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A new path to lasting peace



**Case study of the Aceh Peace Process:
Inclusion, participation,
and representation**
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Executive Summary

Case study report: Inclusion, participation, and representation

This report analyses the peace process in Aceh, Indonesia following the signing of the peace agreement (the Memorandum of Understanding, MoU) between the separatist guerrilla movement the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) and the Indonesian government in August 2005. Ending the almost thirty-year separatist war, the MoU laid the foundation for territorial power sharing and autonomy provisions to Aceh and required the Free Aceh Movement to abandon its goal of separate statehood. In return, the peace agreement contained provisions for the rebel group to transform into a political party and compete in regional-level elections.

The report takes a longitudinal perspective, tracing the evolution of Aceh's peace process from the initial negotiations in 2005, which were led by Martti Ahtisaari and supported by the EU, to present-day political dynamics in Aceh. It finds that while international peacebuilding initiatives and especially the presence of the Aceh Monitoring Mission (AMM) were significant in securing the demobilization of GAM, supporting its members transition into civilian and political

life, as well as building trust between the warring parties. However, in the long-term, peacebuilding in Aceh shifted to become a largely domestically driven political project that has been shaped by the interplay between the often-conflictual relationship between Jakarta and Aceh and by domestic, often illiberal political dynamics at the sub-regional level within Aceh proper. Aceh is an example of how territorial autonomy provisions place limitations on the possible scope of involvement for international actors when it comes to oversight of the implementation of the peace agreement in particular. The international engagement was also intended to be a short-lived mission, to avoid long-term engagement and instead ensure that the responsibility to consolidate peace and reconciliation was placed directly with the conflict parties.

This report is based on Gyda Sindre's extensive research into political dynamics in Aceh since 2006, the peace process and the political transformation of the Free Aceh Movement into a political party. The analysis is based on previously collected primary data as well as secondary material.

Key findings:

Peace agreement

- ▶ The Aceh peace process was supported by changes in the conflict and political environment that made peace more appealing to both sides.
- ▶ The compromise solution required moderation on both sides: the rebels had to endorse regionalism and abandon their goal of separate statehood, and the Indonesian government devolved some powers to the region.
- ▶ The negotiations themselves were limited to the elites on both sides, but civil society had significant input on the outcome through representative relationships with the GAM.
- ▶ The peace agreement was framed in terms of inclusive democratization, with provisions for regional political parties and independent candidates (a concession not extended to other

regions within Indonesia) and territorial power sharing in the form of strengthened autonomy to Aceh.

- ▶ The peace agreement addressed core conflict issues in particular regional economic disparity and grievances related to security.
- ▶ The agreement called for the implementation of transitional justice mechanisms, but that these would be incorporated into the ongoing national-level process following the collapse of the authoritarian regime.

International peacebuilding in Aceh

- ▶ International engagement in the Aceh peace process was led by the EU and ASEAN member states who formed the Aceh Monitoring Mission (AMM), a non-armed mission tasked to oversee implementation of the peace agreement in

its initial phases (deployed from September 2005-December 2006).

- ▶ The mission was defined as a crisis management operation, ensuring regional and domestic engagement and ownership of the process.
- ▶ The experience of Aceh appears to show that a limited role of international agencies can result in durable peace, when there is commitment on both sides and sufficient local government capacity exists.

Implementation

- ▶ International actors oversaw the immediate implementation of the agreement such as demobilization of the armed movement, building of trust mechanisms between the former warring parties and overseeing the initial DDR programs.
- ▶ The peace agreement was not a binding document and needed to be ratified and translated into law by the national legislature: civil society and GAM were side-lined in the process. The result was a watered-down version of the MoU.
- ▶ Key aspects of the agreement in the area of human rights courts and transitional justice mechanisms have never been implemented.

Local illiberal peacebuilding in Aceh

- ▶ The transformation of GAM into a political party has defined post-war developments in Aceh.
- ▶ The first post-agreement elections were dominated by moderates within the broader GAM movement that benefited from a close alliance with progressive civil society. This moderate wing had benefited from support

from international apparatus, including being given key roles in transitional offices for reintegration, development and reconstruction.

- ▶ Over the medium term, electoral political dynamics within the Aceh Party (GAM's successor party) shifted: moderates were squeezed out, and the conservative guard took power.
- ▶ In the long term, political office has meant opportunities for self-aggrandizement, continuing illiberal political practices of the war era.
- ▶ Profitable peace in Aceh has created opportunities for local and national political elites at the cost of inclusive development, democratization and reconciliation.

Assessing the role of international peacebuilding efforts

- ▶ Internationals played a constructive role in facilitating negotiations and supporting the implementation of the agreement in its initial phases.
- ▶ Internationals failed to support moderate leaders and progressive civil society actors in their transition into formal electoral politics.
- ▶ The DDR policies that were implemented did not recognize the inherently political nature of ex-combatant 'reintegration' in Aceh, which led to the failure of supporting the development of democratic political parties.
- ▶ The peace process lacked mechanisms to hinder the illiberal turn that inevitably took hold once it became a domestic political process. This could have been hindered with closer attention to long-term oversight.

1. Introduction

While issues of inclusion in peace processes have come to the fore in recent years and inclusion remain much discussed among policy makers and scholars alike, very few studies assess the long-term impact of inclusion measures. What is more, most approaches to inclusion attend to which groups are present at the negotiation table rather than how consultation is carried out beyond the negotiations or the composition and support networks of the conflict parties itself. In order to fully assess inclusivity, one needs to take into account both formal and informal processes of consultation and the influence of these processes on the formation of negotiation positions. Importantly, the organizational structure, ideological profile and leadership of the armed groups and the negotiation teams are all factors that are likely to influence the issues that are brought to the table and how inclusive the process will be.

A few disclaimers need to be put forward for the purpose of this study. Inclusion here includes any strategic and meaningful participation or representation of civil society, women, youth and unarmed constituencies, but also extends beyond these categories. Importantly, these categories are not mutually exclusive and are often integrated with the polarized political landscape of conflict. For instance, (as was the case in Aceh) youth, women, and civil society activists can both be members of and represented by the opposition group. Hence, inclusion concerns to what extent the perspectives and interests of these constituencies are represented in negotiations, in the peace agreement and in peacebuilding more generally. What is more, unarmed civil society does not automatically translate into associations that are proponents of an inclusive and progressive agendas for other civil society groups or constituencies, such as women. In Aceh, civil society is divided between progressive pro-democracy movements that have put forth an agenda for gender rights and the political inclusion of women on the one hand and a religiously anchored civil and political society that has actively worked against gender rights. Secondly, armed groups tend to recruit young members into their ranks, as was also the case for the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) in Aceh. Hence, armed groups also represent a young membership – in particular low-rank ex-combatants. Ex-combatants make up a significant constituency in most post-conflict contexts. Low-rank ex-combatants who also populate the youth category both descriptively in terms of age and symbolically in terms of their social roles, may in themselves put forward demands of representation that are in themselves reinforcing structures of exclusion.

In this case study of inclusivity in the Aceh peace process, the overlapping roles and possibilities of armed political groups to also push for inclusive agendas is taken as a given. This study focuses on inclusion from three inter-related perspectives.

First, *de facto* inclusion in peace negotiations, which refers to the individuals and groups that have influence over peace negotiations and their outcomes. Most studies refer to this issue as those groups and individuals that are formally present at the negotiation table. However, *de facto* inclusion in peace processes should also refer to any track 2 and 3 processes such as roundtables, consultations and workshops that are formally organized in connection with peace negotiations as well as more informal processes of consultations. While a mapping of group participation in peace negotiations can provide some insight into the extent to which mediators and protagonists alike recognize other social and political actors as important stakeholders to peace, it does not necessarily provide a complete picture of the extent to which the peace agreement or peace process itself successfully engage in inclusion.

The second aspect that concerns inclusivity is the extent to which the peace agreement itself is inclusive in laying the foundation for an inclusive post agreement order in terms of addressing core issues of the armed conflict, whether the agreement incorporates institutional mechanisms that ensure representation, including of women and other groups, as well any mechanisms for reconciliation.

The final issue concerns the long-term impact of peace agreements on inclusivity. To what extent have formal inclusive mechanisms agreed upon been implemented and have they

had the desired effect? What formal and informal hindrances have caused limited positive effect? Based on in-depth study of the peace process and the political dynamics in Aceh over the past decade, this report draws attention to the inherent disjuncture between international peacemakers' ambitions and expectations and their de facto opportunities to influence the long-term peace process. Precisely because the resolution of the armed secessionist war in Aceh was reached through autonomy provisions within sovereign boundaries of the Indonesian state, international oversight and control was necessarily limited beyond the initial implementation phase. The international apparatus only had limited time and leverage to influence the procedural and strategic implementation of the peace agreement.

Against this background, this study considers first, how the negotiations, the agreement and the post-settlement implementation of the agreement formally dealt with issues of inclusion and second, how the peace agreement and the subsequent processes approached central issues of participation and representation. This second issue invites a focus on the extent to which initial successes achieved in the negotiation phase have had lasting effect and what the hindrances to achieving the goal of inclusion as set out in the peace agreement might be.

The case study is divided into three sections. The first section provides an overview of the conflict, dynamics of conflict transformation and an outline of the relevant actors and power dynamics in Aceh at the time of the Helsinki peace process. It argues that any assessment of inclusivity also needs to take into account both strategies of international actors, those of the main protagonists, as well as shifting power relations in the specific conflict context. In Aceh, the groups that had leverage to influence the peace process was an alliance between the rebel leadership, civil society actors and pro-democracy activists mostly made up

of young university students and journalists. In addition, the issue of women's representation and inclusion in the peace process was at the forefront as a result of strong women's groups in Aceh and a general push for quota system in Indonesia. The peace process in Aceh took place in the context of the wider democratization and decentralization process in Indonesia following the collapse of the New Order authoritarian regime in 1998 and the subsequent transition to democracy.

The second section of the report discusses the models of inclusivity in the Helsinki peace process. It argues that due to the alliance between the civil society activists and progressives within the rebel group that had emerged since 1999, the latter had significant influence on the negotiations and the outcome.

The final section puts recent developments into focus and analyses the successes and failures of the Aceh peace process, discussing limitations of international involvement in political economy and entrenched power relations. To what extent have the inclusive measures outlined in the peace agreement and enabled by introduction of representative democratic institutions carried through into the long-term? In the years after the peace agreement, the progressive alliance between the former rebel organization, the Aceh Party and the Aceh Transitional Committee (Komite Peralihan Aceh, KPA), and civil society actors disintegrated. Moderates within GAM were sidelined while conservative segments of the organization resurged. Where the peace negotiations had focused on enabling a representative democratic framework, it had failed to build political capacity amongst those elements. Furthermore, identity politics and resource access have become the main pillars of regional politics, side-lining the progressive elements that had dominated in the early 2000s. As a result, Aceh has backtracked more than many other Indonesian provinces.

2. Conflict dynamics and conflict transformation in Aceh

This section provides a background to the Aceh conflict, identifies the relevant actors and power relations between these actors. It traces the dynamics of political transformation that led to the peace agreement signed between the Government of Indonesia (GoI) and the GAM in August 2005. It argues that while pressure from international actors to ensure inclusivity in negotiations as well as inclusive outcomes is important, the extent to which peace agreements are inclusive is determined by the horizontal competition between elite groups and the interplay between political players, including those of civil society actors.

2.1 Background and conflict dynamics

The Aceh conflict resulted from failures at incorporating regional interests and demands into the national state-building process. Marginalization of Indonesia's provinces and exclusion of regional interests and demands became entrenched during the New Order regime (1966-1998), which was characterized by heavy centralization of power accompanied by oppressive authoritarian measures across the country. Already in 1953, only four years after Indonesia's national revolution and independence from the Dutch, the Acehnese nationalist leader Tuengku daud Beureueh waged an armed rebellion against the dissolution of Aceh's provincial status and its incorporation into the province of North Sumatra, which ultimately led to an agreement with the Sukarno government to reinstate Aceh as an autonomous province within Indonesia (Reid 2006). The New Order project of centralization meant that this promise was abandoned. The separatist demands that have come to define the Aceh conflict were not put forth until the founding of the GAM in 1976. In fact, the founder of the GAM, Hasan di Tiro initially called for a democratic federal state to accommodate Acehnese and other regional interests before going into armed rebellion in 1976 (Kell 1995).

Initially, economic disparity, resource extraction and poverty bolstered support for the rebellion. The heavily militarized responses to the rebellion by the Indonesian military throughout the New Order period, and especially from 1990 onwards when Aceh was designated as a Military Operation Zone (DOM). The DOM period, which was characterized by heavy-handed oppression of civilians, militarization and widespread human rights abuses, further fueled anti-government sentiments amongst Acehnese. The main locus of military action was in areas where industry and investment were booming, and the Jakarta elite was profiting. By 1990, twelve thousand troops were stationed in Aceh (Tapol, 2000). In addition to targeting the rebels, leading Acehnese figure heads including religious leaders (Ulemma), village heads and other local leaders were kidnapped and murdered. The military also targeted civilians that it accused of supporting GAM. As part of its oppressive apparatus, the military also established anti-GAM militias most of which were recruited from Javanese transmigrants (Prasetyo and Birks 2010). Violations perpetrated by the Indonesian military during the DOM period included extra-judicial killings and disappearances, arbitrary arrests and detentions, rape and torture. While these patterns of oppression were similar to those committed by the regime all over Indonesia, the level of severity was particularly high in Aceh.

Regime change, protest movements and failed peace negotiations 1998-2003

The fall of the Suharto regime in 1998, after several months of pro-democracy protests in Jakarta and across Indonesia also spurred a new protest movement in Aceh. The collapse of the New Order regime was met with calls for the revocation of DOM status. The protests in Aceh took on distinctly regional character. For instance, hundreds of widows whose husbands had been killed or disappeared under the DOM demanded to know what had happened to them, with delegations meeting with the newly established National Commission for Human Rights (Komnas Ham) (Tapol 2000). A new protest movement emerged that advocated for investigation of past human rights abuses, release of political prisoners, withdrawal of the military, and a fairer division of Aceh's resources (Hedman 2005). By December 1998, a new coalition of pro-democracy activists were also calling for an independence referendum. From this basis and within the next two years, the independence movement mobilized from multiple angles: from the student movement led by The Independent Voice of the Acehnese Party (*Partai Suara Independen Rakyat Aceh*: SIRA) and from amongst the armed rebel group, GAM. Hence, the demands for democracy coincided with demands for independence by a new alliance of civil society activists and moderate segments within GAM.¹

There were concerns about a renewed escalation of the conflict, and multiple calls for de-escalation. International observers were particularly worried about the threat of a mounting humanitarian crisis, which also triggered push for peace negotiations between GAM and the Indonesian government. The first negotiation attempts started in 2000 and lasted for three years, with some minor successes in reaching a "Joint Understanding on Humanitarian Pause for Aceh" and the "Cessation of Hostilities Agreement" (COHA).² These negotiations were limited to focusing on reaching a series of ceasefire agreements primarily to enable humanitarian aid by international NGOs to be delivered. The main focus of the negotiations, which were led by an international NGO, the Centre for Humanitarian Dialogue (then known as the Henri Dunant Centre, HDC) was on reaching agreements on aid

distribution rather than on core conflict issues. In addition, both negotiation teams from GAM and the government and military consisted of hardliners who were less willing to compromise (Sindre, 2014). Given fundamental differences in perceptions and positions on core issues that concerned Aceh's future status as well as lack of trust and legitimacy, the negotiations stalled without substantive agreement and armed clashes reemerged in early 2003. GAM had also used the Humanitarian Pause as a training ground to recruit and train new members. The government in turn declared martial law and targeted rebel sympathizers as well as civil society activists.

Importantly, despite its apparent failure, the HDC negotiation period coincided with significant political transformations in Aceh and within the rebel movement that made subsequent peace negotiations possible (Sindre 2014). GAM and its diverse leadership group (consisting of the exiled leadership based in Sweden, one group in Malaysia, and the field commanders on the ground in Aceh), developed diverse mobilization structures in relation to different political opportunities (Sindre, 2018). While GAM was remarkably unified and consistent in its political demands, it was also highly pragmatic and inclusive of parallel tendencies and groups when it came to its mobilizational techniques. In particular, from 2000 onwards there was a clear shift both in mobilizational strategy, membership and network structures from the onset of the HDC negotiations, which had solely focused on reaching a ceasefire, to the Helsinki peace talks, which led to a fairly inclusive political settlement. A new moderate leadership had also emerged spanning the group in Sweden and those based in Aceh and Malaysia (Sindre 2018). Following the clamp down on dissidents in 2003, several activists joined the GAM ranks as field commanders or within the political leadership (Sindre 2018). This shift in the command composition, cross sectoral alliance with civil society and a new membership base of the movement laid the foundation for ideological moderation of the GAM's goals as well as behavior that ultimately led to the signing of the peace settlement in 2004 (Sindre 2018).

1 For more details on the internal workings of these movements, see Aspinall 2010

2 For further details about the negotiations see Sindre (2014), Barakat et.al. (2000) and Wandu and Zunzer (2008).

3. Successful peace negotiations and the long-term prospects for sustainable peace

3.1 What were the dynamics and issues at the forefront of the negotiations?

The Helsinki negotiations that lasted approximately six months in 2005 took place abroad and in a secretive manner and included only the representatives of the GAM and the Indonesian government. The emphasis on secrecy was both to ensure the serious commitment of the protagonists and to decrease chances of spoiler activities both on the insurgent side and within the Indonesian military (see Ahtisaari 2008, Kingsbury 2006). However, although the negotiations were limited to elite groups and did not formally include civilians at the negotiation table, due to the strength of the moderate wing within the GAM negotiation team, the close ties between insurgents and civil society and consultation with these groups, and a democratically elected government in Jakarta, the resulting MoU is considered a comprehensive settlement addressing all major demands of the population. The agreement guaranteed the inclusion of political, security, economic, human rights and transitional justice provisions into the agreement. Hence, the Helsinki process illustrates that an inclusive settlement is indeed possible even when inclusivity is limited to the elite level.

3.2 What was the main focus of the negotiations?

The negotiations first focused attention on a narrow set of core conflict issues that concerned the relationship between the centre and the province of Aceh, followed by the governance of its economy and resource ownership, security, demilitarization, monitoring and reintegration of ex-combatants. However, the bulk of time and effort was devoted to the strategy towards achieving democratic self-government. This was approached through pressure for inclusive democratization, representative democracy, and participatory power sharing via democratic elections.

The negotiations started out from a position of irreconcilable differences. The GAM negotiators persisted with the demand for independence calling for a referendum on the status of the province along the lines of those offered to East Timor in 1999. The massive push for such an independence referendum by civil society actors, organized under the umbrella organization SIRA, in 1998-99 had given them confidence that this remained a viable route and that it had popular backing in Aceh. The Indonesian government insisted on reaffirming the special autonomy model that had already been delegated to Aceh prior to the tsunami disaster and that accorded with the general model of decentralization reforms that had been initiated in 2004. Within these auspices, the Indonesian negotiators were also willing to explore formal power sharing with GAM as a means to buy off the GAM leadership. Martti Ahtisaari, the lead negotiator, was supportive of such formal power sharing for a limited timeframe. Under the principle of 'nothing is agreed until everything is agreed' he ruled out a ceasefire agreement on the basis that a such an arrangement would only lead to the two sides further consolidating their positions and allowing them time to reorganize, as had been the case with the HDC negotiations. In the first month of negotiations in February 2005, the talks nearly collapsed due to these positions (Kingsbury 2006, 42; Merikallio 2006, 50). The

fear of the negotiations collapsing incentivized the GAM negotiators to reconsider their options and to broaden their scope and engagement.

Significant bottom-up societal pressure led to GAM being more open towards inclusive engagement and participation in the peace process. A shift towards exploring alternative solutions to a referendum was also the result of the alliance between civil society and insurgents that had developed since 1999. GAM's open attitude towards engaging with civil society during the peace process was the product of pressure from different civil society organizations that had questioned the right of GAM to negotiate on behalf of the Acehnese (Wandi and Patria 2015). As such, hard-line views were quickly overridden by moderate leadership who sought to find viable alternatives to independence that would ensure some of their initial demands were met. The consultations and the strength of moderates directly shaped the outcome. Civil society leaders were adamant that a formalized power sharing arrangement between

GAM and the national government would exclude significant groups and voices from important positions of power and eliminate any hope of inclusive peacebuilding. Moderate leaders within GAM worried that power sharing would limit their role within the movement and lead to the entrenchment of exclusive and corrupt practices while also reinforcing the main cleavage structures of the conflict. In the end, both sides abstained from formalized power sharing on the basis that it would lead to further entrenched and exclusionary power structures at the local level (Sindre, 2011; Törnquist et.al. 2010). Instead, the MoU ensured promotion of political equality, full political and civil freedoms, and the right for all Acehnese of voting age to participate and stand for election as independent candidates and as representatives of local political parties in local elections. The most central aspect was thereby that access to formal political representation was not limited to the opposition group.

3.3 To what extent did the peace agreement address the root causes of the conflict and any new conflict grievances that had arisen throughout the thirty-year armed struggle?

The Helsinki agreement addressed the root causes of the conflict: the division of power between Jakarta and the region of Aceh as well as issues of economic disparity and democratic power sharing. New conflict-related grievances were addressed through commitments to transitional justice mechanisms, human rights, and a focus on reintegration programmes for ex-combatants. Both core conflict issues and new grievance issues were framed in relation to a transition to democratic self-governance for the province of Aceh and in relation to a set of national level institutional changes that were linked with Indonesia's own transition to democracy and widespread decentralization reform.

The agreement set out special autonomy provisions that were exclusive to Aceh: the strengthening of the regional parliament, the Dewan Perwakilan Rakyat Daerah Aceh, (DPRA) and provisions for regional political parties to be established in Aceh (prohibited elsewhere in Indonesia). The provision for regional political parties was essential to enable GAM to carry on their political engagement and remain relevant in post-war politics as a political party. Importantly, in contrast to many other peace agreements with such rebel to political party

provisions, the MoU did not give GAM any formal advantage vis-à-vis other regional political parties. Similarly, the agreement enabling candidates to run as independents in direct elections for positions as governor, mayors and regents in Aceh was intended to secure an even playing field and not to favour the former armed opposition group. Civil society actors hoped to form their own political party that represented a new and progressive agenda that would break with the wartime dynamics and with national political parties.

The implementation of the peace agreement stipulated the drafting of a Law on the Governance of Aceh (LoGA) that would be passed in the national parliament. According to the MoU, the LoGA would be based on the principle that Aceh would exercise authority within all sectors of public affairs, except for foreign affairs, external defence, national security, monetary and fiscal matters, and justice and freedom of religion (MoU 2005). However, the exact provisions for ways of dividing power between centre and the region or how security would be governed were not set out in the agreement. This is a common feature of many peace agreements (Caspersen, 2017) and often used as a means to ensure that the parties

opt to sign the document with sufficient room for their own interpretations and for the agreement to fit with national-level laws and regulations. The agreement not only needed to be ratified and accepted by the Peoples Consultative Assembly (the Indonesian parliament: *Dewan Perwakilan Rakyat Republik Indonesia, DPR*), it also needed to be adapted to existing Indonesian law and comply with hundreds of other national laws. The Law on the Governing on Aceh (LoGA), Law No 11/2006, was promulgated and passed by the national parliament after considerable delay in August 2006 but brought to the forefront a number of issues of concern regarding interpretations of the premises set out in the MoU.

Because the MoU was not a legally binding document, as peace agreements rarely are, the actual implementation required continued negotiations in Jakarta that did not involve internationals. This process that ultimately concerned the core issues of the conflict as well as complex issues such as transitional justice mechanisms, discussed in more detail below, was not directly tied to the ongoing peacebuilding efforts that were linked to the more conventional aspects of reconstruction, relief work and Disarmament, Demobilization and Reintegration (DDR).

3.4 Gender inclusivity in the peace agreement

Despite the consultation with civil society activists during the negotiation and despite the presence of very active women's organizations in Aceh, women played a limited role in creating the agreement. There was virtually no involvement by women in the negotiation of the formal agreement, which was reinforced throughout the implementation process as very few women held positions of influence in the relevant government bodies overseeing its implementation. For instance, the offices responsible for implementing the agreement did not hire any women nor did the international organizations such as the Aceh Monitoring Mission (the AMM). The MoU contained no items that specifically addressed gender-based insecurity or the status of women more generally. In fact, the AMM chose to avoid dealing with gender inequality on the premise that the mission should be short lived and withdraw

quickly after it had implemented the key elements of the agreement relating to disarmament and reintegration and the new political arrangement. Moderates within GAM had argued for women's rights but did not push for gender programmes to be specified in the agreement. Ultimately, they also argued that the general law would ensure women representation within political parties and in the regional parliament and that the MoU did not need special provisions for gender equality. The structural context for war to peace transition in Aceh put women in a disadvantaged position, especially after Sharia law was implemented, that has proved particularly adverse for women (Barron and Burke, 2008). Indeed, women's representation in Aceh's provincial and district parliaments is amongst the lowest in Indonesia (Caspersen and Sindre 2020).

3.5 International engagement in the Aceh peace process

There are a number of factors that made the Aceh peace process distinct in comparison to many other post-conflict contexts. In terms of general state capacity, Indonesia is a middle-income country with a market economy and significant government capacity. Importantly, the Government of Indonesia has remained in control of the Aceh peace process and domestic government resources provided a much greater share of the general post-conflict reconstruction and development assistance than did international aid. These structural factors set very different limitations and opportunities

for international peacebuilding than in many weak and impoverished states more commonly associated with international peacebuilding interventions. Although international engagement played an important role in facilitating the peace negotiations and ensuring that they did not collapse in the fragile initial phases, internationals played only a supporting role in monitoring the initial phased of implementing the peace agreement. Consequently, while the agreement is founded on principles of democratic representation and inclusion, peacebuilding in Aceh did not follow a

conventional trajectory of liberal peacebuilding of externally imposed democratization, liberalization and state-building.

Peacebuilding in Aceh involved a range of international organizations, but its main output was led by a coalition of states rather than NGOs. The European Union-led Aceh Monitoring Mission (AMM), which was jointly established by the Association of Southeast Asian Nations (ASEAN) and the EU, was given the mandate to monitor the implementation of the peace agreement. The decision to establish a joint international monitoring mission instead of deploying armed peacekeepers was agreed by the negotiating parties during the negotiations, and its mandate was clearly outlined in the MoU. The AMM was also the EU's first European Security and Defence Policy mission in Asia. Comprising a total of 240 personnel, the AMM was unique both in its composition and its mandate, with fully integrated teams of EU (and Norway and Switzerland) and ASEAN monitors that were mixed in terms of nationality, civilian and military expertise from participating EU and ASEAN countries (i.e., Thailand, the Philippines, Brunei, Singapore, and Malaysia). From the top leadership to the monitors on the ground, the stipulations were that if a department head or team leader was Asian, their deputy was European and vice versa. ASEAN participation gave regional legitimacy to the mission.

Despite fear of spoiler group activities, which had been prevalent during the earlier attempts at brokering peace (e.g., Barrakat et al. 2002), the AMM was successful in achieving its aims of securing peace. As is discussed in more detail below, the AMM successfully oversaw the destruction of GAM weapons and the partial withdrawal of Indonesian police and military from Aceh (Barron and Burke 2008). Throughout the mission, the AMM also engaged in localised conflict resolution and worked with parties to attain support for the peace agreement. For instance, through the establishment of the Commission on Security Arrangements (COSA), the AMM brought the parties together to discuss and resolve contentious issues in regular meetings held at provincial and district levels. Holding meetings at the district level was extremely important in order to secure commitment and involvement by local leaders, including GAM field commanders, and ensured that localized problems were addressed and not allowed to escalate (Feith 2007; Sindre, 2010). The wider EU support also involved an election observation mission conducted jointly by the European Parliament and the European Commission.

As highlighted below, the AMM was less effective in dealing with more complex issues such as social and political reintegration. This was in part a result of a strategic commitment to adhere to its rather narrow mission of overseeing the transition to peace in the short term. Importantly, the strategy also helped maintain the trust of the Indonesian government, which was particularly wary of any long-term international presence in Aceh. On the part of the EU, the Aceh mission was defined as a crisis management operation (Feith 2007), which called for a short-lived mission matching the EU's general ambition to avoid long-term international engagement (Burke 2008). Beyond Aceh, Maartti Ahtisaari's Crisis Management Initiative (CMI) and the EU partners viewed their engagement in Aceh as an opportunity to develop new and flexible ways of engaging in peace processes, calling for shifts from the massive international presence characteristic of liberal peacebuilding missions, towards regional and domestic engagement and ownership. Ultimately, the AMM's participating countries remained committed to a short-lived engagement, extended only once by nine months from March to December 2006, with the mission gradually phased out until a small group finally departed following the December 2006 election. Beyond the mission, some of the localised dialogue mechanisms first initiated by the AMM were continued via NGOs such as Interpeace, staffed by mostly Acehnese alongside a small number of internationals including former members of the AMM. However, as discussed later in this report several of these initiatives were overridden by domestic political interests.

Beyond the AMM, a number of international aid agencies (notably, the United Nations Development Programme, the International Organization for Migration, the United States Agency for International Development and the World Bank, the Embassy of Japan and the EU) also became increasingly involved in developing post-conflict programmes and technical peacebuilding support primarily focusing on reintegration issues. Prior to 2006, these major agencies had been present in Aceh, but their engagement had targeted post-tsunami reconstruction and avoided conflict sensitive issues. However, after 2006, several of the larger agencies integrated reconstruction and conflict management closer together in areas of governance and sustainability (see for instance Burke 2008; Sindre 2014). Their engagement involved support for civil society organizations that worked on peace promotion, safeguarding against corruption and a peace spoils culture, as well as employment opportunities to Acehnese staff (Burke 2008). Despite these shifts, and even

though international development agencies' presence played a role in supporting post-conflict reconstruction and integration, their role in directly shaping the peace process was rather limited. By and large, they did not shape the direction of reintegration programming and the technical expertise they tried to provide to Indonesian agencies were not seen as particularly useful (see for instance Barron and Burke 2008; Lee 2020). As the remaining sections of this report highlight, the main responsibility to consolidate peace was placed directly with the conflict parties.

4. Partial implementation and limited oversight of the peace agreement

- ▶ Which aspects of the agreement were successfully implemented?
- ▶ Were the promises and expectations of an inclusive agreement formally implemented?
- ▶ Which issues related to inclusivity remained unresolved?

While the agreement itself laid the foundation for an inclusive democratization process in Aceh in the context of the wider democratization process in Indonesia, not all aspects of the agreement have been implemented, or implemented in the way that many of the local stakeholders had intended.

The implementation of the MoU has often been deemed successful in achieving the demilitarization of the armed group under the oversight of the Aceh Monitoring Mission (AMM). However, when dissecting the points of the agreement and the process by which these were implemented, several setbacks and contentious issues became apparent. In the short term, the successful implementation of the aspects of the agreement that related to immediate humanitarian relief aid and the post-tsunami reconstruction effort alongside DDR programs relied on the involvement of the international community and the Aceh Monitoring Mission (the AMM). Therefore, the issue of international oversight and genuine support is not straight forward. On the one hand, the initial phases of the DDR process that concerned disarmament and demobilization of GAM were successfully implemented with international oversight by the AMM. On the other hand, the far more complex and politically sensitive process of reintegration of ex-combatants that concern distribution of reintegration funds and their adaptation to electoral politics, as individual politicians and as a political party, was not part of the strategic concerted peacebuilding efforts and lacked international oversight. In the long term, the premises of the agreement relied heavily on the commitment of Indonesian lawmakers who had the responsibility to translate the agreement into a law, and regional-level lawmakers and stakeholders to ensure its implementation at the regional level in Aceh. Amongst stakeholders in Aceh, a main division emerged between progressives and moderates, who allied with civil society, and the 'old guard' consisting of conservative segments of the GAM leadership and local commanders. The moderates continued to push for democratic accountability and the continuation of the broad-based popular alliance that had enabled the inclusive and progressive peace agreements while the primary concern of the 'old guard' was to ensure the organizational survival of GAM as a political organization by winning elections in order to gain access to the spoils of peace.

4.1 Failure to address root causes, the fluid nature of conflict and grievances:

Addressing core conflict issues: Special autonomy and centre-periphery relations

While there was general agreement and expectation that the core elements of autonomy outlined in the peace agreement addressed root causes of the conflict that concerned Aceh's degree of autonomy and 'self-government', several of these core provisions were watered down during the implementation phase. Yet, the spirit of consultation with civil society actors to ensure local ownership still played an important part during the implementation phase of the agreement as the agreement was translated into law. The next few paragraphs first briefly describe the process of deliberation in drafting the Law of the Governing of Aceh (LoGA), before assessing the impact of the discrepancies between the MoU and the LoGA.

When it became clear that local actors, and in particular GAM and its allies in civil society, would not have formal and direct influence over the formulation of the LoGA, they moved quickly to find ways to influence the outcome. On their side, the reformist leadership of GAM prepared a first draft of the law intended to form the basis for future deliberation. This draft contained some fairly radical ideas about the nature of Aceh's 'self-government' such as membership for Aceh in certain UN bodies as well as complete control over regional fiscal policies. Yet, it was precise and very close to their own interpretation of what they had agreed to in the MoU. This draft law prepared by the GAM was presented to the provincial parliament and government before being put forward for deliberation with regional-level stakeholders, including business, religious leaders and legal experts. However, despite this inclusive deliberation, this version of the draft law did not leave a lasting imprint on the final law (Caspersen and Sindre 2020). This meant that despite efforts at creating ownership, there was little local involvement in the formulation of this important document. Key decisions regarding the implementation of the peace agreement were made by bureaucrats and lawmakers in Jakarta who were not signatories to the agreement and had not been involved in the negotiations, and also excluded the regional Acehnese stakeholders who had.

While GAM had pushed for elections to be held within 6 months of the signing of the peace agreement knowing that their direct influence on post-war political development relied on electoral success (Sindre, 2010), elections were not held until August 2006, about one year after the signing of the agreement, primarily due to the delay in formalising the autonomy arrangements and party laws. In addition, the AMM sensed that early elections could derail the peace process unless the disarmament and demobilization processes were complete (Sindre 2014). As a result, the formal process of drafting the LoGA at the regional level had been left with a regional parliament that had been elected during wartime and where signatories to the agreement were not represented (Caspersen and Sindre 2020). The consequence was that neither GAM members nor leading civil society activists were represented within the provincial assembly or government. Hence, the draft law that in the end was proposed and ratified by the regional assembly and approved by the regional government, did not formally require GAM's approval or even formal involvement. Consultation on this draft was also sporadic and did not incorporate suggestions made by external stakeholders. Following parliamentary scrutiny

and deliberation in Jakarta, considerable changes to the first and second drafts were introduced by Indonesia's national parliament. In the end, the final document did not provide a precise stipulation of Aceh's regional autonomy arrangements and departed considerably from what was set out in the MoU (Caspersen and Sindre 2020).

In translating the MoU into law, key issues in the MoU were made subsidiary to the national debate over decentralization, which set out a standardised relationship between regions and the centre. This had significant impact on how the law addressed core conflict related issues on the relation between Aceh and Jakarta. The idea of "self-governance" was entirely stripped from the conversation and became reduced to a question of how would power formally be divided within Aceh between the regional parliament, regencies, and city governments. This issue of vertical power relations at the provincial level had not been discussed at all during the negotiations and has proven to become contentious in recent years, as regents in some provinces have called for creation of new sub-districts (Ehrentraut 2010).

The second contentious issue that arose in the formulation of the Law on the Governing of Aceh was the expectation the Indonesian Armed Forces Law (Law 34/2004 known as the TNI-law) would remain valid in Aceh. Accordingly, the Indonesian military (TNI) would have the same role in the internal security as elsewhere in Indonesia. This was a clear departure from the MoU and took the GAM signatories and civil society leaders by surprise (Wandi and Patria 2015). A main issue in the negotiations had been precisely to remove any so-called non-organic (i.e. non-Acehnese) troops from Aceh and to limit the TNI's role to monitoring Indonesia's outer borders. In the end, Jakarta retained considerable control over Aceh's domestic affairs, thus departing from the MoU by removing the second principle of the agreement that 'decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken into *consultation* with and *with the consent* of the legislature of Aceh' (MoU 2005; Hillman 2012; Aspinall 2014).

These changes also meant that the *de facto* powers of the regional assembly in Aceh (DPRA) was considerably diminished in comparison to what the Acehnese signatories had foreseen. It became clear that Yodhoyono and Kalla, the president and vice president who were signatories to the agreement could hide behind an argument of parliamentary scrutiny to mitigate for any targeted criticism of not fulfilling their commitments set out in the MoU. It quickly became clear that the principles of autonomy set out in the MoU had become a set

of general guidelines rather than principles and commitments to adhere to (Caspersen and Sindre 2020).

What could peace mediators and the international peacebuilding apparatus have done to mitigate against the discrepancies between the MoU and the LoGA? The primary concern of the peace mediators as well as the protagonists was to get an agreement on the table and subsequently to ensure that the demilitarization process was successful. The AMM's primary task was that of disarming and demobilizing the armed group and ensuring that the Indonesian military stuck to their side of the agreement. From the point of view of internationals this concerned the nature of local ownership and whether internationals should indeed intervene in domestic political affairs pertaining to the process of law-making by the democratically elected Indonesian national assembly. That said, recognition of the potential pitfalls could have averted some of the problematic outcomes. Despite the fact that the settlement itself laid the foundation for transformative and inclusive politics, the peacebuilding apparatus was mostly concerned with overseeing standardised peacebuilding programmes at the cost of ensuring that these elements of the agreement survived in the long-term.

A complete failure of addressing truth and reconciliation

The second failure of implementation was in the realm of peace and reconciliation and lack of support for human rights organizations, in particular ensuring the establishment of an Aceh Truth and Reconciliation Commission (TRC). Although the Memorandum of Understanding included stipulations for transitional justice mechanisms, this aspect of the peace agreement was only vaguely formulated and one of the issue areas that was left to be addressed by national policy makers and within the framework. It was also one of the aspects that had been pushed by civil society and supported by some moderates within GAM, but it was not a priority of the armed movement (Sindre 2010; Suh 2015). As opposed to the autonomy provisions, truth and reconciliation was deliberately left to be part of the national-level reconciliation commission, which was in the process of being established at the time of the

signing of the agreement (Caspersen and Sindre 2020). In the initial phases of the peace process, some progress was made within government bodies such as the Indonesian Human Rights Commissioner, Komnas Ham, that produced a series of reports outlining the past human rights atrocities in Aceh. Alongside their work tracking atrocities of the New Order regime.

Locally there was still strong civil society impetus in Aceh to drive forward this aspect of the peace process. In December 2008, a coalition of victims' associations and Acehese NGOs submitted a TRC bill to the Aceh parliament citing Article 229 (1) of the LoGA that states that "to seek the truth and reconciliation, a Truth and Reconciliation Commission shall be established in Aceh by virtue of this Law" (LoGA 2006). This bill was put into the local legislative program in February 2011 where it remained dormant for two years (ICG 2013). The Aceh parliament invited local and national human rights activists for a public hearing on the local TRC bill. The bill for a stand-alone Aceh TRC was passed in the DPRD, but again rejected at the national level (Suh 2015). Against Jakarta's will, Aceh passed the TRC law (*qanun*) at the end of the year. In the end, the Aceh parliament passed the TRC (*qanun*) going against Jakarta. However, this local regulation is not all encompassing. It is primarily focused on truth-seeking about social, economic, and cultural rights and does not cover gross human rights violations, which would not have been legally binding given that criminal law is a national law matter. In the end, the establishment of the Aceh TRC was a way for the provincial parliament to assert its autonomy, which coincides with ensuring the implementation of key features in the peace settlement that had been over-ridden by Jakarta. However, without national-level commitment and inclusion in national legislation, there is little chance of prosecution of human rights offenders (Caspersen and Sindre 2020).

In light of the overall peace process in Aceh, Acehese NGOs and human rights activists were left to their own devices in areas of transitional justice mechanisms. Negotiators and the peacebuilding apparatus had expected that Aceh would feature as part of a national TRC, which meant that it was left to Indonesian lawmakers rather than the international apparatus.

5. Strategic behaviour in international peace and security interventions

To what extent did the peace process address the issues linked to the political economy of the conflict in Aceh? Did the international intervention create a new political economy of conflict that benefited specific political and economic elites?

The international approach to peace and security interventions such as DDR-policies, and development are often mandate-driven interventions rather than problem-driven (Interpeace 2020). In Aceh, a parallel peace process took place that was domestically driven and that was geared towards making peace profitable to those involved (Prasetyo and Aditjondro 2010).

The perceived success of the peace process in Aceh is thereby anchored in this notion of a domestically driven shift towards non-armed politics and the transition from bullets to ballots by the GAM in particular. However, this shift and ultimately the absence of international commitment in supporting the inclusive, progressive, and democratic elements of the peace agreement also meant that the peace in Aceh that has emerged is one that perpetuates corruption, patronage politics and exclusion of those forces that initially ensured its inclusiveness. As this section highlights, while the peace process in Aceh resembled a classical liberal peacebuilding project, in particular through its attention to elections, democratic institutions and development through marketization, peace has held primarily due to underlying illiberal dynamics (e.g., Lee 2020).

5.1 International support for strengthening the moderate wing within GAM

Internationals deployed a concerted effort to strengthen the moderate wing within the GAM leadership. The official institutions that mediated international and state transfers for the purpose of demobilization and implementation of the peace agreement, such as the Aceh Monitoring Mission (AMM), the Aceh Reintegration Body (BRA) and the Aceh Rehabilitation and Reconstruction Agency (BRR) were important routes for strengthening the politico-bureaucratic capacity of leaders to be perceived as moderate, pro-peace and positive to the international involvement in Aceh (Sindre 2011). For instance, Nur Djuli, a senior member of GAM negotiation team had nurtured close ties with the referendum movement and been central in pushing for the inclusion of local parties and cooperation across the organizational spectrum in Aceh, took on the position as Head of the Aceh Reintegration Body (BRA). Irwandi Yusuf, the former chief of intelligence of the armed opposition movement, also viewed as a pragmatist and a moderate, became GAM's representative in the Aceh Monitoring Mission (AMM). In December 2006, he also won the election for Governor of the province in alliance with renowned civil society activist, SIRA leader Muhammad Nazer, as Vice Governor (Kingsbury 2006). The coupling of a revered GAM personality with a familiar pro-democracy activist such as Nazer reflected the underlying logic of the peace agreement as founded upon a progressive alliance of moderates within GAM and progressive civil society activists. However, once the international efforts and the formal peace process was over, the moderates no longer retained powerful positions within the political system and the 'old guard' returned (Sindre 2016; Hillman 2012).

5.2 The political dynamics of DDR in Aceh

The formal DDR process in Aceh followed a fairly conventional program. The AMM was tasked with monitoring demobilisation of GAM, the decommissioning of GAM weapons, the redeployment of Indonesian security forces as well as the reintegration of former GAM fighters and amnesty for former GAM members. It also had the responsibility to monitor the human rights situation. While these tasks were completed with relative ease, and with support from both the Indonesian government and GAM, the process accorded 'primacy [to] the Indonesian government' (Barron and Burke 2008). The DDR efforts were also supported by various international agencies such as IOM, UNDP, and the World Bank (see Barron and Burke 2008). The DDR process in Aceh confirms some of the common criticisms of DDR approaches in the 2000s as being programmatic, mechanistic, and disengaged from contextual political dynamics on the ground. The AMM strategy was a quick solution, and one that did not engage with the political dimensions of DDR. The Indonesian government was meant to take over the AMM's role

after 2006 with the establishment of a reintegration fund, the Aceh Reintegration Body (BRA) aimed to provide employment or social security assistance. To access reintegration funds and to ensure its organizational cohesion, GAM established its own ex-combatant association, the Aceh Transitional Committee (*Komite Peralihan Aceh*, KPA) through which these reintegration funds were to be channelled (Barron and Burke 2008; Sindre 2016). This process was very much detached from the internationally driven DDR process, which was weakly anchored and lacked political legitimacy amongst ex-combatants (Barron and Burke 2008; Stange 2012). Ultimately, the primary route for ex-GAM members' reintegration into political roles and contract jobs was via the Aceh Transitional Committee (KPA) and GAM's political party, the Aceh Party (Aspinall 2014). Consequently, the Aceh Transitional Committee (KPA) became the primary vehicle for ex-combatant interest mobilization and ex-combatant reintegration became closely entangled with the local political economy in Aceh.

5.3 Failure to address the political economy of the conflict

Through the formation of GAM's successor party, the Aceh Party, GAM members have been able to control the executive in more than half of the province's districts. The Aceh Party remains the largest party in the provincial legislature and several of the district legislatures. As in most regions in Indonesia, local political office is a precondition for accessing rent-seeking mechanisms and illicit fundraising opportunities including the political control over distribution of contracts, opportunities for investment deals, and control over key resources at the regional level. This form of 'predatory peace' (Aspinall 2014) moves beyond the assimilation of Aceh into the political economy of Indonesian regional politics, and instead perpetuates and reproduces some of the most damaging modes of resource extraction and corruption of the conflict era. The peace process in Aceh completely failed in recognising this aspect of the political economy in Aceh and the ways in which the conflict itself had exacerbated competition over the province's resources.

With dissatisfaction of the DDR processes and what were perceived as limited opportunities for former rank and file, former GAM members moved swiftly to benefit from the peace economy and

become integrated into the political economy of Aceh. Reconstruction and development became anchored to the strategies of political/business elites in Jakarta and Aceh respectively. Top GAM officials, especially those who led the military wing, the TNA (*Tenara Neugara Aceh*) also often referred to as GAM's 'old guard', began to focus on economic development and strengthening economic ties with Malaysia. For instance, Muzakkir Manaf, a former TNA commander who became the leader of the veterans' association, the Aceh Transitional Committee, also the leader of the Pulo Gadeng Group, a business conglomerate, moved quickly to set up export/import business including importing luxury cars from Malaysia to Aceh to be used by GAM officials (Prasetyo and Aditjondro, 2010: 201). TNA commanders who had strong support networks from the war also moved quickly into new business ventures to their own benefit and to their supporters.

The rationale presented by GAM leaders in creating their business empires echoed that of Jakarta elites: strong businesses would benefit general development in Aceh, and ultimately peace could be profitable. Beyond the owning of major businesses, across the province, former TNA local

commanders were recruited as land-clearing and security contractors for mining companies. In some places, lower rank combatants were involved in consultations between private companies, local government, and villagers. This effectively meant that GAM members from local Aceh Transitional Committee offices were employed as brokers – or security and land clearing contractors – jeopardising the grassroots support networks for the former GAM (Prasetyo and Adetjondro 2010; Aspinall 2014). While the flourishing businesses of former GAM commanders and top GAM officials did not lead to direct payoffs or well-paid jobs to lower ranking GAM combatants, it did incorporate the former armed opposition movement into Aceh's political economy with lasting impact (Aspinall 2014).

Peace in Aceh was attractive to the Government of Indonesia and TNI as it would facilitate expansion of extractive industries and attract foreign investment for large scale mining and palm oil production. Since the signing of the MoU, the mining sector expanded beyond the exploration and extraction of oil and gas, which had been the main sources of extraction during the conflict. Consequently, the logic of predatory politics and corruption so prevalent elsewhere in Indonesia had become an entrenched part of Aceh's political economy.

Ultimately, there is an inherent failure to recognise the significance of predatory politics inherent in Indonesian politics throughout the peace negotiations. If anything, the international involvement in post-tsunami relief and reconstruction combined with democratic

framework of the MoU helped to curb, for some time, the most corrupt and exclusionary practices of the Indonesian government's profitable peace approach. However, moderates who had ensured a progressive platform within the Aceh Party decided to leave the party and form their own political wings that have not attracted any support from voters. Similarly, moderates that played a significant role in the transitional phase in key leadership roles in development agencies have been side-lined as the peace process neared its end.

Thus, as the resolution of the Aceh conflict also called for national resolution, any questions of equity, representation and inclusivity are as much linked to the interplay between national and local level political strategies by an otherwise illiberal state as to the strategies by international peace makers. While the Indonesian government welcomed international involvement, including international oversight of GAM's demobilization process, the government was not willing to extend a mandate beyond the short term. Importantly, any long-term involvement by international actors in Aceh was subject to national-level approval, invitation and collaboration. Consequently, the successful shift from wartime to peacetime political order was accomplished by assuring elites' control over Aceh's political economy through rent-seeking privileges and patrimonial relationships, ultimately ignoring the liberal peacebuilding prescriptions to dismantle wartime structures to build a liberal political order.

6. Long term impacts of key inclusive aspects in the peace agreement

The province of Aceh has remained stable for over fifteen years, across four election cycles, signifying a relatively successful settling of the separatist conflict and general demilitarization of politics in the region. The provisions in the settlement for regional political parties that enabled GAM to put forward candidates for local elections and transform into a regional political party combined with the group's ideological moderation from seeking separate statehood towards accepting regionalism made the transition from war to peace possible. While it may not seem radical or transformative, in the Indonesian context these were. However, the peace agreement also laid the foundation for a transition to inclusive democracy that has not been successfully implemented.

These inclusive aspects of the peace agreement were premised upon the efficient working of a democratic system with flourishing regional political parties and the continuation of the progressive alliance between moderates within the GAM, and the civil society activists. Yet, following the initial election, the reformist alliance lost out, giving way to the exclusionary practices described in this report. The reformist alliance that had pushed inclusivity during the peace negotiations and laid the foundation for inclusive democratization in Aceh, proved more successful in winning than utilizing democratic power. Some political leaders became enmeshed in predatory practices and contributed to further entrenching patronage structures to ensure their client survival. In Aceh, patronage dynamics were structured around the use of political office for private gains reinforcing a democratic deficit with regard to transparency and accountability.

The emphasis on inclusivity in post-war political institutions was further bolstered by strong presence of women in the consultative processes during the negotiations and formal jurisdiction at the national level such as the affirmative action law of 2003. Despite these advances and the prominence of several women mediators, women remain underrepresented in the regional parliament in Aceh at just 13 percent, which is not in accordance with the national affirmative action law (2003). Importantly, female legislators in Aceh do not occupy any of the more prestigious or strategically influential positions such as chairpersons of special committees, legislative affairs departments or any of the main financial committees (Mardiah et.al. 2019). While the implementation of Sharia Law in Aceh does not go against the peace agreement as such, it has side-lined women and created an atmosphere of hostility towards some progressive ideas that animated the peace process. The legislation that enabled the implementation of the current form of sharia law in Aceh, which disproportionately impacts women was signed into law by the governor, leader of the Aceh Party, in 2014. Importantly, in 2009, an earlier attempt to pass the legislation that also included stoning was vetoed by then-governor, Irwandi Yusuf, who had been on the GAM negotiation team and belonged to the moderate wing of GAM. The issue of Sharia came to the forefront as hardliners within GAM sought to oust moderates and sought alliances with clerics and Islamist politicians.

Attention to gender equality and representation of women as central to peacebuilding, has been abandoned by all political actors who have come to rely on alliances with Islamic clerics for support. Instead, the adherence to Sharia has helped reinforce the status of “difference” for the province in relation to the rest of Indonesia and is discursively used discursively to reinforce a distinctly Acehnese identity. In a way, the failure to ensure *de facto* autonomy has been replaced by an emphasis on defending Aceh's distinctiveness *vis a vis* Jakarta. Current practices of Sharia law in Aceh reflect similar trajectories of informality in the security apparatus, state-sanctioned violence, which is often directed at women and minority LGBT communities, and exclusion of progressive elements that had been prevalent during and after the Helsinki negotiations.

7. Conclusion

Peacebuilding is a long-term process, it is multi-faceted, and we see similar examples of obstacles and setbacks. In Aceh the international peacebuilding apparatus navigated multiple pressures of seeking to ensure the signing of an agreement that was acceptable to both sides. However, it is also clear that the internationals had to navigate the mandate awarded by the Indonesian government and saw its mandate as being limited by the nature of the conflict and in particular that its resolution was reliant on the support of the Indonesian government.

The second failure concerns the implementation of the peace agreement and in particular the process of translating the Memorandum of Understanding into a comprehensive law. While there are good reasons for internationals to avoid interference in national-level law-making, closer attention to the institutional and political dynamics between Jakarta and its regions could have helped foresee the ensuing problem. The process of widespread deliberation and community involvement in providing input to the initial draft law could have ensured that the agreement and law itself gained popular support and a firm anchor amongst key stakeholders and society in Aceh. However, because the process of interpreting the peace agreement and converting it into domestic law excluded GAM and ignored the draft law, the outcome was a complex document that was substantially different from the MoU on core issues.

The third failure concerns the lack of understanding of the competing strategies of profitable peace that was pushed by both the Indonesian government side and key figures within the armed opposition movement. Closer attention by the international peacebuilding apparatus to the local political economy, attention to how patterns of illicit and corrupt policies could and would be reproduced as part of this strategy of profitable peace could have helped avert some of these dangers. Ultimately, the persistence and recreation of these patterns of illicit extraction and corruption further undermined the progressive nature of the agreement and led to further exclusion of those progressive forces that shaped the peace agreement in the first place.

The fourth failure concerns the limited recognition of the political dynamics of DDR and especially the aspect of reintegration. While the AMM had the responsibility to oversee the legislative changes that concerned Aceh's transition to democracy, it did not view political party support as part of its mandate, even though this was the primary route for ex-rebel integration post-conflict. Closer attention to party building could also have benefited the civil society groups and progressives within GAM that lacked the patronage vehicles available to GAM via the ex-combatant networks.

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