1999), and Bantaqiah (23 July 1999). GAM rebels terrorised and attacked the non-Acehnese population and their property in several districts, resulting in the displacement of thousands in Aceh and to North Sumatra, the nearby
province. By the end of 1999, fear and insecurity had become common in daily life, as “local government had virtually ceased to operate in many areas along the north and east coasts”.20

All of the conflict dynamics of the Habibie presidency continued into the Abdurrahman Wahid presidency (1999 – 2001) – military actions by both sides, accusations of human rights violations and attempted investigation of these violations, and policy controversies on the issues of a referendum and autonomy. The Wahid presidency, however, was marked with one crucial difference: for the first time in the history of the conflict, both sides agreed to attend mediation sessions in Switzerland, beginning in January 2000. With the assistance of the Henry Dunant Centre as a mediator, the Indonesian government and the rebel group reached an agreement in May 2000 known as the “Joint Understanding on Humanitarian Pause for Aceh”. The agreement was only partially implemented, including elements such as the creation of a joint committee on security, a monitoring team, and some humanitarian action. The public in Aceh and the central government in Jakarta supported the agreement, but the military, the police, and many members of parliament, including the speaker, did not.21 The agreement quickly collapsed.

Under President Megawati (2001-2004) another negotiation was attempted in February 2002, and an agreement, called “the Cessation of Hostilities Agreement” (CoHA), was finally reached on 9 December 2002. The agreement “called for the cantonment or storage of GAM weapons, the relocation and reformulation of the role of the Indonesian security forces, and the establishment of peace zones”.22 There was insufficient trust on both sides to support this agreement: GAM did not store its weapons in the ‘placement sites’, and the Indonesian military did not relocate. As a result, the agreement collapsed in April 2003.

However, significant changes occurred in the negotiation process that led to CoHA. GAM negotiators for the first time agreed to accept the autonomy law (called Nanggroe Aceh Darussalam – NAD Law) as a ‘starting point’ for discussion on the future of Aceh. The NAD Law was drafted during the Wahid presidency and entered into force in 2002. It presented the autonomy scheme as an alternative: a compromise between independence and integration. At the same time, GAM stressed its struggle for independence. The Government of Indonesia agreed to permit an international team of ‘wise men’ to participate in
the negotiations. The presence of the wise men reinforced the negotiation process and increased the involvement of the international community in the peace process. However, the efforts of the international community to renegotiate CoHA in Tokyo on 18 May 2003 failed, and the war resumed.

The Megawati government implemented increasingly harsh measures on 19 May 2003 in the form of a martial law that would last for a year. The government sent in more troops and police forces to the province. It was the largest military operation in the history of the conflict, and many rebels were killed in this new wave of violence. The military operation also limited the movement of the rebels, decreased their support base, and forced the rebels to resort to tactics such as extortion and hostage-taking for ransom. Yet at the same time, a large-scale counterinsurgency operation, which increased the presence of military and police to 80,000 in Aceh, cost the government a large sum of money and offered no prospect of victory after a year. Admitting that the insurgents were not to be easily defeated, the commander of the Indonesian armed forces told the public “we cannot do what we hoped…. Two die but four take their place”.

In 2004, the new and democratically elected government, led by Susilo Bambang Yudhoyono and his vice president Jusuf Kalla, started a new peace process. While the previous peace processes in Aceh led to two cease-fire agreements (Humanitarian Pause and CoHA), the new peace process aimed at a comprehensive peace agreement. President Yudhoyono, himself a former general, told the nation that a political solution through negotiation was the only way to solve the problem in Aceh. Vice President Kalla, a successful and well-known businessman, argued that war in Aceh was too expensive for the government to finance and that peace was much cheaper – an obvious conclusion. Determined to find a negotiated solution, both managed to convince the military, the political parties, and the parliament to support the peace process, which they started soon after coming to power in October 2004. Martti Ahtisaari, former president of Finland, served as a mediator.

A combination of developments lies behind the historic deal that ended the conflict in Aceh. These include the election of a pro-peace president and vice president, sustained pre-negotiation preparation by Kalla and his trusted intermediaries, and the additional momentum towards a resolution created by the earthquake and tsunami of
December 2004. The most important development, however, was the drastic shift in the rebels’ demands from independence to “self-government” within the state of Indonesia. This dramatic change took place in February 2005 during the second round of the five rounds of negotiation. The Government of Indonesia, on the other hand, agreed to a “self-government” solution for Aceh to replace the special autonomy status. Indonesia also agreed on the establishment of local political parties in Aceh. GAM’s demand for local political parties was not new, but Indonesia had previously rejected the idea.27

During the fifth and final round of negotiations (12-17 July 2005), the GAM agreed that 3,000 fighters would stand down and that 840 weapons would be surrendered for destruction. These numbers were given to the mediation team on the last day of the negotiation. The mediation team then disclosed to the GAM that the Government of Indonesia had agreed that from 1 January 2006 only 14,700 soldiers would remain in Aceh, and the rest would be pulled out of the province. In addition, as many as 9,100 police officers would remain in Aceh. Apparently, the size of the police force was based on a police-citizen ratio of 1:400. However, the size of the military force was much higher than the 6,000 troops suggested in the previous rounds of negotiation.

The rule of law section of the MoU stated that the head of the Aceh administration would have power over the appointment of the chiefs of police and prosecutors serving in the province, and that civilian crimes committed by military personnel in Aceh would be tried in civil courts in Aceh. The MoU further stipulated that both a Human Rights Court and a Commission for Truth and Reconciliation would be established for Aceh, and that all participants in GAM activities would be granted amnesty within 15 days of the signing of the MoU.

The section on reintegration in the MoU committed the governments of Indonesia and Aceh to facilitating the reintegration into society of anyone who had participated in GAM activities, as well as civilians affected by conflict, through the establishment of a reintegration fund under the administration of the authorities of Aceh. It also affirmed the people’s political, economic, and social rights, including the right to participate in political processes of all persons who had been granted amnesty or released from prison or detention; and the
right of persons who had renounced their Indonesian citizenship during the conflict to regain it.

Peacebuilding and SSG in Aceh

The MoU immediately ended the war between the central government and the former combatants of GAM. According to the Multi-Stakeholder Review of Post-Conflict Programming in Aceh (MSR), “incidents between GAM and the government dropped to almost zero after the signing of the MoU in August 2005 and have remained low. Only five such incidents were reported between the start of 2006 and the end of 2008”.

However, to be durable in the implementation phase a peace agreement needs support from former adversaries as well as from wider stakeholders. In the case of Aceh, a UN peacekeeping operation was not possible, because Indonesia preferred regional organisations to be involved. A monitoring mission, mandated under security arrangements in the MoU, was then established consisting of elements from the former rebels, the Government of Indonesia, representatives of the Association of Southeast Asian Nations (ASEAN), and the European Union (EU). This mission, called the Aceh Monitoring Mission (AMM), lasted for one year and played an important role in overseeing the disarmament, demobilisation, and reintegration (DDR) programmes, as well as providing a framework for continuing cooperation among the parties and the wider community – both national and international – in dealing with post-agreement issues.

Both parties cooperated in the DDR processes, which was the first issue to be dealt with after the signing of the MoU. GAM demobilised all of its 3,000 combatants in accordance with the terms of the MoU. This number, however, was much smaller than the number of persons who were members of the military wing of GAM. In the implementation phase, there were 14,300 former GAM combatants in Aceh, less than 700 of whom (below 5 per cent) were women.

In addition, the process of decommissioning all arms, ammunition, and explosives took place without incident. AMM assisted in this decommissioning process and played a key role in its success. Both the Indonesian military and former GAM combatants cooperated in the process. From September to December 2005, in four stages, the GAM submitted 840 weapons to be cut into pieces in ceremonies attended by former GAM members, the Indonesian security forces, representa-
tives of the AMM, and the public. These weapons cutting ceremonies took place in different cities in Aceh. In December 2005, the military wing of the GAM was demobilised. The Aceh Transitional Committee (Komite Peralihan Aceh – KPA) was established as an organisation for former combatants with the purpose of reintegrating them into civilian life.30

In accordance with the MoU, amnesty was granted to GAM fighters detained by the Indonesian government. Immediately after the signing of the agreement and continuing until the end of August 2005, around 2,000 GAM members were granted amnesty. They, and former combatants who had gone into hiding in the hills, returned safely to their homes and were accepted by their communities – there were no instances of revenge violence and little tension with local communities, the military, the police, or the local government. In many cases, they were welcomed back as heroes. Their reintegration was also facilitated by several programmes of assistance for three groups, namely former combatants, political prisoners who received amnesty, and victims of conflict. These programmes included economic assistance, health care, and opportunities to participate in vocational trainings.31

Correspondingly, and in accordance with the MoU, the Government of Indonesia withdrew all elements of non-local military and police forces from Aceh, leaving local police forces responsible for upholding internal law and order in Aceh and, in normal peacetime circumstances, only local military forces present in Aceh to uphold external defence. The relocation of the security forces took place in four phases, from September to December 2005. By 31 December 2005, 31,681 security personnel (25,890 from the military and 5,791 from the police) were withdrawn from Aceh. The AMM supervised successful troop redeployment in the harbour of Lhokseumaue, North Aceh.32

After demobilisation and redeployment, the next challenge was to address some of the sources of hostility and, at the same time, to reinforce the peace in Aceh. In accordance with the MoU, the Law on the Governing of Aceh (LoGA) was enacted on 1 August 2006. LoGA was the result of post-MoU negotiations in Indonesia, involving the interests of many stakeholders. Some major breakthroughs were also provided for in the MoU, such as a clear definition of Aceh’s special autonomy within the unitary Indonesian Republic, which was to be
elucidated later in a new LoGA. The agreement and its implementation, therefore, provided an opportunity for participation in decision-making and policy-making, including in the area of security and development. The transformation of rebel groups into political parties was the most important development in the demilitarisation of politics in the post-conflict period in Aceh.

LoGA put most of the MoU into effect and made further provisions regarding government, security, local political parties, and other issues. The new law is based on the following principles: provincial and district government authority over all sectors of public affairs, excluding foreign affairs, external defence, national security, monetary and fiscal matters, justice, and freedom of religion; and a stipulation that all decisions on domestic or international affairs related to Aceh undertaken by the national government or legislature would be made in consultation with, and with the consent of, the legislature of Aceh and the head of the Aceh administration. This is a definition of “self government”.

In addition, the MoU and LoGA allowed for the establishment and political participation of Aceh-based political parties, the right of the people of Aceh to nominate candidates for all elected offices, and the conduct of free and fair local elections within a specified timeline. After some delay, the first elections for the governorship of Aceh took place in December 2006. Candidates from or affiliated with GAM won the elections. At the district and city levels in 2007 and 2008, they succeeded in winning ten out of twenty-three districts and municipalities all over Aceh. In addition, former GAM members participated in the elections for local parliaments in the 2009 elections, winning either a plurality or a majority in the parliaments of the districts and municipalities where they had had a strong base of support during the rebellion. As mentioned earlier, in the 2012 elections, a former GAM leader and military commander won the elections for the governorship.

The nexus between security and development in Aceh can be seen from different angles. The MoU contains arrangements for issues such as the governance of Aceh, political participation, economic management, security, rule of law, dispute resolution, protection of human rights, the amnesty and reintegration of ex-combatants and political prisoners into society, and the establishment of the AMM. In other words, the MoU provides a framework to deal with some of the most
important issues of security and development in post-conflict Aceh. With regard to one of the most contentious issues, the MoU stipulated that Aceh would retain 70 per cent of the revenue from all current and future hydrocarbon deposits and from other natural resources in the province and its territorial seas. Aceh would also enjoy direct and unhindered access to foreign countries, by sea and air. In addition to dealing with the status of natural resources as one of the most important issues, the economic section of the MoU provides a framework for the allocation of wealth to Aceh and, therefore, for increased access to resources for development in peacetime Aceh.

Besides the peace agreement, the Government of Indonesia plays an important role in peacebuilding, including DDR processes. This makes Aceh different from other cases where post-conflict peacebuilding has taken place in the context of a fragile or failed state, since Indonesia has, in contrast, a stable and democratic government with a growing economy. Therefore, the international donors and agencies that came to Aceh after the signing of the MoU in 2005, as well as the international organisations that changed their focus from tsunami relief to peacebuilding, were able to support the national, provincial, and district level governments in peacebuilding. One of the main challenges for the government and the donors was how to rebuild the economy in Aceh after the long war that caused such tremendous damage and expense.

At the time of writing, the peace has only been in place for seven years, and Aceh has only just crossed the so-called five-year threshold that marks the transition from a non-durable peace – when renewed war is most likely – to a more durable peace, when renewed war is less and less likely. The MoU has become the most durable peace deal made for Aceh. Peace in Aceh neutralised many of the threats to citizens originating from the state. It removed many forms of physical threats, such as abduction, torture, or execution; economic threats, such as damage to property and denial of access to work and resources; threats to rights, such as denial of basic civil liberties; and threats to position and status, such as public humiliation. It also removed threats to the security of citizens who came from the rebel groups, such as extortion, kidnapping for ransom, or revenge killings and harassment of people accused of cooperating with the Indonesian security forces.
Security Sector Actors in Aceh

The Military

Regarding defence and security matters, an important point agreed upon during the peace negotiations in Helsinki was the division of labour between the military and the police. After the agreement, soldiers in Aceh were no longer implicated to provide law and order. External defence would be a task only for the military, while keeping law and order would be a task solely for the police. This important point was not adopted in LoGA. Instead, Article 202 of LoGA states that the armed forces of Indonesia are responsible for the defence of the state and other tasks or duties in Aceh in accordance with the law. The defence of the state includes "to preserve, protect, and defend the integrity and sovereignty of the unitary state of the Republic of Indonesia, and other duties in accordance with the law, such as mitigating natural disasters, building transportation infrastructure, and other humanitarian duties after consultation with the Governor of Aceh." The law also stipulates that the armed forces stationed in Aceh will uphold the universal principles of human rights and respect the traditions and customs of Aceh. It is apparent that the role of the military in LoGA is taken from the Law on the Armed Forces of Indonesia. Article 7 of this law mentions two basic duties of the military, namely (1) military operations for war and (2) military operations other than war. The fulfilment of these two duties should be based on the policy and political decisions of the state. In other words, from the perspective of a broader legal framework, the term "external defence" is too limiting and restricting, but, instead of amending the Law on the Armed Forces of Indonesia, LoGA adopted from it.

Accordingly, the regional military command in Aceh in 2007 issued a strategic plan that included many elements of military operations other than war. These included the protection of strategic and vital national infrastructure; assisting the local government; assisting the police in maintaining law and order; dealing with armed separatist movements; overcoming armed rebellion, terrorism, and border security; and assisting in natural disaster management involving displaced people, as well as humanitarian assistance, implemented jointly with the local government and police. In Aceh, the most important "vital infrastructure" is the Exxon Mobil gas
production compound in North Aceh. In 2006, as many as 1,200 security personnel were involved in protecting and securing this industrial site – 800 police; 350 army personnel; 28 marines; and 22 air force personnel. Exxon Mobil spent 1.8 billion rupiah per month for security. The number of security forces was slightly decreased in 2007, namely to a level of 1,000 personnel, of which 650 were from the police and 350 were from the military. Their roles included guarding the 141 km of pipeline and other vital installations.\textsuperscript{35}

In 2006, further cooperation involving the police and the military took place during the elections. As many as 2,000 soldiers were deployed to assist the police, under the command of the regional police head. Originally, when the police requested the AMM for assistance in providing security during elections, the AMM suggested that former GAM members could be employed for security. The police, however, preferred to cooperate with the military and, with the agreement of the AMM, some 2,000 military officers were deployed during the elections. The involvement of the military in supporting the police to secure elections continued both in 2009 (for both the presidential and parliamentary elections) and in 2012 (for the governorship and district level elections).\textsuperscript{36}

The new role of the military in Aceh constituted a marked improvement compared to the previous situation. During the civil war, the ‘dual-function’ of the military (which made the police part of the armed forces before 1999) enabled the military to play different roles in many aspects of citizens’ lives, especially when Aceh was declared an area of military operation (Daerah Operasi Militer – DOM) and during counterinsurgency operations.\textsuperscript{37} In addition, impunity characterised the military operations in Aceh. Peacebuilding limits the role the military can play – both in its military and non-military operation missions – to exceptional circumstances.

\textit{The Police}

In the MoU and LoGA, the duty of the police is to maintain law and order. Although the GAM wanted the police in Aceh to be a decentralised authority, Article 204 of LoGA states that the police in Aceh are part of the centralised national police. LoGA also states that the police should coordinate with the governor regarding policies on tranquillity and order in Aceh, and that the police are responsible to the governor for the implementation of these policies. In their role as
part of the national police force, the Aceh police are responsible to the national police head. Although not creating the Aceh police as a decentralised organisation, LoGA stipulates that the national police head of Indonesia needs written agreement from the governor in appointing the regional police head in Aceh. If the governor refuses to endorse the candidate for the regional police head, the national police head should nominate another candidate.

According to the MoU, the strength of the police in Aceh ought to be 9,100 officers. In reality, however, there are around 12,000 police officers in Aceh. One reason for this increase in number is that the national police college in Aceh continues to enrol new students. According to a police source, neither the governor nor the former GAM complained about this increase in the police force. The police in Aceh also protect the officials of the Reconstruction and Rehabilitation Agency as well as foreigners working in Aceh in the relief and humanitarian activities sector and, most recently, in post-conflict reconstruction and peacebuilding.

**The Local Government Police**

In Aceh, as well as in other parts of Indonesia, local governments at the provincial and district levels can establish a type of police unit that belongs to the local government, called *Satuan Polisi Pamong Praja* or Satpol PP. The task of this unit is to enforce regulations created by the local parliament. In Aceh, there is a special unit of this local police, called *Wilayatul Hisbah* (WH). Established by a governor’s decree in 2004 and administered by the *Dinas Syariat Islam*, the WH is responsible for monitoring conduct and compliance to *Sharia* or Islamic bylaws within Acehnese society. This body does not have enforcement powers, but is authorised to provide ‘moral guidance’. The national police, however, had to intervene to reestablish security when tension and social conflict emerged between Satpol PP and WH, on the one hand, and the community, on the other. The police in Aceh complained that, in addition to dealing with present security challenges in Aceh, such as illegal logging, armed robbery, as well as trafficking of illegal arms and drugs, they also need to deal with the spill-over policing problems created by the local government forces.  

Civil society organisations and human rights bodies in Aceh and beyond criticise both the Satpol PP and the WH. Satpol PP is criticised, firstly, for vigilantism, arbitrary arrest, and/or detention
beyond their mandate and term of office and, secondly, for violating the rights of the urban poor, including street vendors and street children. WH is criticised for vigilantism based on Islamic bylaws, as implemented in Aceh – the only place in Indonesia that implements Sharia or Islamic bylaws. Cases of sexual harassment by WH officers have also occasionally emerged in the media and created outraged reactions both in Aceh and outside the province. Increasing oversight of these local government police forces is needed to enhance the security and well being of individuals and communities in Aceh.

The Aceh Transitional Committee and Former Combatants

Former combatants in Aceh constituted a disadvantaged group after the signing of the MoU. According to the "GAM Reintegration Needs Assessment", their principle needs were primarily for livelihoods, housing, and health care. Younger ex-combatants wanted education and training as well. The Aceh Transitional Committee (Komite Peralihan Aceh – KPA) is an organisation established after the signing of the MoU to transform the military wing of the GAM into a civilian organisation. The leader of the KPA is the former commander of the GAM. During the first year of its establishment, the KPA played a crucial role in mobilising former GAM combatants to support the peace process, helping them to demobilise, and helping them reintegrate into civilian life.

The KPA, however, continues to maintain the hierarchical structures of the military wing of the GAM and, in some districts, tends to be separated from the larger community. This prolongs its conflict-era identity and hinders its members' full integration into society. In addition, reports indicate the involvement of some KPA members in extortion, intimidation, and other forms of crime. Important elements of demobilisation were accomplished in Aceh within one year of the signing of the MoU. However, reintegration programmes for ex-combatants continue to be an important challenge to SSG in Aceh. According to the International Crisis Group, "in many areas, the KPA has become a thuggish, Mafia-like organisation that has created an atmosphere of fear"; and it may have become "the greatest scourge of post-conflict Aceh".
The Militia

During the peace negotiations in Helsinki in 2005, there were concerns from the GAM about armed militia units in Aceh who worked for the Indonesian armed forces in their counterinsurgency operations. Their demand was for this militia to be formally disbanded and disarmed. The Government of Indonesia did not acknowledge the existence of the militia units and said that after the agreement the police would confiscate illegal arms from the public. Therefore, the issue of the militias did not appear anywhere in the MoU.

However, during the integration programmes after the MoU, the existence of the militias was acknowledged, including the Defenders of the Homeland (Pembela Tanah Air – PETA) and the Communication Forum for the Sons of the Nation (Forum Komunikasi Anak Bangsa – Forkab). As many as 6,500 members of militia units were included in the reintegration programme. They too received financial assistance and other reintegration benefits. Yet militia groups continued to constitute a threat to political stability and security in Aceh after the MoU.\(^{42}\)

The Community and Civil Society

When the violence of the civil war and counterinsurgency operations ended and the peace agreement endured, most of the distortions in the security sector that directly affected the security of citizens also ended. Life then returned to normalcy, when individuals and communities were able to work, cooperate, and pursue their everyday interests and needs through non-coercive and nonviolent processes and exchanges in society. Farmers cultivated their lands, fishermen caught fish, parents took their kids to school, shop-owners opened their business until ten at night, and coffee houses opened for business until midnight. Peace, in other words, opened the way for a variety of micro-processes without or with very minimal intervention from the police, the justice system, and other centralised institutions and mechanisms. The role of the security sector is arguably the most significant part of the new state of security governance in Aceh that was facilitated by peacebuilding.\(^{43}\)

An important survey, conducted in villages all over Aceh one year after the signing of the MoU, found that for villagers the security
situation was extremely good. Therefore, for them, security and order was not a priority need as compared to road construction, livelihoods, job opportunities, education, or housing. Security and order was also found to be a lower priority issue as compared to healthcare and nutrition. Only 10.9 per cent of villagers considered security and order a priority need in their village and among them only 2.2 per cent put security and order as the first priority. They needed information on the implementation of MoU, though, which was their top information priority. “Most Acehnese seem to see the success of the MoU as the most fundamental factor in their future prosperity and security”.

Local governance and institutions, which for a long period were hostage to civil war, began to resuscitate: for example, *Tuha Peut* or *Sorakopat*, a traditional village level governance body, returned to its role as a form of village level representative body, consisting of the *Kenek* (village head), *ulama* (local *Imam* or religious leader), knowledgeable village members, *adat* leaders, farmers, and traders. The total number of members depends on the population of the village, although in Acehnese the term means ‘four leaders’. The *Tuha Peut* provides advice and oversight in the area of customary law and religion for a village and manages disputes in these areas. Other traditional community organisations at the village level are farmers’ groups (*Kenjruen Blang*) and fishermen’s groups (*Panglima Laut*). These traditional institutions are important for decision-making and dispute settlement at the lowest level of governance.

**Conclusion**

In Indonesia, democratisation contributed to the peace process in Aceh, a province where a rebel group fought for independence for almost 30 years. Democratisation facilitated the introduction of new approaches that, while including elements of the previous approaches such as counterinsurgency, led to the initiation of the peace process. Two cease-fire agreements, one in 2000 and another in 2002, and a peace agreement, or MoU, were the outcomes of the peace process. Furthermore, the democratic institutions of the country have sustained the durability of the peace agreement in Aceh since 2005. These include a system of decentralised government or regional autonomy, a competitive electoral and party system, and the decreasing role of the military in politics and conflict management.
When the popularly elected president and leaders of the rebel group in Aceh decided to go to the negotiation table, the larger environment of democratisation enabled them to sustain the peace process and the peacebuilding efforts that followed.

The peace process in Aceh significantly transformed SSG. The MoU stopped the killings, paving the way for the implementation of the DDR process, and established freedom of movement for the citizenry. Security actors, both of the statutory and non-statutory kinds, as well as civil society actors now function within a normal, peaceful, and democratic environment. Democratic oversight remains weak, but peace and democracy in Indonesia in general and in Aceh specifically will not inhibit the emergence of enhanced oversight in the future. In fact, many objectives of oversight can be reached through other means. To the extent that, due to democratisation, the military is no longer a superior organisation, and the military and the police are no longer geared toward counterinsurgency operations, it follows that vital objectives of oversight in Aceh and elsewhere in Indonesia have been realised. Finally, to the extent that leaders are competing through political parties and democratic elections, and that the civilian leadership controls the security forces, then other important objectives of oversight may also be fulfilled.

Certainly, the results of democratisation and the peace process in Aceh are not flawless. Former combatants established local political parties, participated in elections, and aimed at winning the elections. However, they used violence and intimidation in the process of winning elections. In the 2012 elections, Irwandi Yusuf accused the Aceh Party of using intimidation and violence, while in 2006 the losing candidates had accused Yusuf and his running mates of the same crimes. The police are no longer part of the armed forces, and members of the police attend workshops on human rights standards or community policing, as they try to change their image and win the trust of citizens. Nevertheless, the police remain one of the most corrupt institutions. Their capacity to enforce the law and investigate violence related to elections in Aceh remains underdeveloped.

In other words, the outcomes of democratisation and the peace process are mixed and unstable. Therefore, in the words of Timothy Sisk, we must have "sober expectations about the partial and restricted nature of outcomes in post-war transitions: neither the peace-making nor the democratisation aims are likely to be fully realised in the
transitional process”. In this situation, it is very important to think about ways in which the accomplishment of reform in Aceh may endure and become stronger.

Notes

8. Ibid., p. 133.
12. Ibid.
13. Ibid., p. 29.
23 Aspinall and Crouch 2003, p. 27; and Schulze 2007, p. 90.
27 Miller 2009, p. 158.
31 MSR 2009, pp. 56-60.
33 Law on the Governing of Aceh, article 208.
34 Law on the Armed Forces of Indonesia, article 7.
40 MSR, 2009.
42 MSR 2009, p. 126.
46 Adat leaders are traditional leaders, custodians of custom and customary law.