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Re-paving the road to peace

Analysis of the implementation of DD&R (Disarmament, Demobilization and Reintegration) in Aceh Province, Indonesia

Christine Beeck

List of acronyms and abbreviations

AGAM Angkatan Gerakan Aceh Merdeka (Forces of the Free Aceh Movement)

AMM Aceh Monitoring Mission
ASNLF Aceh-Sumatra Liberation Front

BRA Badan Reintegrasi Aceh (National Reintegration Agency)

CFSP Common Foreign and Security Policy (of the EU)
CCDE Center for Community Development and Education

CMI Crisis Management Initiative
COHA Cessation of Hostilities Agreement
COSA Commission on Security Arrangements
DinSos Provincial Office of Social Affairs

DOM Daerah Operasi Militer (special military operations area)

EU European Union

EU EOM Election Observation Mission

ESDP European Security and Defense Policy

GAM Gerakan Aceh Merdeka (Free Aceh Movement)

GTZ German Technical Cooperation

Gol Government of Indonesia

HoM Head of Mission

ICG International Crisis Group

ICRS Information, Counseling and Referral Service

IDDRS Integrated Disarmament, Demobilization and Reintegration Standards

IOM International Organisation of Migration

LOGA Law on Governing Aceh

KDP Kecamatan Development Program

KPA Komite Peralihan Aceh (Aceh Transition Committee)
LINA Liga Inong Aceh (political women's organization in Aceh)

LoGA Law on the Governing of Aceh

MDTs Mobile Decommissioning Teams (AMM)

MoU Memorandum of Understanding

NAD Province of Nangroe Aceh Darussalam

PSC Political and Security Committee (of the EU)

SOP Standing Operation Procedures

SSR Security Sector Reform

TNA Tenara Negara Aceh (Army of the State of Aceh)
TNI Tentara Nasional Indonesia (the Indonesian Military)

UNDP United Nations Development Programme
UNIFEM United Nations Development Fund for Women

UNSC United Nations Council Resolution

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It goes without saying that all views expressed in this brief are the author's alone and that all responsibility lies with the author.

Christine Beeck

Executive summary

 $oldsymbol{\mathsf{T}}$ his report presents the findings of the BICC Project "Analysis of the implementation of DD&R (Disarmament, Demobilization and Reintegration) in Aceh Province, Indonesia", deriving from interviews conducted with a variety of actors in Aceh in November 2006, and the analysis of secondary literature and program information. While the main focus of this publication lies on the DD&R process, developments that have taken place in Aceh since the signing of the Memorandum of Understanding (MoU) in August 2005 between the Government of Indonesia (GoI) and the Free Aceh Movement/Gerakan Aceh Merdeka (GAM) have also been taken into consideration, as these influenced DD&R process. This brief's objective is to provide a comprehensive overview of the DD&R process and to assess how the peace process has progressed since the signing of the MoU that ended nearly 30 years of armed conflict.

In accordance with the MoU, GAM embarked upon four phases of disarmament from September until December 2005, handing in 840 weapons to the Aceh Monitoring Mission (AMM), which were immediately and publicly destroyed. The disarmament of GAM was successfully completed by 31 December 2005. In parallel to the GAM disarmament, a total of 25,890 nonorganic¹ Indonesian military (Tentara Nasional Indonesia or TNI) and 5,791 non-organic police forces were pulled out of Aceh, leaving the number of remaining military forces at 14,700 and the remaining police forces at 9,100. The relocation of all non-organic troops was successfully completed by 31 December 2005 without the occurrence of any major incidents.

Findings

- After the handing over of the 840 weapons, GAM ex-combatants returned to their homes and families. Some have since engaged in economic and political activities.
- The security situation in Aceh has stabilized since the signing of the Memorandum of Understanding (MoU), clearly noticeable in the free movement of people throughout the province, the holding of meetings or celebrations attended by large numbers of people, life on the streets after 5:30 pm and a revival of Aceh's buzzing market life. In 2006 only three incidents involving the Free Aceh Movement (GAM) and the Indonesian military were reported to have occurred, which were quickly resolved by both parties and did not escalate.

- As the MoU only sets out very vague provisions for reintegration, details regarding reintegration mechanisms and questions on beneficiaries had to be resolved on the ground which caused substantial delays in the delivery of reintegration assistance.
- The reintegration process was stalled even further when a general of the Indonesian military demanded that GAM hand over a list with 3,000 names of combatants eligible for reintegration assistance to the Government of Indonesia (GoI). As mistrust in the GoI remains high, GAM feared that once the list was in government hands, it could compromise its combatants' security. As GAM also intended to exercise some control over the distribution of the reintegration assistance itself, GAM continued to refuse to hand over this list until late 2006 when they passed it on to the Aceh Monitoring Mission (AMM) who then forwarded it to the National Reintegration Agency (BRA).
- In November 2006, the BRA provided first payments to about 1,000 GAM members through the Aceh Transition Committee (KPA), a agency created by GAM in December 2005 in preparation for its transition from rebel to political movement. The KPA's main task was to oversee the demobilization and reintegration of its fighters.
- The DD&R process marginalized women, and it was mainly due to efforts of individual organizations that women became part of the respective reintegration projects.

Remaining challenges

- The timely provision of reintegration assistance to the six groups of beneficiaries eligible for reintegration assistance is critical to the continuation of the peace process, as many GAM members living in villages claim to have not yet received anything. This has resulted in increasing levels of frustration among these former combatants, who fulfilled their commitments towards the MoU but feel that they have not received very much in return. So far, amnestied political prisoners who were registered and processed immediately upon their release from prison and received their reintegration allowance and benefits are the only group, which has benefited from reintegration.
- The continuation of trust-building and the dialogue process between the Gol and GAM, as, after nearly 30 years of armed conflict, mistrust between both parties remains deeply rooted.

List of recommendations

- Reintegration, the most difficult and important part of a DD&R process, often has severe shortcomings. Hence, to provide the best conditions for reintegration, and to prevent delays when establishing mechanisms and providing reintegration assistance, a peace agreement as well as an international mission's mandate should already address the issue of clear implementation mechanisms, which should also include guidelines on which organization takes on the role as lead reintegration agency.
- There is the need for a coherent and clear approach to DD&R. This did not seem to be the case in Aceh, as different concepts and understandings of the terms "Demobilization" and "Reintegration" were applied. The AMM would have benefited from a conceptual framework on DD&R to base its work on. The UN-produced "Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS)", could be such a framework the EU could adopt for its future DD&R undertakings.
- Gender mainstreaming should take place at every level of conflict resolution and peacebuilding. Furthermore, the more inclusive definition of "combatant" of UN Security Council Resolution 1325, that goes beyond those "carrying guns" by including those "associated with the armed forces" such as cooks, spies, logisticians and sex partners, should become an integral part of a mission's mandate to avoid the marginalization of women in a DD&R and wider peace process.
- Better inter-agency coordination and cooperation mechanisms between all actors working in the same geographical area on the same or interrelating programs is required.

Introduction

Road blocks, checkpoints, daily attacks on transports, patrols, especially along the east coast and the conflict-prone central Aceh, as well as the disruption of basic services, such as health, education, transport, village administration, mail, and portable water provision were 'normal' day to day occurrences during Aceh's 30 years of conflict. Armed encounters just outside Banda Aceh, the province's capital, occurred up until as late as May 2005.

While the entire population experienced extraordinary levels of violence and hardship due to the conflict, the fragile security situation, and often displacement, affected Acehnese women in particular. Due to the loss of their husband and breadwinner, many women had to perform additional tasks to be able to provide for their families. Like women, children also had to suffer greatly. The "Multi-Sectoral Assessment on the Situation of Children in Conflict Affected Areas of NAD" by UNICEF states that 89.6 percent of the respondents had lost a family member as a result of the violence; 70 percent of the respondents stated they got separated from their families during the course of the fighting. Half of the respondents reported that they had witnessed violence, including village attacks and killings (UNICEF, 2006).

Nearly thirty years of armed struggle finally ended on 15 August 2005 with the signing of the Helsinki Memorandum of Understanding (MoU) between the Government of Indonesia and the Free Aceh Movement, under the auspices of the Crisis Management Initiative and former Finnish President Martti Ahtisaari. A combination of various factors, mainly a change in political climate with the election of Susilo Bambang Yudhoyono as President of Indonesia in October 2004 and the widespread media attention that followed the devastating tsunami in December 2004, resulting in the return of the 'forgotten' conflict to the international focus of attention helped ease this process. After having been closed off from the world for nearly 30 years, the province of Aceh was forced to open up to facilitate and enable the delivery of tsunami emergency aid to its people.

All the above factors played a vital part in reinvigorating the peace process in Aceh that had been stalled since the breakdown of the previous peace agreement, the Cessation of Hostilities Agreement (COHA) in 2003. It is important to emphasize that even though the two previous peace agreements [the Joint Understanding on a Humanitarian Pause for Aceh (2000) and the COHA (2002)] did not succeed in bringing an end to the fighting in the war-torn region, they are considered to have contributed substantially to a climate which

made the signing of the Helsinki MoU possible. Being of a far more comprehensive nature, the MoU goes a step further than the previous two peace agreements, as it identifies solutions to all points of past disagreement between the central government and the rebels.

Sixteen months after the signing of the MoU, the technical backbones of the peace agreement were implemented. However, despite the fact that the general security situation has improved dramatically and GAM was successfully disarmed, many challenges remain. The demobilization of GAM and the dissolving of its command structures are yet to take place, and the reintegration of GAM returnees remains a challenge.

Objectives of this brief

The purpose of this *brief* is first and foremost to provide a comprehensive overview of the DD&R process that was implemented within the wider peace process in Aceh. It further provides an assessment on how the peace progress has advanced since the signing of the MoU. Additionally, this study identifies and assesses the efficiency and sustainability of the DD&R process in Aceh and its 'Aceh specifics', as well as the prospects of a lasting peace in the province.

This brief contains three sections. While the first section provides a brief background on the history of the conflict in Aceh and the preconditions for the DD&R process, namely the MoU, the second section focuses on the disarmament, demobilization and reintegration process and analyzes the implementation of these three components. Section three provides conclusions and recommendations for the future planning of crisis management missions as well as for future DD&R programs.

By providing a comprehensive overview of DD&R measures within the wider peace process in Aceh, this brief represents the only available study to date which brings together all elements of the DD&R process in Aceh undertaken within the wider framework of conflict management chosen for the province. This is of particular relevance, as so far studies undertaken by, for example, the World Bank, International Crisis Group, the Centre for Humanitarian Dialogue, etc. tend to focus on one specific aspect rather than on the entire range of aspects relevant for DD&R. Therefore, by providing the "whole picture" of the DD&R process undertaken until November 2006 and by thus filling an information gap, this brief makes a vital contribution to the literature on conflict management.

Methodology

This brief is based on a combination of information obtained by means of 34 personal, 30 minute- to two-hour-long interviews conducted during a two and-a-half week long fieldtrip to Aceh (30 October to 14 November 2006). In addition, project information of organizations working in Aceh, public studies, as well as a consultation of newspaper articles provided the foundation for this study. Furthermore, there was an exchange of e-mails with a number of individuals who were involved in this peace process at some point in the past.

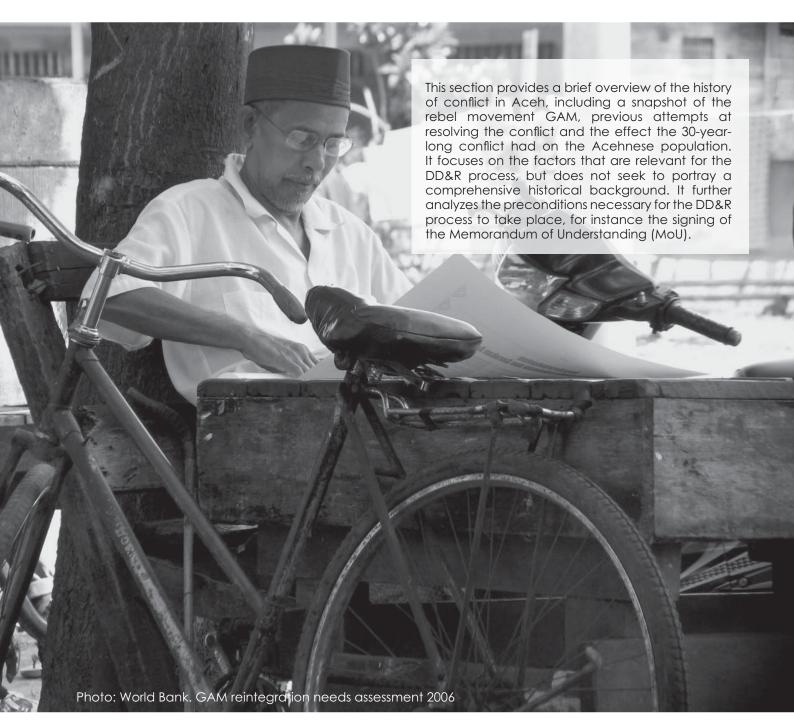
This *brief* does not represent a formal evaluation report—its purpose is to collect relevant information and to present it in an organized manner to facilitate discussions and assessments of the progress of this peace process, and to give recommendations for the planning of future DD&R programs.

The author is aware that the wider conflict management approach chosen for Aceh and defined in the MoU incorporated a substantive range of components, which went beyond the study's focus. These elements will therefore only be dealt with peripherally.

The author further recognizes that this *brief* will have inevitable shortcomings due to operational conditions that prohibited the author from questioning actors outside Aceh's capital city Banda Aceh as well as the local population on the grounds of language barriers and time constraints during the field research phase.

This *brief* presents a snapshot of events that took place from August 2005 to the end of 2006, as the situation on the ground continues to change and as processes, such as the reintegration of former GAM combatants, are still ongoing.

The political and economic framework



Brief introduction to the conflict

ocated on the northern tip of the island of Sumatra, the province of Nangroe Aceh Darussalam (NAD) is known for its armed struggle that has claimed an estimated 12,000-15,000 lives since 1976, its devout adherence to Islam, its history of an independent sultanate until the Dutch invasion in 1873 and its strong regional and ethnic identity. All the above, as well as the region's claim that it became an integral part of the Republic of Indonesia without having been consulted first, conflicted with the central government's policies from the early 1950s and caused continued tension in relations between Jakarta and Aceh. From an Acehnese point of view this tension was caused by repeated breaches of the Government of Indonesia's (GoI) promises of special status for the region, while from a Gol point of view, tensions were brought about by Aceh's aspirations to maintain its distinctive identity.

One of the factors, which is said to have contributed substantially to the sparking of the armed struggle was that only about 0.5 percent of revenues of Aceh's natural resources, such as fossil fuel, natural gas and timber, returned to the region—with these resources being centrally administered by Jakarta. This unfair share of Aceh's natural resources resulted in the fact that the region was never able to profit from its own resources. In addition, land appropriation, trans-migration of Javanese, imports of skilled laborers and inflation had a negative impact on the region's development; issues that were at the heart of the two major insurgencies in Aceh in 1953 and 1976.

Religion and ethnicity

While Aceh is a devout Islamic province with a higher concentration of Muslims than the rest of Indonesia, the region's conflict was never about religion. At no point did GAM seek to establish a fundamentalist Islamic state; on the contrary, GAM was opposed to the notion of an implementation of sharia law from the outset. It can be argued that the implementation of sharia law introduced by the Gol during the conflict, formed part of a "conflict resolution" strategy to 'neutralize' GAM separatists, attempting to exercise control over them. The Indonesian military (Tentara Nasional Indonesia or TNI) especially was said to have pushed this system of sharia law, with the intention to rival existing GAM structures to reclaim control. While GAM remained opposed to sharia law, Islam can nevertheless be seen to have played an important unifying factor in the conflict, as Islam was an important part of an Acehnese "nationalism" which helped distinguish the Acehnese from "the other" (the Javanese).

Though many civilians opposed the implementation of *sharia* law, the tsunami (December 2004) changed this attitude. More Acehnese seemed to support this

notion, as many saw the natural disaster as a form of punishment from Allah and believed that a stricter implementation of *sharia* law was necessary to soothe His feelings of anger towards Aceh. Since early 2006, a stricter execution of *sharia* law in Aceh can be observed, while at the same time a "religionization" of politics occurred, manifested during the run-up for local elections, during which candidates were tested in their abilities to recite from the *Quran*, one of the criteria for standing for election.

Apart from religion, ethnicity—blood ties and suku (ethnic group) affiliation—also played an important part during the conflict, further defining Acehnese "nationalism". According to Schulze, a "true Acehnese" is "a person whose family has resided in Aceh over several generations, is Muslim, and is a member of one of Aceh's nine suku: Aceh, Alas, Gayo, Singkil, Tamiang, Kluet, Anek Jamee, Bulolehee, and Simeuleu" (Schulze 2004, p. 7).

The number of Javanese migrants in the province is high, with many arriving in Aceh as part of a transmigration program during the Suharto era between 1966 and 1998 (Hedman 2005, p. 13). GAM viewed these Javanese migrants as colonial settlers, "demographically shoring up Jakarta's claim to Aceh as well as potential collaborators with the Indonesian security forces." In June 2001, violence in the ethnically mixed Aceh-Gayo-Javanese areas of the central highlands reached unprecedented levels with clashes between GAM and so-called local village defense groups that resulted in the killing of an estimated 65 people, of whom 50 were Javanese, and the burning of an estimated 1,000 houses (ibid).

GAM in a nutshell

The Aceh-Sumatra Liberation Front² [ASNLF, later known as Free Aceh Movement, or Gerakan Aceh Merdeka (GAM)] was founded on 4 December 1976 by Hasan di Tiro, a descendant of the last sultan of Aceh. While, according to Schulze, GAM's ideology was one of national liberation aimed at freeing Aceh from "all political control of the foreign regime of Jakarta" and the creation of an independent Acehnese state, it was said to also have contained a number of ideological subcurrents and characteristics. "Some of these remained constant since 1976; others were changed or moderated and some new additions were made" (Schulze 2004, p. 6). The most important themes were Acehnese ethnic nationalism and Islam, then anticapitalism and anti-Westernism followed by human rights and democracy"3.

Structure

The GAM movement had a civilian and a military structure⁴, the latter in theory subordinate to the former. In practice, however, decisions on the ground were dictated by the realities on the ground and therefore military in nature. Having been organized on a regional basis, GAM's military arm is assumed to have consisted of a mix of:

- Young men living in the jungle for longer periods (up to years).
- Those who went to the jungle for a specific task.
- The local field commanders.
- Female combatants.
- Camp followers.
- The exiled leadership in Sweden.

Financing of GAM

Kreuzer (2005, p. 119) states that GAM had three main sources of 'income' to maintain its movement: 'taxation' (GAM used to levy an Aceh state tax on all elements of society), foreign donations, and crime, drugs and kidnapping; the latter often in cooperation with Indonesian military and police units. Additionally, GAM was reported to have received financial assistance from the Acehnese diaspora in both Indonesia and abroad, and through acts of piracy.⁵

Military strategy, membership and weapons strength

GAM military strategy was one of guerrilla-style attacks "targeting Indonesian security forces, making use of its superior knowledge of the terrain and the population to counterbalance its lack of real military capacity" (Schulze 2004, p. 34). From an initial membership of just 150 rebels, GAM is said to have embarked upon two phases of geographic expansion; 1986–89 and 1999–2000, which also resulted in an increase in members. The first phase started when Libya agreed to provide paramilitary training for GAM guerrillas. From 1986 onwards, GAM recruited on the ground, mainly in rural areas, and sent these new guerrillas overseas for training.

The second phase of geographic expansion started in 1999 with GAM's push into the remaining districts of Aceh⁷. While new recruits included merchants and farmers whose existence was economically threatened, according to Schulze (2004, pp. 14–16) GAM mainly

drew from "the ranks of unemployed young men, primarily from rural areas, with limited educational backgrounds". Once the Indonesian counterinsurgency operations started, additional members joined GAM motivated by revenge or the desire to fight against the brutal treatment of the population by the security forces. According to Schulze, the second phase of expansion added its first female guerrillas, known as "Inung bale". Many of these women joined because they saw their families brutalized during the special military operations area (daerah operasi militer or DOM) period of the 1990s; or found their motivation in the violence against women at the hands of the non-organic police forces and the TNI, including rape and sexual abuse. Schulze also states that more critical voices, however, claim that GAM had actively targeted women for recruitment to regain control over a society that had lost a significant part of its male population during the DOM period, occasionally leaving all-female villages ("widows" villages") behind. It is, however, not known how many women were involved in the actual fighting.

Over these years, estimates put the growth of GAM's membership in military strength at about 3-5,000 members before the MoU. GAM further enjoyed the support of unarmed supporters who were approximately 2–3 times as many as GAM combatants and provided information, early warning, shelter and sustenance. They were also a source of recruits who joined GAM in its fight. According to Schulze (2004, pp. 29–30), GAM's figures about its own membership tended to be somewhat inflated to impart popularity and strength, whereas the TNI's estimates tended to be on the low side to portray the movement as a fringe phenomenon.

Exact numbers of GAM's membership are unknown, as are exact numbers of weapons the movement held. A variety of estimates is available, but they vary greatly from source to source and have become part of the political game. Assuming that GAM had an estimated membership of between 3,000 and 5,000, its fighting capacity was gauged to have been a lot smaller than its membership suggests. Estimates show that GAM's military wing had between 1,000 and 1,500 firearms, consisting of a mix of homemade (rakitan) and purchased weapons, a few grenade launchers (both rakitan and commercial), even fewer rocket-propelled grenade launchers, and perhaps one or two 60-mm mortars. Furthermore, it was reckoned that most of GAM's commercial firearms were captured, stolen or bought off the TNI or police forces whereas, internationally, a number of GAM's weapons imports were said to have originated from the Cambodian black market, Thailand and the Philippines (Mindanao).

Table 1: Weapons held by GAM

District	Weapons held in August 2002	Weapons held in April 2003
Aceh Basar	94	209
Pidie	266	420
North Aceh	706	889
East Aceh	410	346
West Aceh	182	113
South Aceh	76	74
Central Aceh	83	79
Southeast Aceh	5	4

Source: Schulze 2004, p. 32.

GAMs weapons were unevenly spread over GAM's territory, showing the heaviest arms concentration in the traditional GAM areas of Pidie, North Aceh and East Aceh. Indonesian intelligence in August 2002 and April 2003 offered the estimates presented in Table 1.

Conflict resolution by military means

Throughout the conflict in Aceh, the Indonesian governments had put more emphasis on conflict resolution by military means rather than by means of dialogue. In addition, it pursued politics of generalization and stigmatization. According to Sukma (2004, p. 10), there was a tendency among the military forces to pass indiscriminate judgment and to make no attempts to clearly distinguish and separate the people from the rebels. TNI strategy consisted of viewing all Acehnese as potential GAM members until proven otherwise. Sukma further states that "politics of criminalization and generalization were used to justify a harsh military crackdown and served as the basis of what was to become a brutal counterinsurgency campaign with no regard for human rights" (ibid). The TNI's military strategy heavily relied on the mobilization of civilians, in the form of village militias and local vigilante units, to support the counterinsurgency operations.

In the early 1990s, the government of Indonesia sent thousands of non-organic troops to Aceh with one objective: to crush the rebellion. While this task failed, the troops nevertheless managed to reduce GAM's military

strength by 1992 (Sukma 2004, pp. 10–12). According to a study conducted by the University of Maryland, in mid-2001 and continuing periodically through 2003, the Indonesian government deployed 15–30,000 troops to Aceh with the aim of forcibly dissolving GAM (University of Maryland 2004). Frequently, however, non-GAM Acehnese were affected by such tactics which included, for example, the re-screening of all Acehnese civil servants, elected officials and police forces for loyalty to the Indonesian state. Any Acehnese could be dismissed merely because they were associated with any suspected GAM member or because they gave any statements supporting GAM aims (such as independence from Indonesia).

The Indonesian military's (TNI) interest in the conflict

Due to the fact that the Indonesian government only provides 25 percent of the army's budgetary needs, the army and police "are compelled to engage in a great variety of legal and illegal activities" to meet both institutional and personal needs (Hedman 2005, pp. 22–23). These activities included illegal logging, arms sales to GAM, kidnapping, at times even the cultivation of marihuana. The atmosphere of unrest and lawlessness in Aceh, in combination with the near absence of any news coverage, provided the ideal conditions for the TNI to engage in these illegal activities (Schuck 2005 a, pp. 3–4).

Moreover, the conflict in Aceh is said to have served the broader purpose of 'proving' the need for the army's nationwide territorial structure and presence, which is essential to the maintenance of its national economic interests and its political prominence (Hedman 2005, pp. 22–23).

Child recruitment by GAM and TNI

There is no reliable data on child recruitment by either the TNI or GAM. A number of local NGOs were reported to having had initiated research on the number of children associated with the armed forces in Aceh, but this data was lost in the aftermath of the tsunami in 2004. However, both the TNI and GAM stated that during the conflict, recruited children were mainly 'employed' in support functions, such as spies, cooks, messengers, etc.

According to the Coalition to Stop the Use of Child Soldiers, mostly male children aged between 14 and 18 were involved in GAM. Some reports say that children had to steal weapons from military posts or to throw grenades and burn schools. Child soldiers interviewed by the Coalition in 2003 reported that they joined up voluntarily to seek revenge for violence inflicted upon their families. Children also said they enlisted because

they were intimidated or threatened by either the armed forces or GAM itself (Coalition to Stop the Use of Child Soldiers 2004, p. 2).

It is believed that more women than children were associated with the rebel movement, and that the use of children within GAM was part of the political movement against the Gol. Out of the 2,000 amnestied political prisoners mentioned in the MoU, 19 were underage, none of them were female. The Gol treated these youth like adult rebels and charged them with treason against the state. As the MoU fails to address problems relating to the planned reintegration of children and women into their social community, individual organizations singled out these two groups to ensure that these vulnerable groups also receive reintegration assistance (see Section "Reintegration"? on p. 33 for further details). It is important to keep in mind that many youth joined GAM mostly to take revenge for their relatives who had been killed in the conflict. If these youth are not rehabilitated and reintegrated appropriately, they will remain bitter and traumatized by the war and will encounter difficulties in pursuing a civilian life away from combat and command structures8.

Effects of the conflict on Aceh's population

During the conflict Aceh was characterized by a very strong military presence, roadblocks, checkpoints, restricted movement, daily attacks and curfews. Basic services, like health, education, transport, village administration, mail, and potable water provision, were also disrupted in many Acehnese villages. According to the Humanitarian Protection Needs Analysis, "these disruptions derived mainly from the departure of service providers and village officials for fear of being caught in the armed conflict and the prevalence of kidnappings and hostage taking" (National Coordinating Agency for Disaster and Refugee Management et al. 2004, p. 12). Additionally, very few vocational trainers stayed in Aceh during the conflict due to continued intimidation; those who could afford to would leave, including many youth who left Aceh to go to other parts of Indonesia or abroad.

A Psychological Needs Assessment carried out by the IOM and the Harvard Medical School in September 2006 (IOM and Harvard Medical School 2006, p. 3) in the conflict-affected districts of Pidie, Bireuen and Aceh Utara, found that Acehnese living in these communities have experienced remarkably high levels of traumatic events as a result of the near 30 years of violence. Though these results may not be representative for all Acehnese provinces, they can nevertheless help shine a light on the high levels of suffering endured by the Acehnese population. Out of the 671 people questioned:

- 78 percent reported having lived through combat experiences.
- 38 percent had to flee from burning buildings in their community.
- 47 percent had to flee from danger.
- 8 percent of women had their husband killed in the conflict.
- 5 percent had children killed.
- 41 percent report having had a family member or friend killed.
- 33 percent reported that a family member or friend had been kidnapped or had disappeared.
- 45 percent reported having their property confiscated or destroyed, and
- 33 percent experienced extortion or robbery.

While the entire Acehnese population endured extraordinary levels of violence, there was a particularly significant impact of the conflict on Acehnese women. Because they lost their husband and the family's breadwinner, many had to perform additional tasks and become more engaged in income-generating activities to be able to provide for their families and to balance the inadequate family income—a direct result of the fighting or displacement. According to the Humanitarian Protection Needs Analysis, most women tended to reduce their food intake in favor of their children. However, given the added responsibility, women were able to increase their influence both in the household and in the community (National Coordinating Agency for Disaster and Refugee Management et al. 2004, p. 11).

Children were just as strongly affected by the conflict as women were. "Many had to drop out of school as a direct result of displacement, or when the priority for family expenditures shifted from education to food due to the loss of their father and breadwinner during the conflict. A lot of children had to work to help increase the family income" (ibid p. 11). The UNICEF "Multi-Sectoral Assessment on the Situation of Children in Conflict Affected Areas of NAD" states that 89.6 percent of the respondents recognized that children had lost a family member as a result of the violence. Furthermore, 70 percent of the respondents stated they were separated from their families during the course of the fighting. Half of the respondents reported that children had witnessed violence, including village attacks and killings (UNICEF 2006).

The IOM/Harvard Medical School assessment further found that while both men and women experienced extraordinary levels of violence, the level and type of traumatic events experienced varied by gender, as Table 2 indicates below:

Table 2: Types of violence experienced by men and women (in percent)

Type of violence experienced	Men	Women
Beaten	56	20
Being attacked by a gun or knife	36	14
Tortured	25	11%
Taken captive	19	5
Being forced to watch physical violence against others	65	45

Source: Table created by author based on information from IOM/Harvard Medical School 2006, p. 3.

One finding of this assessment in particular influenced the planning process of the provision of reintegration assistance by the IOM: A significant mistrust of public health facilities seems to remain which constitutes a barrier to providing mental health care through the public health system (IOM/Harvard Medical School 2006, pp. 2–3). To (re-)build trust in the public health system, the IOM included a medical component into its Information, Counseling and Referral Service (ICRS) offices (see Section "Reintegration"? on p. 33).

The IOM/Harvard Medical School assessment found that rates of reported sexual violence towards women were low. However, women did experience physical attacks by male combatant as gendered violence (Ibid). Women also felt the very common experience of having their houses destroyed to be an especially powerful attack on their domain (ibid p. 4), which is traditionally very much restricted to the house, family and the economy of the family.

Despite the high levels of suffering experienced by the population during the conflict, Lahdensuo states that during the late 1990s Acehnese civil society (consisting of academics, students, women's networks and many

other NGOs and groups) began to establish posts in the countryside. There, they offered humanitarian assistance and training to internally displaced people to rebuild their economic livelihoods, health facilities and educational systems that the conflict had destroyed in so many places. Even during intense military operations after the breakdown of the COHA in May 2003, many Acehnese civil society organizations were providing assistance and human rights protection despite threats and intimidation (Lahdensuo 2006, pp. 27–28).

Preconditions for the MoU

Past peace agreements

First attempts to negotiate peace with GAM were made under President Abdurrahman Wahid, which resulted in the signing of the "Joint Understanding on a Humanitarian Pause for Aceh" on 12 May 2000. Both sides were hesitant to call this deal a ceasefire agreement, stating that its main purpose was to facilitate the delivery of humanitarian assistance to the conflict-affected Acehnese, while at the same time promoting confidence-building measures toward a peaceful solution to the conflict. Even though the agreement was extended to 15 January 2001¹⁰, it failed to reduce, let alone stop, the violence and armed clashes. In fact, the degree of violence during the extension period of the agreement was said to have been far worse than during the original period. Both sides blamed each other for the agreement's failure.

Despite its inclination to deal with GAM militarily, President Megawati's government also resumed talks with GAM leaders in Sweden. A new round of peace talks began in February 2002, resulting in the signing of the "Cessation of Hostilities Agreement" (COHA)¹¹ on 9 December 2002. In negotiating this agreement, the government sought to find a final and comprehensive solution to the conflict in Aceh, based on the assumption that GAM would be ready to renounce its intention for independence. According to Sukma (2004) there was a degree of optimism on the international level at that time that COHA would succeed for three main reasons:

- Unlike the Humanitarian Pause, COHA offered a better mechanism for implementing and monitoring the agreement through the establishment of a Joint Security Committee that included peace monitoring teams from the Philippines and Thailand alongside representatives of TNI and GAM.
- COHA provided for the establishment of "peace zones" in the province that were expected to increase the incentive for peace among the warring parties.
- There was stronger international backing: Japan, the United States, the European Union, and the World Bank promised they would provide substantial financial support for reconstruction in Aceh if the peace deal succeeded.

While COHA did succeed in reducing the number of people killed, isolated clashes continued to take place, and both sides continued blaming each other. The joint

peace monitoring teams, consisting of representatives from the Gol, GAM and internationals, were said to have not been very effective, a result of the mistrust between the two parties to the conflict. According to Sukma (2004, pp. 18–21), Jakarta's three demands, that GAM must recognize the Unitary Republic of Indonesia, accept the special autonomy arrangement for Aceh, and agree to immediate disarmament were all rejected by GAM representatives.

In fact, during the implementation of the COHA (December 2002–May 2003), GAM continued to strengthen their civil administrative structure and military force by publicly appointing new officials and officers, extracting tax, and smuggling-in weapons from outside the country¹². Despite the low commitment of both parties to adhere to the COHA, further factors led to the failure of this agreement, including:

- Fears of the Indonesian government that other Indonesian provinces would follow Aceh's example and would claim independence.
- Problems resulting from the GAM leadership being in exile and not in Aceh.
- GAM's lack of confidence in the Gol. However, GAM did have an interest in participating in the peace negotiations which mainly was to internationalize the conflict in the hope that the international community would exercise pressure on the Gol to let Aceh become independent.

Despite the fact that the COHA agreement did not include solutions to the critical issues dividing the two sides, it was nevertheless a vital step in a confidence-building process. An opinion expressed by an international observer was that only once the hostilities were reduced would it be possible to move on to the next stage in the process at which substantive issues could be addressed.

Tsunami and the peace process

Prior to the signing of the MoU, both the Gol and GAM reportedly realized that neither can win in military terms, and that the armed struggle would result in the destruction of everyone. However, both parties felt they could not withdraw from the conflict without losing face. With the election of Susilo Bambang Yudhoyono as President and Yussuf Kalla as Vice President in October 2004 a change in Indonesia's political climate was brought about that reinvigorated the peace process in Aceh.

The tsunami that swept over Aceh a few months after the presidential election was seen as a sign from above to make peace, and many Acehnese stated that their biggest need in its aftermath was peace. Peace talks, which had been taken up behind closed doors immediately after Susilo Bambang Yudhoyono's election, intensified. Peace was also a necessary precondition for the delivery of emergency aid and international engagement in the province.

The natural disaster also resulted in the change of perception of the Acehnese towards the Indonesian government/"the Javanese" and vice versa—another very important factor in favor of the peace process. The Acehnese witnessed Indonesia providing emergency assistance immediately after the tsunami, coming to the aid of the Acehnese for the first time in 30 years. These efforts made many Acehnese realize that the Javanese people were just like any others and not just the 'villains" as they were portrayed during the years of conflict. This change in perception was also noticeable in Java when the press covered the Aceh disaster.

Above all, the involvement of the new Indonesian President and Vice President played a major role in softening the positions of the military hierarchy, and it can be argued that the peace agreement that was signed in August 2005 was due to the Indonesian President's continuous efforts.

The framework for DD&R activities in Aceh—The Memorandum of Understanding (MoU)

After five rounds of negotiations, the Memorandum of Understanding (MoU), signed on 15 August 2005, details the terms of the peace deal and the principles to guide the transformation process in the aftermath of the conflict. The talks were conducted in Helsinki under the auspices of the Crisis Management Initiative (CMI) and former Finnish President Martti Ahtisaari, with financial assistance from the European Commission.

During the negotiations in Helsinki the one major disagreement, namely GAM's demands to be allowed to transform into a political party, was settled in GAM's favor. The MoU caters for both interests: While on the one hand, it generally settles a number of points to GAM's advantage, it provides the GoI with a window of opportunity to attract positive attention from the international community, as the negotiating success proved that the relatively new democracy is willing use democratic processes rather than military means to solve internal conflicts.

Being of a far more comprehensive nature, the MoU goes a step further than the "Joint Understanding on a Humanitarian Pause for Aceh" and the COHA, as it identifies solutions to all points of past disagreement between the central government and the rebels. The MoU therefore includes the following areas:

- 1. The governing of Aceh. This section foresees the passing of a new Law on the Governing of Aceh (LoGA), giving Aceh the right to exercise its own authority within all sectors of public affairs, except in those fields which belong to the Government of the Republic of Indonesia in conformity with the Constitution. Acehnese political participation, its right to establish local political parties, organize and hold free and fair elections under the new LoGA, to elect the head of the new Aceh administration and other elected officials, as well as the legislature of Aceh in 2009 are further covered in this section. It further entitles Aceh to retain 70 percent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh.
- 2. **Human rights.** This section sets out the establishment of a Human Rights Court and a Commission for Truth and Reconciliation.
- 3. Amnesty and reintegration into society. This section sets out the granting of amnesty to all persons who have participated in GAM activities. It further declares that political prisoners and detainees held due to the conflict will be released unconditionally.

All persons having been granted amnesty or released from prison or detention will have all political, economic and social rights as well as the right to participate freely in the political process both in Aceh and on the national level. This section further states that the GoI and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.

- 4. Security arrangements. This section obliges GAM to demobilize 3,000 combatants, as well as to decommission 840 arms, ammunition and explosives, assisted by the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms in four stages, which are to be concluded by 31 December 2005. Simultaneously, the GoI is obliged to withdraw all elements of both non-organic military and police forces from Aceh in parallel with the GAM decommissioning, immediately after each stage has been verified by the AMM and no later than by 31 December 2005. The number of locally recruited military forces to remain in Aceh is 14,700. The number of locally recruited police forces to remain in Aceh is 9,100.
- 5. Establishment of the Aceh Monitoring Mission (AMM). This section lays out the establishment of the AMM and its tasks. The objective of the AMM was to support the Gol and the GAM in the implementation of the Helsinki MoU, outlined therein as the following:
 - To monitor respect for the end of hostilities between the parties.
 - To monitor the demobilization of GAM fighters and to decommission their armaments.
 - To monitor the relocation of non-organic Indonesian military forces and non-organic police troops.
 - To monitor the re-integration of active GAM members.

- To monitor the human rights situation and provide assistance in the field.
- To monitor the process of legislation change.
- To rule on disputed amnesty cases.
- To investigate and rule on complaints and alleged violations of the MoU.
- To establish and maintain liaison and good cooperation with the parties.
- 6. Dispute settlement. This last section of the MoU deals with the resolution of disputes regarding the implementation of MoU, which is to be resolved by the Head of the Monitoring Mission, in dialogue with the parties. Alternative mechanisms for cases that cannot be resolved by the AMM Head of Mission are provided in this section.

Shortcomings of the MoU

The MoUset out the barebones of a settlement (see Annex I for the full text of the Memorandum of Understanding) and even though both parties seem to have the political will to resolve the conflict, many challenges remain. The agreement's implementation mechanisms were not spelled out clearly, and improvization, especially with respect to the reintegration of ex-combatants, is daily practice.

The greatest shortcoming of the MoU is that it does not mention women and children, though both groups were directly and indirectly involved in or affected by the armed struggle. To address this shortcoming international organizations working on reintegration issues developed criteria for their programs to ensure that women and children will also benefit from reintegration assistance (see Section "Reintegration"? on p. 33).

Participation in preparatory talks as well as in the negotiations in Helsinki was limited to representatives of the Gol and GAM, and mediators from the CMI, and excluded the Acehnese civil society. While it was probably necessary to limit the negotiations to the parties to the conflict and political leaders, it would have been important to start addressing wider peacebuilding issues and activities already during the negotiations, thereby including Acehnese civil society groups to ensure that these civilians who were seriously affected by the conflict become a party to its resolution.

International actor to oversee the implementation of the MoU—The Aceh Monitoring Mission (AMM)

Fairly early on in the negotiation process, Martti Ahtisaari recommended a monitoring presence consisting of both EU and ASEAN countries; a suggestion accepted by both the Gol and GAM. NGO involvement was ruled out tallying experiences with the COHA and the fact that NGOs usually do not have the political weight of, for example, the EU or UN. UN involvement was equally ruled out because the international organization still is very much stigmatized in Indonesia after its involvement in East Timor led to its independence.

Given that both the GoI and GAM had indicated that they would like to see a monitoring presence in Aceh immediately after the signature of the MoU, an Initial Monitoring Presence (IMP) was deployed on 15 August 2005. The IMP was established because it was legally impossible for the EU to set up the AMM any earlier than it did. The IMP, consisting of a mix of 80 monitors from EU and ASEAN countries, was set up in just 12 days and mandated to cover the period between the signing of the MoU and the full deployment of the AMM on 15 September 2005. The mission further provided an early demonstration of EU and ASEAN contributing countries' commitment to the monitoring of the peace process, while it simultaneously contributed to confidencebuilding amongst the population of Aceh during the early stage of the implementation of the MoU. Having the IMP on the ground from day one led to two important results:

- A potentially harmful vacuum was filled that could have otherwise occurred in the time between the signing of the MoU and official AMM deployment.
- Such early deployment made the first GAM weapons decommissioning possible on the first day of the AMM, on 15 September 2005.

The IMP also undertook research and prepared both the TNI and the police for the AMM deployment by briefing them on what they can expect from the mission. After having successfully dealt with initial suspicion, fear of hidden agendas and reluctancies to hand over any kind of information to the IMP, the mission created a first dialogue with both parties by establishing the COSA mechanism (Commission on Security Arrangements), set up to ensure regular meetings between both parties to discuss the implementation of the MoU and to facilitate the voicing and resolution of any issues of concern. Attended by representatives from both parties and chaired by the AMM, COSA meetings were held regularly at both provincial (senior representatives) and local (district) levels. Meetings at district level helped to disseminate the contents of the MoU while giving local leaders on both sides ownership and responsibility of this process. It further ensured that local problems were solved at local levels rather than at the Banda

Aceh level. All decisions taken during COSA meetings were on consensus. It was in this forum that the exact procedure for the decommissioning of GAM's arms and reintegration mechanisms were decided.

AMM and the role of the European Union

The nature of crises has changed and so have the means by which to resolve them, resulting in an increasing need for both military and civilian tasks. Furthermore, expectations of the European Union (EU) to respond to these multidimensional needs have also risen since it deployed its first civilian crisis mission to Bosnia-Herzegovina in 2003. While most EU civilian crisis management missions have so far been police missions or operations focusing on border assistance and the rule of law, the AMM is unique because it is the EU's first civilian mission in Asia and an exclusively civil monitoring mission established within the framework of the European Security and Defense Policy (ESDP). While the EU's Political and Security Committee (PSC) exercised the political control, the strategic guidance of the AMM fell under the responsibility of the European Council and was financed by the EU's Common Foreign and Security Policy (CFSP) budget line as well as by contributions of participating countries (see Annex II for the EU CFSP Action profile of the AMM).

The AMM Head of Mission (HoM), Pieter Feith, reported directly to Javier Solana, Secretary General/High Representative of the Council of the EU on matters related to the AMM, and informed the parties, the CMI, the PSC and the contributing countries from ASEAN and Europe on possible violations of the MoU.

Composition

The composition and mandate of civilian and military monitors and tasks from both the EU and five ASEAN contributing countries (Thailand, Singapore, Malaysia, Brunei Darussalam and the Philippines), as well as from Norway and Switzerland proved to be very effective and successful. It combined EU experiences in crisis management with the regional expertise and the better knowledge of local culture, religion and language of the ASEAN monitors. This mix combined a wide range of competencies thereby facilitating the mission's work in Aceh and enhancing its credibility.

On 15 September 2005, the AMM consisted of 240 unarmed monitors, of these about 15 percent were women. The IMP had set up a monitoring capability within 10 geographically distributed district offices, each of which housed between 10 and 12 AMM monitors who were to patrol the area and communicate with both parties. These field teams also carried out inspections

and investigations as required, and facilitated between both parties to continue the momentum of the MoU and to build confidence and trust through the COSA mechanism. Additionally, four mobile decommissioning teams were in charge of the disarmament and destruction of GAM's weapons. On 15 March, the mission scaled down its personnel to approximately 85 monitors. In September 2006, the district offices were closed, with a remaining 36 monitors stationed in the AMM's Head Quarters in Banda Aceh to provide mobile monitoring as necessary [see Annex III for a breakdown of AMM monitors into nationalities and gender (November 2006)].

The AMM was given an initial mandate of six months (15 September 2005—15 March 2006) with a likely extension. At the request of both the GoI and GAM, the mandate was extended three times at three months each until 15 December 2006, resulting in a total duration of 16 months. While an initial six-month mandate to oversee the implementation of the MoU seemed rather optimistic and less realistic, the EU decided upon three short extensions, as well as the downsizing of personnel because it wanted to apply pressure onto both parties to prevent them from slowing down the peace process, thus making absolutely clear that the AMM was intent on leaving the country. It can, however, be argued that these short extensions affected the capability of local actors to form constructive and structured collaboration with the AMM. The last extension was granted in response to a direct request by the Indonesian President to secure an international presence in the politically sensitive time in the run-up to the local elections which were held on 11 December 2006. Though present, the AMM did not monitor the elections, as that was not within its mandate. This task was undertaken by a number of local and international organizations, including an EU Election Observation Mission (EU EOM).

Both internationals as well as Acehnese stated that the AMM was an impartial actor working with professional integrity which did an excellent job in stabilizing the security situation on the ground, facilitating dialogue between the Gol and GAM and investigating the limited number of alleged violations of the MoU.

Challenges and missed opportunities

The individual subheadings within the MoU vary in detail. While subsections "The Governing of Aceh", "Amnesty" and "Security arrangements" are quite specific, others are a lot less detailed, such as "Reintegration" and even more so "Human Rights" and were therefore open to interpretation by the parties and, in the case of the AMM, the European Council. The European Council therefore defined the AMM's mandate in its "Joint Action of 9 September 2005" (see Annex IV) by repeating the tasks stated in the MoU. One exception, however, was the monitoring of the human rights situation, which was narrowed down to "in the context of the tasks set out in points (a), (b) and (c)" of the MoU, thereby limiting the monitoring of human rights to those that occurred after 15 August 2005 and only within the framework of disarmament, demobilization, relocation and reintegration. In spite of this, Head of Mission Pieter Feith (2006), stated in a speech in May 2006, that the monitoring activities in the field of human rights also included the monitoring of the general human rights atmosphere in Aceh. The MoU states that the AMM was not only to monitor human rights violations regarding the implementation of the MoU but to also "provide assistance in this field" (MoU, point 5.1 d). It becomes evident that the mandate of the AMM in human rights was not specific enough and therefore interpreted differently. This lack of a specific framework clarifying the extend to which human rights should be monitored also created confusion among the international community in Aceh, which was often not aware of the exact role the AMM had to fulfill as regards the monitoring of human rights, which at times raised expectations in the AMM which it did and could not fulfill. One incident of a clear abuse of human rights, where wrong expectations resulted in the criticism of AMM of not having reacted appropriately, occurred when on 25 October 2006, a security guard of the Social Department Office in Banda Aceh died after having been interrogated by police because he had raised the Indonesian flag upsidedown¹³). Another example, which illustrates that the Acehnese population was equally confused about the extent of human rights monitoring the AMM was responsible for, were demonstrations on the day of the AMM's departure where Acehnese demanded the resolution of past human rights abuses that occurred during Aceh's civil war.

- The concept of monitoring itself caused split opinions inside the mission, as some interpreted the notion of monitoring as a pro-active concept whereas "there has been some criticism inside the AMM that the interpretation of monitoring in Aceh has been done from the point of view of "patrolling", which limits itself mainly to being present" (Lahdensuo 2006, p. 31).
- A large number of AMM national staff was brought in from Java. While these people were mainly chosen because of their better command of English, this selection has two implications:
 - The Acehnese were pushed aside and not given many opportunities to participate in this peace process by assisting the work of the AMM.
 - Considering Aceh's history of conflict this does not seem to be the most conflictsensitive approach and could have caused tensions between the brought-in Javanese and the Acehnese.

This is certainly an issue which should be considered more carefully when drawing up future crisis management missions, as 'small' issues such as this one may have a potentially big impact.

• One major shortcoming of the mission was that up until mid-November 2006 members of international organizations working in Aceh were not informed of the AMM's exit strategy. It is of outmost importance to plan an exit strategy as early as possible, and while it might become necessary to adapt certain strategies as the situation on the ground changes, this exit strategy then needs to be effectively communicated in a timely manner to all actors working on the implementation of the MoU to ensure a smooth transfer and continuation of the process after the departure of the international mission.

Socialization of the MoU

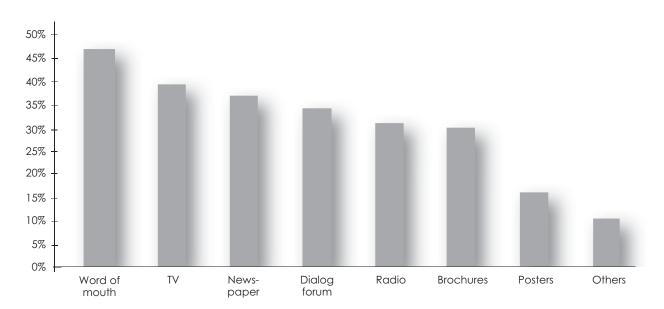
In the immediate aftermath of the signing of the MoU, the GoI approached the International Organisation of Migration (IOM) and the World Bank through the Provincial Office of Social Affairs (DinSos) with the request to coordinate multi-agency efforts to 'socialize' the peace deal throughout Aceh province. This led to the foundation of the interagency Socialization Team (Tim Sosialisasi), consisting of representatives from GAM, GoI, AMM, World Bank, IOM, UNDP, USAID and other donors. Its goal was to develop a joint information strategy while building trust by encouraging dialogue between GAM and the GoI. Tim Sosialisasi held twice weekly meetings, which provided an open, more informal space for the parties to talk, outside the more formal COSA mechanism.

A World Bank-conducted "GAM Needs Assessment" found that the knowledge about the MoU and its contents came from the following sources:

village people in the process. In some of these so-called "stakeholder meetings" the AMM district teams showed a Power Point Presentation (PPP) on the contents of the MoU and the role of the AMM and then answered any questions that arose. However, how these meetings were conducted differed from district to district, as not all provinces had electricity to show a PPP. These awareness-raising meetings were organized by the Gol and conducted for approximately four months. In addition, the contents of the MoU was also communicated through the radio, by text messaging service¹⁵, internet and newspapers, and by peace concerts.

The IOM assisted in disseminating the peace message by producing radio public service announcements and provided editorial and advertising space in local newspapers to government agencies contributing to socialization efforts. In addition, the IOM produced

Figure 1: Sources of knowledge of the MoU amongst active GAM



Source: World Bank 2006, p. 36

The IMP was the first entity which raised awareness on both the contents of the MoU and the role of the AMM in this peace process. Simple leaflets in Bahasa Indonesia¹⁴ were distributed at first; later 200,000 green booklets containing the contents of the MoU were printed and distributed throughout Aceh by the *Tim Sosialisasi*.

Awareness-raising or socialization campaigns took place at district and sub-district level in the majority of Aceh's provinces, involving *ulamas* (religious leaders), the TNI, police, former GAM, village elders and normal

the film "Once upon a time in Aceh" which relates the story of peace coming to Aceh, and organized a traveling road show featuring some of Aceh's best known traditional storytellers and comedians to tour the province for two weeks. This traditional method of awareness-raising reached a total of 15,000 people in 36 conflict-affected villages in nine districts around Aceh. The storytellers however did not travel to central Aceh; a region which used to be the epicenter of the conflict and the area within which the COHA collapsed. Due to its different ethnic background and inaccessibility,

central Aceh has stories the rest of the Aceh cannot relate to. Therefore, a very different approach had to be sought for this region. In October 2006, the IOM's "Support for Conflict-Affected Communities Project" facilitated the formation of the "Gayo Artists Association" incorporating 97 music, dance, singing and drama groups from the central highlands, four principal ethnic groups, including former GAM supporters and pro-Indonesian sympathizers. More than 40 percent of this artists' association are women and 95 percent of the association's members believe that the arts will have a positive impact on the peace process. The freedom to perform their traditional music is a sign that peace will last and help foster inter-ethnic and intervillage reconciliation efforts (IOM 2006a). Two peace concerts were held in central Aceh in December 2006 (IOM 2006f) celebrating more than one year of peace and stability. The continuation and an increase in such activities are highly important especially in the light of the breakdown of the COHA in central Aceh in 2003 and the fact that the majority of international organizations and donors concentrate on the regions of the tsunamiaffected districts, while the majority of communities in the central highlands remain isolated from international assistance.

A four-week radio project entitled "Peace for Women=Peace for Us All", was an IOM initiative to engage the Acehnese women of the central highlands in a discussion about the peace process and the post-MoU challenges they are facing. Radio Rimba Raya traveled to remote villages in central Aceh collecting women's experiences from around the district capital of Takengon. A daily 30 minute radio quiz, where portable wind-up radios could be won after having correctly answered questions related to the weekly broadcast or the peace deal reminded people of this once-aweek one-hour-long program. The project sparked off such a strong interest in more information, and seen as women from all walks of life were eager to share their experiences with the radio station's listeners, plans are underway to support an expansion of such activities (IOM 2006c).

As part of an analytical program to support the ongoing peace process, the Conflict and Community Development Program, within the World Bank Indonesia Office, started using a newspaper conflict mapping methodology to record and categorize all incidents of conflict in Aceh that were reported in two provincial newspapers, the *Serambi* and *Aceh Kita*. Conflict monitoring updates and an analysis of the data were sent around by email and made available online on a monthly basis, both in English and Indonesian (World Bank and Decentralization Support Facility (DSF), 2006). Possible biases in reporting certain incidents

and the fact that not all incidents were picked up by the newspapers represented certain limitations. The Conflict Monitoring Update was nevertheless a useful tool to obtain an overview of the changing trends in the security environment, as well as any incidents that required AMM involvement, which, despite the Monitor's shortcomings, also ensured a certain transparency.

Shortcomings

Substantial awareness-raising campaigns by a variety of actors in most Acehnese provinces resulted in a good knowledge and understanding of the contents of the MoU by GAM, as they were also sensitized through their old command structures. According to the GAM Needs Assessment, there is a somewhat lower level of understanding of the MoU's contents among local villagers outside Aceh's capital city Banda Aceh. Though people are generally aware of its existence, they do not seem to be unduly concerned about its specific contents but rather enjoy the overall fact that there is peace. This difference in awareness and knowledge does not only derive from the fact that the socialization campaign through the former GAM command structures has been more comprehensive than other information programs, but also shows that GAM, being a party to the agreement, has a greater interest in the details of the MoU,.

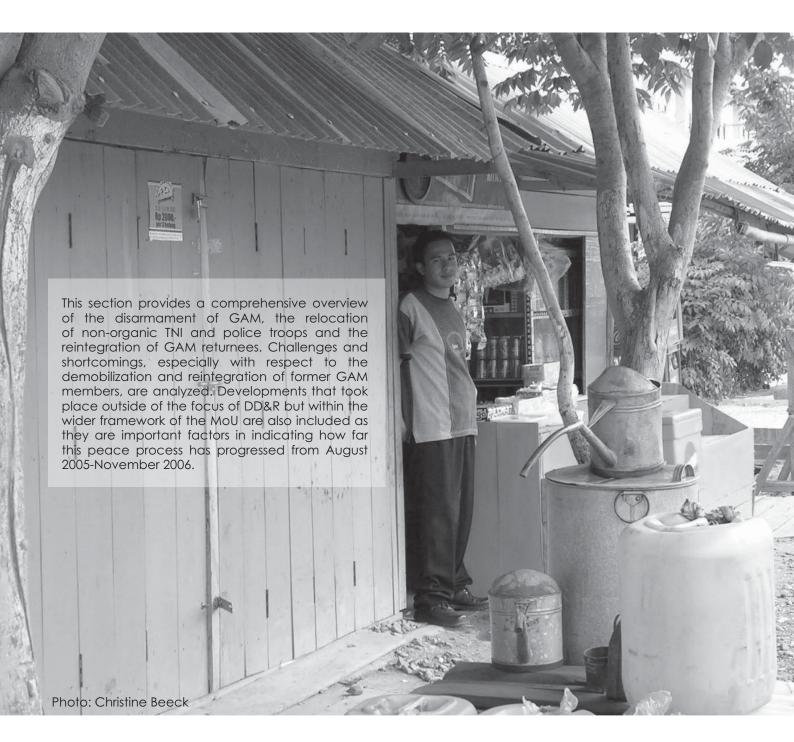
According to the World Bank GAM Needs Assessment there was also a somewhat low understanding among Acehnese communities of the exact role of the AMM, its functions and the mission's length of mandate. 37 percent of active GAM attended socialization campaigns conducted by the AMM and therefore had a higher understanding of the mission's role, but amongst ordinary members there was confusion as regards the role of the mission: "People know there is peace, that there is an MoU. But what does this mean? People don't understand. The same with the AMM. People don't know what this is. Even if you ask at a house or shop in the area around the AMM office, the people still won't know what the AMM is. The most they will know is that the AMM is collecting GAM's weapons. There has never been a socialization program [by AMM]. The government hasn't had a socialization program either". Resident, Takengon, Aceh Tengah (World Bank 2006 a, p. 37).

Despite the lack of understanding and detailed knowledge about the AMM's role that often led to confusion as regards the scope of the AMM's mandate, the international presence was considered to be important to both GAM and local communities, as it was seen to have given them personal security and confidence in the peace process. In addition,

and perhaps more importantly, people felt the AMM's presence was important to prevent incidents from occurring and voiced suggestions that the AMM should stay as long as possible, some even suggesting that they remain until the 2009 local elections (World Bank 2006a, pp. 37–38).

The fact that the MoU booklets were only available in Bahasa Indonesia and not in Acehnese represented one major shortcoming of socialization—major for two reasons: one, Bahasa Indonesia was seen as the language used by the oppressor during the nearly 30 years of armed conflict and two, many elderly people living in remote villages speak mainly Acehnese and not Bahasa Indonesia. However, as the MoU was often accompanied by theater, concerts or village meetings where people also orally explained the contents of the peace agreement and answered questions, this contributed to balancing this shortcoming out.

The DD&R process in Aceh



Disarmament and relocation

To ensure as much local ownership of the process as possible, with EU and ASEAN assistance, practical details and procedures for the decommissioning of GAM weapons were discussed within the framework of the COSA mechanism. In accordance with the provisions of the MoU, GAM was obliged to hand over 25 percent of the agreed 840 functional weapons to one of the four AMM's Mobile Decommissioning Teams (MDTs)¹⁶ between the 10. and 20. of each of the four months of the decommissioning period (September-December 2005). Once GAM met these requirements (and it did) by the 20th of each month, it was then the government's turn to meet the requirements of the withdrawal of 25 percent of its non-organic military and police forces. The relocation phase was usually accomplished by the end of each month.

Two days prior to the scheduled day of handover, GAM communicated the geographical areas where the decommissioning was to take place to the AMM, so that their MDTs could be present in these areas. According to the procedure agreed to in the COSA, GAM would communicate the exact locations in each of the chosen geographical areas three hours prior to the decommissioning, so that generators could be set up to power the saws which cut the weapons into pieces. The weapons were then registered and photographed, and cut into three pieces. The pieces of scrap metal were then handed over to the Gol as the rightful owner.

During all four disarmament phases, representatives of GAM could, on a voluntary basis, register at the weapons hand-over site. This offer was however not taken up, as the former rebel movement claimed to register its combatants itself.

Figure 2: The process of disarmament and relocation

The AMM MDTs agreed with the designated liaison/contact person of GAM on locations and timing for the different weapons collection events.

The establishment of weapons collection sites with associated corridors of free movement.

In these areas, the GoI ensured the security of GAM.

The security provisions were monitored by the AMM.

Representatives of GAM met at the site.

They delivered their weapons, ammunition and explosives which were registered and documented (photographs). Weapons were closely examined by both AMM and Gol representatives for functionality.

The weapons were divided into three categories: functional, disputed or rejected.

AMM was given the authority to decide on the disputed weapons.

Only functional weapon counted against the 840 weapons' requirement. The weapons were destroyed on the spot with transportable cutters, and the ammunition and explosives demolished separately.

The scrap metal was handed over to Gol representatives.

GAM received a receipt from the AMM for the delivered weapons, while the AMM received a receipt from the Gol for the scrap. The criteria for a weapon to be accepted by the AMM were set out in Annex III to the "Decommission Operation Order (ARM)" of the AMM, which was accepted by both parties to the conflict.¹⁷ Weapons handed in were rifles, pistols, explosive devices (often home-made), machine guns and a few mortars, and had to be functional to qualify. Non-functional weaponry handed over to the peace monitors was rejected and did not count towards the 840 weapons. To the observer, it seems that the number of weapons GAM was obliged to hand in was rather low for a movement with an estimated membership of between 3,000-5,000 combatants and estimates that about one in three GAM members had a weapon. Still, this was the number officially agreed to by both the GoI and GAM. The 'real' number of arms held by GAM is unknown, and GAM never claimed that they handed in all their weapons. These 840 weapons however, whether they represent the real number of weapons held or not, are of high symbolic value representing an important gesture by GAM that reflects its commitment to this peace process.

The decommissioning of GAM weapons was a transparent process. The public was informed both via the press and the established socialization program, while the AMM press and information office provided the necessary data. At each selected weapons collection site, the firearms were checked, registered and cut by the AMM monitors, while local villagers, VIPs from both parties and media representatives attended and witnessed the event (AMM 2005a). "I want to see for myself the disarmament process", said Sulaeman, a resident of Kamno, near Meulaboh, West Aceh¹⁸. The local population, gathering at the nearby ports, also witnessed the relocation of non-organic TNI and police personnel.

Disarmament and relocation phase 1

The first decommissioning phase took place on the first day of the AMM, on 15 September 2005. From 15–17 September 2005, GAM handed in 243 weapons that were approved by the AMM and destroyed on the spot.

In parallel 6,671 non-organic TNI and 1,300 non-organic police troops were relocated out of Aceh (AMM 2005b).

Disarmament and relocation phase 2

The second decommissioning phase took place from 14–24 October 2005 in four different geographical areas (Aceh Utara, Aceh Timur, Aceh Tamiang and on Sabang (Weh) Island (AMM 2005c). 291 weapons in total were handed over to the AMM that only accepted

233 and disqualified 58 weapons. The Gol disputed 35 weapons.

Simultaneously, 6,097 non-organic TNI and 1,050 non-organic police personnel were withdrawn from the province (AMM 2005d).

During phase one and two, 424 weapons were handed in and accepted by both the AMM monitors and the Gol. A further 52 weapons were accepted by the monitors but were disputed by Jakarta. These weapons were 40mm *rakitan* grenade launchers and therefore clashed with the definition of a firearm used for this operation, namely "a standard firearm is basically a factory-made type of weapon¹⁹....". As these weapons, however, satisfied all other criteria of functional firearms, and as the AMM was given the authority to decide on any disputed weapons, they were all accepted by the AMM raising the total number handed over and destroyed to 476 weapons.

Disarmament and relocation phase 3

GAM weapons were collected over five days in the following geographical areas: Aceh Jaya, Aceh Barat, Aceh Barat Daya, Nagan Raya, Aceh Selatan and Aceh Tengah (AMM 2005e).

With the completion of the third decommissioning phase, GAM handed in 856 weapons, of which the AMM accepted 698; the Gol however disputed 67 of these. The total of undisputed weapons after the termination of decommissioning phase three was 631. The final decision on the status of the disputed weapons was taken by the AMM Head of Mission, Peter Feith (AMM 2005a); 3 of these 67 disputed weapons were accepted by the HoM and 64 disqualified (see Table 3 below).

Disarmament and relocation phase 4

On 19 December 2005, GAM handed over the last of its 840 weapons to the AMM. On 20 December 2005, GAM's leadership confirmed in writing that there were no more weapons under GAM command in Aceh. "GAM officially disbanded its military wing (TNA) on 27 December 2005" (EU Council 2006).

A special ceremony was held on 21 December 2005 on the Blang Padang Sports Fields in Banda Aceh, where the very first decommissioning took place on 15 September 2005, to mark the destruction of the last GAM weapons. These final destructions were followed by speeches by GAM senior representative Irwandi Yusuf, General Bambang Darmono, the GoI representative, and the AMM Head of Mission (AMM 2005f).

The fourth and final phase of non-organic TNI military and police personnel relocation was completed on 5 January 2006, with the last police officers departing from Lhokseumawe port, East Aceh. During this final phase of relocation, 7,628 TNI troops and 2,150 police personnel left Aceh, bringing the total number of nonorganic troops that were withdrawn from Aceh during the four phases to 25,890 TNI and 5,791 police personnel, officially bringing the decommissioning and relocation process to an end. As of 5 January 2006, in accordance with the Helsinki MoU, the number of military forces remaining in Aceh is not supposed to exceed 14,700 and the number of police forces 9,100.

announcement, then, the process was back on track and the last 25 percent of GAM weapons were handed over as scheduled during the final phase of decommissioning.

During the four weapons collection and destruction phases, there was some degree of concern from international organizations working in Aceh about potential incidents that may escalate. They were advised to avoid the areas of collection as soon as the concrete areas were known. A few minor incidents occurred which were resolved with the assistance of the AMM and did not escalate.

Table 3: Statistics of redeployment and weapons decommissioning

Phase	Statistic redeployment of non-organic troops		Statistic of decommissioning of GAM weapons		ng of GAM	
	TNI	Police	Total	Handed over by GAM	Disqualified	Accepted
I (September '05)	6,671	1,300	7,971	279	36	243
II (October '05)	6,097	1,050	7,147	291	58	233
III (November '05)	5,596	1,350	6,964	286	64	222
IV (December '05)	7,628	2,150	9,778	162	20	142
Total	25,890	5,791	31,681	1018	178	840

Source: Author's adaptation from "Decommissioning and redeployment", AMM website, www.aceh-mm.org/english/headquarter_menu/decom.htm

Assessment—Decommissioning

Despite the few short delays that were reported in meeting the set targets for decommissioning, due to either logistical or weather problems, the four decommissioning phases went smoothly. This fluid process was disrupted when, after having completed the third disarmament phase, GAM declared that they did not have any more weapons to hand in. Intense rounds of diplomacy and negotiations followed this

An anonymous source interviewed stated that during the weapons collection and destruction events some security forces seemed angry at the destruction of GAM weapons, as the peace process and the collection and destruction of GAM weapons in particular signified the termination of one of their illegal sources of income (during the conflict police and TNI sold some of their weapons to GAM).

While the four phases of disarmament and relocation were ongoing, the Acehnese public was encouraged to hand in any weapons and ammunition to the police by 31 December 2005, as part of an amnesty. As of 1 January 2006 all arms held by civilians were rendered illegal and whoever would be found in possession of a gun would face legal consequences.

Assessment—Relocation of non-organic TNI and police troops

In accordance with the MoU, the relocation of non-organic TNI and police troops took place in parallel to the GAM disarmament. The AMM was provided with the number of soldiers that were to be moved to ports for withdrawal as all movement of troops of more than platoon size required prior notification to the AMM Head of Mission (Article 4.8, MoU). Once the 25 percent of non-organic soldiers and police personnel were moved to the destined port, the AMM counted the soldiers and thus verified the numbers of departing troops.

To confirm the Gol's compliance with the MoU, AMM district officers were tasked to visit and monitor TNI and police units within their area of responsibility. In accordance with procedures agreed with the Gol, they verified the locations and strengths of remaining organic TNI and police forces from 14 January–15 February (AMM 2006a).

According to anonymous sources, most Acehnese were happy to see the non-organic troops leave, as they had committed numerous crimes and pursued illegal activities to boost their income.

In October 2006, the IOM organized a four-day workshop on "Studying the Challenge for Police in Aceh", which was attended by local authorities, humanitarian workers and the press community in Aceh to discuss the challenges now faced by the Provincial Police Department. The workshop marked the beginning of a three-year program by IOM to ensure that all police personnel in Aceh receive human rights and community police training²⁰. This program, however, is not specific to Aceh but is an IOM Indonesia-wide program.

"Demobilization"?

In the last quarter of 2005, GAM created two new bodies in preparation for its transition from rebel to political movement: The Majelis Nasional (National Council) and the Komite Peralihan Aceh (Aceh Transition Committee—KPA). According to the International Crisis Group (ICG), the Majelis Nasional was set up in October 2005 as GAM's supreme political authority to unite all of GAM's political and economic resources in a single institution, and tasked with determining GAM's political strategy—from the election of village heads to the allocation of reintegration funds, and the relationship with the AMM. Additionally, this new body was to be responsible for awareness-raising relating to the MoU through its "Secretariat for MoU Socialization". One of its most important tasks was to design the Aceh Transition Committee (KPA) which was established in December 2005 to oversee the demobilization and reintegration of its combatants. Some Indonesian security forces remain suspicious of the KPA's motives and feared hidden agendas, an allegation GAM denies. GAM argues that its former fighters needed help to make the transition to civilian life, and that to secure their economic well-being was paramount and would ensure that ex-combatants abide by the terms of the MoU (ICG 2006a, pp. 2-3).

One can question whether GAM was demobilized or whether the movement indeed just changed the name of its former military arm from TNA to KPA and maintained its former structures where commanders at the district level became (unarmed) KPA heads. According to the ICG, the only factor which differentiated the KPA from the TNA is that every local office operates openly with a simple organizational structure of a head, secretary and a few people in the field (ICG 2006a, p. 2).

The UN definition for demobilization reads: "demobilization is the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilization may extend from the processing of individual combatants in temporary shelters to the massing of troops in camps designated for this purpose (cantonment sites, encampments, assembly areas or barracks). The second stage of demobilization encompasses the support package provided to the demobilized, which is called reinsertion" (UN 2006, p.25).

In Aceh, former rebels were neither formally discharged from the TNA nor were they officially counted or registered or in any way prepared for their discharge from GAM's military wing. But most importantly, the TNA command structures were not dissolved either. They are

still very present and as they were used to distribute the reinsertion assistance to GAM in the villages, they were strengthened even further (see Section "Reintegration"?, p. 33).

Weapons were handed in by a number of GAM members who then returned home immediately after the weapons were destroyed without having been counted or registered. Of course one could argue that GAM members were not registered at the collection points as GAM feared that the GoI may exploit the fact that the lists would give them easy access to each GAM member and feared for their and their families' security. There might also have not been any registration because in the majority of DD&R programs the Standing Operation Procedures (SOPs) are "one person one gun", which did not apply to Aceh, where the number of weapons handed in (840) and the number of combatants (3,000) stood in no relation to each other.

Another argument for this lack of formal discharge could be that most ex-combatants were able to return to their families for a few hours at a time during the conflict and therefore never really 'lost touch' with their communities. The other side of the coin, however, are those who fought in the jungle, who probably endured more hardship than other GAM combatants, and who would have benefited from more guidance on their new role as civilians than they were given.

It can be argued that so far the only official "demobilization" that took place was the mention on the AMM website, which states "AMM monitored the demobilization of GAM and decommissioning of its armaments, which was executed in four stages" (AMM 2006b).

Challenges and missed opportunities

GAM sources stated that while the relationship between GAM and the TNI seems to have improved on the surface, psychological problems remain after nearly 30 years of conflict²¹. A number of GAM members still feel they are being discriminated by the TNI just for being "Acehnese", and villagers are still being stigmatized as supposed GAM members without any proof. It is therefore highly important to democratically control the TNI—an important issue the new Acehnese government under Irwandi Yusuf (see Section on 'Aceh specifics' on p. 46) now has to address.

While local sources generally praised the AMM for the quality of its monitoring work, it was acknowledged at the same time that this monitoring also contained shortcomings which originated in the fact that the AMM adhered to international standards and international human rights rather than considering or attempting to understand local behavior and events. The mission was said to have been looking at the whole picture rather than the details.

All in all, according to the World Bank assessment, the situation in Aceh has improved dramatically since August 2005. Human rights violations have decreased substantially since the launch of the AMM and there has been a general increase in security. The large-scale GAM Needs Assessment conducted by the World Bank found that "only 2.1 percent of active GAM said there had been tensions with the military, 1.1 percent with police, and only 0.2 percent said there were tensions with local government. Similarly, only 1.7 per cent reported that they had been discriminated against by the military, 1.6 per cent by the police, and 1.1 per cent reported discrimination from local government. These are remarkably low figures, and show widespread acceptance of GAM returnees from different state institutions and actors" (World Bank 2006a, p. 24).

Once the military phase of disarmament had ended, the AMM should have opened up the two-party COSA process to also include Acehnese civil society so that they were better prepared for their role once the internationals had departed. The invitation by the AMM Head of Mission on 3 November 2006 of civil society representatives to participate in a discussion on the civil society's role after the AMM's departure clearly marked an effort to involve civil society and thus work towards a sustainable peace in Aceh. The timing of this meeting, however, seems rather unfortunate given the timeline of the mission's departure the following month. An earlier involvement of local civil society actors and women's groups could not only have assisted the AMM in better understanding the local situation and psychological aspects²² and act upon them, but also ensured that the process is gender mainstreamed, as it was gender blind for its most part.

On 15 November 2006, one month before the missions' departure, an advert was placed in the local newspaper "Serambi" on "The Continuation of the Peace Process after the Departure of AMM" stating that the forum "Forbes Bersama", a platform for local civil society organizations, various donors, GAM, Gol and the AMM established by governmental decree on 28 November 2005, would be the new meeting point for the Gol, GAM

and civil society to continue the important dialogue. Internationals however voiced hesitations whether this forum was suited for this important task, as it was claimed that it had not been very successful in coordinating efforts between donors and organizations in Aceh in the first place.

"Reintegration"?

The World Bank had been tasked to conduct a GAM Needs Assessment between October 2005 and March 2006 to provide a framework within which the planning process for reintegration and the consolidation of the ongoing peace process could be facilitated. The GAM Reintegration Needs Assessment had three main aims:

- To assess the process of reintegration within the given timeframe, while focusing on potential obstacles to peace.
- To assess the socio-economic needs and aspirations of former combatants, non-combatant GAM, and released political prisoners, and how they fit with those of receiving communities.
- To help in the development of programs and delivery mechanisms to aid the reintegration of former combatants, GAM non-combatants, and political prisoners into Acehnese society.

The assessment served as a basis for the planning of a number of activities, such as the German Technical Cooperation (GTZ) Vocational Training Project (see Section 'Focus—Reinsertion of former combatants' on p. 38).

Demographic data of GAM combatants

Before the type of "reintegration" assistance provided until the time of writing can be discussed, it is important to look into the demographic data of GAM combatants and returnees and their needs. The World Bank GAM Needs Assessment found that:

- Over 75 percent of active GAM are between 18 and 35 years old.
- Fewer than four percent of GAM returnees are women.
 - Despite the low number of women combatants, wives of returnees played an important role in supporting their husbands during the conflict, as they often provided them with food, clothing and money. Women also took up the burden of raising their families while their husbands were fighting in the mountains or were in prison.
- Few underage combatants were among the returnees.
 - No precise information can be found about whether GAM used child soldiers during the conflict. As children in their school uniforms were able to move around more freely than others, however, they were used in supporting functions, such as to collect information on the movement of the TNI or

to warn the communities of approaching military forces. "Many of them, in the end, became GAM combatants. They have little education and no practical skills that they could use to earn a living" (World Bank 2006a, pp. 13–14).

- The education levels of active GAM are similar to those of the receiving communities.
 GAM members are more likely to have finished some level of schooling than the general population, but less likely to have completed senior high school or above. In contrast, released political prisoners have lower levels of schooling than former combatants and the rest of the population in villages.
- Almost 90 percent of GAM members returned to their villages without encountering problems.
 This is primarily because during the conflict most combatants were able to return to their home villages for a few hours on a regular basis and are therefore known to the community. While some community members have less positive feelings towards the return of former combatants, they have generally been willing to put these feelings aside for the sake of peace. 76.7 percent of active GAM members surveyed indicated that traditional welcome and/or reconciliation ceremonies were held in their village. In some locations, village religious institutions have also played a role by encouraging reconciliation and forgiveness (ibid, p. 26).

Needs of GAM returnees are similar to those of conflict-affected communities

One of the recommendations in the World Bank's report is that reintegration efforts should ideally address both the needs of former combatants and of conflict-affected communities because both GAM and the questioned communities felt that conflict-affected citizens should also be entitled to benefits as a result from the suffering endured during the conflict. In addition, the provision of benefits to GAM alone would likely cause tensions or an undesired division between GAM and the communities. Table 4 illustrates that needs among GAM returnees and receiving communities were similar. The report also found that the lines between who was a combatant (in the jungle) and who was a sympathizer (in the village) were often blurry and not as clear cut as stated in the MoU. To separate between combatant and sympathizer when providing reintegration assistance might have entailed that eligible groups are missed out and tension, resentment and jealousies are created.

The World Bank report also discovered that there was a considerable overlap between the areas to which GAM

returned and areas that were affected by the tsunami. 23 percent of surveyed GAM claimed that their family house was damaged or destroyed by the tsunami. The needs of former combatants are therefore also similar to those of tsunami victims and hence require similar and coordinated approaches.

Identified needs:

- **Livelihoods**. Those who wished to engage in agricultural work and those seeking to establish small businesses expressed their need for capital to restart their livelihoods. However, while capital is often the greatest need, the World Bank Assessment recommends that its provision should be followed with other inputs such as skills training.
- House building or house repair programs. Both GAM returnees and ordinary villagers, whose homes were destroyed or damaged during the conflict, identified their need for such programs. A considerable overlap between conflict and tsunami areas was ascertained.
- Access to health care. The majority of male excombatants have received conflict-related wounds, such as bullet wounds, whereas female former combatants surveyed reported not to suffer from conflict-related wounds. The health situation of the amnestied prisoners seems considerably worse than that of the ex-combatants. Former political prisoners received initial medical check-ups by the IOM upon their release from prison but many are in need of further assistance, as 87 percent of political prisoners have wounds or are disabled, and 35 percent have some form of chronic disease (World Bank 2006a, pp. 50–51). Furthermore, some do not trust the health services provided by the government, and in some cases, GAM returnees feel they are being discriminated against when it comes to accessing public services (ibid, p. 53).
- Access to mental health care. "Of course men feel easier towards the peace, but we are different. Women have emotional responses to the past traumas and disturbances, we still bear the scars in our hearts: these cannot simply be erased by an MoU or by a few months of peace." Female paramedic, Paya Gajah, Aceh Timur (ibid, p. 68). This quote illustrates the need for reintegration measures to also address past sufferings and sensitive issues such as the sexual exploitation of women that occurred during the conflict.
- Training and education programs. 18.4 percent of active GAM stated that training was a priority need, and 13.8 percent said they would like to have more information on skills training opportunities. World

Bank respondents prioritized earning money by working over continuing education. However, a large number of GAM returnees are interested in part-time education and/or practical skills training courses. Simultaneously, it is necessary to ensure that returnees have access to employment upon their return and that there are jobs for those that have received training.

• Land. Land was not identified as a significant issue for the majority of GAM returnees even though it was one of the points mentioned in the MoU (3.2.5a). 55.5 percent of active GAM reported to have access to land (ibid, p. 56). Land is only an issue for GAM returnees in areas where it is also a more general issue for receiving communities (ibid, p. 57).

The reintegration process

Due to the vague provision for the mechanisms of reintegration into society (see MoU point 3.2 on p. 64), these details had to be worked out on the ground which resulted in some wranglings between organizations wanting to become the lead agency for reintegration efforts. While the Indonesian government was passed over by the tsunami financial assistance that arrived in the region which, however, was earmarked for specific projects or organizations, the Gol ensured that reintegration was to be its domain and would hence lead all efforts in this field. On 28 November 2005 the Governor of Aceh established Forbes Bersama. In February 2006 the National Reintegration Agency (Badan Reintegrasi Aceh, BRA) was established by yet another governor decree to oversee the reintegration process and Forbes Bersama was integrated into the BRA. "Forbes" that consisted of four working groups on livelihoods, economic policy advice, socialization and reconciliation, was expected to act as an advisory group for the BRA. Over the following months however, the BRA increasingly turned into a government-led agency when civil society—supposedly involuntarily—left the forum, followed by GAM/KPA who withdrew from the BRA in June 2006.

In 2005 and 2006, the BRA received vast sums from the Gol to pursue the reintegration process (see Table 5, p. 39) thereby covering 80 percent of the entire reintegration assistance. The agency is responsible to the Governor of Aceh and the Gol and is scheduled to work until December 2009 (the year in which parliamentary elections are planned to be held in Aceh). Until December 2007, the BRA will work with all parties and will then start transferring the reintegration workload to the local government, while continuing to assist the newly formed government until the end of its mandate.

GAM list issues

As a prerequisite for their reintegration into society, all three groups mentioned in the MoU (former GAM combatants, amnestied political prisoners and conflict-affected civilians) were guaranteed amnesty and freedom of movement (in accordance with the MoU), which was closely monitored by the AMM. Violations were investigated and reported by the monitors.

Table 4: BRA reintegration budget

Donor	Sum	Year
Gol	US \$20 million	2005 budget
Gol	US \$60 million	2006 budget
Gol	US \$20 million	2007 budget (not approved at time of writing).

Source: Table drawn up by author from information provided by Dr. Islahuddin, Coordinator of the BRA, in November 2006.

The MoU's vague reintegration provisions were challenged for the first time, when during a COSA meeting a TNI general demanded that GAM hand over a list with the names of its 3,000 ex-combatants to process the release of financial reintegration assistance. This demand was accepted by the international monitors despite the fact that such procedure was not laid down in the MoU. GAM refused to hand over the list of names to the GoI for a number of reasons, the following two being the most important ones:

- Mistrust in the Gol continues to be high and GAM expressed fears that this transfer of sensitive information may compromise GAMs' security.
- Possible desire of GAM to also exercise some control over the provision of reintegration assistance and to spread money to more than the 3,000 persons stated in the MoU, including orphans and widows.

This issue was not solved for many months and delayed the timely provision of reintegration assistance by a considerable amount of time as the BRA insisted on the list being handed over for accountability reasons. The main problem was that the trustworthy political framework that had to be in place before GAM would feel comfortable enough to pass on the list of names was not yet in place. A solution to this was only found in the last quarter of 2006 when the list was handed

over to the AMM and passed on to the BRA, which clearly shows that the former rebels still do not trust the government and its bodies and that the AMM was perceived as a trustworthy "facilitator" between both parties. Surprisingly, this act was kept completely quiet, and the majority of individuals interviewed were unaware of the fact that the list had been handed over to the AMM

Reintegration beneficiaries

GAM's political leadership highlighted from the very early stages of the Helsinki process that it was a movement which had to support a greater number of members, consisting also of a larger number of non-combatants in support functions and from GAM's civilian structure, than that agreed to under the MoU. In addition to the list issue, this also led to a series of lengthy discussions about who was eligible for assistance and who was not. Bearing in mind the World Bank's recommendations, the BRA agreed to widen the group of beneficiaries eligible for reintegration assistance which consisted of financial assistance and economic empowerment to the following six groups:

- Ex-combatants (3,000 stated in MoU). The IOM estimated that out of these 3,000 about 1,000 were women.
- Amnestied prisoners (an estimated 2,035).
- Non-combatants (an estimated 6,200).
- Former GAM activists that surrendered before the signing of the MoU (an estimated 3,204).
- Anti-separatist groups (other than GAM; an estimated 6,500).
- Conflict-affected people and host communities where GAM reintegrates into.

While discussions about the widening of the group of beneficiaries were still going on (and some time before the GAM list issue was resolved) the Gol eventually agreed to channel reintegration funds through district level KPA structures without insisting on individual names. The Gol therefore asked GAM leaders to calculate how many of the alleged 3,000 combatants were in each district, and the Governor of Aceh then provided three rounds of payments for a total of 9 billion Rupiah (US \$900,000) via the KPA structures in October and November 2005 and January 2006. The installments consisted of 1 million Rupiah each (approximately US \$100) per combatant

granted to assist their safe return to their communities. According to the World Bank Needs Assessment, the District Head of each district handed over the money to GAM commanders at the district level, who then distributed it further. The allocation within districts was determined by GAM. These transactions were monitored by the AMM district offices.

Field research conducted by the World Bank, however, suggests that each combatant received considerably less than one million Rupiah per round but an average of between Rupiah 170,000–260,000. The reason for these smaller amounts is that GAM often gave money to others in the organization, to non-combatants responsible for logistics and intelligence, as well as to vulnerable groups in the community, such as orphans and widows of GAM combatants. The World Bank did not find evidence to suggest that the lower amounts were the result of corruption by either the government or GAM (World Bank, 2006a, pp. 29–30). However, "there were hints of luxury cars and new houses for some commanders at the expense of the rank-and-file" (ICG 2006a, p. 10).

World Bank research further suggested that there was a significant variation in the amount each active GAM member received, which was attributed to the decentralized method of distribution. Thus in some locations the funds were distributed to TNA only, whereas in other locations all GAM members received some amount. Similarly, in some locations the funds were given to conflict victims whereas in other areas they were not. All in all the amounts received by GAM beneficiaries were generally so small that they were "considered to be "smoking money" rather than reintegration assistance, which had little impact and can only remain a short-term intervention" (World Bank, 2006a, p. 31).

Additionally, proposals for livelihood projects were put forward to the BRA by former GAM field commanders after having consulted with their low level GAM in the villages. Proposals included all names of ex-GAM participating in the project. According to the ICG, "each of the 3,000 ex-combatants who joined with comrades to start a business would receive Rupiah 25 million (about US \$2,500), with half disbursed when the project was approved and the other half when the BRA verified that it had been implemented". Funds were then to be disbursed through the same KPA commanders. By August 2006, the BRA had received and funded 29 proposals for businesses involving 965 people. There is however no certainty that the 965 had actually received their full allotment, or that all named in the proposals were real people. Only 17 of the groups had reported back to the BRA on the use of the allocated funds (ICG 2006a, p. 10).

Reintegration or reinsertion?

The BRA was set up as a mechanism responsible for the distribution of financial reintegration assistance. As the 2006 funds were being prepared for disbursal in August, the reimbursement policy was changed to one check per person distributed through the KPA offices, no later than December 2006.

It is however questionable whether these activities can indeed be labeled "reintegration", as the reintegration of ex-combatants usually includes the following stages:

- Reinsertion, addressing former GAM returnees' most immediate needs (short-term measure).
- Economic and social reintegration (long-term measures to ensure ex-combatants have access to health, employment and further social services, thereby minimizing the potential security threat they may become if reintegration activities are not successfully implemented thus possibly resulting in a reoccurrence of violence). The IDDRS define reintegration as "the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open timeframe, primarily taking place in communities at the local level. It is the part of the general development process of a country and a national responsibility and often necessitates longterm external assistance" (UN 2006, p. 25).

It became obvious during the research that the meaning of "reintegration" has been interpreted differently by actors working on these issues in Aceh, thus also impacting on the entire process. The "reintegration" of ex-GAM seemed to have been equated with reinsertion, which is "the assistance offered to excombatants during demobilization but prior to the longer-term process of reintegration. Reinsertion is a form of transitional assistance to help cover the basic needs of ex-combatants and their families and can include transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment and tools. While reintegration is a long-term, continuous social and economic process of development, reinsertion is a short-term material and/or financial assistance to meet immediate needs, and can last up to one year" (UN 2006, p. 25). Most "reintegration" measures provided in Aceh until December 2006, could therefore rather be classified as "reinsertion" as they mainly consisted of one-off financial assistance instead of long-term provisions to ensure the reintegration of GAM, and the access to social, economic and health services. Even training undertaken by various organizations needs to become embedded into longer term mechanisms to classify as reintegration assistance.

At the request of the Indonesian Ministry of Justice and Human Rights, the IOM's post-conflict reintegration program became involved in the reintegration process and was requested to provide reinsertion and in-kind assistance to amnestied political prisoners and excombatants on an individual basis, as well as community livelihood projects. With its objective of post-conflict stabilization, the program provided alternative livelihood skills to prevent GAM returnees from having to return to their conflict skills. While the BRA needed the list of GAM members for reasons of accountability, the IOM assisted the first set of GAM returnees, the amnestied political prisoners, through the newly established Information, Counseling and Referral Service (ICRS) offices (see below).

Focus—Reinsertion of amnestied political prisoners

Even though 298 GAM members were released only two days after the signing of the MoU, in connection with the Indonesian Independence day, the majority of amnestied political prisoners were released on 31 August 2005 following the issuance of a presidential decree. This rather smooth process was disrupted when GAM informed both the GoI and the AMM some time after the initial release of amnestied prisoners that there were still individuals imprisoned throughout Indonesia who, according to GAM, should also be included under the general amnesty provision of the MoU and the presidential decree. To resolve these issues, a working group consisting of representatives of the Gol, GAM and the AMM was established, which was later joined by an international Senior Legal Advisor at the request of the AMM to facilitate the reaching of a conclusion to these disputed cases. As cases were resolved, individuals were granted amnesty and released, and on 15 August 2006, both the GoI and GAM reached a mutual agreement upon all cases and declared that there were no more disputed amnesty cases under the MoU.

Out of these 2,000 amnestied prisoners, 19 were underage and one percent were women. Out of these 19 underage prisoners, the youngest was 14 years old, the others between 16 and 17 years old. A few female prisoners were 17 years old, but as they were married they were considered full adults eligible for assistance provided to adults.

Process

Working through Indonesia's Ministry for Justice and Human Rights, IOM's Post-Conflict Reintegration Unit (PCRU) coordinated the release from prison and return home of approximately 1,400 political prisoners from prisons and detention centers around the country.

All underage prisoners were referred to UNICEF once they were picked up from prison, registered and had received a medical check up. They were then given a list of items (books, clothes, etc.) to choose from, which they took home. Later, they could receive their chosen items as their in-kind reintegration assistance from UNICEF. Youth could choose five million Rupiah (US \$500) worth of goods delivered over a period of six months. Once chosen, four district departments of the Department of Social Affairs purchased the goods and delivered them to the youth. This process was monitored by UNICEF to ensure the youth received everything they had wanted. Some of the youth wondered why they were not eligible for financial assistance like the adult prisoners, which they seemed to have preferred.

The first activity of reinsertion assistance for amnestied adult prisoners consisted of a medical clearance for each prisoner before they were released and provided with new clothes. At the point of release all amnestied prisoners were registered into the IOM database, a network of 10 district level ICRS offices the IOM had established through the Department of Social Affairs (DinSos) that served as the focal point for the whole range of post-conflict reintegration services, community assistance and health initiatives IOM had developed. They received a transitional safety net allowance of a total of five million Rupiah (US \$500), which was disbursed in three installments over six months to cover each individual's daily needs. Then, the prisoners were transported to the main town in their home district. IOM has systematically collected data on how this cash reinsertion assistance was used. Reintegration assistance for the amnestied political prisoners began after this six month reinsertion assistance.

Several months after having received their reinsertion assistance, CRS staff assisted them in the writing of a proposal to qualify for tools and in-kind material worth nine million Rupiah (US \$900) per person to facilitate income generation by the individual ex-prisoners. This process was monitored by IOM staff that also approached individuals and verified the data in the proposal to make sure the proposal was a "real" proposal rather than just a means to yet another financial installment.

Research for this study found that amnestied political prisoners released after the MoU generally expressed satisfaction with their reinsertion and in-kind package, though some had to wait 10 months from receiving their initial reinsertion assistance to receiving the reintegration assistance in kind, such as farming tools or sewing machines to make Acehnese traditional hats to sell on the markets. These delays were due to a combination of lack of funding for the long-term reintegration phase, issues relating to capacity and, above all, the political environment. These amnestied political prisoners are shortly expected to receive capital from the BRA to extend their businesses. Despite the fact that GAM returnees in general expressed satisfaction with the assistance they had received, it was not enough to live on, so that some of them had to work as daily laborers and in other jobs. The majority of political prisoners,

however, had jobs before they were imprisoned and the majority of them went back to their previous professions making their return to the communities a smooth process.

A novelty to reintegration measures was the medical component that formed part of the ICRS services thus putting recommendations of the IOM/Harvard Medical School Assessment into practice. Until the time of writing more than 5,700 people were reported to have received medical treatment and referrals from health staff based in each ICRS office. This

component is beneficial not only in medical terms but also as a trust-building measure that aims at reconnecting communities to government structures, as government-run institutions were distrusted during the conflict and many people therefore did not seek medical help (IOM 2006c).

Focus—Reinsertion of former combatants

At the time of writing, long-term reintegration assistance to former GAM combatants had not started.

However, several organizations had made attempts to integrate ex-combatants into their programs. Unlike the Gol, the GTZ Vocational Training Project, taking the recommendations of the World Bank Needs Assessment as a basis for the planning of appropriate training projects that comply with the needs of former GAM members as well as conflict-affected individuals, did not need a list of names to select participants for its courses. By providing non-formal training which lasted up to three months, the GTZ training is specifically designed to meet the educational profile of the target group, as training

usually focused on one particular vocational skill, such as masonry, bakery or metalworking. The training itself is being provided by local universities, schools and/or technical schools, depending on the subject of the training, which is monitored by two GTZ monitors to establish lessons learned.

GAM KPA offices on the provincial and district levels anonymously preselected participants for these training courses. This selection was based on proposals stating what each participant would use the training for and was anonymous to provide

fair access to all members of the community with GAM being treated as a normal group. At the request of the donor, 70 percent of the participants had to be GAM returnees and approximately 20 percent had to be women so that reintegration activities were gender mainstreamed. The GTZ Vocational Training Project staff in Banda Aceh monitored and verified the proposals to make the final selection of participants after it had invited the pre-selected participants to double-check that they were still intending to take part in the course. Participants also included former political prisoners that received training from GTZ as part of the IOM caseload.

Ferry has high hopes for the future. He will begin a degree in sports teaching, and plans to study during the day and work in his shop afternoons and evenings. Ferry wants to become a sports teacher because it has no involvement in politics.²³

Up until November 2006, 320 trainees had undergone training with another 380 to follow. In addition to the non-formal training, livelihood projects were added to the training portfolio in November 2006 that have also integrated the communities as beneficiaries, and will be running for two years. It is envisioned to have a total of approximately 1,000 people trained. Trainees were on average between 17 and 35 years old, educational levels were usually very low which they generally are within Aceh. The educational criteria to qualify as participants, however, depended on the topic of each course: Generally, a higher level of education was required for a small number of the courses held in Java than for most other courses where primary school education or just being literate was sufficient.

the range of courses offered (see Table 6, p. 40) illustrates that though men and women can be found participating mainly in their "traditional" spheres of work, when given the opportunity to choose freely, both men and women are curious to learn new skills or deepen their skills in areas that used to be traditionally related to the other sex. Tables 5 and 6 further illustrate the emphasis that was put on those skills needed in the ongoing reconstruction of the province, thereby establishing a link between the post-tsunami reconstruction activities with those of the peace process, thus putting a recommendation of the World Bank Needs Assessment into practice.

Non-formal vocational training program

From 3 July 2006 onwards, the GTZ Vocational Training Project offered a first phase of a two-to-four-week training. The selection of courses (for a brief selection of

Table 5: Selection of courses offered for the first phase of training

Course	Total number of participants	Men	Women
Bakery	11	2	9
English	50	32	18
Basic computer skills/ Office packet	55	35	20
Heavy equipment driving	43	43	0
Electrical welding	13	13	0
Brick stone production	11	9	2
Garment	49	6	43

Source: Table drawn up by author from information provided by the GTZ Vocational Training team in November 2006.

Table 6: Selection of courses offered for the second phase that started in November 2006 and lasted from between 3 weeks to 3 months depending on the course topic

Course	Total number of participants	Men	Women
Garment	50	8	42
Electrician	14	14	0
Computer and secretarial work (1)	30	5	25
Computer and secretarial work (2)	30	5	25
Bakery	12	2	8
Restaurant service and cooking	14	4	10
Heavy equipment driving (1)	20	20	0
Heavy equipment driving (2)	20	20	0
Massage/ Blind people	40	20	20

Source: Table drawn up by author from information provided by the GTZ Vocational Training team in November 2006.

Lessons learned from the first phase of training²⁴

Selection of participants

One of the shortcomings of the GTZ Vocational Training Project is the absence of a system that monitors/observes the selection process of the participants. During the selection of participants for the first phase a few KPA offices were believed to have chosen their close friends and relatives for the training. A misunderstanding in the definition of "combatant" was further claimed to have been the reason for this narrow selection, as GAM defines "ex-combatants" as those who have been actively involved in the fighting and therefore only preselected those who had fought while the definition by the international community is broader, including those who accompanied the fighters or were engaged in non-combat, supporting functions as was discussed above.

Attitudes and wrong expectations

During the first training phase some ground rules were interpreted rather freely or broken, as they were not written down. To overcome this shortcoming, contracts were written out requiring a signature and confirmation of each participant that he/she will adhere to the rules laid out for the second phase.

On the first day of the first phase some excombatants apparently wished to be paid for their attendance of the training course. This desire was partly caused by their misunderstanding and fears that GTZ reintegration funds would not reach the beneficiaries, as was the case with a lot of the Gol funds earmarked for the reintegration of former combatants. It had to be explained that the GTZ's role in the reintegration process was to provide only in-kind assistance in forms of training. Many of those combatants who had requested money for their attendance came back the next day and did no longer insist on their claim. It is true that training activities also led to the expectation that everyone would have access to a job at the end of it which, of course, could not be guaranteed. However, attempts are being made to improve the integration of these combatants into the job market.

Some participants were said to have complained, or voiced concern, about being sent to Java for their training, most likely caused by personal experiences with Javanese in Aceh during the years of conflict. One attempt to address this concern was to organize sports competitions at the beginning of the training in Java. On their return, formerly skeptical participants said they were impressed. Some courses were deliberately scheduled to be held in Java as a means to build trust and confidence in the "former enemy".

· Level of training material

As a lot of former combatants had been living in the jungle for a considerable number of years, many encountered difficulties with reading and writing. The training modules used were often found to be too advanced, as they were written in a very technical language which not all participants were able to understand.

In the second phase training providers modified their modules and made the purpose of the training clearer right from the beginning so that no misunderstandings as regards payments or the provision of jobs could occur.

Conflict-affected communities

Due to the fact that the group of beneficiaries eligible for reintegration assistance was expanded from the original three groups mentioned in the MoU to a total of six groups, the process became increasingly more complicated and slower. When in April 2006 an estimated 40,000 proposals were submitted to the National Reintegration Agency (BRA), the agency was overwhelmed and unable to process this large number of applications. Four months later, in August 2006, the BRA, in cooperation with the World Bank, launched the "Community-Based Assistance for Conflict Victim through the Kecamatan Development Program" (KDP). This new economic assistance program was designed in an attempt to restructure and find a more efficient approach to assist conflict-affected communities. This also entailed the revision of the qualifying criteria for conflict-affected citizens, as previously there had been no concrete criteria at all, which led to the result that about one-half of Aceh's population would have been eligible for assistance. To remedy this, a number of criteria were taken to the villages where the villagers themselves had to identify people who were affected most by the conflict and establish a priority list. Out of these lists, nine indicators were then identified as final criteria for the selection of beneficiaries. Simultaneously, on a sub-district level, the World Bank and consultants mapped areas according to their intensity of former conflict levels (low, medium or high). Based on the conflict mapping, it was decided what amount would go to areas that experienced low, medium and high levels of conflict in combination with the size of their population. Depending on the intensity of conflict and the size of the population, a total of 224 sub-districts were identified:

 60 million Rupiah were allocated to areas with low levels of conflict and a small number of inhabitants. • 170 million Rupiah were allocated to areas with high levels of conflict and a large number of inhabitants.

To manage the implementation of the KDP, at the provincial level in Banda Aceh, the BRA has a project implementation unit, while sub-district or district KDPs include a conflict-handling mechanism. Regular KDP coordination meetings are being held with the World Bank, which assists both in the monitoring and with the peacebuilding component of this program. As the World Bank wanted KDP to be a government-run development program aiming at trust-building in the government, its involvement in the KDP is not publicly displayed, for instance by World Bank logos on KDP correspondence. This is important because the government did not deliver development aid to the war torn region during the conflict in Aceh. Now, through the KDP mechanism, the government is delivering development to the people of Aceh, thus establishing the legitimacy of the state and building trust in the GoI after 30 years of mistrust and conflict²⁵.

As recommended in the GAM Needs Assessment, this program ensures that assistance to GAM returnees and conflict-affected communities are combined, as the conflict-affected communities not only have the same needs as GAM but are also communities GAM reintegrates back into. In 2006, a total of 67 sub-districts (1,724 villages) received assistance. The remaining 154 sub-districts will be given assistance in 2007, with an envisaged total of 5,800 villages having benefited from the program by the end of 2007.

The IOM included a "community peace dividend" in their programs. Within the framework of its "Village Prosperity Through Peace"-program, the ICRS officers worked together with facilitators from the KDP program on the delivery of quick-impact community projects worth 50 million Rupiah (US \$5000) each to 230 conflict-affected communities. In addition, each village received one million Rupiah (US \$100) to hold a traditional blessing ceremony as a reconciliation activity and celebration upon completion of the project. This aspect was particularly important as these ceremonies presented another formal way of accepting GAM back into the communities. Even though the majority of GAM stayed in regular contact with their communities during the conflict, this official act of reconciliation and forgiveness was nevertheless important.

The grant approval process for this program began by establishing an organizing committee which called for a public meeting during which individuals and groups brought forward proposals ranging from building community centers and bridges to the construction of new irrigation channels. The community discussed the advantages and disadvantages of each proposal

before deciding by consensus or a show of hands what the priority will be for this particular community. As community meetings of more than five people were not allowed during conflict times, this process of discussing the individual community's needs is a very important step towards the return of normality and the building of democratic structures.

Engendering the process

Acehnese women were excluded from the negotiations and decision-making processes that led to the signing of the MoU and its implementation. This was partly due to the narrow interpretation of "combatant", which referred to only those who actively took part in the fighting and carried a gun, thereby excluding women who supported GAM in non-combat functions, such as cooks and spies. UN Council Resolution 1325²⁶ emphasizes the importance of ensuring women's equal participation and full involvement in all efforts for the maintenance and promotion of peace and security and presents a more inclusive definition of "combatant" that includes those associated with the armed forces such as cooks, spies, logisticians and sex partners.

In an attempt to address this shortcoming and to improve gender mainstreaming in post conflict reintegration work in Aceh, a workshop on "Gender and Post-Conflict Programming in Aceh: An Overview" was held on 14 June 2006 in Banda Aceh. The workshop was jointly organized by IOM and the European Union (EU) and attended by representatives from local and international organizations working on post-conflict and reintegration issues, including the EU, AMM, United Nations Development Programme (UNDP), United Nations Development Fund for Women (UNIFEM), GTZ, as well as Flower Aceh (Women's rights organization), Saree School and Liga Inong Aceh (LINA), a political women's organization in Aceh, among others.

Programs of individual organizations running post-conflict and reintegration projects in particular, including the GTZ Vocational Training Project and the OM post-conflict program then increasingly addressed the issue of gender mainstreaming.

While substantial efforts were made in Aceh to gender mainstream projects and the reintegration process, the Crisis Management Initiative (CMI) undertook research in cooperation with UNIFEM and the Center for Community Development and Education (CCDE) and interviewed representatives of the GoI, the GAM leadership, representatives of the AMM and international organizations and Acehnese women and women's organizations. The aim of this research was to establish the status of women's involvement in the peace process up until August 2006 (when the report was published) and to provide recommendations to

the parties of the MoU on how to enhance women's participation in decision-making processes in Aceh. The CMI report found that while women's participation in the peace process had thus far been limited, both GAM and the Gol representatives confirmed in interviews that they would like to see women becoming involved in implementing the MoU. CMI recommendations included that parties to the Helsinki peace agreement should establish regular contacts with women's organizations and undertake special efforts and provide sufficient resources to facilitate women's participation in the peace process and also to increase their visibility in this process (Crisis Management Initiative (CMI), United Nations Development Fund for Women (UNIFEM) and Center for Community Development and Education (CCDE) 2006, p. 4).

To address the often found imbalance within DD&R programs that marginalizes women and increases their vulnerability, and bearing in mind both the present gender imbalance within the post-conflict context in Aceh and UN Security Council Resolution 1325, the IOM carried out investigations whether there were also women among the ex-TNA. According to IOM estimates an agreement was reached with GAM that out of the 3,000 eligible combatants, one-third (approx. 800-1,000) of the ex-combatants to be "accepted"27 into the IOM reintegration program would be women. As a rule, IOM will accept one woman for every two men to gender balance their program. It will also allow women combatants to receive the same options as the men rather than limiting the women to the traditional female training options in garment industry, etc. While GAM was reported to have been surprised at first when they were approached on this issue, they were said to have cooperated well once the necessity of a gender mainstreaming of international projects was explained.^{28.}

Specific challenges faced in implementing "reintegration" assistance

As the IOM was tasked to provide reinsertion and systematic reintegration assistance to both amnestied political prisoners and former combatants, the organization encountered several challenges. These included:

 ICRS offices were not yet fully established when the amnestied prisoners were released which led to some confusion amongst GAM returnees as to where to go to for further assistance. This shortcoming was resolved when the ICRS staff around Aceh were given the IOM list containing the names and addresses of the released political prisoners in their region and went to find them while at the same time some amnestied prisoners went looking for the ICRS offices.

- The IOM had established a centralized database which can be accessed by all ICRS offices. This database contains and stores personal data of political prisoners and will also contain the data of former combatants once the caseload is being processed. To protect ICRS staff from visits from the police or TNI demanding data on GAM returnees, ICRS staff can only access one name with its matching data at a time, but cannot get access to everyone's data at once. These visits did take place, though it is somehow surprising that the police would enquire the personal data of amnestied political prisoners from the ICRS offices, considering that these GAM returnees were officially registered upon their release and this data openly available.
- discussed earlier, the more traditional As of a understanding 'combatant' revolves predominantly around a man holding a gun; international best-practice, and also the IOM's understanding of a combatant is a man or woman involved in combat operations which include support to the troops, logistics, intelligence and propaganda. Therefore, women who 'went to the mountains' (where most fighting took place) and cooked, cleaned, passed on information or ran supplies, qualify as legitimate beneficiaries for reintegration assistance. A woman who stayed in her village and regularly hosted or supported 'fighters' also qualifies as a legitimate beneficiary for reintegration assistance. To find out whether the women entering the IOM program are legitimate 'ex-combatants' or have been sent by the KPA, all beneficiaries are asked to fill in questionnaires including questions on their exact role during the conflict at the end of their week-long induction. While these questionnaires do help to clarify the individual's role, the data capture is in need of improvement in order to reveal these answers.²⁹ These issues are currently being addressed.
- As previously discussed, at the time of writing, demobilization had not been carried out, as GAM command structures had not been dissolved. It was within this understanding that IOM reintegration activities were implemented. While IOM activities had to access and deliver to the defined target group in a way that did not actively support the GAM/KPA structures, it was however important to target the correct individuals for the reintegration assistance. After 12 months of negotiations with

the GAM/KPA headquarters in Banda Aceh, an agreement on these issues was reached. While the GAM/KPA leadership had an interest to control all assistance, the IOM needed to gain access to the defined case-load of ex-combatants without conceding control of this assistance to the GAM/KPA command structure. The balance achieved required the GAM/KPA to identify the ex-combatant case-load to the IOM, which would then deliver to individuals³⁰.

Shortcomings of the "reintegration" process

The differences in defining "reintegration" and understanding of what it involves resulted in small-scale and rather scattered, often un-coordinated approaches. While the GoI and the AMM seemed to have equated "reintegration" with the distribution of "economic facilitation packages³¹" (reinsertion), other international donors and organizations, such as the IOM, World Bank and GTZ, used a much broader, long-term approach going beyond one-off cash payments and including the social, economic and political reintegration of GAM returnees and conflict-affected communities. By trying to fill the existing gaps in the BRA's reintegration program with their own assistance programs they gave additional support to the BRA's reintegration efforts.

Inter-agency coordination mechanisms

Though attempts were made to hold coordination meetings more frequently, they did not take place on a regular basis which resulted in poor coordination between actors engaged in the reintegration process. In addition, communication between agencies was said to have been difficult at times.

On 15 November 2006, 15 months after the signing of the MoU, only the second coordination meeting including donors, international organizations and NGOs took place within the framework of the Forbes Bersama. During the same month Forbes Bersama drew up a matrix of donors and organizations working on issues related to reintegration. Such a list would have been helpful during the early planning stages of the reintegration process to coordinate programs and projects efficiently to avoid overlaps and enable the coverage of a wider geographical area.

Sources stated that the BRA chose the implementing agencies according to their skills, capacity and areas they work in to avoid duplication, however, opinions of the BRA were generally not very high, as the BRA was said to lack the capacity and expert knowledge to work on reintegration issues and was criticized for not being very transparent. While the GoI, via the BRA,

was the main player in this process and hence held responsibility for reintegration, organizations and donors filled the government's program gaps through their own programs wherever possible.

While the benefits of good coordination mechanisms are well known, they seem little practiced on the ground. The AMM could have taken up this task as soon as it arrived, and should have established sustainable mechanisms to continue this inter-agency dialogue after its departure—a missed opportunity. Instead, Forbes Bersama was to take over the continuation of the COSA mechanism. A number of sources stated concern over this issue, as the forum did not coordinate donor meetings very efficiently (see above) and was seen to lack the capacity to continue this important process of regular dialogue.

Collaboration of the AMM with local NGOs during the reintegration process was somewhat modest. According to Lahdensuo (2006, p. 23), one AMM staff member claimed that the issue of collaboration with NGOs and their role in the future reintegration process after the AMMs' departure was not considered adequately by the AMM, and that the mission should have started to build structural collaboration already at its start. On 29 November 2006, 16 days before the mission's departure, HoM Pieter Feith participated in a discussion with the KPA representatives from all over Aceh on the international community's support for the continued reintegration process. The meeting was organized by Forbes Bersama and took place at the FORBES Secretariat in Banda Aceh. It was also attended by representatives from the EU, the IOM, UNDP and World Bank. "Participants discussed the reintegration process" and recognized it will continue after AMM as long-term process (AMM 2006 c).

Issues over GAM identification

Without considering the implications of their action, and despite the fact that such a demand was not required by the MoU, the AMM accepted the TNI demand to hand over the list of 3,000 GAM combatants (see Section "GAM list issues", p. 35). This demand complicated and delayed the timely provision of reinsertion assistance. While on the one hand, the GoI was able to allocate funds for "reintegration" of ex-combatants, it was unable, on the other, to deliver its financial assistance until GAM would hand over the list or had Identity cards

or some other form of identification, because the Gol program seemed to have been based on individual registration for budgetary accountability reasons. This was the main reason why the BRA only distributed money to about 1,000 ex-combatants.

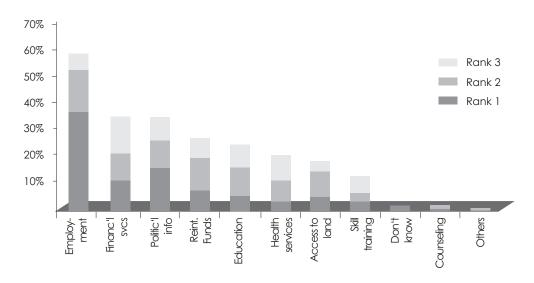
As GAM's mistrust in the Gol remained high, it refused to hand over the list as they feared it could compromise their security. It also did not want to be issued passports, maybe because it feared that once the internationals go, the Gol could easily track them down with the new passports. In some cases this lack of means of identification led to the fact that GAM returnees were unable to access training programs. The GTZ Vocational Training Project had to find ways around this issue during the selection process of training participants (see Section 'Focus—Reinsertion of former combatants' on p. 38).

According to the World Bank Needs Assessment, generally speaking, the size of and manner financial assistance was distributed until March 2006 indicated that, although they were welcome, they remain a short-term fix, as in the majority of cases most of the 5 million Rupiah resettlement allowance per person covering the prisoners' daily needs was used to repay former debts (World Bank 2006a, p. 31). While the release of BRA reintegration funds only started in July 2006, they had, at the time of writing, not reached all those who are eligible. Reintegration programs have yet to ensure more sustainable social and economic reintegration.

Inadequate information on the reintegration process

The World Bank Needs Assessment found that socialization efforts now need a change in focus, as, with reintegration, the peace process has entered a new phase and GAM returnees and communities need to be better informed about programs and processes that directly affect them (World Bank 2006a, p. 73). Figure 3 below illustrates the identified information needs of GAM returnees.

Figure 3: Information needs of former combatants



Source: World Bank 2006a, p. 37

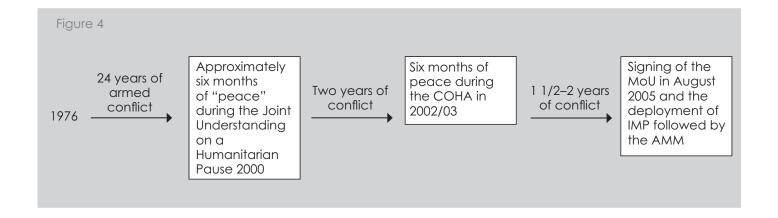
The research for this study can, though it is by no means comprehensive enough to generalize, confirm the identified need for more information on financial assistance and the reintegration process. In November 2006, 15 months after the signing of the MoU, some of the GAM returnees interviewed had not yet received their share of reintegration assistance. This was mainly due to the fact that these individuals were either amnestied and released from prison before August 2005 and were therefore not eligible for reintegration assistance, or the financial benefits had simply not yet reached them. Complaints about the absence of promised assistance were made to former commanders, another indicator that these structures are still very much present and functional. However, in some cases even commanders did not know where to get the assistance from, but spread confidence among GAM returnees that it will come in 2007. Nevertheless, levels of frustration have risen among these former TNA who have not yet received their share, even though they fought alongside the commanders, many of whom have been seen driving new cars.

If reinsertion and long-term reintegration assistance do not reach those eligible for it soon, these delays may result in a split within GAM into those who have received assistance, and those who have not. According to local sources questioned, financial assistance was distributed through the old command structures but did not reach all of those who are eligible for it—confirming the findings of the ICG and World Bank Needs Assessment (see Section "Reintegration beneficiaries", p. 35). Additionally, misinformation about who is eligible and who is not, but in particular about the general process of how reintegration assistance is being provided caused a lot of confusion among former political prisoners released before the MoU as well as ex-TNA. They approached different bodies to claim their assistance from and ended up being referred from one to the next without receiving clear instructions and advice on where to go. It now depends on how reintegration assistance for former combatants will kick off the ground and how well GAM returnees are provided with life skills and capacity-training, and supported in their endeavor to seek employment or start up their own business in the long-term whether or not a split within GAM will occur that could potentially result in a return to low level conflict.

Aceh specifics

The DD&R process, embedded in the ongoing peace process in Aceh has been unique in a number of ways. First of all one could argue that after two previous peace agreements, the MoU was the last important step to be taken in a series of stages necessary to move from armed conflict to a situation where the disarmament of GAM, the relocation of non-organic military and police troops and the provision of reintegration assistance to both GAM returnees and conflict-affected civilians was possible. Figure 4 below illustrates in simplistic terms the different stages of peace and conflict Aceh has gone through from 1976 until 2005.

it is impossible to isolate the DD&R components from the conflict management approach, as programs and beneficiaries interlink to address the common needs and aspirations of GAM returnees and conflict-affected communities. The MoU and its implementation were reported to have been largely ring-fenced by the Gol, thereby keeping international organizations out of the process or implementation, leading to the processes' isolation from the ongoing post-tsunami reconstruction. Though GAM returnees, conflict-affected communities and post-tsunami communities were identified to have similar needs, to date there is no obvious link between



The previous peace agreements helped prepare the ground for the MoU. The change in political climate with the election of Susilo Bambang Yudhoyono as President of Indonesia in October 2004, and the devastating tsunami in December 2004 made peace a necessity to deliver emergency aid. Peace talks between the Gol and GAM had already been taken up behind closed doors but were further intensified after the tsunami, as there was also substantial international pressure on the parties to make peace. Furthermore, the natural disaster also gave both parties a window of opportunity to end this conflict, as both had been stuck in a no-win situation that could not be resolved by military means. The tsunami provided an opportunity to start discussing peace again while saving face.

The MoU identifies solutions to issues of past disagreement between the central government and the rebels, thereby setting out commitments and expectations aimed at building trust and confidence. Due to the wider conflict management approach that was chosen for Aceh with the comprehensive nature of the MoU,

the needs of GAM returnees or conflict-affected communities and the post-tsunami efforts. This disparity in assistance could potentially lead to low level conflict³².

One rare occurrence in DD&R programs is that one group of beneficiaries has highlighted right from the beginning of the process that it does not wish to be the only group to receive benefits. GAM, as a movement that represented the people and consisted of more supporters than those mentioned in the MoU, declared that these supporters should also receive assistance, as well as communities that have suffered during the years of conflict. While on the surface the process in Aceh seemed to have been turned into a more inclusive process at the request of the former rebel group, but, when looking at GAM's request more closely, one could assume that self interest played a substantial role when seeking more assistance. Seen as GAM was attempting to meet the needs of its supporters by channeling the assistance through its own structures, it secured the gratitude flows towards them (GAM), cementing loyalty and ensuring the continuation of the GAM entity. GAM's understanding of who was eligible for assistance included their supporters, but excluded those who did not support them, as well as GAM's victims. It could hence be argued that GAM attempted to make the process more exclusive rather than inclusive, as it may have appeared³³.

Elections

Though the elections that took place in Aceh on 11 December 2006 do not lie within the focus of this brief they nevertheless deserve a mention as they represent the formal end of the MoU and are therefore of significant symbolic meaning.

In the months leading up to the elections, GAM leaders both in Aceh and abroad announced formally that they would not support any particular candidate who was to run for the election, and that, if GAM members intended to run for office, they should do so in a private capacity. The situation on the ground in Aceh, however, proved a very different reality: Some older members openly supported non-GAM intellectual Humam Hamid, and GAM member Hasbi Abdullah while a group of younger members supported Irwandi Yusuf and Nazaruddin³⁴.

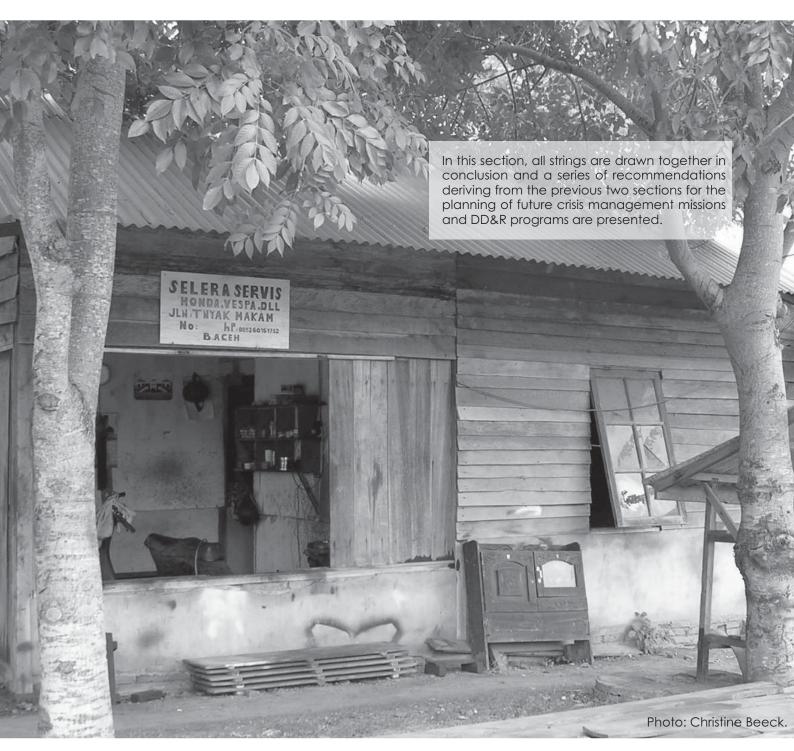
The older faction was family-based³⁵ and undemocratic and wanted to form a coalition with the national parties to gain control. They were supported by the exiled leadership in Sweden. They were said to view the legislation on the governance of Aceh as a victory for local autonomy, and even though many of the articles in the LoGA grant less autonomy than was stipulated in the MoU, they had chosen not to take a confrontational approach as they feared that the GoI would respond with repressions. Instead, the old faction sought to address inconsistencies in local parliament. On the contrary, younger GAM members, who had joined GAM for different reasons than the old members and who were supported by the field commanders, wanted democratic change and supported their candidates as they felt they had been deceived by the Indonesian government.³⁶. This caused a power struggle between both camps which finally resulted in a split within GAM.

The election of Irwandi Yusuf, former Senior GAM representative, as new Governor of Aceh not only illustrates the population's strong desire for political change but also the large support GAM enjoys within the region. The outcome of the elections provides GAM with a considerable influence over the continuing reintegration assistance process and the drawing up of the individual *qanuns* or bylaws needed for the implementation of the LoGA.

The envisioned timeline for the drawing up of the LoGA by 31 March 2006 proved unrealistic, as Acehnese interest groups were also given the opportunity to feed input into the drafting of the new law through seminars attended by GAM, civil society, university students, academics, local authorities and religious leaders. However, when the LoGA was finally passed a year after the MoU was signed, its provisions granted Aceh less autonomy than was envisioned in the MoU, resulting in criticism from mainly GAM members, but also some members of civil society. In the end GAM had no choice but to accept the law, as the GoI made it clear it would not change the law in GAM's favor. The role of the military in Aceh which was not clearly defined and the scope of autonomy Aceh has in making decisions concerning Aceh, namely, whether the national government must have an "agreement" or only "consult" with the Aceh provincial government on national laws that affect Aceh" (World Bank 2006b) were the predominant issues of concern. However, such inadequacies can be addressed and more political freedom can be sought when individual ganuns are drawn up, even though one has to admit that this process in itself bears the potential for new tensions. The way these are solved and the way that the LoGA is then implemented will impact on the future of the peace process. However, the split within GAM, resulting from victory of the younger GAM camp over the old GAM camp, is unlikely to cause mobilization by the older fraction as it does not receive the support of the field commanders.

The continuation of dialogue between the Gol and GAM is of vital importance to consolidate the peace process; especially as according to the ICG, some TNI remain skeptical that GAM has abandoned its desire for independence.

Conclusion and lessons learned



From August 2005 until December 2006, the framework and technicalities of the MoU were implemented. A number of successes and challenges marked the way. Despite all ups and downs, the political distance Aceh has traveled over this period of time is remarkable. Probably not many people could have imagined that by December 2006 a GAM candidate would be democratically elected as the new Governor of Aceh.

One of the biggest achievements of the MoU was the simultaneous process of GAM disarmament and the withdrawal of non-organic TNI and police forces, which built trust in the process as well as between both parties to the conflict. Both the GoI and GAM fulfilled their commitments as regards disarmament and the relocation of troops efficiently.

In contrast to the previous peace agreements that focused mainly on a weapons truce but lacked the political will of both parties to adhere to the agreement the World Bank GAM Needs Assessment, for instance, learned that commanders had not even informed GAM in the villages that the COHA had been signed the MoU addresses solutions to past disagreements, including the disarmament of GAM, the relocation of non-organic military and police troops and the drawing up of a new law that allows Aceh to retain 70 percent of revenues of its natural resources. Most importantly, the political will expressed by both the GoI and GAM to adhere to their commitment outlined in the MoU was there. It is however important to highlight that the MoU would probably not have come this far without the previous two peace agreements, as they helped pave the road that led to the signing of the MoU.

A number of factors are said to have contributed substantially to this change of heart: The realization of both camps that a military victory was not possible, the change in the political climate with the right leaders in place and the tsunami, which required peace as a precondition for delivering emergency aid to the Acehnese population and provided a "face saving" opportunity for both parties to end the conflict. With all these preconditions in place, peace might have been brought about anyway, but it was probably due to the international community's backing of the process and in particular the AMM's "policing role" that kept putting pressure on both parties to ensure they would carry out their commitments and to keep the momentum of the peace agreement.

Internationally, the Aceh peace process has been a boost for Indonesia which culminated in the nomination of its President Yudhoyono for the Nobel Peace Prize in January 2006. Internally, the security situation has improved dramatically. People are now free to move across the province, something that used to be very restricted during conflict times, and Aceh's market life is once again buzzing. Civilians are not afraid to go out after dark any more and airplanes are allowed to land after nightfall; neither was possible before the MoU.

The human rights situation is said to have improved over the past 16 months with less abuses occurring than before the MoU. More people are said to go to the police to report incidents, which are all good indicators for a transition towards a better future. However, incidents such as a junior police officer have been beaten to death because he hung the Indonesian flag upside down did occur, and much to the dissatisfaction of some internationals working in Aceh it seemed that there was not much done about this, or, if it did, was not made public. The fact that the agreed-upon Human Rights Court, the Truth and Reconciliation Commission and Joint Claims Settlement Commission are not yet established is another severe shortcoming of the wider conflict management approach defined in the MoU to date.

The peace process was gender-blind for the most part. It excluded women in the negotiation process leading up to the signing of the MoU, excluded civil society and women's groups from participating in the COSA meetings and thereby from the planning of the reintegration process, and finally marginalized them during the reintegration process itself due to the narrow interpretation of "combatant" used by the Gol. This shortcoming was, however, addressed by efforts of individual organizations which ensured that their ongoing programs were gender mainstreamed and that women were included in the process. Furthermore, assistance programs combined the needs of both GAM returnees and conflict-affected civilians and communities to avoid resentment and tensions.

Tools such as live performances by well-known local artists and/or comedians, by peace concerts and women's radio shows were used to raise awareness of the peace process and the MoU. This was a very successful distribution method as they enabled the local population to express themselves by familiar, traditional means which could easily be understood, as the message was delivered in a culturally appropriate way people could relate to.

While the peace process has been widely broadcast as being very successful, the Acehnese population still seems a bit cautious about the process and seems to have taken a "let's wait and see"-stance, not being able (as much as they want to) to really fully believe that peace has come to last.

"Deterrence" by presence? The Aceh Monitoring Mission

Considering the short amount of time the mission needed to be set up in, it can be considered to have been a success, especially when measured against its tasks set out in the peace agreement. The Aceh Monitoring Mission (AMM) as an impartial international monitoring body was necessary to facilitate and oversee the process, to stabilize the situation on the ground and to build confidence between both parties and in the peace process. Largely, this stabilization worked through "deterrence by presence", as the AMM's presence was symbolical. Through its monitoring work in the provinces and in Banda Aceh, the AMM created the perception among the local population that it was needed to oversee/monitor the peace process. This was very important, as they managed to obtain the trust of the Acehnese without actually having to do very much, but mainly by just being there. Follow-on research could closely monitor if and how this perception changed after the AMM's departure on 15 December 2006.

One of the mission's shortcomings was that it concentrated mainly on the parties to the conflict and did not open up the COSA mechanism once the military phase of disarmament and the relocation of troops had ended, to include NGOs, civil society and ulamas (religious leaders) in their peace process by letting them have a say in it. This would have been particularly important as sources claim there are no Acehnese institutions that could continue the work of the AMM. Among the sources interviewed the general impression was that AMM field monitors seemed to have a better understanding of the concerns of local people in the villages because they were in regular contact with them. The AMM HQ seemed somewhat more distanced from the realities on the ground/in the provinces. While the work of the AMM was highly respected by all parties, local sources stated that they sometimes felt the international monitors were unable to grasp the local mentality and psychological issues and therefore did not properly understand the process. The mission would have benefited from an involvement of Acehnese civil society or more Acehnese national staff (see Section on 'Recommendations for the planning of future crisis management missions' on p. 54).

It appears that by having equated demobilization with disarmament, and reinsertion (the provision of economic facilitation packages) with reintegration (long-term measures to socially, economically and politically reintegrate former combatants and amnestied political prisoners), the AMM has made fundamental mistakes.

The mission's mandate was to stay until shortly after the elections, but as the drawing up of the LoGA took considerably longer than foreseen, resulting in the continued delay of the elections, the AMM kept downsizing their staff to put pressure on the Gol to proceed with the drafting and passing of the LoGA, while at the same time indicating an exit strategy to the Gol. Despite its initial mandate of six months the AMM ended up staying in Aceh for a total of 16 months, after its mandate was extended three times of three months each. As regards the length of its mandate, the original six months did not seem realistic when compared to the range of tasks it had to fulfill under the MoU and the pace the process was going. Some Acehnese would have preferred to have had the AMM in the province until the parliamentary elections in 2009 arguing that after 30 years of armed conflict a region cannot be pacified within 16 months. Any mission would probably argue against this by claiming that it was not a peacebuilding mission and that other organizations were in a better situation to work with the people. While this is certainly true, a mission such as the AMM could leave behind a small team of experts who would continue trustbuilding in the peace process among the population by working in close cooperation with local and national organizations and institutions. Like this, they could have avoided the danger of potential dependencies, resulting from a mission's over-extended stay in the country, if they had built local capacities which would enable civil society to carry on, on their own, once the mission leaves. Cooperation between short-term crisis management and long term development actors is vital to ensure a smooth transfer and continuation of the process after the departure of international monitors.

As late as mid-November 2006, only four weeks before the departure of the AMM, the mission's exit strategy was not known and there were only speculations as to who may be in charge of the dialogue process once the AMM had left. The announcement that it was going to be Forbes Bersama, and the fact that the AMM called a meeting on the international community's support for the continued reintegration process and on how to continue it after AMM's departure, during the last week of November, seems rather unfortunate timing considering the mission's departure in mid-December. These last minute arrangements give off the impression that the mission was hastily attempting to find solutions to issues that had not been dealt with sufficiently during its 16 month mandate.

Remaining challenges for sustainable peace in Aceh

The peace process remains a work in progress and a lot still needs to be done. The DD&R components were embedded into the wider conflict management approach which in turn was part of the comprehensive MoU. The disarmament of GAM was reported to have gone very smoothly, though when looking at about 1,200 weapons estimated to still be in proliferation in the province, the number of weapons agreed to in the MoU seems quite low. The demobilization of GAM did not take place, as the former GAM military arm, the TNA, simply changed its name to KPA without having dissolved its old command structures which were even strengthened when reinsertion assistance was channeled through KPA structures to ensure that it reaches the beneficiaries, which it only partially did. While it is true that these structures were beneficial to the distribution of reinsertion assistance because of the access GAM had to the people, it must be the next goal to start dissolving them.

Reintegration was difficult and the different interpretation of the term, and of who is considered a combatant, resulted in the overall provision of small scale and scattered assistance. The delivery of "reintegration" assistance in itself, through the BRA and GAM, created a number of new problems:

- The fact that the GoI insisted on the delivery of the list of GAM names caused substantial delays in the provision of assistance.
- Delivery mechanisms were amended following GAM's continued refusal to hand over this list to the Gol. Reintegration assistance was then channeled through GAM/KPA structures which strengthened these structures.
- The widening of the groups of reintegration beneficiaries from the original three, to six groups created confusion and raised expectations.

A number of international donors and organizations, such as the IOM, World Bank and GTZ, used a much broader, long-term approach which went beyond the one-off cash payments reintegration policy by the BRA and included the social, economic and political reintegration of GAM returnees and conflict-affected communities. With this, they supported the BRA in its efforts, at the same time trying to fill its program's gaps with their own assistance programs,

Longer-term reintegration challenges remain. At the time of writing, no social reintegration has taken place as only a few combatants have managed to secure a job after having undergone training. While this issue is being addressed by a few organizations, finding businesses that are willing to take trained GAM returnees seems a challenge. Those who did succeed in finding work claimed that they sometimes felt discriminated against by their employer once he found out that they were former GAM. This issue should be made a priority in the next reintegration phase, as especially those who fought for reasons of revenge need jobs to keep their minds busy, change their attitude and to lower their frustration levels. By handing in what was required, they acted according to the MoU and yet did not get very much in return. While the majority of ex-combatant GAM seemed to believe that reintegration assistance will eventually come, frustration levels among GAM in the villages are increasing and the international community working in Aceh is concerned that GAM returnees may revert back to their old conflict patterns of 'earning' a living—not because they want to, but because they somehow have to sustain themselves.

The range and degree of psychological effects experienced by both former combatants and local communities as a result from reintegration is an area that would benefit from long-term accompanying research. This research should examine such effects and study the priorities and changes in community perceptions.

Two needs were identified by sources interviewed that to date have not formed part of any organization's mandate in Aceh: The need to build individual capacities of people, and the provision of equipment and tools that would assist the Acehnese to run their region. These provisions would also assist GAM's transition from a military to a civilian movement. Sources who wish to remain anonymous claimed that what GAM or Aceh really needs is capacity-building with existing structures (GAM, ministries, etc.) and on-the-job-skills rather than big buildings, roads or schools³⁷.

Another remaining challenge will be how Forbes Bersama will continue the tasks it took over from the AMM, namely the reintegration process and the continuation of province-level COSA meetings in Banda Aceh³⁸. Though "Forbes" in theory is well suited for this task due to its multi-dimensional nature, individuals questioned were skeptical whether the forum had the capacity to do so, as it was not very successful in coordinating donor meetings.

Armed criminality has increased during the last quarter of 2006 by individuals and groups claiming to be GAM. Whether they really do belong to GAM, however, is not

known. It was reported several times that national staff of international organizations working in the provinces were threatened at gun point and asked for money. This "extortion" was said to have started after the AMM withdrew from their district offices. Whether these events are indeed linked cannot be verified. Armed criminality could have risen when GAM returnees became increasingly frustrated about the little amounts of reintegration assistance that reached them, or it may be severe poverty driving individuals into these activities, as most Acehnese remain poor despite the vast amounts of money still coming in, earmarked for post-tsunami reconstruction. Whatever the motives behind these criminal activities may be, one needs to question whether this rise is a good sign resulting from the peace process—as now people can report incidents to the police, can move freely on the roads as there are no more street blockades, making it more likely that the number of such incidents increases—, or whether it is a negative sign illustrating that some people have started to revert to their old conflict ways of 'earning' an income.

Peace has not brought individual freedom

Religion in general and the strict implementation of sharia law in particular did not form part of the issues analyzed in this brief. It must, however, be mentioned to understand the context within which this peace process is now being carried forward. Despite all positive changes, the peace process has not brought individual freedom to the province. In part, this could be attributed to the increasingly stricter implementation of sharia in the province since the beginning of 2006. People's private homes are raided by a so-called "sharia police", wherever adultery, improper clothing³⁹, gambling or alcohol consumption are suspected. If found guilty, the perpetrator will be punished, and in many cases publicly caned. Women in particular are pushed aside by this strict implementation of sharia and are increasingly targets for the sharia police. It remains to be seen how the strict implementation of sharia in Aceh will be dealt with in the future and if and in what ways it will have an impact on the peace process. Future research could explore the dynamics of a strict implementation of religious values in post-conflict reconstruction and its effects on processes of social healing.

The problem is not Islam; for centuries the Acehnese have been devout Muslims. Sharia was said to have been introduced by Javanese Islamists during the conflict without the consent of the Acehnese. There is no debate about sharia, and whether the Acehnese want it or not. People are too afraid to speak out. The strict implementation of sharia law in Aceh means total social control. While spying on each other during the conflict meant that people sought to ascertain whether neighbors were pro GAM or not, it now aims at finding out whether they obey the sharia or not.

Implications for the region

The effects of a success or failure of the MoU to the region cannot and should not be underestimated: If successful, the MoU could be used as a model agreement for similar conflicts in South East Asia, for example in the Philippines. In addition, political relations within the region would benefit. Failure on the other hand could mean a return to a low level, possible gang-related violence. In view of the broad support for the ongoing peace process enjoyed by the Acehnese society, its failure might damage both the confidence in and credibility of the two parties to the conflict beyond repair. Failure would weaken the support for GAM, just as a successful peace process is likely to strengthen GAM politically.

Outlook for peace in Aceh

This peace process is President Yudhoyono's and Vice President Yussuf Kalla's achievement; a success that would have been more difficult to achieve at that time for a more nationalist party. Hints of this were seen during the drafting of the LoGA when former President Megawati was said to have boycotted most clauses of the draft law.

Despite this success, no one knows what will happen after the elections. Local sources did not want their names to be revealed for fear that if the conflict was resumed they could be easily identified and face problems. Local people seemed happy that peace is there, but still are a bit hesitant how this process will develop over time, especially after the AMM's departure. In spite of these uncertainties, the majority of ex-TNA enjoy their new lives. They know what is at stake and have little desire to return to the former conflict times.

Whether or not peace will prevail in the province depends on a variety of factors, including, but by no means limited to:

- Economic recovery. Due to the long delays and unsatisfactory delivery of reintegration assistance a lot of young angry men still have access to weapons. It is therefore important that they receive their fair share of the reintegration assistance in combination with the provision of life skills training. These men need access to the job market and employment and a livelihood so that they are able to distance themselves from their former conflict structures and behaviors and integrate better into civilian structures.
- The transformation of GAM. If the failure of the reintegration measures and further instability factors result in a split within GAM, low level violence in the intermediate term could be the result.
- Drawing up of the qanuns. The way the LoGA is being implemented will influence the perceptions of the people. Research on security perceptions of the people could play a major role in determining, analyzing and accompanying this change of perception.
- The capacity of the new local governance to exploit good opportunities.
- Clear post-AMM security arrangements. Trust in the police remains low. While some human rights training has been given, it does not seem very effective, as human rights abuses such as the flag-rising incident still occur. According to sources interviewed, the police are very aware of the fact that they must not beat someone, but they nevertheless do it. The police are part of the problem; they have small salaries and are often subject to impunity. A study on sustainable security sector reform (SSR) could analyze factors that form root causes for these problems and could provide recommendations for policy-makers in addressing these issues within SSR programs.
- How Aceh will deal with its past. Human rights abuses need to be talked about and resolved, only then can the healing process within the local communities begin and true peace grow.

See Annex IV for the biggest challenges facing Aceh.

Recommendations for the planning of future crisis management missions

- Well assembled and managed mix of competencies. For example, the combination and cooperation of EU and ASEAN monitors gave the AMM a thorough range of experience, capacities and knowledge. The EU experience in crisis management missions in combination with the regional expertise, including a good knowledge of the province's culture, religion and often language of the ASEAN monitors gave the AMM a mix of legitimacy, political muscle and economic incentives. Due to the changed nature of conflicts there are no more purely military solutions; a mix of civilian-military missions, combining different competencies while relying on the strength of all participants is therefore likely to replace the all military peacekeeping missions. The chosen composition of the AMM not only gave the mission more legitimacy and built on all competencies, but also assisted in building the capacity of the regional actor to become engaged in a similar composition in the future. This cooperation should be continued whenever possible.
- An immediate international presence as soon as a peace agreement is signed. The immediate presence of a monitoring mission is vital to the process to fill a potentially dangerous vacuum between the signing of the peace agreement and the deployment of the mission. In the case of the AMM this also allowed for the first decommissioning to take place on the first day of the AMM, on 15 September 2005. An immediate presence and early action is vital to fill a potentially dangerous vacuum; the AMM was an excellent example of how this can be done.
- Civilian peacebuilding tasks must be considered in the context of societal development. "Civilian" is not only about building civilian expertise inside missions or about missions being unarmed; it is about supporting the comprehensive development of a society with clear strategies for collaboration" (Lahdensuo, 2006 p. 31). Hence, the participation and support of local civil society organizations should be taken into account already when planning ESDP mission budgets.

- Gender mainstreaming must take place at every level of conflict resolution and peacebuilding, ideally making use of the more inclusive UNSC 1325 definition of "combatant" which goes beyond those "carrying guns" by including those associated with the armed forces such as cooks, spies, logisticians and sex partners, to avoid the marginalization of women in the peace and DD&R process. However, using the 1325 definition of a combatant cannot be the only means by which gender mainstreaming can be achieved. A number of criteria need to be established, for instance, that an organization's project beneficiaries have to include a certain percentage of women to ensure their equal participation in the processes.
- Conflict sensitivity. To avoid unnecessary tensions, a more sensitive approach should be sought when selecting local staff. For example, the AMM, but also other international organizations in Aceh, drew most of their national staff from Java, whose English is generally better than that of the Acehnese. However, considering that the conflict was all about Acehnese-Javanese problems, bringing in large numbers of Javanese to a post-conflict scenario does not seem to show a great sensitivity to the problem and, in the worst case, could have been viewed as "imperialism" by the Acehnese. With this potential to cause tensions, such behavior should be avoided as much as possible. Internationals should have made more of an effort to employ Acehnese rather than Javanese, as this would have improved the internationals' understanding of the psychology behind the conflict. Such behavior should be standard practice as much as possible, as missions as well as programs can benefit from the local knowledge and ensure sustainability of the process.
- Leaving behind sustainable mechanisms. The fact that international missions usually do not leave behind sustainable mechanisms is one major shortcoming of such activities. Therefore, more emphasis should be put on this aspect during a mission's planning phase, as these measures will then carry the process on and ensure its sustainability. Participation in the main negotiations on the Acehnese side should not have been limited to GAM: a wider spectrum of Acehnese society should have been involved. The expertise of the

Acehnese civil society could and should have been included in particular in the areas of reintegration and the drawing up of the individual *qanuns*. While the generally low motivation of local civil society was criticized by one person interviewed, it was at the same time acknowledged that this was due to the 30 years of conflict during which Aceh was closed off from the world and people had adopted a head-in-the-sand-approach to make sure they do not draw attention to themselves and stay out of trouble. Knowing the reason behind this behavior makes it even more important to build their capacity and teach them how to act.

• Early planning of mission's exit strategy. The preparation of a mission's exit strategy should begin as early as possible and should be communicated to all organizations working on similar issues long before the planned departure of the international monitors as cooperation with local civilian actors is pivotal. Other experiences with peace processes and the fact that the AMM was extended three times indicate that exit strategies must be designed around the substantive issues and not be based on a strictly enforceable timetable.

Recommendation for the planning of future DD&R processes

- There must be one coherent and clear approach to DD&R issues. The EU Civilian Crisis Management mechanism should have a DD&R conceptual framework, which must be supported within each field mission by qualified and experienced DD&R practitioners. The UN produced an "Operational Guide to the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS)"; the EU should consider adopting such a framework.
- Clearer provisions for reintegration delivery mechanisms. Reintegration is the most difficult part of DD&R processes and usually the one that often does not succeed. Therefore, clearer provisions for reintegration delivery mechanisms should become an integral part of both a peace agreement itself, as well as a mission's mandate. Like this, delays in establishing mechanisms, in providing reintegration assistance, as well as struggles over the role of reintegration lead agency can be prevented.
- Socialization activities should become a core component of all reintegration programming. Strategies should primarily focus on rural areas, as that is where things often go wrong and assistance gets "lost" on its way to the villages, and it should include information on who is eligible for reintegration assistance, and whom to contact in case this assistance was not received.
- Effective coordination and cooperation mechanisms need to be in place to avoid competition and duplication of work and ensure the effective implementation of the reintegration process. One factor that might have ensured a better continuity of the AMM's work on reintegration would have been to have only had one person in charge of reintegration issues and as a focal point for GAM on these matters rather than a series of people. There is always a chance that knowledge gets lost with the departure of one person and the handing over to a new person. Changing personnel also meant that the GAM focal point had to get used to a new person. For continuity and trust-building it would have been beneficial to have one reintegration expert for the whole duration of the mission.

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Annex I: The Memorandum of Understanding (MoU)

Memorandum of Understanding
between
the Government of the Republic of Indonesia
and
the Free Aceh Movement

The Government of Indonesia (GoI) and the Free Aceh Movement (GAM) confirm their commitment to a peaceful, comprehensive and sustainable solution to the conflict in Aceh with dignity for all.

The parties commit themselves to creating conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia.

The parties are deeply convinced that only the peaceful settlement of the conflict will enable the rebuilding of Aceh after the tsunami disaster on 26 December 2004 to progress and succeed.

The parties to the conflict commit themselves to building mutual confidence and trust. This Memorandum of Understanding (MoU) details the agreement and the principles that will guide the transformation process.

To this end the GoI and GAM have agreed on the following:

1 Governing of Aceh

1.1 Law on the Governing of Aceh

- 1.1.1 A new Law on the Governing of Aceh will be promulgated and will enter into force as soon as possible and not later than 31 March 2006.
- 1.1.2 The new Law on the Governing of Aceh will be based on the following principles:
- a) Aceh will exercise authority within all sectors of public affairs, which will be administered in conjunction with its civil and judicial administration, except in the fields of foreign affairs, external defence, national security, monetary and fiscal matters, justice and freedom of religion, the policies of which belong to the Government of the Republic of Indonesia in conformity with the Constitution.
- b) International agreements entered into by the Government of Indonesia which relate to matters of special interest to Aceh will be entered into in consultation with and with the consent of the legislature of Aceh.
- c) Decisions with regard to Aceh by the legislature of the Republic of Indonesia will be taken in consultation with and with the consent of the legislature of Aceh.
- d) Administrative measures undertaken by the Government of Indonesia with regard to Aceh will be implemented in consultation with and with the consent of the head of the Aceh administration.
- 1.1.3 The name of Aceh and the titles of senior elected officials will be determined by the legislature of Aceh after the next elections.
- 1.1.4 The borders of Aceh correspond to the borders as of 1 July 1956.
- 1.1.5 Aceh has the right to use regional symbols including a flag, a crest and a hymn.
- 1.1.6 Kanun Aceh will be re-established for Aceh respecting the historical traditions and customs of the people of Aceh and reflecting contemporary legal requirements of Aceh.
- 1.1.7 The institution of Wali Nanggroe with all its ceremonial attributes and entitlements will be established.

1.2 Political participation

- 1.2.1 As soon as possible and not later than one year from the signing of this MoU, GoI agrees to and will facilitate the establishment of Aceh-based political parties that meet national criteria. Understanding the aspirations of Acehnese people for local political parties, GoI will create, within one year or at the latest 18 months from the signing of this MoU, the political and legal conditions for the establishment of local political parties in Aceh in consultation with Parliament. The timely implementation of this MoU will contribute positively to this end.
- 1.2.2 Upon the signature of this MoU, the people of Aceh will have the right to nominate candidates for the positions of all elected officials to contest the elections in Aceh in April 2006 and thereafter.
- 1.2.3 Free and fair local elections will be organised under the new Law on the Governing of Aceh to elect the head of the Aceh administration and other elected officials in April 2006 as well as the legislature of Aceh in 2009.
- 1.2.4 Until 2009 the legislature of Aceh will not be entitled to enact any laws without the consent of the head of the Aceh administration.

- 1.2.5 All Acehnese residents will be issued new conventional identity cards prior to the elections of April 2006.
- 1.2.6 Full participation of all Acehnese people in local and national elections will be guaranteed in accordance with the Constitution of the Republic of Indonesia.
- 1.2.7 Outside monitors will be invited to monitor the elections in Aceh. Local elections may be undertaken with outside technical assistance.
- 1.2.8 There will be full transparency in campaign funds.

1.3 Economy

- 1.3.1 Aceh has the right to raise funds with external loans. Aceh has the right to set interest rates beyond that set by the Central Bank of the Republic of Indonesia.
- 1.3.2 Aceh has the right to set and raise taxes to fund official internal activities. Aceh has the right to conduct trade and business internally and internationally and to seek foreign direct investment and tourism to Aceh.
- 1.3.3 Aceh will have jurisdiction over living natural resources in the territorial sea surrounding Aceh.
- 1.3.4 Aceh is entitled to retain seventy (70) per cent of the revenues from all current and future hydrocarbon deposits and other natural resources in the territory of Aceh as well as in the territorial sea surrounding Aceh.
- 1.3.5 Aceh conducts the development and administration of all seaports and airports within the territory of Aceh.
- 1.3.6 Aceh will enjoy free trade with all other parts of the Republic of Indonesia unhindered by taxes, tariffs or other restrictions.
- 1.3.7 Aceh will enjoy direct and unhindered access to foreign countries, by sea and air.
- 1.3.8 Gol commits to the transparency of the collection and allocation of revenues between the Central Government and Aceh by agreeing to outside auditors to verify this activity and to communicate the results to the head of the Aceh administration.
- 1.3.9 GAM will nominate representatives to participate fully at all levels in the commission established to conduct the post-tsunami reconstruction (BRR).

1.4 Rule of law

- 1.4.1 The separation of powers between the legislature, the executive and the judiciary will be recognised.
- 1.4.2 The legislature of Aceh will redraft the legal code for Aceh on the basis of the universal principles of human rights as provided for in the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.
- 1.4.3 An independent and impartial court system, including a court of appeals, will be established for Aceh within the judicial system of the Republic of Indonesia.
- 1.4.4 The appointment of the Chief of the organic police forces and the prosecutors shall be approved by the head of the Aceh administration. The recruitment and training of organic police forces and prosecutors will take place in consultation with and with the consent of the head of the Aceh administration in compliance with the applicable national standards.
- 1.4.5 All civilian crimes committed by military personnel in Aceh will be tried in civil courts in Aceh.

2 Human rights

2.1 Gol will adhere to the United Nations International Covenants on Civil and Political Rights and on Economic, Social and Cultural Rights.

- 2.2 A Human Rights Court will be established for Aceh.
- 2.3 A Commission for Truth and Reconciliation will be established for Aceh by the Indonesian Commission of Truth and Reconciliation with the task of formulating and determining reconciliation measures.

3 Amnesty and reintegration into society

3.1 Amnesty

- 3.1.1 Gol will, in accordance with constitutional procedures, grant amnesty to all persons who have participated in GAM activities as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.2 Political prisoners and detainees held due to the conflict will be released unconditionally as soon as possible and not later than within 15 days of the signature of this MoU.
- 3.1.3 The Head of the Monitoring Mission will decide on disputed cases based on advice from the legal advisor of the Monitoring Mission.
- 3.1.4 Use of weapons by GAM personnel after the signature of this MoU will be regarded as a violation of the MoU and will disqualify the person from amnesty.

3.2 Reintegration into society

- 3.2.1 As citizens of the Republic of Indonesia, all persons having been granted amnesty or released from prison or detention will have all political, economic and social rights as well as the right to participate freely in the political process both in Aceh and on the national level.
- 3.2.2 Persons who during the conflict have renounced their citizenship of the Republic of Indonesia will have the right to regain it.
- 3.2.3 Gol and the authorities of Aceh will take measures to assist persons who have participated in GAM activities to facilitate their reintegration into the civil society. These measures include economic facilitation to former combatants, pardoned political prisoners and affected civilians. A Reintegration Fund under the administration of the authorities of Aceh will be established.
- 3.2.4 GoI will allocate funds for the rehabilitation of public and private property destroyed or damaged as a consequence of the conflict to be administered by the authorities of Aceh.
- 3.2.5 GoI will allocate suitable farming land as well as funds to the authorities of Aceh for the purpose of facilitating the reintegration to society of the former combatants and the compensation for political prisoners and affected civilians. The authorities of Aceh will use the land and funds as follows:
- a) All former combatants will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
- b) All pardoned political prisoners will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
- c) All civilians who have suffered a demonstrable loss due to the conflict will receive an allocation of suitable farming land, employment or, in the case of incapacity to work, adequate social security from the authorities of Aceh.
- 3.2.6 The authorities of Aceh and GoI will establish a joint Claims Settlement Commission to deal with unmet claims.
- 3.2.7 GAM combatants will have the right to seek employment in the organic police and organic military forces in Aceh without discrimination and in conformity with national standards.

4 Security arrangements

- 4.1 All acts of violence between the parties will end latest at the time of the signing of this MoU.
- 4.2 GAM undertakes to demobilise all of its 3000 military troops. GAM members will not wear uniforms or display military insignia or symbols after the signing of this MoU.
- 4.3 GAM undertakes the decommissioning of all arms, ammunition and explosives held by the participants in GAM activities with the assistance of the Aceh Monitoring Mission (AMM). GAM commits to hand over 840 arms.
- 4.4 The decommissioning of GAM armaments will begin on 15 September 2005 and will be executed in four stages and concluded by 31 December 2005.
- 4.5 Gol will withdraw all elements of non-organic military and non-organic police forces from Aceh.
- 4.6 The relocation of non-organic military and non-organic police forces will begin on 15 September 2005 and will be executed in four stages in parallel with the GAM decommissioning immediately after each stage has been verified by the AMM, and concluded by 31 December 2005.
- 4.7 The number of organic military forces to remain in Aceh after the relocation is 14700. The number of organic police forces to remain in Aceh after the relocation is 9100.
- 4.8 There will be no major movements of military forces after the signing of this MoU. All movements more than a platoon size will require prior notification to the Head of the Monitoring Mission.
- 4.9 Gol undertakes the decommissioning of all illegal arms, ammunition and explosives held by any possible illegal groups and parties.
- 4.10 Organic police forces will be responsible for upholding internal law and order in Aceh.
- 4.11 Military forces will be responsible for upholding external defence of Aceh. In normal peacetime circumstances, only organic military forces will be present in Aceh.
- 4.12 Members of the Aceh organic police force will receive special training in Aceh and overseas with emphasis on respect for human rights.

5 Establishment of the Aceh Monitoring Mission

5.1 An Aceh Monitoring Mission (AMM) will be established by the European Union and ASEAN contributing countries with the mandate to monitor the implementation of the commitments taken by the parties in this Memorandum of Understanding.

- 5.2 The tasks of the AMM are to:
- a) monitor the demobilisation of GAM and decommissioning of its armaments,
- b) monitor the relocation of non-organic military forces and non-organic police troops,
- c) monitor the reintegration of active GAM members,
- d) monitor the human rights situation and provide assistance in this field,
- e) monitor the process of legislation change,
- f) rule on disputed amnesty cases,
- g) investigate and rule on complaints and alleged violations of the MoU,
- h) establish and maintain liaison and good cooperation with the parties.
- 5.3 A Status of Mission Agreement (SoMA) between Gol and the European Union will be signed after this MoU has been signed. The SoMA defines the status, privileges and immunities of the AMM and its members. ASEAN contributing countries which have been invited by Gol will confirm in writing their acceptance of and compliance with the SoMA.
- 5.4 GoI will give all its support for the carrying out of the mandate of the AMM. To this end, GoI will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.5 GAM will give all its support for the carrying out of the mandate of the AMM. To this end, GAM will write a letter to the European Union and ASEAN contributing countries expressing its commitment and support to the AMM.
- 5.6 The parties commit themselves to provide AMM with secure, safe and stable working conditions and pledge their full cooperation with the AMM.
- 5.7 Monitors will have unrestricted freedom of movement in Aceh. Only those tasks which are within the provisions of the MoU will be accepted by the AMM. Parties do not have a veto over the actions or control of the AMM operations
- 5.8 Gol is responsible for the security of all AMM personnel in Indonesia. The mission personnel do not carry arms. The Head of Monitoring Mission may however decide on an exceptional basis that a patrol will not be escorted by Gol security forces. In that case, Gol will be informed and the Gol will not assume responsibility for the security of this patrol.
- 5.9 Gol will provide weapons collection points and support mobile weapons collection teams in collaboration with GAM.
- 5.10 Immediate destruction will be carried out after the collection of weapons and ammunitions. This process will be fully documented and publicised as appropriate.
- 5.11 AMM reports to the Head of Monitoring Mission who will provide regular reports to the parties and to others as required, as well as to a designated person or office in the European Union and ASEAN contributing countries.
- 5.12 Upon signature of this MoU each party will appoint a senior representative to deal with all matters related to the implementation of this MoU with the Head of Monitoring Mission.
- 5.13 The parties commit themselves to a notification responsibility procedure to the AMM, including military and reconstruction issues.
- 5.14 GoI will authorise appropriate measures regarding emergency medical service and hospitalisation for AMM personnel.
- 5.15 In order to facilitate transparency, GoI will allow full access for the representatives of national and international media to Aceh.

6 Dispute settlement

- 6.1 In the event of disputes regarding the implementation of this MoU, these will be resolved promptly as follows:
- a) As a rule, eventual disputes concerning the implementation of this MoU will be resolved by the Head of Monitoring Mission, in dialogue with the parties, with all parties providing required information immediately. The Head of Monitoring Mission will make a ruling which will be binding on the parties.
- b) If the Head of Monitoring Mission concludes that a dispute cannot be resolved by the means described above, the dispute will be discussed together by the Head of Monitoring Mission with the senior representative of each party. Following this, the Head of Monitoring Mission will make a ruling which will be binding on the parties.
- c) In cases where disputes cannot be resolved by either of the means described above, the Head of Monitoring Mission will report directly to the Coordinating Minister for Political, Law and Security Affairs of the Republic of Indonesia, the political leadership of GAM and the Chairman of the Board of Directors of the Crisis Management Initiative, with the EU Political and Security Committee informed. After consultation with the parties, the Chairman of the Board of Directors of the Crisis Management Initiative will make a ruling which will be binding on the parties.

GoI and GAM will not undertake any action inconsistent with the letter or spirit of this Memorandum of Understanding.

Signed in triplicate in Helsinki, Finland on the 15 of August in the year 2005.

On behalf of the Government of the Republic of Indonesia, Hamid Awaludin Minister of Law and Human Rights On behalf of the Free Aceh Movement, Malik Mahmud Leadership

As witnessed by Martti Ahtisaari Former President of Finland Chairman of the Board of Directors of the Crisis Management Initiative Facilitator of the negotiation process

Source: Crisis Management Initiative (CMI), www.cmi.fi/files/Aceh_MoU.pdf

Annex II: The European Union CFSP Action Profile

Project Title:	European Union Monitoring Mission in Aceh, Indonesia (Aceh Monitoring Mission – AMM)	
Special Adviser:	Pieter Feith, Head of Mission	
Description of Action:	Description The EU establishes a European Monitoring Mission in Aceh (Indonesia), named the 'Aceh Monitoring Mission (AMM)' with an operational phase beginning on 15 September 2005.	
	Objectives The AMM shall monitor the implementation of the commitments undertaken by the Government of Indonesia (GoI) and the GAM pursuant to the Memorandum of Understanding signed on 15 August 2005 between the GoI and the Free Aceh Movement (GAM). In particular, the AMM shall: a) monitor the demobilisation of GAM and monitor and assist with the decommissioning and destruction of its weapons, ammunition and explosives; b) monitor the re-location of non-organic military forces and non-organic police troops; c) monitor the reintegration of active GAM members; d) monitor the human rights situation and provide assistance in this field in the context of the tasks set out in points a), b) and c) above; e) monitor the process of legislation change; f) rule on disputed amnesty cases; g) investigate and rule on complaints and alleged violations of the MoU; h) establish and maintain liaison and good cooperation with the parties.	
	Means The AMM shall, in principle, be structured as follows: (a) the Head of Mission; (b) 11 geographically distributed District Offices, conducting monitoring tasks; (c) 4 decommissioning teams.	
	These elements shall be developed in the Operation Plan (OPLAN).	
Council Decision:	2005/643/CFSP Date: 09/09/2005 Official Journal: L 234 of 10/09/2005, p. 13-16	
Commission Decision:	DL/2005/2715 Date: 15/09/2005	
Budget Line:	19 03 03 Amount: € 9,000,000	

Source: http://ec.europa.eu/comm/external_relations/cfsp/fin/actions/ap_am_2005.htm

Annex III: Breakdown of AMM monitors according to nationalities and gender (November 2006)

AMM Monitors

Nationality	Number
European Union	2
Finland	3
Sweden	7
United Kingdom	4
The Netherlands	3
Thailand	2
Malaysia	2
Norway	1
Singapore	1
Filipines	1
Denmark	1
Brunei Darussalam	1
Austria	1
Ireland	2
Switzerland	1
Germany	4
Total Number of International Female Monitors	7
Total Number of International Male monitors	29
Total AMM Monitors	36

Source: Table drawn up by author with information received from Jüri Laas, Chief of Press and Public Information Office, International Spokesperson, AMM, November 2006.

Annex IV: COUNCIL JOINT ACTION 2005/643/ CFSP of 9 September 2005 on the European Union Monitoring Mission in Aceh (Indonesia)

10.9.2005

EN

Official Journal of the European Union

L 234/13

(Acts adopted under Title V of the Treaty on European Union)

COUNCIL JOINT ACTION 2005/643/CFSP

of 9 September 2005

on the European Union Monitoring Mission in Aceh (Indonesia) (Aceh Monitoring Mission — AMM)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on European Union, and in particular Article 14 and third subparagraph of Article 25 thereof.

Understanding (MoU). It asked the competent bodies to continue planning for a possible monitoring mission at the request of the parties and to establish contact with ASEAN and ASEAN countries with a view to their possible cooperation.

Whereas:

- (1) The European Union (EU) is committed to promote a lasting peaceful settlement to the conflict in Aceh (Indonesia) and to increase stability throughout South East Asia, including progress in the economic, legal, political and security sector reforms.
- (2) On 11 October 2004, the Council reiterated its attachment to a united, democratic, stable and prosperous Indonesia. It reiterated the EU's respect for the territorial integrity of the Republic of Indonesia and recognition of its importance as a major partner. The Council encouraged the Government of Indonesia (GoI) to seek peaceful solutions in conflict and potential conflict areas and welcomed the statement by President Susilo Bambang Yudhoyono that he intended to implement Special Autonomy for Aceh. The Council reaffirmed the EU's wish to build a closer partnership with Indonesia.
- (3) On 12 July 2005, the Minister for Foreign Affairs of Indonesia, on behalf of the GoI, invited the EU to participate in an Aceh Monitoring Mission to assist Indonesia in implementing the final agreement on Aceh. The GoI sent a similar invitation to the ASEAN countries Brunei, Malaysia, Philippines, Singapore and Thailand. The Free Aceh Movement (GAM) also indicated its support for a participation of the EU.
- (4) On 18 July 2005, the Council noted the report of the Joint EU Council Secretariat/Commission assessment mission to Indonesia/Aceh. It welcomed the successful conclusion of the Helsinki negotiations and agreed that the EU was prepared, in principle, to provide observers to monitor implementation of the Memorandum of

- (5) On 15 August 2005, the GoI and the GAM signed a MoU detailing the agreement and principles guiding the creation of conditions within which the government of the Acehnese people can be manifested through a fair and democratic process within the unitary state and constitution of the Republic of Indonesia. The MoU foresees the establishment of the Aceh Monitoring Mission to be established by the EU and ASEAN contributing countries with the mandate to monitor the implementation of the commitments taken by the GoI and the GAM in the MoU.
- (6) The MoU notably provides that the GoI is responsible for the security of all Aceh Monitoring Mission personnel in Indonesia and that a Status of Mission Agreement will be concluded between GoI and the EU.
- (7) The Aceh Monitoring Mission will be conducted in a situation which may deteriorate and could harm the objectives of the Common Foreign and Security Policy as set out in Article 11 of the Treaty.
- (8) In conformity with the guidelines of the European Council meeting in Nice on 7-9 December 2000, this Joint Action should determine the role of the Secretary General/High Representative (SG/HR) in accordance with Articles 18 and 26 of the Treaty.
- (9) Article 14(1) of the Treaty calls for the indication of a financial reference amount for the whole period of implementation of the Joint Action. The indication of amounts to be financed by the EU budget illustrates the will of the political authority and is subject to the availability of commitment appropriations during the respective budget year,

HAS ADOPTED THIS JOINT ACTION:

Article 1

Mission

- 1. The EU hereby establishes an European Union Monitoring Mission in Aceh (Indonesia), named the 'Aceh Monitoring Mission (AMM)', with an operational phase beginning on 15 September 2005.
- 2. The AMM shall operate in accordance with its mandate as set out in Article 2.

Article 2

Mandate

- 1. The AMM shall monitor the implementation of the commitments undertaken by the GoI and the GAM pursuant to the MoU.
- 2. In particular, the AMM shall:
- (a) monitor the demobilisation of GAM and monitor and assist with the decommissioning and destruction of its weapons, ammunition and explosives;
- (b) monitor the re-location of non-organic military forces and non-organic police troops;
- (c) monitor the reintegration of active GAM members;
- (d) monitor the human rights situation and provide assistance in this field in the context of the tasks set out in points (a), (b) and (c) above;
- (e) monitor the process of legislation change;
- (f) rule on disputed amnesty cases;
- (g) investigate and rule on complaints and alleged violations of the MoU;
- (h) establish and maintain liaison and good cooperation with the parties.

Article 3

Planning phase

1. During the planning phase, the Planning Team shall comprise a Head of Mission/Head of Planning Team and the necessary staff to deal with functions ensuing from the needs of the AMM.

- 2. As a priority, a comprehensive risk assessment shall be carried out as part of the planning process. This assessment may be updated as necessary.
- 3. The Planning Team shall draw up the Operation Plan (OPLAN) and develop technical instruments necessary to execute the mandate of the AMM. The OPLAN shall take into account the comprehensive risk assessment and shall include a security plan. The Council shall approve the OPLAN.

Article 4

Structure of the AMM

In principle, the AMM shall be structured as follows:

- (a) Headquarters (HQ). The HQ shall consist of the Office of the Head of Mission and the HQ Staff, providing all necessary functions of command and control and mission support. The HQ shall be located in Banda Aceh;
- (b) 11 geographically distributed District Offices, conducting monitoring tasks;
- (c) 4 Decommissioning Teams.

These elements shall be further developed in the OPLAN.

Article 5

Head of Mission

- Mr Pieter Feith is hereby appointed Head of Mission of the AMM.
- 2. The Head of Mission shall exercise Operational Control over the AMM and assume the day-to-day management and coordination of the AMM activities, including the management of the security of mission staff, resources and information.
- 3. All staff shall remain under the authority of the appropriate national authority or EU Institution and shall carry out their duties and act solely in the interest of the mission. National authorities shall transfer Operational Control to the Head of Mission. Both during and after the mission, the staff shall exercise the greatest discretion with regard to all facts and information relating to the mission.
- 4. The Head of Mission shall be responsible for disciplinary control over the staff. For seconded staff, disciplinary action shall be taken by the national or EU authority concerned.
- 5. The Head of Mission shall rule on disputes regarding the implementation of the MoU as provided therein and in accordance with the OPLAN.

Article 6

Staff

- 1. The numbers and competence of the AMM staff shall be consistent with its mandate as set out in Article 2 and its structure as set out in Article 4.
- 2. Mission staff shall be seconded by Member States and EU Institutions. Each Member State and EU Institution shall bear the costs related to the mission staff seconded by it, including salaries, medical coverage, allowances (other than per diems) and travel expenses.
- 3. International staff and local staff shall be recruited on a contractual basis as required.
- 4. Third States may also, as appropriate, second mission staff. Each seconding Third State shall bear the costs related to any of the staff seconded by it including salaries, medical coverage, allowances and travel expenses.

Article 7

Status of staff

- 1. The status of the AMM and its staff in Aceh, including where appropriate the privileges, immunities and further guarantees necessary for the completion and smooth functioning of the mission shall be agreed in accordance with the procedure laid down in Article 24 of the Treaty. The SG/HR, assisting the Presidency, may negotiate such an agreement on its behalf.
- 2. The Member State or EU Institution having seconded a staff member shall be responsible for answering any claims linked to the secondment, from or concerning the staff member. The Member State or EU Institution in question shall be responsible for bringing any action against the seconded staff member.
- 3. The conditions of employment and the rights and obligations of international and local contracted staff shall be laid down in the contracts between the Head of Mission and the staff member.

Article 8

Chain of command

- 1. The structure of the AMM shall have a unified chain of command.
- 2. The Political and Security Committee (PSC) shall provide the political control and strategic direction of the mission.
- 3. The Head of Mission shall report to the SG/HR.

4. The SG/HR shall give guidance to the Head of Mission.

Article 9

Political control and strategic direction

- 1. The PSC shall exercise, under the responsibility of the Council, the political control and strategic direction of the mission. The Council hereby authorises the PSC to take the relevant decisions for the purpose and duration of the mission, in accordance with third subparagraph of Article 25 of the Treaty. This authorisation shall include the powers to amend the OPLAN and the chain of command. The powers of decision with respect to the objectives and termination of the mission shall remain vested in the Council.
- 2. The PSC shall report to the Council at regular intervals.
- 3. The PSC shall receive reports by the Head of Mission regarding the conduct of the mission at regular intervals. The PSC may invite the Head of Mission to its meetings, as appropriate.

Article 10

Participation of Third States

- 1. Without prejudice to the decision-making autonomy of the EU and its single institutional framework, Acceding States shall be invited and Third States may be invited to contribute to the AMM provided that they bear the cost of the staff seconded by them, including salaries, High Risk insurance, allowances and travel expenses to and from Aceh (Indonesia), and contribute to the running costs of the AMM, as appropriate.
- 2. Third States making contributions to the AMM shall have the same rights and obligations in terms of day-to-day management of the mission as Member States taking part in the mission.
- 3. The Council hereby authorises the PSC to take the relevant decisions on acceptance of the proposed contributions and to establish a Committee of Contributors.
- 4. Detailed arrangements regarding the participation of Third States shall be subject of an agreement, in conformity with Article 24 of the Treaty. The SG/HR, assisting the Presidency, may negotiate such arrangements on its behalf. Where the EU and a Third State have concluded an agreement establishing a framework for the participation of this Third State in the EU crisis management operations, the provisions of such an agreement shall apply in the context of the AMM.

Article 11

Security

- 1. The Head of Mission shall, in consultation with the Council Security Office, be responsible for ensuring compliance with minimum security standards in conformity with the agreed Council's security regulations.
- 2. The Head of Mission shall consult with the PSC on security issues affecting the deployment of the mission as directed by the SG/HR.
- 3. AMM staff members shall undergo mandatory security training before their entry into function.

Article 12

Financial arrangements

- 1. The financial reference amount intended to cover the expenditure related to the AMM shall be EUR 9 000 000.
- 2. The expenditure financed by the amount stipulated in paragraph I shall be managed in accordance with the procedures and rules applicable to the general budget of the EU with the exception that any pre-financing shall not remain the property of the Community. Nationals of Third States shall be allowed to tender for contracts.
- 3. The Head of Mission shall be accountable to the Commission for all expenditure charged to the general budget of the EU and shall to that effect sign a contract with the Commission.
- 4. Expenditure shall be eligible as of the date of entry into force of this Joint Action.

Article 13

Community action

- 1. The Council and the Commission shall, each within their respective powers, ensure consistency between the implementation of this Joint Action and external activities of the Community in accordance with second subparagraph of Article 3 of the Treaty. The Council and the Commission shall cooperate to this end.
- 2. The Council also notes that coordination arrangements are required in Banda Aceh and also in Jakarta, as appropriate, as well as in Brussels.

Article 14

Release of classified information

- 1. The SG/HR is authorised to release to Third States associated with this Joint Action, as appropriate and in accordance with the operational needs of the mission, EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the mission, in accordance with the Council's security regulations.
- 2. In the event of a specific and immediate operational need, the SG/HR is also authorised to release to the host State EU classified information and documents up to the level 'RESTREINT UE' generated for the purposes of the mission, in accordance with the Council's security regulations. In all other cases, such information and documents shall be released to the host State in accordance with the procedures appropriate to the host State's level of cooperation with the EU.
- 3. The SG/HR is authorised to release to Third States associated with this Joint Action and to the host State EU non-classified documents related to the deliberations of the Council with regard to the mission covered by the obligation of professional secrecy pursuant to Article 6(1) of the Council's Rules of Procedure (1).

Article 15

Review

The Council shall, not later than the 15 March 2006, evaluate whether the AMM should be extended.

Article 16

Entry into force, duration

This Joint Action shall enter into force on the date of its adoption.

It shall expire on 15 March 2006.

Article 17

Publication

This Joint Action shall be published in the Official Journal of the European Union.

Done at Brussels, 9 September 2005.

For the Council The President J. STRAW

Source: (Aceh Monitoring Mission — AMM), http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/ l_234/l_23420050910en00130016.pdf

⁽¹⁾ Council Decision 2004/338/EC, Euratom of 22 March 2004 adopting the Council's Rules of Procedure (OJ L 106, 15.4.2004, p. 22). Decision as amended by Decision 2004/701/EC, Euratom (OJ L 319, 20.10.2004, p. 15).

Endnotes

- Meaning non-locally recruited forces (mainly Special Forces) that were sent to Aceh to help crush the rebellion.
- ² GAM's official name was the Aceh-Sumatra National Liberation Front. As an organization that aimed at governing Aceh once independence was achieved, it was set up as a government with a Head of State, Hasan di Tiro, and a cabinet that consisted of a Prime Minister, Defense Minister, Finance Minister, etc. (ICG 2006a, p. 2).
- ³ For more information on GAM's ideology and structure see: Schulze 2004, p. 6.
- GAM's civilian structure was shadowed by the parallel structure of the "Forces of the Free Aceh Movement" (Angkatan Gerakan Aceh Merdeka or AGAM), renamed into "Army of the State of Aceh" (Tentara Negara Aceh; TNA) with the Stavanger Declaration in 2002.
- 5 Author's communication with Henri Myrttinen, March 2007.
- ⁶ For more details, see: Schulze 2004.
- ⁷ ibid.
- ⁸ Jakarta Post, 13 September 2005.
- For more detailed information on the "Joint Understanding on a Humanitarian Pause for Aceh" see: Aspinall and Crouch 2003, and Joint Understanding on a Humanitarian Pause for Aceh, available at www.hdcentre.org/datastore/ Mediation%20DOC\$/Aceh/JoU%20FINAL.doc
- 10 Its original timeframe was from 2 June–2 September 2000.
- ¹¹ For more detailed information on the "Cessation of Hostilities Agreement (COHA) see: Aspinall and Crouch, 2003 and Cessation of Hostilities Agreement, available at www.hdcentre.org/Aceh,%20Indonesia%20-%20COHA
- ¹² Jakarta Post, 15 November 2005.
- White on top and red at the bottom; Serambi, 28 October 2006.
- While Bahasa Indonesia is Indonesia's official language, a lot of Acehnese, and especially the older generation and people in the rural and mountainous areas, speak Acehnese.
- ¹⁵ A popular and widely used means of communication within the province.
- The MDTs had divided Aceh province into four Areas Of Responsibility (AOR), with its headquarters in Banda Aceh.

- Author's personal communication with Bror Gevelt, September 2006.
- ¹⁸ Jakarta Post, 15 November 2005
- Author's correspondence with Bror Gevelt, September 2006.
- ²⁰ Serambi, 10 October 2006
- ²¹ Author's personal interview with a GAM representative, October 2006.
- ²² Author's personal interview with a GAM representative, October 2006.
- ²³ Author's personal communication with IOM Program Manager, March 2007.
- ²⁴ Compilation of issues raised in interviews with GTZ staff in November 2006 during the author's field visit.
- Author's personal interview with World Bank Coordinator, November 2006.
- ²⁶ United Nations Security Council Resolution 1325 on Women, Peace and Security, 2000.
- Due to the sensitive political environment, IOM changed the term "registering" into "accept combatants into the program", though this "accepting" ultimately included the entering of each individual's details into ICRS data bases.
- ²⁸ Author's personal interview with IOM Program Manager, November 2006.
- ²⁹ Author's correspondence with IOM Program Manager in Aceh, January 2007.
- ³⁰ Author's correspondence with IOM Program Manager in Aceh, January 2007.
- "Former GAM fighters receive second economic facilitation package." AMM Media Advisory, www.aceh-mm.org/download/english/ Second%20Installment%20-%20Media%20Advisory. pdf
- Author's personal communication with IOM Program Manager, March 2007.
- ³³ Author's personal communication with IOM Programme Manager, March 2007.
- For more details on the election and the candidates, see International Crisis Group, 2006, available at www.crisisgroup.org/home/index. cfm?id=4548
- ³⁵ Hassan di Tiro's family, the 'founding family' of GAM.
- ³⁶ Jesuit Refugee Service, 31 October 2006
- 37 Author's personal interview with a GAM representative, October 2006.

- District COSA were not continued once the AMM closed its district offices in September 2006.
- Not wearing a headscarf for women and wearing shorts for men.

BICC at a glance

BICC is an independent, non-profit organization dedicated to promoting peace and development through the efficient and effective transformation of military-related structures, assets, functions and processes. Having expanded its span of activities beyond the classical areas of conversion that focus on the reuse of military resources (such as the reallocation of military expenditures, restructuring of the defense industry, closure of military bases, and demobilization), BICC is now organizing its work around three main topics: arms, peacebuilding and conflict. In doing this, BICC recognizes that the narrow concept of national security, embodied above all in the armed forces, has been surpassed by that of global security and, moreover, that global security cannot be achieved withoutseriously reducing poverty, improving health care and extending good governance throughout the world, in short: without human security in the broader sense.

Arms: To this end, BICC is intensifying its previous efforts in the fields of weaponry and disarmament, not only through its very special work on small arms but also by increasing its expertise in further topics of current concern such as the non-proliferation of weapons of mass destruction, arms embargoes and new military technologies.

Peacebuilding: BICC is extending its work in the area of peacebuilding. In addition to examining post-conflict demobilization and reintegration of combatants and weapon-collection programs, the Center aims to contribute, among other things, to the development of

concepts of security sector reform with an emphasis on civilmilitary cooperation, increased civilian control of the military, and the analysis of failed states.

Conflict: BICC is broadening its scope in the field of conflict management and conflict prevention, including tensions caused by disputes over marketable resources and transboundary issues such as water.

These three main areas of analysis are complemented by additional crosscutting aspects, for example, gender, pandemics, or environmental protection.

Along with conducting research, running conferences and publishing their findings, BICC's international staff are also involved in consultancy, providing policy recommendations, training, and practical project work. By making information and advice available to governments, NGOs, and other public or private sector organizations, and especially through exhibitions aimed at the general public, they are working towards raising awareness for BICC's key issues.

While disarmament frees up resources that can be employed in the fight against poverty, conversion maximizes outcomes through the careful management of such transformation of resources. It is in this sense that they together contribute to increasing human security.

About the author

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