

Report of the EC Conflict Prevention Assessment Mission

Indonesia

March 2002

Nick Mawdsley
Monica Tanuhandaru
Kees Holman

PUBLIC DOCUMENT

The views expressed in this report do not necessarily reflect the views of the European Commission.



EXECUTIVE SUMMARY	3
A. INTRODUCTION.....	5
B. BACKGROUND	6
<i>Indonesia: The Transition from the New Order to Reformasi</i>	<i>6</i>
<i>The Causes and Current State of Conflict and Violence in Indonesia.....</i>	<i>7</i>
<i>Priority Areas of the Mission: Central Sulawesi, Maluku, Papua and Aceh.....</i>	<i>10</i>
C. CONFLICT RESOLUTION STRATEGY OF THE NATIONAL AUTHORITIES.....	10
<i>National Policy Framework.....</i>	<i>10</i>
<i>Central Sulawesi.....</i>	<i>13</i>
<i>Maluku.....</i>	<i>14</i>
<i>Papua.....</i>	<i>16</i>
<i>Aceh.....</i>	<i>18</i>
D. KEY INSTITUTIONS AND ACTORS.....	20
<i>State Institutions</i>	<i>20</i>
<i>Civil Society Organisations</i>	<i>25</i>
<i>Media.....</i>	<i>26</i>
<i>Key Institutions and Actors in Central Sulawesi.....</i>	<i>27</i>
<i>Key Institutions and Actors in Maluku.....</i>	<i>28</i>
<i>Key Institutions and Actors in Papua.....</i>	<i>31</i>
E. PROPOSED CONFLICT PREVENTION STRATEGY	36
<i>EC Country Strategy for Indonesia.....</i>	<i>36</i>
<i>EC and Conflict Prevention in Indonesia</i>	<i>37</i>
<i>Short-Term Support for Conflict Prevention in Indonesia.....</i>	<i>44</i>
<i>Medium/Long Term Support for Conflict Prevention in Indonesia</i>	<i>50</i>
F. SUMMARY OF RECOMMENDATIONS	55
<i>For the European Commission:</i>	<i>55</i>
<i>For the Indonesian Government.....</i>	<i>56</i>
ANNEX I: LIST OF PEOPLE MET BY THE MISSION	58
ANNEX II. BACKGROUND ANALYSIS OF REGIONAL CONFLICT IN INDONESIA.....	62
<i>Aceh.....</i>	<i>62</i>
<i>West Papua / Irian Jaya.....</i>	<i>64</i>
<i>Central Sulawesi.....</i>	<i>69</i>
<i>Maluku.....</i>	<i>69</i>
<i>North Maluku.....</i>	<i>71</i>
<i>West Kalimantan.....</i>	<i>72</i>
<i>Central Kalimantan.....</i>	<i>73</i>
<i>West Timor.....</i>	<i>73</i>
ANNEX III: ORGANISATION OF CENTRAL GOVERNMENT	75

ACKNOWLEDGEMENTS

The Mission would like to thank the European Commission in Brussels and Jakarta, in particular Patrick Simmonet, Balthasar Benz, Juan Planas and Laurence Gillois, and the European Centre for Common Ground, especially Vanessa Johanson, Christiani Widyastuti and Ayu Ratih, for their invaluable support during the Mission. We would also like to thank all those who took the time to meet us and for their contribution to the information in this report.



EXECUTIVE SUMMARY

Political uncertainty and violence in several regions are inhibiting Indonesia's economic recovery and transition to democracy. In Aceh and Papua, calls for independence mask a history of centralized government control and repression, human rights abuses, poverty and underdevelopment. In North Maluku, Maluku, Central Sulawesi, West and Central Kalimantan, ethno-religious tensions as a result of migration and demographic change, local competition between elites, conflict over resources, a breakdown in law and order and the failure of the social and political policies of authoritarian governance have boiled over into communal violence, leaving tens of thousands of people dead and more than 1 million persons displaced.

The European Commission sent an independent mission to Indonesia from 9 January – 7 February 2002 to assess the potential for supporting conflict prevention in Indonesia. The objectives of the mission were to identify both short-term actions and approaches for long-term development co-operation in support of conflict prevention. The mission spent two weeks in Jakarta and then visited Central Sulawesi, Maluku and Papua. This report summarises the main findings and recommendations of the mission.

The Government has a policy framework of security, reconciliation and prosperity for responding to regional conflict, and has announced an ambitious new policy to return, empower or resettle all internally displaced persons by the end of 2002. The government seeks to develop a comprehensive approach covering security, political, legal, social and economic measures, yet there is not always synergy between these components of government policy. Co-ordination between government departments and agencies remains a constraint, and there is no effective early warning and response system to prevent situations of tension and crisis deteriorating into open violence.

The present Government in Jakarta is proactive in addressing regional conflicts, and has enacted Special Autonomy Laws in Aceh and Papua and mediated agreements between conflicting parties in Central Sulawesi and Maluku. These represent important measures that go some way to addressing the underlying causes of these conflicts, yet much depends on their implementation and the development of long-term processes that include continued dialogue and political compromise. Sensitive issues relating to justice and the accountability for past human rights abuses remain problematic, and require credible processes to provide just outcomes that contribute positively to transforming the current situations. Critically, the grassroots perspective of the conflicts does not always reflect the positions of higher-level actors, and the Government's policies and responses should be formulated to address grievances and needs of Papuans at all levels.

The security forces – army and police – have a vital role to play in maintaining law and order, and regaining the trust of the people. In some areas, such as North Maluku, the security forces have been able to play an effective role in maintaining security; however, in other areas, there are examples of past actions by the security forces contributing to the violence. In Papua and Aceh, actions by the security forces and armed separatists in Aceh remain significant grievances of local people, where intimidation and fear of violence have become a part of their lives. Measures to improve the conduct of the security forces such as community policing, practical human rights education and independent monitoring can promote civilian trust and respect, and contribute positively to reducing tensions.

Civil society organizations work at many levels from national policy issues down to grassroots empowerment and community development, and represent an important link



between grassroots communities and national and local government elites. Voluntary organizations have been especially effective in working at a grassroots level, yet their experiences are not effectively channeled into policy. Multi-stakeholder and multi-level approaches may lead to better policies and actions to manage conflict, and requires facilitation of dialogue (supported by capacity building) between government, civil society and other stakeholders.

In Central Sulawesi, the mission found that the Malino Declaration had resulted in local optimism that the violence would end, but that there remains significant uncertainty and mistrust at the community level. The local government, police, media and civil society organizations were receptive to EC support for capacity building. In Ambon city in Maluku, Muslim and Christian communities remain completely segregated but there were signs of increasing cross-community activities in neutral spaces. There remain significant challenges for maintaining security and for dealing with the underlying causes and sensitive issues surrounding the conflict. The Maluku Agreement in Malino resulted in public expression of support signifying the general wish for an end to the violence, and the Government now has a framework for advancing a peace process. The EC can contribute by supporting the Government and civil society in transforming the conflict in Maluku, with a focus on establishing the rule of law, regenerating the economy and facilitating the return of displaced persons. In Papua, there remains strong but peaceful support for independence, with uncertainty and some resistance towards the special autonomy law. Although special autonomy gives local government in Papua much authority over the provinces affairs, there remain many difficult issues to be addressed including the accountability of past human rights abuses, the history of Papuan integration into Indonesia, the limited space for Papuan cultural expression and the status of the 'Morning Star' flag, strong racial and prejudicial attitudes, social and economic inequalities between Papuans and non-Papuans, the lack of democratic accountability and transparency in local government and the role of the military in Papua. The EC can support implementation of special autonomy to meet the needs of the people of Papua, support the police in developing a more effective police force, and strengthen civil society and democratic institutions.

The mission has provided a number of recommendations for the European Commission (Sections E and F). The European Commission has the potential to make an important contribution to support Indonesia in conflict prevention. However, it is important that the EC takes a long-term perspective and develops sufficient capacity to be able to manage a programme in this area. The Commission can facilitate co-ordination between EU Member States in conflict prevention, and develop its own programme to complement and support the work of the United Nations and other donors. The EC Development Co-operation Programme, which is focused on 'Good Governance' and 'Sustainable Management of Natural Resources' also provides opportunities for projects that contribute to conflict prevention, and these are discussed in the report.



A. INTRODUCTION

1. The European Commission (EC) mandated an independent mission to Indonesia to identify how the EC can support Indonesia in its efforts to reduce the risk of violent conflict. The mission forms part of the EC Development Co-operation Programme with Indonesia and sought inputs from a wide range of government and non-governmental organizations (see Annex I). The findings reported here represent a summary of the views of those with whom the mission consulted and the recommendations of the mission.
2. The objectives of the mission are to identify (i) long-term measures that can be integrated into the EC Development Programme with Indonesia with a focus on good governance, forestry, health and education; and (ii) short-term activities through the EU Rapid Reaction Mechanism (see Annex II) that can support current conflict prevention and peace-building initiatives in Indonesia. The mission took a comprehensive approach covering a range of sectors in assessing opportunities for EC assistance to conflict prevention in Indonesia.
3. The Terms of Reference for the mission are attached in Annex III. The scope of the mission meant that it was necessary to prioritise meetings and the regional focus in order to be able to cover the issues in sufficient depth and to identify where the European Commission could add significant value to Indonesian initiatives. Following advice from EU member states and the central government, a visit to Aceh was omitted owing to the current situation and other considerations. Similarly the mission chose to omit North Maluku due the presence of a major UNDP post-conflict programme and a number of INGOs, and Kalimantan was not included as a focus due to the lower risk of violent conflict following the flight of a majority of the Madurese community to safe areas outside of the conflict areas in Kalimantan.
4. The mission assessed the overall nature of conflict in Indonesia, the policies and response of government, non-governmental organizations and the international community, and considered how the EC can add value in supporting Indonesia in conflict prevention. Specifically, the mission focused on issues relating to governance and the justice system, the security sector including the army and police, the role of civil society and the media, with an emphasis on how peace initiatives in Central Sulawesi and Maluku, and the special autonomy processes in Papua and Aceh can be supported. The mission identified seven sectors on which to base its work according to the Terms of Reference¹.
5. This report gives an overview of (i) the background of the conflicts in Indonesia, (ii) national strategies for conflict prevention, (iii) description of the key actors and institutions, and (iv) a proposed conflict prevention strategy for the EC in Indonesia.

¹ Sectors covered by the mission include: (1) Law, Order and Security; (2) Good Governance; (3) Return of Internally Displaced People; (4) Social and Economic Welfare; (5) Media and Information; (6) Social and Cultural Relations; (7) Natural Resource Management.



B. BACKGROUND

6. The devastating economic crisis that hit Indonesia in 1997 was followed by rapid changes in national politics and the beginnings of a transition to democracy that have together profoundly influenced the country's social, political, economic and cultural context. This period of transition was hoped to bring about changes for the benefit of the people, but has been marked by continuing economic recession and political uncertainty with violence breaking out in several regions. Indonesia's transition to a democratic political system that maintains the integrity of the Republic of Indonesia remains fragile while violence and political conflict continues in the regions.

Indonesia: The Transition from the New Order to Reformasi

7. The end of President Soeharto's New Order in May 1998 and the devastating riots that hit Jakarta marked the beginning of a transition to democracy that has seen both progress and setbacks. The new government under President Habibie released political prisoners imprisoned by the New Order government, held the first democratic elections in Indonesia for 44 years and enacted a broad decentralization law that devolved considerable power to the district governments to manage their own affairs². Freedom of the press was assured through a new Press Law, and there was optimism that Indonesia was on the road to recovery from the deep economic recession that plunged the country into social and political crisis in 1997/8.
8. But this period was also marked by violence between security forces and demonstrators in Jakarta, attacks on places of worship in Jakarta and Kupang, and more significantly the outbreak of mass violence in Maluku, North Maluku, Central Sulawesi and the resurgence of communal violence in West Kalimantan. President Habibie gave political commitment for a referendum on independence in East Timor that was followed by calls for a similar referendum in Aceh and increased organization of the independence movement in Irian Jaya/West Papua³. The overwhelming vote for independence in the East Timor referendum held in August 1999 in East Timor was followed by a period of intense violence and destruction by pro-integration groups supported by the Indonesian military with hundreds of thousands fleeing to West Timor. Overall, the Habibie government managed to enact new laws and administer a successful general election, but also saw the outbreak of violence in the regions that has left tens of thousands of people dead and more than 1 million people displaced from their homes.
9. In October 1999, the new government led by Abdurrachman Wahid began to reform the military and police, appointing the first civilian Minister of Defence and

² Regional autonomy as determined in Law 21/1999 and Law 25/1999 began to be implemented on 1 January 2001.

³ A demonstration in December 1999 attended by an estimated 500,000 people in Aceh called for a referendum on the province's future; in Papua, central government endorsed a so-called "National Dialogue" on the history and current status of Papua, but when Papuan leaders met with President Habibie on 26 February 1999, they presented him with a single demand: Papua's independence. The National Dialogue was immediately suspended and security forces launched a crackdown in the province.



separating the police from the military. Wahid's policy was to promote dialogue with the independence movements in Aceh and Papua, and the Henry Dunant Centre was invited to act as a facilitator of 'humanitarian dialogue' between GAM and the Indonesian government in Aceh, while in Papua the Wahid government supported the holding of a 'Great Conference' of Papuan leaders to discuss the future of Papua. Despite good intentions, these policies appear to have deepened the polarisation between groups in these provinces. The government was also unable to make any significant impact on the conflicts in Maluku, North Maluku, Central Sulawesi and West Kalimantan, with new violence erupting in Central Kalimantan in February 2001. Wahid was unable to lead effectively and gain the political support required to implement his government's policies, and he soon became embroiled in a political struggle with the parliament that led to his downfall in July 2001.

10. The weakness of civilian government in the post-New Order era and the divisions between and within the political parties in the parliament led many including the military to see reform, democratization and decentralization as a threat to national unity. The new Megawati government has placed preserving national unity at the centre of its policies, has enacted new laws granting 'special autonomy' in Aceh and Papua, and begun to take steps to address the continuing conflicts in Kalimantan, Maluku and Central Sulawesi. However, there are indications that the new government is prepared to moderate policies that promote democratization and human rights with those that maintain the unity of Indonesia through enhanced central government and military control⁴. Encouragingly though, the central government is now proactively taking forwards policies to address regional conflicts that presents opportunities for their peaceful resolution, but carries risks if these policies, especially those related to security sector and the handling of past human rights abuses, lead to further grievances in the regions.

The Causes and Current State of Conflict and Violence in Indonesia

11. Conflict in Indonesia has a complex mix of historical, political, social, economic and structural causes. The newly independent Indonesia in the 1950s experienced regional rebellions in Aceh, Sumatra, West Java, Sulawesi and Maluku⁵ against central control from Jakarta as well as political disagreement at the national level between non-Muslim, modernist and traditionalist Muslim groups over the nature of the constitution regarding Islamic law and its obligations. In the mid-1960s, the killing of an estimated half a million people in an anti-Communist purge resulted in the rise of General Soeharto to the Presidency and the beginning of the New Order. Although aspects of Indonesia's regional conflicts can be traced to events and issues prevalent in the 1950s and 1960s, the New Order period has had a profound influence on the current situation.

⁴ For example, the regional autonomy laws are under review and a new regional command (*Kodam*) has been established in Aceh.

⁵ In Maluku, Christian and Muslim community leaders with Ambonese members of the ex-Netherlands Army declared the independent state of the South Maluku Republic (*Republik Maluku Selatan* or *RMS*) in 1950, an uprising which was defeated in early 1951 with about 20,000 Ambonese from ex-Netherlands Army families being resettled in the Netherlands.



12. The basis of the New Order regime was to bring stability, order and development through strict authoritarian civilian and military control at the expense of popular political participation (the ‘floating mass’ concept). Economic development projects went ahead at the expense of the local communities⁶, with regional security enforced through the military regional command structure from provincial to village (*babinsa*) level. Such a pattern of governance suppressed the expression of local grievances and the effective resolution of disputes and conflicts, and reinforced the social and political exclusion of local communities from the state institutions of power. This exclusion was further extended in 1979 with the enactment of the law on Local Village Governance (Law No 5/1979), where village governance institutions were homogenized across the country and traditional village leaders replaced by government appointed village heads. Public discontent was further increased through rampant corruption, collusion and nepotism in state institutions that affected all aspects of governance such as basic transactions through to the tendering of government contracts and elections. Consequently, New Order control of state institutions stretched from the national down to the village level institutions, leaving no space for the expression of grievances and conflict between the people and the state through social and political structures. The sense of social and political injustice that the New Order generated has been an important underlying cause of the country’s present conflicts.
13. Indonesia is a heterogeneous country with hundreds of ethnic groups representing five major religions. During the New Order, the public discussion of ethnicity (*suku*), religion (*agama*), race (*ras*), inter-group (*antar-golongan*) class issues (*SARA*) was prohibited due to their perceived threat to stability, a policy that ensured they remained unaddressed and potentially explosive. Yet ethnic identity was used to mobilize popular sentiment, especially in the discrimination experienced by the Chinese community and the public discourse on, for example, the East Timorese and Papuan people. Local tensions based on ethno-religious identity were intensified through the government policy of transmigration and spontaneous migration of people from the centres of Java and South Sulawesi to the less populated regions of Sumatra, Kalimantan, Sulawesi, Maluku and Papua. This led to local competition for jobs, disputes over land and resources between newcomers and indigenous people (but without an effective legal system to resolve effectively) and social jealousy where economic disparities between these groups existed. Within the context of an increasingly assertive Muslim modernist movement during the 1990’s, local competition for civil service jobs and key positions within the bureaucracy based on ethno-religious identity also intensified which raised inter-religious tensions in the regions. The economic crisis that began in 1997 further sharpened these perceived and real differences as millions of people lost jobs and much needed income.
14. The economic crisis and fall of the New Order in 1998 marked a new opportunity for politically active groups to assert themselves and voice their grievances ranging from pro-democracy and anti-KKN activists across the country, farmers groups in Java, traditional (*adat*) communities from the outer islands, politically active Islamic

⁶ Examples include the granting of timber concessions (HPH) on communal lands to companies close to Soeharto, the implementation of large-scale development projects with major social and environmental impacts in Kalimantan, Sumatra and Irian Jaya.



groups as well as the independence movements in Aceh and Papua. ‘Demo-crazy’ became a popular slogan for this sudden increase in public participation in political issues, but it was widely reported that groups opposing reform acted by mobilizing criminal elements to oppose demonstrations by reformist groups and create conflict as a means of discrediting and stalling the reform process. Local expectations for change through *reformasi* and local competition between elites anticipating regional autonomy within a context of increasing unemployment, economic hardship and lawlessness were a potent mix that brought many latent conflicts out into open, and which in several areas have led to violence.



Priority Areas of the Mission: Central Sulawesi, Maluku, Papua and Aceh

15. Limited time required the mission to focus on selected provinces based for identifying supporting activities through the Rapid Reaction Mechanism (RRM). The selection of the provinces to be visited was based on there being immediate needs for support to prevent further violence, the existence of initiatives that create opportunities for conflict prevention and resolution and whether the EC could add value in these areas through the need for further international support in these areas. The mission selected the following four provinces⁷:

- *Central Sulawesi*: In December 2001, government sponsored peace talks for the conflict in Poso produced the Malino declaration. There are only a small number of INGOs providing humanitarian aid in Poso, and the Malino declaration presents a window of opportunity to support conflict prevention activities.
- *Maluku*: The security situation in Maluku has improved over the last year, and government sponsored peace talks (Malino II) were in the planning stage at the beginning of the mission. INGOs and the UN system are focused mainly on humanitarian issues, so that there exists potential for the EC to make a valuable contribution to conflict prevention and resolution activities.
- *Papua*: The central government has recently granted Papua special autonomy, which began to be implemented on 1 January 2002. This law presents opportunities for the local government and parliament to have more control of resources in Papua and to take forward measures for reducing popular demands for independence.
- *Aceh*: Although not visited, the mission discussed Aceh in various meetings and the report will include the relevant aspects regarding Aceh. Like Papua, special autonomy in Aceh began to be implemented on 1 January 2002.

C. CONFLICT RESOLUTION STRATEGY OF THE NATIONAL AUTHORITIES

National Policy Framework

16. The policy framework of the national government for resolving conflict in Indonesia has three main components⁸:

- Security – aimed at ending violence, maintaining law and order and providing a conducive environment for reconciliation activities
- Reconciliation – aimed at producing agreements between conflicting parties to end violence and to establish peace
- Prosperity – aimed at meeting the welfare needs of the affected population through the provision of humanitarian and development aid as well as materials for the reconstruction of damaged infrastructure

17. *Security* is the responsibility of the armed forces (*TNI*) and the Indonesian National Police (*Polri*). In April 1999, the police was separated from the military, and duties

⁷ Details of the background and status of the major regional conflicts in Indonesia is given in Annex IV.

⁸ UN Consolidated Inter-Agency Appeal for the Maluku Crisis, 21 March 2000



were delineated so that the police are now responsible for internal security, law enforcement and order, while the TNI focuses on external defence. The armed forces and the police have worked together to create the conditions for conflict resolution by guaranteeing a secure and stable environment, but their success in this task has been highly variable and generally short of what is required. The size of the country combined with the size and diversity of the population means that relatively large forces are required periodically to manage outbreaks of violence. Forces have been rotated from one conflict area to another with only short breaks, and have been limited by logistical support needs and transportation. Members of the security forces are typically young and inexperienced, and lack the professionalism, training and equipment for the complex task of peacekeeping. This limits their ability to act appropriately when faced with hundreds or thousands of armed rioters. Of much concern, there are many cases where members of the security forces have not acted impartially and even participated in the fighting between conflicting parties, have been involved in extortion and corrupt practices, and in some areas there have been gunfights between police and military personnel. These have all reduced public trust in the security forces, which has limited efforts at the ending regional conflict in some areas. It is clear that the armed forces and the police cannot be a solution for internal conflicts, but their effective action is a vital complement to political processes and a comprehensive response by government to address the issues underlying regional conflicts.

18. *Reconciliation* efforts have been undertaken through high-level visits, meetings and ceremonies in the affected regions. The visits of Presidents Habibie and Wahid to Aceh and Papua in 1999 and 2000 provided opportunity for the Head of State to apologise for the suffering of the people in these areas during the New Order. High-level visits from Jakarta have been accompanied by reconciliation ceremonies in Maluku and Poso, but failed to have any impact on the conflict in these regions. These policies and responses suggest that the government sees reconciliation as an initial step in the peace-building process. However, reconciliation for the local population and victims of violence is not easily accepted in the absence of processes and measures to address underlying issues, build confidence between conflicting groups and return to a more 'normal' peaceful existence. This has often been the cause for the failure and rejection of reconciliation initiatives that are perceived to be imposed in a top-down way by the government. Reconciliation is typically considered to be a long-term goal that requires an established peace, political compromise and a restoration of trust and relationships between many groups in society based on community involvement and social healing. Government policy needs to reflect this in terms of the development of long-term strategies and processes to bring peace in conflict regions.

19. *Prosperity* includes humanitarian relief, rehabilitation, reconstruction and community recovery activities, and is the area where the government with the support of the international community has been most active and successful. There are approximately 1.3 million IDPs in Indonesia at the present time, and humanitarian relief efforts have largely met the needs of the people. There have been some important lessons learnt through previous rehabilitation and reconstruction activities. For example, houses rebuilt by external contractors in Ambon were soon targeted and destroyed in rioting, showing the importance of involving local people in reconstruction and integrating reconstruction as part of a wider peace-building strategy. Community recovery activities include the provision



of grants to returning families, which although provide needed cash for families, can damage the establishment of credit schemes. Overall, these activities to promote prosperity have been effective in meeting the basic welfare and development needs of people. However, the main problem has been that the policy does not reflect the need for peace-building to be integrated into rehabilitation and post-conflict development programmes, a problem that is common in other conflict areas⁹.

20. Overall, there does not appear to have been any objective evaluation of the government's performance and the effectiveness of its policies in responding to conflict and the associated humanitarian needs. The mission was told that the national parliament (DPR) has not provided effective scrutiny and oversight of government policy on regional conflict, and a detailed policy analysis and evaluation would in itself be a valuable undertaking. In general, the main weaknesses of the government's approach reflect the inconsistency of various components of policy. As an example, repressive security measures have led to further grievances and compromised the potential for success of activities aimed at reconciliation and rehabilitation. The national government has been limited by the difficulty of translating policy into action due to a number of issues including the lack of a detailed strategic plan for implementing policy, problems with horizontal and vertical co-ordination within government, limited experience and technical weaknesses, which have been exacerbated by the action of government officials and security forces acting for their personal interests and interference from other vested interests. There is also the perception in central government that regional conflict is a regional issue to be handled by regional governments, while regional governments claim that these conflicts are the result of national problems and therefore require action from central government.
21. Concerns that continued relief for IDPs has created dependency have been raised, with many examples describing abuse of the emergency relief system. In October 2001, the Government announced a new policy for the management of IDP situations¹⁰, with the objective of ending the problem of IDPs in Indonesia. There was little consultation in the development of the new policy, but it signified political will from central government to begin to resolve the problems associated with displacement and recognition that IDPs were not just a humanitarian issue. The policy will be implemented by Governors in their role as heads of *Satkorlak PBP*, and is ambitious in seeking to have ended the IDP problem in Indonesia by 31 December 2002. The new policy has three main components, listed in order of preference as an outcome:
- Return: to return IDPs to their places of origin in peace (Ministry of Social Welfare and local government);
 - Empowerment: to give IDPs opportunity to start a new life within an existing community through the provision of skills and/or capital (State Ministry for Co-operatives and Small-Medium Enterprises, Ministry of Manpower and Transmigration, local government), and;

⁹ See, for example, Aguja, M.J., 'The Aftermath of Ethnic Violence – Post War Reconstruction in the Southern Philippines: a preliminary assessment of the role of the international community'. <http://www.incore.ulst.ac.uk/home/esn/joyo.html>.

¹⁰ UN Consolidated Inter-Agency Appeal 2002 for Internally Displaced Persons in Indonesia.



. Resettlement: to resettle IDPs to a new site through a relocation programme (Ministry of Manpower and Transmigration, Ministry of Housing and Regional Infrastructure, local government).

22. The following section looks more closely at the government policies for the four regions focused on in this report, namely Central Sulawesi, Maluku, Aceh and Papua.

Central Sulawesi

23. The local security forces were unable to control the first phase of violence in December 1998, and the military commander in Makassar stated that the violence was initiated by criminal elements. Suspected ringleaders were arrested and tried, however the Protestant community felt that they were targeted in the arrests, and when Yahya Patrio, the then *Sekwilda* and Protestant candidate for Bupati, was released following an investigation by the Governor, the Muslim community became angered. The *Bupati* at the time, Arief Patanga (a Muslim) was removed from his position by the Governor in June 1999, and subsequently tried and found guilty. Although the provincial government used the law to prosecute those suspected of criminal acts, the violence in Poso was so entwined in local politics and the popular respect of the law so weak, that the provincial government was unable to deliver justice or to address the underlying causes of the violence.

24. The violence between April and July 2000 (Poso II and III) was more intense than the first phase. When the violence of Poso II had subsided, the Governor announced funds for the displaced and asked the Protestant community not to take revenge. But there were no arrests or any form of investigation or conflict prevention measures, and the revenge attacks of Poso III began just three weeks later. In July 2000, those suspected of leading the violence of Poso III were arrested. Certain Muslim leaders wanted them executed, while Protestant leaders insisted that those responsible for Poso I and II should be prosecuted as well. The most notable case was that of Fabianus Tibo, who with two others was tried, found guilty of pre-meditated murder and sentenced to death in April 2001. This triggered further violence in Poso, which led to the fourth phase of violence. While the action of the local government to continue to process those suspected of criminal acts by the law was to be commended, there were insufficient measures to manage the potential impacts of the trials on the dynamics of the conflict¹¹.

25. Reconciliation efforts began in August 2000 with a meeting of the governors of the four provinces of Sulawesi to reassure people that the government would take steps to assist those displaced and to resolve the conflict. During 2000-2001, local government using district, provincial and national funds, undertook activities to restore security, rehabilitate infrastructure and meet the needs of IDPs. Later in the month, the then President, Gus Dur, met with local leaders and attended a reconciliation ceremony, and further reconciliation efforts followed. These, however, failed to deal with the underlying causes of the Poso violence, were high-level in approach and overshadowed by the on-going court proceedings.

¹¹ The link between justice and conflict also has high relevance to the peace processes in Maluku and Poso as a result of the meetings in Malino.



26. In December 2001, the national government led by led by Coordinating Minister for People's Welfare, Jusuf Kalla, convened and mediated a two-day meeting between twenty-five Muslim and twenty-four Christian leaders from Poso in the South Sulawesi town of Malino. The two parties agreed to end their conflict and work together to maintain peace in Poso, Central Sulawesi, and issued a 10-point joint declaration (the 'Malino Declaration'). The government's immediate priority is to separate the warring communities and to maintain peace and order, which will be followed by dissemination of the Malino Declaration to the grassroots. Extra security personnel have been deployed and have conducted "sweeping operations" to disarm militiamen and fighters on both sides of the warring factions. The Government is also providing financial assistance amounting to 100 billion rupiah (US\$ 10 million) to resettle displaced persons and for reconstruction purposes. Since the Malino meeting and subsequent actions, the security conditions in Poso have much improved, transportation links have been reestablished and thousands of arms have been surrendered voluntarily, although the government's target to have IDP return completed by end of May 2002 still seems ambitious.

Malino Declaration for Poso

1. To cease all conflicts and disputes
2. To abide by due process of law enforcement and support the Government's efforts to impose sanctions on any wrongdoers.
3. To request the state to take firm and impartial measures against any violators
4. To maintain the peaceful situation, the two sides reject civil emergency status and interference from outsiders
5. To respect one another in an attempt to create religious tolerance
6. That Poso is an integral part of Indonesia's territory. Therefore, any Indonesians have the right to come and live peacefully in Poso by respecting the local habits and custom.
7. To reinstate property to their rightful owners
8. To repatriate refugees to their respective original places
9. To rehabilitate, along with the Government, the economic assets and infrastructures of the area
10. To respect all faith followers to implement their respective religious practices and beliefs as stipulated by the Constitution.

Maluku

27. The conflict in Maluku began in January 1999 during the presidency of President Habibie. There was a rapid response from international NGOs to support the government in dealing with the humanitarian needs of people displaced by the violence. Various government-led initiatives aimed at ending the violence and reconciliation were taken forwards including a team of nineteen senior Moluccan military officers and the establishment of a Social Reconciliation Centre (*Pusat Rujuk Sosial, PRS*) within the local government, but none were effective in setting policy and deal with the issues related to the conflict in Maluku. During Abdurachman Wahid's presidency, responsibility for Maluku was delegated to the then Vice-President, Megawati Sukarnoputri, but central government in Jakarta took the position that it was for Maluku to resolve its own problems. In January 2000, the National Human Rights Commission Investigation and Mediation Team for Maluku



was formed to investigate human rights abuses and mediate in the conflict, but its findings have not been acted upon.

28. Lack of strong central government action was cited by *Laskar Jihad* as one of the main reason for their arrival in Ambon in April 2000 to defend Muslims from Christian attacks. Following an escalation in the violence, Wahid introduced a State of Civilian Emergency in Maluku in June 2000, which strengthened the role of the security forces under the control of Governor. The State of Civilian Emergency is still effective today, although there are now signs that this will be lifted following calls from both local government and civil society for this to be ended.
29. The main challenges faced by the government in Maluku have been to manage the displacement of some 400,000 people and to control the violence and maintain security in the province. The local government and various INGOs have been able to distribute humanitarian relief, but security has been more problematic with the policies and implementation of security measures generating much criticism from local communities and other observers. The main problems have been in maintaining neutrality amongst security forces, the professionalism of the security forces and the behaviour of certain members (*oknum*) of the security forces who have been acting illegally for their own personal interests. Criticisms have included the deployment of security forces not reflecting security needs, the inappropriate response of security forces to incidents and tensions, and the involvement of security forces in the violence itself¹².
30. The main initiative adopted by the present government is to facilitate reconciliation through the meeting of community leaders in Malino, South Sulawesi (referred to as the 'Malino II meeting'¹³). This meeting, held on 11-12 February 2002, was preceded by separate meetings between the government mediation team led by Minister Jusuf Kalla and community leaders from the Muslim and Christian communities to discuss the main issues and to garner support for the joint meeting. Participants of the Malino II meeting were selected by the leadership of the two communities themselves, although a number of groups were reported not to be represented. The two-day meeting included a day of separate meetings with the two groups meeting together on the second day. The meeting produced an eleven-point declaration, and a commitment from central government and the security forces to support its implementation. There are fears that the agreement in Malino could impact on the consolidation of the Christian and Muslim communities through enhancing divisions between hardline and moderate groups, but the public reaction from Maluku in support of the agreement augers well for the future given that the government can maintain the momentum from Malino and develop an inclusive peace process that leads to positive changes in public attitudes and real improvements in people's lives.

Maluku Agreement in Malino

¹² International Crisis Group 'Indonesia: Overcoming Murder and Chaos in Maluku', December 2000 International Crisis Group 'Indonesia: The Search for Peace in Maluku', February 2002

¹³ This meeting follows a similar meeting held in December 2001 for community leaders from Poso, which resulted in the Malino Declaration (see text above).



1. Ending the conflict and all kinds of violence.
2. The restoration of the supremacy of the law in a just, clear and balanced way; a professional and impartial stance by the security forces.
3. The rejection of all forms of separatism that threaten the integrity and sovereignty of the unitary state of the Republic of Indonesia.
4. Being a part of the unitary state, all Moluccan citizens have the right to stay, work and be active in all parts of the state. Likewise, all non-Moluccan citizens have the same right in the province of Maluku, if they respect the local culture and support law and order.
5. All organizations that carry arms without permission, will be prohibited and have to surrender their arms under the threat of legal steps. Groups from outside the Moluccas that cause unrest are obliged to leave the area.
6. An independent investigation team will be installed to investigate the beginning of the violence on 19 January 1999, the role of organizations such as the *Front Kedauletan Maluku*, the *RMS*, *Kristen RMS*, the *Laskar Jihad* and *Laskar Kristus*, the matter of forced conversion and the violation of human rights.
7. The phased return of displaced persons to their places of origin.
8. The government will support the reconstruction and rehabilitation in the material as well as in the non-material field.
9. Emphasis will be laid upon the necessity of a neutral stance by the military and the police.
10. In sermons in churches and mosques, the need of mutual respect will be stressed continuously.
11. Support for the reconstruction and rehabilitation of Pattimura-university in a balanced way.

Papua

31. Since the very beginning of increasing protests by the Papuan community in 1998 the central government made the offer of 'autonomy' to counter the people's demand for freedom and independence. The Papuan Special Autonomy Law was passed by the Indonesian parliament on October 23, 2001, and gives Papuans a greater say in provincial government and allows provincial authorities to retain 80 percent of local forestry and fishery revenues and 70 percent of oil, gas and mining revenues. To reduce the support for independence as part of an autonomy package the province of Irian Jaya was renamed Papua on January 7, 2002. The provincial authorities have formed a team to implement the Special Autonomy Law for Papua.
32. Through special autonomy, Papua will receive autonomy in all areas except foreign policies, defense and security, monetary and fiscal policy, religion and the judiciary and certain authority in other areas, and further autonomy will be passed from the province to the districts.

Highlights of Special Autonomy in Papua

1. *Cultural Symbols*. Papua to have its own cultural symbols including a regional flag and anthem, which *shall not be positioned as a symbol of sovereignty* (student activists have already been to the DPRD to reject the wording in italics)
*



2. *Papuan People's Assembly*. Formation of a Papuan People's Assembly¹⁴ (*Majelis Rakyat Papua* or *MRP*) of traditional (*adat*), women's and religious representatives as the cultural representative body for the Papuan indigenous people, which will have powers to (i) provide considerations and approval for candidates for Governor and Deputy Governor, (ii) provide considerations and approvals of regional regulations, (iii) provide suggestions, considerations and approvals regarding treaties with third parties entered into by Papuan government, (iv) channel complaints from *adat* society, religious groups and women and provide considerations to government regarding indigenous people's rights and (v) request a review of regional regulations or Governor's decree*
3. *Election of Members of MRP*. Elections¹⁵ for membership of MRP by traditional society, religious groups and women*
4. *Village Consultative Body*. In each village, a village consultative body of elected members that represents the different elements of the village will be formed.*
5. *Political Parties*. The population of Papua has right to form political parties in accordance with the current national laws and regulations; this does not mean that Papuans will be able to form local political parties.
6. *Financial Revenues*. Papua will receive 80% of income from forestry, fisheries and general mining, and 70% from oil and natural gas; at least 30% of oil and gas income must be spent on education and 15% on health.
7. *Protection of Traditional Rights*. This proposes the resolution of land conflicts over traditional land with local government providing active mediation to settle disputes.
8. *Protection of Human Rights*. The government shall establish a branch of the Human Rights Commission in Papua, a Human Rights Tribunal and a Truth and Reconciliation Commission¹⁶.
9. *Papuan Police Force*. Basic education for Papuans to enter the police force will be based on a local curriculum; functional duties of police to be further regulated *
10. *Judiciary*. Provision of an traditional (*adat*) law tribunal to investigate and prosecute *adat* civil disputes and criminal cases.
11. *Religion*. The law provides for the freedom of religious expression and the allocation of government resources for religious institutions in proportion to the number of followers.
12. *Education and Health*. Opportunities to religious institutions, NGOs and business community to develop and provide quality education and health services*
13. *Population and Workforce*. The local government must develop policies for population growth and transmigration; transmigration to Papua must be approved by the Governor.*
14. *Sustainable Development and the Environment*. Sustainable development and conservation, including establishment of a body to settle environmental disputes*

¹⁴ The formation of the MRP will be regulated by a Government Regulation issued by central government in Jakarta based on the formulation determined by the DPRD and the Governor

¹⁵ The results of which will be endorsed by the Minister of Home Affairs as regulated by central government regulation

¹⁶ Membership, procedures and duties to be governed under Presidential Decree



15. *Social*. Decent living insurance to people who are socially indecent with wide role for NGOs*
16. *Oversight*. Legal, political and social oversight to promote good governance.*
17. *Co-operation and Conflict Resolution*. Conflicts between districts in Papua will be resolved through deliberation facilitated by the provincial government; conflicts between provincial and district governments will be resolved through deliberation facilitated by the national government.

(* = requires further regional regulations (*Peraturan Daerah Khusus* or *Perdasus*) for implementation)

33. The central government has made very clear that it is not possible to discuss openly the actual political status of Papua as an integral part of the Indonesian Republic. As a result the concept or just the word ‘autonomy’ has popularly become identified with any attitude or person opposing the real aspirations of the Papuan community, slowly pushing people into two polarising blocs: the independence group (M-group) versus the autonomy group (O-group). Furthermore, the 1969 Special Autonomy Law for West Irian (UU No 12 / 1969) that was never effectively implemented is cited by many Papuans as evidence that the present special autonomy law is nothing new. Ultimately, attitudes to past injustices and the historical events surrounding the integration of Papua into Indonesia, the social, economic and cultural marginalisation of the Papuan people, the lack of good governance and civilian control over the military all limit the potential impact of special autonomy on the dynamics of the conflict in Papua.

Aceh

34. Three main aspects of the national government policy on Aceh can be identified: (i) Presidential Instructions No 4/2001 and No 7/2001, (ii) dialogue facilitated by the Henry Dunant Centre in Geneva, and (iii) special autonomy for Aceh (Law No. 18/2001). The Presidential Instructions were designed to represent a ‘comprehensive’ solution to the Aceh conflict covering security, political, social and economic aspects. However, many observers have noted that the action following the Presidential Instructions has focused on the security aspects, with central government claiming that it is not possible for the other aspects to be implemented in the absence of security. Although the strong security approach may weaken the military power of AGAM, it also strongly limits the political space for a peaceful resolution of the conflict as intended through special autonomy and political dialogue, increasing local resistance to both Jakarta and the special autonomy package. The murders of GAM leaders and the establishment of a new Regional Military Command in Aceh only increases suspicion that the government is not committed to a peaceful resolution of the conflict in Aceh.
35. The Indonesian government and GAM leaders have held peace talks several times in Switzerland under the mediation of the Henry Dunant Centre to try to end the violence. The latest talks took place on 3 February 2001 in Geneva, but they ended without significant progress. Agreements were reached to further the dialog at an unspecified date, for both parties to hold all-inclusive and transparent political dialogue for Aceh between 2002 and 2003, for the two parties to support the cessation of hostilities and all acts of violence in 2002, and for a democratically



elected government to be established in Aceh through free and fair elections in May 2004¹⁷. The Coordinating Minister for Security and Political Affairs was reported in the press as saying the talks had failed to reach a satisfactory outcome.

36. The Special Autonomy Law for the province was enacted in August 2001 and came into effect on 1 January 2002. The main features of the autonomy package, in which the name of the province is changed to Nanggroe Aceh Darussalam (NAD), are shown below. The special autonomy law still requires a number of regional regulations (*Qanun*) to be drafted and enacted by the local parliament. However, the drafting of the regulations appears to be a closed process with no consultation with Acehnese society. The drafting of the *Qanun* on Islamic Law, as well as other economic and political *Qanun*, has been completed by a team appointed by the Governor but have not yet been ratified by the parliament¹⁸, and at the end of January, only 24 of the 60 or so regulations had been drafted. There are risks that the closed nature of the process will alienate the people from special autonomy and that special autonomy will only benefit local political and business elites. Special autonomy may also increase conflict over resources between competing groups in Aceh.

Highlights of Special Autonomy in Nanggroe Aceh Darussalam

1. *Financial Revenues*. A greater share of regional revenues (80% of forestry, mining and fisheries revenues and 70% of oil and gas revenues); division of revenues between districts and province to be regulated*. At least 30% of regional budget must be spent on education.
2. *Cultural Symbol*. NAD to have its own cultural symbol, which shall not be positioned as a symbol of sovereignty.*
3. *Direct Elections for Governor/Vice-Governor and Bupati/Deputy Bupati*. DPRD will form NAD Independent Election Commission (members will include local MPs and members of National Election Commission) and Supervisory Election Commission (members will include local MPs, national election supervisory commission and independent members of public). DPRD has authority to approve candidates. Voters have various rights including the right to submit proposals for the improvement of regional regulations.*
4. *Policing*. Provincial police will be part of the national police force, and will coordinate with the Governor to ensure security. Provincial police chief appointed by National Police Chief with approval from Governor; the National Police Chief alone can dismiss the provincial police chief. Training for police in NAD will include local curriculum. Functional duties of police to be defined by regional regulation.
5. *Prosecutor's Office*. Provincial prosecutors will be part of the national prosecution service. Provincial Chief Prosecutor appointed by Attorney-General with approval from Governor; the Attorney-General alone can dismiss the provincial police chief.*
6. *Syar'iyah Courts*. Syar'iyah (religious) courts will be established as part of the national legal system for Muslims in NAD. Judges to be appointed and

¹⁷ The Jakarta Post, 13 March 2002, 'Govt plans to organize new round of peace talks for Aceh'

¹⁸ USAID/OTI Report, December 2001. With the present security situation, many local members of parliament were reported to be staying out of the province.



dismissed by President with inputs from Governor. Conflicts in authority between Syar'iyah courts and state courts will be resolved by the Supreme Court.*

7. *Establishment of Acehese cultural institutions* (Wali Nanggroe and Tuha Nanggro). These institutions will manage traditional (*adat*) and cultural affairs in NAD, and are not political institutions. *

(* = requires further regional regulations for implementation)

D. KEY INSTITUTIONS AND ACTORS

37. There are a variety of governmental and non-governmental institutions and organizations in Indonesia that are relevant to conflict prevention. This section of the report discusses these actors, their role in preventing and mitigating conflict in Indonesia, and the results of meetings with these actors.

State Institutions

National Government

38. The Indonesian central government is organized into a President's and Vice-President's Office supported by the State Secretariat and Cabinet Secretariat, three Co-ordinating Ministers that have responsibility for 17 Ministers and 10 State Ministers. The key Ministers with responsibility for conflict prevention are the Co-ordinating Minister of Political and Security Affairs (*Menkopolkam*), Susilo Bambang Yudhoyono, and the Co-ordinating Minister for Social Welfare (*Menkokesra*), Jusuf Kalla. The Vice-President now has responsibility for the National Agency for the Co-ordination of Disaster Management and Displaced People (*Bakornas PBP*). *Menkokesra* has prime responsibility for the central government's response to 'horizontal' conflicts in Kalimantan, Maluku and Sulawesi, while *Menkopolkam* takes the lead role for Aceh and Papua. Responsibility for economic development rests with the Co-ordinating Minister for Economic Affairs and associated ministries. The organization of government is shown in Annex V.
39. Government plays an important role in society in Indonesia, employing 4.6 million people (about 500,000 are police and military, 1.1 million are teachers and 300,000 are health workers), roughly 2% of the population, similar to other low or low-middle income countries such as China and India¹⁹. The Ministry of Forestry controls about 70% of the country's land (i.e. land classified as state forest land), there are more than 150 state-owned enterprises in sectors including pharmaceuticals, petroleum, mining, electricity supply and plantations, the price of various commodities including rice is controlled by government through BULOG, and many farmers remain dependent on the state through the government-run village co-operatives (*Kooperasi Unit Desa*). Moreover, people with connections to

19



government officials can expect to benefit from these relationships²⁰. Weak governance in all these areas means that the state can negatively impinge on people's lives in many ways. There is a great opportunity for government to increase the trust of people through showing a commitment to reform, improving governance and the quality and availability of government services to the public.

40. The mission met with Ministers who have prime responsibility for matters relating to conflict prevention to identify policy. The central government gives priority to maintaining the territorial integrity of the country, and acknowledged the supportive position of the EU in this respect. The primary aim of the government is to end violence in the regions, enforce law and order, undertake physical rehabilitation and increase the sense of citizenship and national unity in conflict areas. The policies to deal with conflict in Indonesia depend not only on central government, but also on regional governments and civil society. However, Ministers acknowledged that there are sometimes weaknesses and distortions in implementation. Possible support from the EC mentioned by the Minister of Foreign Affairs include (i) reconstruction development in Aceh and Papua; (ii) capacity and institution-building in the field of regional and special autonomy; (iii) the development of CBM's and a code of conduct for the South Chinese Sea claims; and (iv) the return of Timorese refugees.
41. The first issue that was highlighted to the mission was the need for effective *co-ordination* of government policy and programmes. There have been problems in the co-ordination of the government response to IDPs through the national co-ordination mechanism of *Bakornas*, and in January 2001 a new Presidential Decree²¹ was issued to improve this co-ordination mechanism. *Bakornas* now reports to the Vice-President, and includes representatives from the relevant technical ministries, and there is a clear need to strengthen and make the *Bakornas* system much more effective. There have also been problems with vertical co-ordination, with some regional governments expecting timely assistance with problems associated with violent conflict, while some in the centre expect regional governments to be able to look after their own problems with regional autonomy now underway²².
42. The flow of information within government does not appear to be effective, exemplified by the fact that a number of ministries collect their own data on IDPs. The whole issue of information collection and dissemination was highlighted in the context of an effective 'Early Warning System'. At the local level, the Board for National Unity and Community Protection (*Badan Kesatuan Bangsa dan Perlindungan Masyarakat*) has the responsibility for reporting incidents detected through the civilian government to the district head and district police. Provincially and nationally, it was not possible to identify clear early warning systems, other than vertical reporting through the government hierarchy. However, the mission was told that government officials prefer to present 'good news' to their superiors, and are unlikely to report conflicts in the context of requesting help as this would lead to the perception that they could not manage the situation. Clearly an appropriate and

²⁰ Van Klinken, G., 2001, 'Maluku: Bringing Society Back In, *Indonesia*, April 2001, p. 1-26.

²¹ Presidential Decree No. 3 / 2001

²² See *Suara Merdeka*, 7 March 2001, 'Wapres: Pemerintah Hadapi Masalah Kehormatan'



timely early warning system at local, provincial and national levels would lead to better pre-emptive responses to limit the risk of violence. Previously, civil society actors warned government of rising local tensions and the high risk of imminent violence in Central Kalimantan, but were unable to provoke an effective response²³.

Regional Governments and Autonomy

43. Regional autonomy in Indonesia has caused significant changes in local government at the provincial and district levels since implementation began on 1 January 2001. Power has been devolved to district governments in a range of sectors, with the provincial government responsible for oversight and policies that influence the province as a whole. Most significantly, accountability of provincial governors and district heads is no longer hierarchically based but through the regional parliaments allowing the exercise of local democratic control by an elected local assembly over the local executive. The mission was told that in many cases the oversight role of the parliament is dominated by corrupt practices to further political and personal interests. Moreover, competition for the position of governor and district head has been accompanied by the mobilisation of supporters of different candidates that has led to violent clashes, and the mission was told of concerns over forthcoming election in West Kalimantan and Maluku.
44. Regional autonomy has led to significant conflict between regional governments and the centre over a variety of issues, in particular the fiscal equalization scheme under regional autonomy, but without an institutional mechanism to mediate these conflicts. This is particularly important for resource-rich provinces such as Riau, where ethno-nationalistic sentiment is growing and where the province has a strong bargaining position with Jakarta. The intervention by the Minister of Home Affairs in the recent sacking of the Mayor of Surabaya by the local parliament, and the reported intention of the President to have power under certain circumstances to dissolve regional parliaments has led many to conclude that central government is seeking to regain control over the regions in the absence of effective local democratic institutions.
45. Regional autonomy has also been accompanied by new policies and rules that are discriminatory, including the issue of '*putra daerah*' (literally translated as 'sons of the region') in which civil servants from a particular region are given preference for jobs over non-native applicants. This may create problems for the many Javanese civil servants working in regional governments who are presently protected from being dismissed by regional governments, and lead to increasing ethnic tensions.

Parliaments at the National, Provincial and District Level

46. Various national actors including the political commentators, the media and NGOs have criticized the parliaments as not being representative of the people's interests²⁴. Nationally, concerns were raised over the performance of the parliament in passing

²³ Yayasan Al Miftah in Sampit warned the government about the pressures building in Sampit prior to the outbreak of violence; see Kompas, 30 November 2001, 'Tidak Sulit Buktikan Pelanggaran Berat HAM di Sampit'.

²⁴ See, for example, Pikiran Rakyat, 24 January 2002, 'DPRD Belum Mewakili Suara Rakyat'



legislation and effective scrutiny of the executive at a working rather than political level. Several parliamentary Special Committees (*Panitia Khusus or PANSUS*) have considered regional conflicts, but are not thought to have been effective. At the provincial and district levels, the local parliaments are much more in touch with local issues, but the impacts of the local parliaments on regional conflict were not highlighted in a positive sense. The mission was told that many members of regional parliaments do not have any experience of relevant to their jobs and heard of examples of local regulations enacted by local parliaments that were discriminatory (for example, night curfews for women in Sukabumi and Cianjur, West Java), that clashed with national laws (for example, local press regulations), or that generated conflict with neighbouring districts (for example, local regulations levying taxes for the movement of goods across district borders).

47. At the village level, the formation of Village Representatives Boards (*Badan Perwakilan Desa or BPD*) of elected individuals have the potential for bringing effective democracy to the village level. If representative, inclusive and effective, these boards have great potential for mitigating and preventing local conflicts, especially between indigenous and migrant residents of the local community.

National Commissions

48. *National Human Rights Commission (Komnas HAM)*. Komnas HAM has played and informal as well as formal role in mediation. Since the establishment in 1993, Komnas HAM commissioners were occasionally asked to ask for mediators for human rights cases, usually between the victims and the government, military or private companies. In 2001, in accordance with provisions under the Human Rights Act 1999, Komnas HAM began to establish a Mediation Sub-commission and Mediation Bureau. The task of this bureau is still being defined, but there are moves to carry out mediation training and offer mediation service to those who bring complaints to Komnas HAM.
49. The development of this Mediation Bureau is seen as problematic by many outside Komnas HAM, as Komnas HAM has no standard for deciding which cases are mediated, which prosecuted in human rights court, and which dealt with through advocacy of other types. Such lack of clarity means that there is potential for some cases to avoid prosecution by requesting mediation. Other critiques, include KomnasHAM is not seen as a neutral party by many, but as a radical advocate or on the contrary as part of the government, depending on the individual perspective. The Mediation Bureau is extremely small and under-sourced, and its capacity therefore to carry out high quality mediation is unclear.
50. In terms of its role on human rights, Komnas HAM as a national institution has not been able to succeed in its mission through various problems including its independence and the political will and ability of successive governments to act on its recommendations. Recently, there has been a split in Komnas HAM based on the current leadership of the Commission and the recruitment process for new Commissioners. Komnas HAM is going through a difficult period, and with its credibility waning considerably, a number of international donors have suspended their support²⁵.

²⁵ See Tempo, January 2002.



51. *National Commission on Violence Against Women (Komnas Perempuan)*. *Komnas Perempuan* was formed following the May 1998 riots in Jakarta. The Commission also supports the growth, networking of women's groups who provide counseling, legal services, and policy advocacy. Activities include publications for standards for quality care of women survivors, needs assessment and action planning workshops with district level institutions providing services for survivors, national dialogue with government and CSO to end violence against women.

Indonesian Armed Forces – TNI

52. During the last years much greater awareness has developed of the importance of security sector reform for development and poverty reduction. However, the progress in security sector reform in Indonesia has been limited. The process of reform began under the interim presidency of B.J. Habibie (1998-1999). The number of seats held by the armed forces and police in the national and regional legislatures was reduced; serving officers were no longer allowed to hold elected or appointed positions in the civilian government; and in April 1999 the police was separated from the military.
53. Nevertheless, Indonesia's armed forces are still built around a territorial structure that deploys forces throughout the country more or less shadowing the civil government. This territorial command has been used as the backbone of the military's 'dual function' doctrine, which has officially been abolished. This doctrine provides the military with two roles: security and socio-political, which gave the armed forces the rationale for a role in domestic affairs. Yet this function still largely dominates the military mindset.
54. Currently only about a quarter of the defence budget is covered by central government funds. The rest is raised by the military through various legal and illegal means. A vast network of 'institutional' companies exists, ranging from forestry, insurance, hotels and resorts, an airline, and even a university. Without full government funding of the armed forces, declared policy objectives will be distorted by the demands of a diverse band of paymasters. The current armed forces are undeveloped, much of its infrastructure is inadequate and poorly maintained and much of its major equipment is in need of replacement or extensive maintenance and overhaul. A shortage of operating funds has degraded skill levels, especially in high skill positions in the air force and the navy. For example, of its 13 C-130 Hercules transportation aircraft, only 4 are operational.
55. The military plays an intriguing role in the post-Soeharto era. Though officers can no longer hold ministerial posts, both Wahid's and Megawati's cabinets have included four retired generals. Soldiers may not vote in elections, but TNI still retains 38 seats in the DPR. Ten per cent of representative seats in provincial and district assemblies are appointed from the ranks of active or retired military personnel. Despite repeated claims by various generals that they want to transform themselves into a strict professional defence force and bid farewell to the political arena, TNI is still a major political player. Ever since July 2001 when senior commanders defied the president Abdurrahman Wahid, and refused to implement his state of emergency they have cast themselves as the saviors of the nation's



nascent democracy. They do not trust the long-marginalized civilian politicians to hold the country together and prevent national disintegration.

56. Some governments are cautious in providing assistance to the Indonesian military. They find that first more progress has to be made in curtailing the abuse of human rights by the security forces in places like Aceh, Maluku and Papua. Nevertheless the military should not be isolated. Activities that support the acquisition of intellectual frameworks and information, such as visits, individual education and training, training exchanges, and workshops should be encouraged where there are measurable benefits. This should especially include educating a civilian cadre for the Ministry of Defence.

Indonesian National Police – POLRI

57. The Indonesian National Police (*Polri*) was formally separated from the armed forces on 1 April 1999 but remained under the Ministry of Defence until President Wahid announced that the police would regain their independence and be directly responsible to the President. The police are thus accountable to central government and not to local authorities. The police remain, however, inadequately or inappropriately trained, have insufficient equipment and funding, and there are problems with discipline.
58. The Indonesian Police has a poor reputation, because of its involvement in corruption, collusion and nepotism (KKN), human rights violations and the lack of quality of its services in general. The reform of the Indonesian Police faces major obstacles. There is a long list of outstanding issues concerning management skills, capacities, resources and the need to introduce better professional and ethical standards. The introduction of new ideas, working towards changing the ‘militaristic’ mindset of the police, and training in human rights and community policing, is required for increased levels of professionalism and reduce human-rights abuses.
59. It is vital to identify the key police actors who are not only pro-reform but are also in positions of power. Police reform cannot be implemented in isolation from the other institutions of state, and an effective police force will soon be rendered impotent if prosecutors, judges, and prison governors fail in their responsibilities. Like in the military, reform in any of these institutions is unlikely if government revenues are not adequate to pay salaries that meet basic needs and cover the basic resources and operational costs of the institutions of government. In summary, efforts to reform the security services will probably not succeed unless accompanied by credible efforts by the government to combat corruption, decentralize power, promote the rule of law and bring much needed transparency to all security institutions.

Civil Society Organisations

60. The end of the New Order created new opportunities for civil society organizations (CSOs) in Indonesia. At a national level, CSOs have been involved in drafting laws (e.g. Freedom of Information Bill, Truth and Reconciliation Commission Bill), oversight of government (e.g. Indonesia Corruption Watch, Indonesia Parliament



Watch, Indonesia Police Watch), and national and international advocacy in a variety of sectors. At a local level, CSOs are also involved in community development and support, and there are many strong national networks of CSOs. However, in many districts, there are few CSOs, which present challenges for the civil society as a whole playing an effective role in Indonesia under regional autonomy.

61. Non-governmental organizations in Indonesia have in general either addressed conflict by incorporating it into their work (e.g. human rights NGOs) or been active in dealing with the consequences of conflict through humanitarian and community development work. A number of NGOs and university centres have focused on conflict resolution and peace-building, and have been supported in this work by international organizations including the Asia Foundation, the British Council and Common Ground Indonesia.
62. *Voluntary Organisations.* Following the increase in violence in Indonesia after the May 1998 riots, a number of volunteer groups were active including the Voice of Concerned Mothers (*Suara Ibu Peduli*) and the Volunteer Team for Humanity (*Tim Relawan untuk Kemanusiaan*). These have been influential and effective in meeting the needs of people affected by political and communal violence and in raising awareness of the related issues. By being based on volunteerism, these organizations have effectively mobilized the people to make a positive contribution without the distorting influence of funding from international donors.
63. *Religious Organisations.* *Nahdlatul Ulama* (NU) and *Muhammadiyah* are the two main moderate Islamic organizations with membership of 30 million and 29 million people respectively²⁶. NU appeals more to traditional, syncretic Muslims and is particularly strong in rural Java, while Muhammadiyah is a modernist Islamic organization that has a more urban-based membership. Each is active in the fields of religious and social development, and have recently signed an agreement to co-operate on addressing the causes and consequences of conflict in Indonesia²⁷. The Protestant (PGI) and Catholic (KWI) churches have also been active in addressing conflict, providing humanitarian aid and participating in inter-faith dialogues.

Media

64. The media in Indonesia has flourished since the end of the New Order with hundreds of new print and broadcast media coming into existence. With so many new publications and young, inexperienced journalists, the quality and accuracy of reporting have become increasingly important issues, especially with the news market being as receptive as it is to sensationalism. Press freedom is important to allow issues underlying conflict to be openly discussed, but requires greater press responsibility, professionalism and creativity. Partly as a result of this, district governments are issuing local regulations to limit local press freedoms. Journalists also reported that violence and intimidation remains a problem faced by the media, as does corruption and 'envelope journalism'.

²⁶ St Martins College Overview Of World Religions. (<http://philtar.ucsm.ac.uk/encyclopedia/indon/>)

²⁷ The Jakarta Post, 3 January 2001, 'NU and Muhammadiyah to tackle extremism'



65. Coverage of regional conflicts has tended to focus on outbreaks of violence, which is partly limited by the challenges of gathering news from around such a large country. Nationally, the reporting of conflicts has also been identified as creating problems through a combination of poor journalism and the promotion of perspectives that simplify conflict situations, thereby reinforcing the perceptions and positions of parties and interest groups. Misinformation and rumours have contributed to escalation of tension locally, and in many cases the media has only exacerbated these rather than reducing them. In Maluku, sectarian division of the media and biased reporting fuelled hostile attitudes within each community, and similar problems exist in Central Sulawesi.

Key Institutions and Actors in Central Sulawesi

Local Government and Security Forces

66. The provincial government in Central Sulawesi and district government in Poso are the main state institutions dealing with the Poso conflict. Satkorlak in Palu is co-ordinating humanitarian aid, rehabilitation and reconstruction at the provincial level, and the mission met with the Departments of Social Affairs, Agriculture, Health and Education who have programmes planned to support the Malino Declaration. The mission was told that the priority is for Muslim IDPs to return to Muslim villages and Christian IDPs to return to Christian villages; the later stages of the return process will involve the return of IDPs to mixed villages. At the district level, Satlak headed by the Deputy District Head (*Wakil Bupati*) is co-ordinating the government emergency response. The lead government agency for handling the conflict is the Board for the National Unity and Protection of the People (*Badan Kesatuan Bangsa dan Perlindungan Masyarakat*).
67. A central organization is the Malino Declaration Working Group formed by the local government in Poso on 2 January 2002. The working group is head by the Deputy Bupati, Drs. Malik Sjahadat, and leaders of the Muslim and Christian delegations to Malino. The working group has nine teams and 218 members from government, civil society and the security forces covering the fields of (i) socialization and reconciliation, (ii) security, (iii) law, (iv) mental rehabilitation, (iv) social rehabilitation, (v) economic rehabilitation, (vi) physical rehabilitation, (vii) IDP returns, (viii) education and (ix) health. The local government has also formed separate Muslim and Christian teams of 2-5 people to visit nine sub-districts in Poso to socialize the Malino Declaration; if accepted, the Christian and Muslim teams will organize joint meetings in each sub-district. It was reported that teams have already been formed at the village (*kelurahan*) level in Poso town.
68. The local governments reported that there was adequate funding from central, provincial and district government for the socialisation of the Malino Declaration and the associated programmes, but it appeared that these funds had not yet reached the local governments at the time the mission visited the province. The mission was unable to ascertain the division of functions between province and district. The first phase of IDP returns targets 1000 people and will be undertaken between 28 January – 28 February.



69. There are roughly 3,500 security personnel in Poso²⁸, comprising three battalions of police and two battalions of military troops. Security is provided by joint army and police posts in villages, and the local police in Poso had established 124 posts within the six affected police sectors (*polsek*) to separate the Muslim and Christian communities. They are supporting the Malino Declaration through socialisation and the collection of tens of thousands of weapons, most of which were handmade firearms and sharp weapons (concerns were raised about the continued ownership of organic weapons). The police were providing protection for people to return to their villages for 'look and see' visits, and remarked that incidents had occurred when people had returned of their own accord. The army was beginning to rebuild houses in Poso Pesisir sub-district, and it was reported that the army would rebuild about 800 houses as part of the first phase of IDP returns. Previous experience in North Maluku shows that importance of IDPs rebuilding their own houses, and it is recommended that such an approach is developed in Poso.

Civil Society and Media

70. Civil society in Poso appears to be mostly limited to organizations associated with religious institutions. In Tentena, the church has established a Crisis Centre, which has been providing aid and support to IDPs and undertaking investigation and advocacy work. The centre's vision is reconciliation and mission is education for peace, and it is also conducting activities to help people deal with trauma, to help prevent further violence and education aimed at adults and children. In Poso, the mission met with religious leaders, who emphasized their trust in local government to implement programmes to support the Malino Declaration, and the importance of education and economic recovery. Local NGOs in Palu have responded to IDPs in Palu and surrounding areas, and formed a NGO Working Group for the Resolution of the Poso Conflict (*Pokja LSM Resolusi Konflik Poso*) but none have been able to establish a presence in Poso itself, limiting their effectiveness.

71. The print media in Palu (*Mercusuar/Radar Sulteng*) and Poso (*Poso Pos*) has been criticized for bias in their reporting of the Poso conflict. Training for local journalists has been provided by USAID/Internews, The British Council and national media NGOs, but it is difficult to assess the impact of these on the media. Local journalists have established a Media Centre for Peace in Poso (*Pusat Media Perdamaian Poso*), which will monitor the implementation of the Malino Declaration through visits and the collection data; the centre will also monitor the media to promote unbiased professional media coverage and produce publications.

Key Institutions and Actors in Maluku

Local Government and Security Forces

72. Maluku is still under a State of Civil Emergency and the Governor, M. Saleh Latuconsina, acts as the Regional Administrator of the Civil Emergency (*Pengusaha Darurat Sipil Daerah*), leading policy on all aspects of management of the civil emergency through the police, army and local government. Due to the nature of the

²⁸ The Jakarta Post, 25 February 2002, 'Police head to Poso to help disarm factions'



conflict in Maluku, it is clear that the Governor has faced great difficulties in this role. The segregation of Ambon town creates practical difficulties for government employees, and the Governor has managed to maintain the Governor's office as a neutral space. Many provincial offices have relocated to the Governor's office, although it is clear that the local government has been severely disrupted due to the conflict. The Governor highlighted the areas that local government will focus on including the implementation of regional autonomy, the return or resettlement of IDPs, the provision of support and services for non-IDPs as well as IDPs, policies to address unemployment and economic recovery²⁹, and the enforcement of law and order (initially through a campaign for the public to respect law and order). The provincial government also plans to place 'Government Liaison Officers' in the villages in order to improve the communication between the people and government, and to act as a means of hearing complaints and improving public service delivery. The provincial parliament (*DPRD Dati I*) has formed a Special Committee (*Panitia Khusus*) to deliberate and hear views from the community on important issues in Maluku. The parliament highlighted health, education and marine transportation, and for international support to not involve political interests in Maluku.

73. The new Mayor and Deputy Mayor of the local city government in Ambon are committed to increase local government capacity and improving public services. They have approached the Partnership for Governance Reform for assistance, and have plans to rebuild the local government training centre. Other problems raised included: (i) there is one general hospital (*Rumah Sakt Umum*), which was in the Christian area and the local government plans to rebuild this and new health centres to serve both Muslim and Christian communities; (ii) the supply of electricity is still often interrupted, which increases the sense of insecurity in the community; (iii) the three units for garbage disposal have been damaged in the riots and need to be replaced; (iv) schools are in need of rehabilitation.
74. The justice system in Maluku presents considerable challenges, being completely inoperational during 1999-2000 and with only 276 cases heard in 2001. There are 48 prosecutors in the provincial prosecutors office, but only three high court and three district court judges in Maluku, and their accommodation which was targeted in previous riots requires rebuilding. The provincial prison was burnt down in 1999, and prisoners as held in Saparua (Christian) and Banda Neira (Muslim). Officials told the mission that corruption is rampant in the justice system without an effective oversight mechanism, and that the police are not effective in preparing and submitting cases to the prosecutors' office. The criminal justice system therefore requires support to make it effective in meeting the needs of the people in Maluku. The provincial and city governments highlighted the need to develop trust from the people in the justice system and to change people's behaviour following three years of effective lawlessness. The Ministry of Justice and Human Rights has committed to send more judges and prosecutors to strengthen the justice system³⁰.

²⁹ The Co-ordinating Minister of Economic Affairs has been co-ordinating plans to accelerate economic recovery in Maluku. See TEMPO Interactive, 3 March 2002, 'Government Plans to Accelerate Economic Recovery in Maluku'

³⁰ The Jakarta Post, 28 February 2002, 'Judges to soon return to Maluku: Yusril'



75. The military's basic strategy is to prevent renewal of fighting in the hope that people will gradually learn to live with each other. Many fear that once the military presence is reduced, conflict could quickly resume. One should also keep in mind that military and police personnel have a material interest in the continuing emergency in Maluku. It provides opportunities to acquire additional income, for example, by imposing "taxes" on trade and other legitimate economic activities or involvement in lucrative illegal enterprises including gambling, prostitution and narcotics. While the military and the police have no desire to return to the all-out conflict of 1999-2000, their financial interest are served by a high level of public nervousness. Occasional bomb explosions and shootings are sufficient to persuade business-people and property-owners to pay for special protection. Competition for limited resources also helps to explain the periodic fighting between army, police and marines.
76. The mission met with the Head of the Provincial Police, Brigjen Soenarko, and other senior officers as well as the former Head of the Provincial Police, Brigjen Firman Gani. The former police chief highlighted problems faced by the police including the division of Muslim (in *Polres*) and Christian (in *Polda*) police in Ambon and the intimidation and fear experienced by the police. The present police chief noted that on the surface there are improvements but there is a great need for surveillance and police presence to ensure security. Others with whom the mission met stressed that the police have not presented an effective security presence, and a senior officer reported that the equipment (transportation, communication and riot control equipment) and training received by local police was limited and did not include skills required for operating in conflict areas such as crowd control and community policing approaches e.g. negotiation and communication skills. The Mayor of Ambon has reported in the press that tension and fighting between the police and military has obstructed the reconciliation process³¹.

Civil Society and Media

77. The number of NGOs in Ambon has grown massively since the outbreak of violence from about 30-40 NGOs in 1999 to more than 500 in 2002. Most of the new NGOs are concerned with providing humanitarian assistance to IDPs, and about 100 have been supported through Mercy Corps NGO capacity building programme. Cross-community local NGOs are few, although during the first year of the conflict the cross-community NGO forum TIRUS held regular meetings between Christian and Muslim NGOs. There are also a number of local cross-community groups, which provide important bridges across the sectarian divide. A prominent civil society group is the Caring Women's Movement (*Gerakan Perempuan Peduli* or *GPP*), which was formed in September 1999 by women opposed to the continuation of violence and which has been active campaigning and carrying out activities in support of women and children in the community. Other NGOs are also undertaking valuable work focused on rights, gender, trauma counseling, community facilitation, health and education.
78. In March 2000, local NGOs and community leaders with support from civil society organizations in Jakarta formed the *Baku Bae* movement, which has been the most

³¹ The Jakarta Post, 23 January 2002, 'Security forces an obstacle to peace in Maluku: Mayor'



visible civil society response to the conflict in Maluku. Many officials and people met by the mission commented positively about *Baku Bae*, which plans further activities focused on (i) ending the violence through working with community leaders, (ii) law enforcement at the community level, and (iii) economic empowerment for affected communities. *Baku Bae* as a movement involves strategic groups in Maluku including traditional and religious leaders, the women's movement (GPP), youth groups, intellectuals and educators, lawyers, journalists and IDPs, and is a unique broad-based movement for peace in Maluku.

79. As the conflict has emerged out of the emergency phase, a number of local NGOs have shifted their attention more to advocacy work in an attempt to inform and influence local government policy. The Coalition of Non-Governmental Organisations (*Koalisi Ornop*) raised the issue of accountability of the huge number of NGOs working in Maluku with regards to the potential for misuse of funds from international and national sources, and issues concerning the role of unconditional humanitarian support in maintaining the *status quo* in Maluku without a change in the security situation. Many civil society actors met by the mission believe that the government has been slow in dealing with the conflict and has been focused on the consequences rather than the causes of the conflict.

80. Much of the local media in Maluku is organised along sectarian lines and has aroused considerable criticism for bias and provocative reporting. There are three main daily newspapers, the Christian *Sivalima* and *Suara Maluku*, and the Muslim *Ambon Express*. There is also a range of other print and broadcast media, including the local state radio (*RRI*) and TV (*TVRI*), both of which are located in the Christian area and have also been criticised for bias. The Laskar Jihad also runs their own radio station, *Radio Suara Perjuangan Muslim Maluku*, which is highly provocative in its broadcasts and, despite attempts by the authorities to close it down, continues to operate. An initiative by the Alliance of Independent Journalists (*AJI Indonesia*) and *Baku Bae* to reconcile the Muslim and Christian journalists succeeded in establishing a Joint Media Centre and better relations amongst journalists, and was reported to have reduced the bias within the media. Nevertheless, the local media in Maluku remains relatively basic and is in much need of further support.

Key Institutions and Actors in Papua

Local Government and Security Forces

81. The local government in Papua is head by a Papuan Governor, Jaap Solasa, who, as head of the executive and representative of the central government, is responsible for the implementation of special autonomy. The Governor stated that although Papua may seem to be an area in conflict and there is sometimes tension, it is safe, and that special autonomy shows the goodwill of central government, which can provide increasing prosperity that can be appreciated by society in Papua. Within the framework of special autonomy, the Governor outlined the policies of the local provincial government, which focus on (i) improving the quality of human resources, (ii) developing infrastructure, (iii) empowerment of the people's economy, and (iv) improving the education and health of the people. The Governor also highlighted the need for the local government to change its behaviour to that of a customer-focused public service at all level of government down to the village level.



82. The mission met with a range of provincial government departments. According to the Department of Social Welfare (*Dinas Kesejahteraan Sosial*), 73% of Papuans are in rural areas with some areas not accessible to the government. Weakness of social services is lack of equipment and funds. With such a dispersed rural population, transportation is difficult, and the Department of Transportation (*Dinas Perhubungan*) is focusing on upgrading infrastructure (air travel, ports, roads and bridges) to increase access of villages to markets and services, and reduce the costs of basic goods in the interior. The Regional Investment Promotion Board (*Badan Promosi Investasi Daerah*) reported that there are eleven companies investing about Rp13 trillion in Papua, and will need 100,000s of workers (BP alone will employ 31,000 people in Tangguh). A major constraint is training to international standards that includes training for tourism and local entrepreneurs, which could be overcome by a quality vocational training centre (*Pusat Pelatihan Kerja*). Department of Trade and Industry (*Dinas Perdagangan dan Industri*) felt that three factors affected the provincial work force: (i) cultural factors are a barrier for native Papuans to move into the workforce as they come from a traditional society, (ii) the education system does not help Papuans due to its lack of regional content, and (iii) the need for good governance in the province to ensure that the young generation do not have the same experience of the last generation. The Bureau of Governance Arrangements (*Biro Tata Permerintahan*) stated that local government has received institutional strengthening via BAPPENAS and the Ministry of Home Affairs. Each department should have minimum standards of service and tight better financial control. Strengthening of the district and village level is important, and the government plans to employ village outreach workers in the villages. The Regional Development Planning Board (*BAPPEDA*) stated that the province was planning to develop overseas trade representatives in order to help access overseas markets, and asked whether this should be through the European Commission. There is a strong potential for many agricultural products in Papua, but the limitations include access to production inputs, harvesting, processing and marketing. The Department of Agriculture (*Dinas Pertanian*) encouraged investment in agribusiness.
83. Although the local government appeared to have clear plans for the broad economic and social development of the province, the most notable feature of much of the discussion on local government priorities was the low priority of pro-poor economic and social policies. The Draft Regional Budget (RAPBD) that has been recently submitted to the local parliament by the local government has become an issue, with civil society groups claiming that the budget is lacking in resources for effective public services and community development. It was predicted that this budget will generate further skepticism towards local government and special autonomy.
84. The newly elected Head of the DPRD, John Ibo, highlighted education and health as the two priority sectors for Papua, and outlined the need to strengthen the role of local parliaments at provincial and district levels in establishing strong democracy in Papua. The DPRD will enact the 300+ regional regulations on special autonomy that are produced by the Special Regional Regulations Team (*Tim Khusus Perda*). The process of legislating will involve much political debate (a small majority (23/45 members) of the provincial parliament is non-Papuan), but this debate will be strengthened if members are well informed of the technical issues surrounding these regulations.



85. However, the local perception related to the mission is that real control in Papua is still exercised by the security forces under the umbrella of Jakarta, which may limit the effectiveness of special autonomy. It will be important that policies on security, law and order and special autonomy are mutually supportive. For example, the police force should be supported to execute their tasks in enforcing law and order based on the concept of community policing, and a greater number of Papuans should be enrolled into the local police.

Civil Society and Media

86. There are a range of NGOs, religious and cultural organizations in Papua. The mission met with the Office of Justice and Peace (*Sekretariat Keadilan & Perdamaian*) of the Diocese of Jayapura, the human rights NGO ELSHAM Papua, the NGO Cooperation Forum (*Foker LSM*), the Rural Development Foundation and local NGOs in Wamena. These organisations are working on issues of governance, human rights and justice, inter-faith dialogue and community development. Women's groups and networks are also active in working on health issues and promoting the role of women in Papuan society. These organisations do not take a political position in terms of the Papuan conflict, but wish to support a peaceful process of dialogue that benefits the Papuan people. Civil society organizations promote the concept of Papua as a peace zone, and wish to conduct activities in support of this.

International Agencies and Donors

87. The international community has been active in providing humanitarian assistance, capacity building and training on conflict prevention and resolution, and funding and technical assistance for government and civil society. The United Nations has been the lead international organization in this area with many donors providing their humanitarian and post-conflict development assistance through the UN system, while other donors such as USAID have managed large bilateral assistance programmes in this area. The European Commission has been active through ECHO, providing around €18 million of humanitarian aid since 1999.

88. The UN has undertaken a Common Country Assessment and identified four main areas for work in Indonesia: (i) Governance and Institutional Reform, (ii) Sustainable and Equitable Recovery, (iii) Social Justice and (iv) Conflict. The UN has formed a Conflict Theme Group to develop strategy and co-ordinate across the UN system, and is focusing on assisting national and local government on issues relating to early warning and rapid response as well as peace-building and training. The mission met with four UN agencies. The Conflict Post-conflict Recovery Unit of the UNDP is focusing on preventative and recovery activities and has post-conflict recovery projects in Maluku, North Maluku and West Timor. OCHA co-ordinates international humanitarian activities nationally with government and has established UN Resource Centres in North Maluku, Maluku and Aceh. UNESCO has focused on activities in support of the 'Culture of Peace' and has established a network of regional radio stations through which training and support is provided. UNICEF has been working on peace-building, education, training and child rights through its humanitarian response and development programmes in Maluku, North Maluku and Aceh, and is focusing on conflict prevention in selected areas through its longer-term development work. UNIFEM and UNFPA has run a project



supported by Ausaid on women rights and violence against women, while WHO has been running its 'Health as a Bridge for Peace' programme in Maluku and North Maluku.

89. The Partnership for Governance Reform is the main channel for many donors to contribute to governance reform in Indonesia. The Partnership is an Indonesian owned and managed initiative supported by the UNDP, and works in seven main areas: (i) Anti-Corruption, (ii) Police Reform, (iii) Legal/Judicial Reform, (iv) Decentralisation, (v) Parliament Strengthening, (vi) Electoral Reform and (vii) Media and Civil Society. Through supporting the establishment of good governance, the Partnership indirectly support conflict prevention where poor governance is an underlying factor of conflict. The Partnership co-sponsored a workshop on decentralization, economic development and entrepreneurship in Papua that produced proposals for activities with civic education and economic objectives. The Partnership has also supported a project on the 'Promotion of Special Autonomy in Papua through dialogues and advocacy for human rights and reconciliation'. Although conflict is not one of the themes of the Partnership, it is considering supporting activities with the Ambon city government and to provide support to the establishment of the religious courts in Aceh.
90. USAID has provided humanitarian aid to internally displaced persons including clean drinking water, shelter, seeds for agriculture, and other critical services. USAID's Office of Transition Initiatives (OTI) has focused on fast response to conflict and crises in the conflict-prone regions of Aceh, Maluku, West Papua, Sumatra, and East Nusa Tenggara. Grants supporting conflict prevention and mitigation; continued good governance activities (parliamentary training at the local/regional levels, anti-corruption campaigns, legal reform, and raising awareness about decentralization); strengthening public advocacy, human rights, civil military relations and media. In Aceh, OTI has given support to a series of parliament strengthening workshops for district level parliaments and a critical review of the drafted *Qanun*, a one-day round table discussion on finding a peaceful solution to the Aceh conflict, the mediation role of the Henry Dunant Center for Humanitarian Dialogue, a discussion of the details of Islamic Law to non-Muslim members of the Acehnese community and a series of interactive talk shows will also be held on TVRI to discuss the political, social and economic implications of the new law. OTI has supported other activities with NGOs and was planning to support Forum LSM Aceh, an Acehnese NGO umbrella group, and members of the Acehnese parliament to hold a series of public hearings on the recently drafted *Qanun* in January.
91. In Papua, OTI has executed two grants promoting accountability and transparency in government through public participation. OTI also funded a project on legal drafting for the team drafting the regional regulations, the provincial legislature, traditional leaders, religious leaders, NGOs & women activists and the Office of the Governor hosted by the Law Faculty of UNCEN (the state local university). This program produced initial drafts for some of the *Perdasi/Perdatus*, especially related to the electoral mechanisms of Parliament, provincial symbols (the anthem, flag, etc), revenue sharing from natural resources with the central government, the education system and traditional rights. In Maluku, OTI has supported Mercy Corps programme, the *Baku Bae* process and joint activities in neutral spaces such as a computer training facility, and was planning parliamentary strengthening for Ambon



City's elected representatives in early 2002 with an advocacy skill building program between local NGOs and local parliaments.

92. A number of European Member states provide support for democracy, governance and conflict prevention. The German Development Co-operation Agency (GTZ) focuses on three areas: (i) decentralisation & reform of government administration, support to local & regional authorities, rural and urban development, (ii) business promotion & job creation measures (basic & vocational training, promotion of small & medium enterprises), development of financial systems (microbanking), and (iii) conservation and protection of natural resources. The British Embassy through DFID is supporting the Partnership for Governance Reform, a large Multi-Stakeholder Forestry project, the UNDP Conflict Prevention and Recovery Unit, and has supported a range of conflict prevention activities including local media training by the BBC and drafting of regulations on elections in Aceh. The Royal Netherlands Embassy is channeling most of its support via the UNDP Conflict Prevention and Recovery Unit, but also funds Common Ground Indonesia and some media organisations. The Italian Embassy is supporting the UNDP programme in North Maluku. Other prominent international donors active in the fields relevant to conflict prevention include Australia (Ausaid), New Zealand and Canada (CIDA). Ausaid has provided humanitarian aid and development projects supporting Komnas HAM, grants to civil society, legal reform and training for government, military and civil society on human rights. CIDA is supporting Komnas HAM and funding small grants in order to enhance capacity to protect and promote human rights and respect for law and increased ability to utilize peaceful approaches to conflict resolution.
93. There are several international organizations and INGOs working in Indonesia on humanitarian relief and post-conflict development, and some, notably OXFAM, World Vision, Save the Children, Catholic Relief Services and Mercy Corps are actively taking a conflict prevention and peace-building approach to their work. Only a few INGOs have distinct programmes in conflict prevention, resolution and inter-group relations including Common Ground Indonesia, The Asia Foundation and Peace Brigades International. PBI is supporting NGOs in Aceh through protective accompaniment as well as conflict resolution training. Internews has conducted training for journalists and community leaders in conflict areas on 'Conflict Reporting' and 'Communicating for Humanity'.
94. Although many groups welcome the international support for conflict prevention, a common criticism heard by the mission was the lack of support and information to help build institutional capacity and knowledge with too much focus on grants for projects. Some also felt that there had been too much focus on training and not enough on support for undertaking practical conflict prevention measures. Many also felt that the international community should evaluate its support in this area to develop better ways of supporting Indonesia. From reviewing the international organizations working in this area and from seeking ways of supporting projects, the mission concluded that there is a bottleneck for donor support in terms of the limited delivery mechanisms / international organisations working on conflict prevention that can effectively meet the needs of a diverse range of local Indonesian organizations.



E. PROPOSED CONFLICT PREVENTION STRATEGY

95. The EC Country Strategy Paper (CSP) for 2002-2006 provides a framework for co-operation between the EC and Indonesia. The conflict prevention strategy for the EC proposed below is discussed within this framework.

EC Country Strategy for Indonesia

96. The CSP highlights four basic objectives for the EU's approach: (i) establishment of a comprehensive political dialogue; (ii) the Union should intensify its trade and investment relations, (iii) any future strategy should raise the EU profile in Indonesia, and (iv) the EU contributes to sustainable development, poverty alleviation and sustainable management of natural resources. In the EC's development co-operation programme for the 2002-2006 there is a shift of emphasis towards sectoral support. During the major political and economic transition and in the light of the move towards a more decentralised administration, the Indonesian government's sectoral policies will need to be reviewed, amended and in many cases substantially revised. The EC's programme can support this process of policy re-formulation and the practical implementation of policies in the following target sectors:

1. **Good Governance**, public administration and the provision of public health and education services to the poor, including support to economic liberalisation linked, as far as is appropriate, with developing trade and investment relations with the EU,
2. **Natural Resource Management** (forests, water and rural environment).

The crosscutting issues which have to be reflected in the design of all actions, as described in the EC CSP, are:

- **Poverty Alleviation**: is the overarching goal of all EC development programmes;
- **Good governance**: responsible, effective and transparent management of public affairs;
- **Capacity Building and Human Resource Development**: improving the capability of public services, the private sector and NGOs to manage their responsibilities efficiently and in a way that responds to the needs of the Indonesian people;
- **Civil Society and Gender**: encouraging and facilitating the fullest participation of women and men in all aspects of democratic life;
- **Conflict Prevention**: the Commission will seek, as appropriate, to incorporate conflict prevention (and/or resolution) measures into the development actions financed – particularly in difficult regional contexts like Aceh, Papua and the Moluccas.

97. The mission supports the CSP, which states that the approach adopted by the Commission should reflect the following parameters:

- A sufficiently **flexible** approach to respond to Indonesia's rapidly changing and unpredictable needs
- An approach **co-ordinated** with that of the EU Member states and other development agencies
- Consistency with the governmental **decentralization** process



- Within budgetary limits, an **upgraded level** of EC development co-operation
- A programme directed at **maximising the value and contribution** of the Government's sectoral policies

EC and Conflict Prevention in Indonesia

98. Conflict prevention is described as a cross-cutting issue in the EC CSP for Indonesia, and the reduction of social unrest is a key priority for the Indonesian government. The EC Communication on Conflict Prevention³² emphasizes the need to take a genuinely long-term and integrated approach for treating the root causes of conflict, ensuring co-ordination between the Commission, Member States and other international partners. The Communication discusses areas where the EC can contribute including political dialogue, the macro-economic environment, support for democracy, the rule of law and civil society, security sector reform, combating the trade in drugs and small arms, management of natural resources and specific short-term and post-conflict measures. This report aims to provide the information required for the Commission to take decisions on the future strategy and actions to support Indonesia in reducing social unrest and preventing further violent conflict.

99. The development co-operation programme and specific mechanisms such as the Rapid Reaction Mechanism, the European Initiative on Democracy and Human Rights, Aid to Uprooted People as well as the Partnership for Governance Reform are all potential ways in which the EC can support Indonesia in this field. The mission found that there was low awareness in the regions of all these potential funding mechanisms, and recommends that the Commission improves the visibility and timeliness of these.

Funding Sources for EC Conflict Prevention in Indonesia

1. Development Co-operation. The EC Development Co-operation Programme with Indonesia has been upgraded to a total of €216 million for 2002-2006, with an average annual commitment of €43.2 million. At present €144 million has been committed to projects for 2002-2004.
2. Rapid Reaction Mechanism. The global budget for the Rapid Reaction Mechanism in 2002 is €25 million. The amount available for Indonesia is in the region of €1-1.5 million.
3. Aid to Uprooted People. The global budget for Aid to Uprooted People for 2002 is €36 million. For Indonesia the budget for Aid to Uprooted People for 2002 is €2.6 million.
4. European Initiative on Democracy and Human Rights. The EIDHR has supported three projects in Indonesia in 2001; worldwide, the budget for 2002 is €100 million, with €4 million targeted for conflict prevention. €600.000 will be available in 2002 for micro-projects in Indonesia, including conflict prevention activities.

³² Communication from the Commission on Conflict Prevention, COM (2001) 211, Brussels, 11 April 2001



100. The mission proposes that the Commission should adopt a long-term and flexible approach in supporting Indonesia in its efforts to prevent violent conflict. In particular, the mission recommends that the Commission takes a comprehensive approach focusing on a small number of target areas in order to develop local relationships, understanding of a particular situation and effective learning based on continuous evaluation of EC programming. There are a number of requirements for this to be effective, including:

- **Long-term commitment and funding** for a comprehensive multi-level programme in target areas
- A **regional focus** that reflects the regional problems of good governance and conflict in Indonesia
- A **flexible** approach that supports Indonesia by **responding to local needs and opportunities** working through and strengthening existing local, inter-regional and national networks
- An approach that enhances **existing strengths and capacities** both in government and civil society in Indonesia, not just through funding activities but through **adding value** by enhancing institutional capacity, technical competence and knowledge on conflict prevention and peace-building
- The existence of appropriate **skills, knowledge and capacity within the EC Delegation and associated development projects** for the development of working networks, planning, implementation, monitoring and evaluation of activities focused on conflict prevention
- **Effective co-ordination** between donors, in particular the UN, EU Member States and USAID

101. The mission proposes a framework for the EC strategy on conflict prevention in Indonesia that is based on (a) the seven sectors included in this assessment (as detailed in section 4 of this report), and (b) the EC Development Co-operation Programme in Indonesia. Within these seven sectors there is a mix of short, medium and long term needs for conflict prevention, some of which can be supported through:

- **short/medium term funding** – through the Rapid Reaction Mechanism, Aid to Uprooted Peoples, and European Initiative in Democracy and Human Rights, and;
- **medium/longer term funding** – through the bilateral EC-Indonesia Development Co-operation Programme.



Key Focal Objectives	Cross Cutting Themes for Conflict Prevention
<p><i>Short/Medium-Term</i></p> <ul style="list-style-type: none"> • <u>Support to Peace Processes</u> <ul style="list-style-type: none"> - Justice, human rights, law and order - Special autonomy - IDP return - Media and information a) Medium/Long-Term • <u>Good Governance</u> <ul style="list-style-type: none"> - Partnership for Governance Reform - Health and Education - Judiciary - Local Democracy - Conflict Prevention³³ • <u>Natural Resources Management</u> 	<ul style="list-style-type: none"> • Discrimination, prejudice and identity • Social, economic and political inclusion • Justice and human rights • Crime and the rule of law • Social and economic welfare • Land rights and NRM • Media and information • Mechanisms for dispute resolution

102. Although the conflicts in Poso, Maluku, on the one hand, and Papua and Aceh, on the other, are often described as ‘horizontal’ and ‘vertical’ respectively, there are clearly both ‘horizontal’ and ‘vertical’ components in all three areas. The state (central & local government, police and army) has a crucial role to play in these conflicts, and there remains the need to build confidence in the relationships between the state and the community as well as between groups within the community. In all three areas, the establishment of the rule of law and the process of bringing justice to address past events, criminal acts and human rights abuses is paramount. Similarly, there remain significant challenges in meeting the needs of the people in terms of social and economic welfare, employment and social healing. Consequently, the mission identified opportunities to support the local government, police, media and civil society in each of these areas.

Law, Order and Security

103. *Armed Forces.* The Armed Forces (TNI) has played a central role in managing violent conflict in Indonesia while beginning a process of military reform. Humanitarian law has become a permanent topic in the education and training at the military academy, and human rights are in the process of being included in the curriculum and new military doctrine. The Ministry of Defence expressed the need for assistance from experts from Europe on these matters. Unfortunately, the regional military commanders were not able to meet the mission.

104. *Police.* The police are a key actor in preventing violence and ensuring that law and order is maintained. The mission met with local police chiefs, police advisors and civil society organisations. Activities supporting community policing and training on human rights at the local level by UNHCR are having positive results, and the National Police have signed an MOU with the Partnership for Governance Reform to which the EC is a major contributor. A number of issues were raised including the need for:

³³ This is a proposed new project: see p. 52.



- improved communications and transportation, especially in remote areas;
- training on basic policing skills, crowd control, riot control, negotiation skills, social and cultural briefing;
- police independence and freedom from intimidation and external pressure to ensure that criminal cases are processed and passed to the regional prosecutors office;
- police accountability mechanisms including complaints procedures and external oversight;
- recruitment of police from the local community to help improve community relations and trust in the police.

Governance and Regional Autonomy

105. *Regional and Special Autonomy.* Regional autonomy has brought tensions between both central and regional governments and amongst regional governments. These tensions need to be resolved effectively, and models of central-regional government relations from Europe could be useful for Indonesia. The weakness of regional democratic institutions, continued corruption and a lack of transparency and public participation are the main obstacles to the successful implementation regional and special autonomy. Corruption inhibits the establishment of the rule of law and an effective justice system and as a grievance acts as an accelerating factor in conflict, increasing tensions and mistrust between government and the community. Measures such as the establishment of complaints mechanisms, public consultation and accountability mechanisms and governance audits of key institutions in conflict regions would help with governance reform in these areas. A further risk of regional autonomy is the rise of regional identity politics related to ethnicity and religion, presenting the risk of mass mobilisation, conflict and violence based more on the interests of local elites. The establishment of strong democratic and judicial institutions, measures to make leaders more accountable to the people and socio-cultural approaches to help reduce social divisions based on identity would help reduce the risk of mass mobilization for political purposes.

106. *Justice and Human Rights.* In the three areas, human rights abuses, criminal acts, the impunity of offenders and continued injustice are primary grievances of the community that increase the risk of further violence and impede the reconciliation process. It is absolutely vital that these issues are resolved through credible legal processes and transitional justice measures that effectively deal with the past violence and human rights issues. The mission met the Ministry of Justice and Human Rights and human rights NGOs, and the following issues and needs were raised:

- the need for strengthening the role of institutions including the National Human Rights Commission (*Komnas HAM*), National Commission for Women (*Komnas Perempuan*) and the National Ombudsman;
- the establishment of credible legal processes to deal with human rights issues in the three areas, in particular the Commissions investigating human rights abuses in Papua;
- the need for human rights workers to be able to work without fear of intimidation;
- training to DPRD I/II, local governments and justice on human rights and transitional justice issues;



- a national strategy, vision and action for establishment of the rule of law through, for example, 'Forum Komunikasi Hukum';
- transparency and accountability of the justice system promoted through measures such as governance audits and commitment from government at all levels.

107. *Public Services.* Poor public service delivery is an underlying grievance leading to perceptions within the community that government is not concerned about the welfare of the people. The mission met with local officials who showed commitment to increase public service delivery to meet the community's needs, but there were many officials who did not acknowledge the importance of the civil service acting in the people's wider interests. The reform of public service delivery is a long-term process, but is vital to build the confidence of people in government and to reduce inequities in welfare between groups in society. Staffing and recruitment of government officials to reflect representation of different social groups in society is an important step to reduce tensions arising from perceptions of discrimination in government.

108. *Elections.* National elections and the election of district and provincial heads are potential flashpoints and causes of conflict and violence. Co-ordinated strategies for reducing the risk of violence are required ranging from revision of the electoral law (notably a ban on paramilitary wings of political parties and the establishment of stronger relationships between MPs and the electorate on a district constituency system), effective policing and other measures such as women's representation in parliaments and rules for political parties designed to reduce grievances and the risk of violence in the community. The National Elections Commission (KPU) is a potential focus for these issues.

Return of Internally Displaced People (IDPs)

109. The mission found support for the government policy of return, empowerment and resettlement and the need to find long-term solutions to the problem of displacement primarily through the return of displaced people. However, the challenges for completing the programme of return and resettlement within 2002 were raised many times, particularly for conflict areas where deep divisions and collective social mistrust and trauma remain high. Pragmatic implementation of the policy based on detailed analysis of the opportunities and risks for the return of IDPs and their basic needs as people with the possibility of extension into 2003 would be valuable for ensuring that the IDP return does not generate new tensions, conflict and violence. Other issues raised included the need to strengthen and increase the effectiveness of the National and Provincial Co-ordinating mechanisms (*Bakornas* and *Satkorlak*) and the need for verification of data on numbers of IDPs and their future aspirations.

110. The issue of promoting local community involvement via practical peace-building and reconciliation promoting activities and supporting 'bottom-up' processes is critical in the implementation of IDP return programmes. The return of IDPs and physical reconstruction (especially if done by the community themselves) provides an opportunity for the initiation and facilitation of local 'social reconstruction' and reconciliation work that is long-term in nature. In North Maluku, there are good examples of how local reconciliation meetings can play an



important role in the return process as well as examples from other countries that could provide useful lessons and inspiration for Indonesia. A further issue raised was the negative impact that distributing money directly as start up capital can have on microcredit schemes.

Social and Economic Welfare

111. *Education and Health.* Education is important as a long-term measure to bring peace in conflict areas through the training of teachers in conflict resolution, the development of the curriculum to include issues of identity, ethnic and religious diversity, pluralism and democracy, and making the curriculum more relevant to local cultural and social needs, especially in Papua. The school can also play an important role in the community and act as a focus for bringing communities together to address common needs and interests. Civic education aimed at adults using a variety of media, including soap operas for example, would also help to open space for discussion and learning about social and political issues relating to conflict. Health as a basic human need can act to strengthen linkages across different groups in communities. Like education, equity in access and quality of care are important in addressing grievances of those unable to access health services.
112. *Economic Welfare.* Economic welfare impacts community security and can be an underlying cause of violence. Effective pro-poor economic development policies and programmes that address unemployment and economic disparities between groups are important to reduce economic insecurity and social jealousy, and should be developed by local governments in conflict-prone areas.

Media and Information

113. Journalists stress the importance of the freedom of the press, for journalists to be free from intimidation, and the need for training to support the media as a whole to improve its output. Strengthened regulation locally, perhaps through the Press Council, support and training on basic journalism skills and peace journalism³⁴, and self-regulation of the media through media monitoring can all contribute to improve the media. Local community media should also be encouraged to promote local community awareness and social inclusion.
114. A number of organisations including UNESCO, Internews, the Institute for the Study of the Flow of Information (*Institut Studi Arus Informasi* or *ISAI*) and the Institute for Study of Press and Development (*Lembaga Studi Pers dan Pembangunan* or *LSPP*) have established effective networks aimed at building the capacity of local media. These have focused on local radio, and there remains demand and need for support to the print media and television, especially the state station, TVRI. Support to the media through training and other capacity building

³⁴ Peace Journalism represents an approach to reporting in conflict areas that promotes a broader, fairer and more accurate way of framing stories, drawing on the insights of conflict analysis and transformation to create new understanding about underlying issues, needs and responses. Members of the Indonesian media have been developing this approach as a new paradigm for reporting conflict in the country.



measures is limited by the willingness of owners and editors to change the output of their media.

Social and Cultural Relations

115. Civic organizations and community activities that cross ethnic and religious barriers are vital in building confidence in conflict situations and preventing the outbreak of violence in areas at risk. Such activities should ideally be led by the community and supported by sensitive facilitation, and may act to address basic needs within communities (e.g. children's education, disability, mental health), provide space for building new relationships as well as address issues of identity and prejudice and the demonisation and dehumanisation of the 'other side' that accompanies social conflict and violence.
116. Women's groups in particular have been pioneers in this area both in Indonesia and other countries. The role of the arts (creative arts, broadcast and print media, theatre, story-telling and cultural traditions) and recreation (sports and other pastimes) can also be vital in challenging prejudicial attitudes building trust and confidence between groups, and can be supported by the provision of facilities for such activities. Such activities can play an important role in reconciliation, and should not be imposed but facilitated by outsiders. Women, social workers, artists, community, religious and cultural leaders can all be empowered to work effectively these areas, to learn from experiences in other countries and to develop their own approaches for their particular situation.



Natural Resource Management

117. In many areas, the lack of recognition of community land rights and the utilization of community land by other parties is a major grievance that has contributed to conflict and violence. The use of community land by migrants and companies is a part of the background to conflicts in Poso, Maluku and Papua, and is an underlying issue that needs to be addressed. The expansion of illegal logging has further exacerbated tensions and conflict, and the relationship between social violence and illegal harvesting of natural resources and community rights needs to be better understood.

Short-Term Support for Conflict Prevention in Indonesia

118. Through a wide range of meetings the mission has identified a number of requests for short-term assistance for support in conflict prevention and peace building in Indonesia. The mission proposes that such support should focus on strengthening the capacity and knowledge of formal and informal institutions **using local and national Indonesian expertise supported by relevant European expertise where necessary**. The EC will also consider how it can support other requests for support made during the mission, and where possible will encourage other donors to support Indonesia in requests to which the EC cannot itself respond. **The recommendations presented here represent the findings of the independent team, and do not represent a commitment for support by the European Commission.**

119. The main short/medium term proposals are to support current peace processes in Central Sulawesi, Maluku and Papua. The mission has identified a number of activities that could be supported by the EC that address immediate needs and could contribute to preventing the resurgence or outbreak of violent conflict in these areas. These activities should be implemented over the next 6 months, but some require further follow up to complete their identification. These short-term measures include the following:

Poso, Central Sulawesi

120. In Poso, Central Sulawesi the following issues and needs were reported to the mission: (i) limited capacity, experience and knowledge of local government in managing a peace process, (ii) local uncertainties about the Malino Declaration and the need for local community involvement and local processes, (iii) local confidence-building measures as part of the peace process to reduce mutual suspicion and promote social healing, (iv) media reporting and coverage, (v) monitoring and evaluation by government and civil society, and (vi) constraints on the effectiveness of the police including communications, training and experience.

121. *Community Needs*. The mission met with the provincial and district governments, the district police chief, community representatives, NGOs and journalists in Palu, Poso and Tentena. The Malino Declaration is well publicized and there is a certain amount of optimism that it will bring an end to the violence in the area, although locally there is uncertainty about the practical realization of the



declaration³⁵. There remains a significant level of trauma, mutual mistrust and suspicion within those who suffered from the past violence, which will need to be addressed through local confidence building and social rehabilitation measures over the coming months. Education and the economy were highlighted as key sectors.

122. *Local Government.* The commitment of central government to support the Malino process was highlighted, and the Poso district government through the Malino working group (*Pokja Pemda II*) is active socializing the declaration in the seven affected sub-districts. However, concerns were raised both in meetings with government and non-government organizations about the capacity and experience of the local government and Malino work groups in managing a peace-building process of this kind. The poor representation of women in the *Pokja Pemda II* is also conspicuous. In order for Malino to realize its potential, it will be necessary to involve the local community and returning IDPs and promote ownership of the process amongst all levels of society in Poso, especially at the grassroots level. The head of the Board for the National Unity and Protection of the People, Drs. Moch. Amirullah requested support from the EC through practical training and simulation on conflict management and peace-building.

123. *Police.* Thousands of weapons have been handed to the police and reconstruction and the first returns are slowly beginning, but there have been some related security incidents. The government's priority to maintain security and enforce law and order is appropriate, although there were worries expressed about unprofessional actions by members of the security forces. The local police have been reinforced by more than 300 including many policewomen, and have been reported to be undergoing psychological tests³⁶. The head of local police in Poso was keen for support in effective policing³⁷, and given the commitment to ensure that Malino Declaration is a success presents an opportunity for support. The risk is that the demands of present activities make it difficult to integrate training.

124. *Civil Society and Media.* Civil society is poorly developed in Poso, and Mercy Corps plans to start a programme to facilitate capacity building for civil society and community groups. The media in Palu and Poso requires support, and Internews and ISAI are planning to support the local media.

³⁵ See articles 'Burning Desire for Real Peace' and 'Guarding Peace in Tentena', Tempo Magazine, January 15 - 21, 2002

³⁶ The Jakarta Post, 25 February 2002, 'Police head to Poso to help disarm factions'

³⁷ Reuters reported on 23 January 2002 that police in Poso recently punched two *Laskar Jihad* members at a town market, prompting hundreds of Muslims to stage a noisy protest in front of the local police headquarters.



Ambon, Maluku

125. In Ambon, the following issues and needs were reported to the mission: (i) continued impunity of those who commit criminal acts and acts of violence leading to a state of semi-lawlessness, (ii) sectarian division in the police and community intimidation towards the police, (iii) lack of activity in the criminal justice system with only 278 cases heard in 2001, mostly for minor offences, (iv) high unemployment and related social problems, (v) long-term community segregation and a lack of neutral meeting space, (vi) plans to begin the return process for long-term displaced communities but with no good information on their needs nor a clear process for this, and (vii) transportation and communication problems.
126. *Community Needs.* The mission met with the local government, DPRD, the provincial police chief, journalists and civil society organizations in Ambon. The situation in Ambon has stabilized over the last year and communal rioting has been replaced by sporadic shootings and bombings, reflecting the progression of conflicts in other countries such as North Ireland. Despite the almost complete segregation between Muslim and Christian communities, there appears to be widespread support for peace but still groups within the community resistant to this. There is now more neutral space for cross-community meetings and activities such as informal markets, and the expansion of this is would contribute to increased contact and confidence-building between the two communities. There is a great wish within the public in general for the violence to end and for people to be able to rebuild their lives in peace. Like Poso, the much trauma related to the past conflict and fear of cross-community activities being targeted by those opposed to reconciliation. Issues relating to investigating the beginnings of the Maluku violence and other incidents, the establishment of the rule of law, bringing to justice and ending the impunity of those responsible for the violence, facilitating the return of IDPs, improving social welfare, regenerating the local economy and reducing unemployment were all highlighted to the mission. This is a broad agenda with many sensitive issues for both communities in Maluku.
127. *Local Government.* The government will need to adopt an approach that does not impose mechanisms or solutions but one that has wide support from major stakeholders at all levels. The Malino II meeting has the potential to lead to such an outcome at the level of community leaders, and depending on the outcome, is likely to require further local consultation with local communities in Maluku. Such an approach increases the visibility of the government's commitment to find solutions in Maluku, but has risks if there is resistance from certain interest groups and demands that there is follow up and action on key issues. The Malino II meeting will hopefully assist in the identification of priority issues and immediate actions. Practically, concrete steps to stem the violence and bring perpetrators of criminal and violent acts to justice are required. Work to support the justice sector, IDP return, people's welfare, economic regeneration and training would be useful next steps aimed at improving people's economic welfare, sense of security and future prospects, and can be done with a peace-building perspective in order to rebuild relationships and trust. In addressing the past, the timing and credibility of transitional justice processes and actors will be vital, and will require sensitivity and local 'consensus building' before, during and after any intervention in order that



outcomes are widely accepted. It will be important to phase these actions and deal with manageable issues sequentially rather than trying to solve everything at once.

128. *Police.* The provincial police chief in Maluku did not request specific assistance, but some of his senior officers were open to training and support. The Maluku Agreement in Malino demands that the police work effectively to maintain law and order, and presents an opportunity to support them in this task. The division of police along sectarian lines and the mistrust within the community present difficulties for them to work effectively. The police will need to work out how to resolve these issues for themselves, but this will likely be facilitated by external support from a combination of approaches that focus on determining strategic issues on policing, training and confidence-building for the police, and support for Muslim and Christian police to work together again.
129. *Civil Society and Media.* Mercy Corps and other INGOs are providing support to many local NGOs in Maluku. The *Baku Bae* peace process has been successful in building local community support for peace and various confidence-building activities, and requires funding for its next phase of activities. The recent ICG report on Maluku³⁸ recommends support for *Baku Bae*, and recent agreement in Malino may further improve the situation giving added momentum to the *Baku Bae* process. The Governor has recently issued a warning to the media for it to report professionally, accurately and objectively. The recent opening of the cross-community Manise Media Centre (MMC) in Ambon by the Alliance of Independent Journalists (AJI) has been an important step in uniting Muslim and Christian journalists and reducing the bias and impact of a divided media in Maluku. This MMC has much potential to act as a centre for building the capacity of the local media and strengthening relationships between Christian and Muslim journalists. Support to specific media and long-term mentoring by senior Indonesian journalists were also requested.

³⁸ International Crisis Group 'Indonesia: The Search for Peace in Maluku', February 2002



Papua – Jayapura and Wamena

130. In Jayapura and Wamena, the following issues and needs were reported to the mission: (i) the challenges faced by local government in the drafting of 300-400 regional regulations and the implementation of special autonomy, (ii) the need to strengthen local parliaments and establish strong democracy in the province, (iii) the basic development needs that exist in the province and the exclusion of indigenous Papuans in small businesses and other areas of economic activity, (iv) the sense of injustice felt by many Papuans towards the past and the need for a ‘clarification of history’, (v) the need for past human rights abuses to be processed in a credible manner according to the law and to ensure human rights are protected in the future, (vi) the importance to hear and understand the basic needs of the people and address social exclusion in the province, (vii) strong cultural prejudice between groups (especially Papuan/non-Papuan) combined with differences in perspectives between groups over the nature of the conflict in Papua, (viii) members of the church, women’s groups and NGOs spoke of their wishes to see a peaceful process and the need for a dialogue in Papua without taking a political position, (ix) the local police highlighted progress in changing the military mindset of its personnel, progress in training on community policing and new policy of increasing the proportion of Papuan police officers, and (x) in the Wamena district, NGOs expressed their concern on a lack of resources in the field of education and health care.

131. *Community Needs.* The mission visited Jayapura and Wamena and met with the local government, DPRD, the provincial police chief and civil society organizations. Women’s groups and the church are doing important work in meeting the basic social needs of people. The importance of justice and human rights was raised with the need for a credible, fair and just process in the handling of sensitive human rights cases. Strong credibility of Commissions and investigation teams with the Papuan people will be vital in rebuilding the trust between the Papuan people and government. The issue of the ‘truth’ behind the history of Papuan integration and the status of the ‘Morning Star’ flag were raised; these are sensitive political issues for the Indonesian government to manage and ones which arouse much emotion in Papua. There are also strong racial and prejudicial attitudes in Papua, which need to be addressed through anti-discriminatory policies from the local government and cross-cultural work at a variety of levels.

132. *Local Government.* The Special Autonomy Law (UU 21/2001) was discussed. The government team drafting the regional regulations has received training³⁹ but it was expressed that further support for the team in the task of completing the 300-400 regulations would be welcome. There were indications of a mixed response to the new law, with some stating that Papua had been offered autonomy in the 1969 but with no realization, and that there was widespread skepticism that this law would be different. Others stated that many Papuans did not know much about Special Autonomy and its implications, and some local government officials

³⁹ USAID/OTI funded a project on legal drafting for *Perdas* hosted by the Law Faculty of UNCEN for representatives from the Special Autonomy drafting team, DPRD, traditional and religious leaders, NGOs & women activists. This produced drafts for some of the *Perdas* related to electoral mechanisms of Parliament, provincial symbols, revenue sharing from natural resources with central government, the education system and traditional rights.



expressed that it was down to local government to determine what the Papuan people needed. There were concerns raised over the ability of local government to deliver and whether the regional regulations would reflect the aspirations of Papuans. Civil society actors stated that the law focuses too heavily on developmental and welfare issues, while insufficiently addressing issues related to the past. Clearly there is a need to increase the confidence of Papuans in the intentions and implementation of the Special Autonomy Law and for the needs of the people to be better understood and addressed by it. For example, the district-level consultations held during the drafting of the law (UU21/2001) were highlighted as being important in linking the law to the people's aspirations, although some meetings were disrupted. Such a process could help link the people to the outcomes of the drafting of the regional regulations (*Perdasus*) and the implementation of special autonomy⁴⁰.

133. *Police*. The police have received training through the UNHCR police training project, which was reported to have led to beneficial outcomes including increased street patrols, public meetings between the police and community, and a decrease in the use of firearms. There is a good opportunity to strengthen this project in Papua to cope with the demands of new Papuan recruits to the police force (there will be up to 400-500 new students this year, with the provincial police chief hoping 95% will have a Papuan background⁴¹) and to spread the benefits across the province.

134. *Civil Society*. The main civil society groups met in Papua were NGOs, women's groups and religious organizations. NGOs were focusing on special autonomy, human rights and justice, while the churches were keen to take forwards work on community education and cross-cultural issues. Women's groups and rights NGOs proposed work on women as victims of violence, which accords with the provision in the special autonomy for women's rights to be respected. Civil society groups expressed their wish for further dialogue between Papua and central government over key issues, and indicated their interest in the role of the European Union in such a process.

Jakarta / National

In Jakarta, the mission met with a number of organisations that requested support for programmes with a national or multi-regional focus. The Institute for the Study on the Free Flow of Information (ISAI) proposes to send senior reporters to spend three months in conflict regions in order to provide in-depth reports on developments and to train local journalists through medium-term mentoring of local journalists; there is interest in support for NU and Muhammadiyah in their strategic planning on responding to conflict; technical support to the Ministry of Foreign Affairs on border issues with West Timor; and support to establish a national network on conflict prevention.

⁴⁰ USAID/OTI has executed two grants promoting accountability and transparency in government through public participation in special autonomy.

⁴¹ Ger Scheffer, UNHCR police advisor in Jayapura, pers. comm..



Medium/Long Term Support for Conflict Prevention in Indonesia

135. There is much experience in Europe relating to conflict prevention, management and post-conflict recovery, and the EU is well placed to provide long-term support to Indonesia in the field of conflict prevention.

Development Co-operation

136. The main instrument available to the EC is the bilateral Development Co-operation programme, which is focused on **natural resource management** (especially forestry) and **good governance**. In the medium to longer term, the EC should ensure that development co-operation focused on natural resources management and governance contributes to mitigating the underlying causes of conflict in the areas where the development programme is operating. Where decisions are still to be made on the geographical focus of development co-operation activities, there is the potential for areas to be included where there is the potential for such longer-term development work to contribute to conflict prevention.

Sustainable Management of Natural Resources

137. The projects with most relevance to conflict prevention are those under the EC Forestry Programme. The Leuser Development Project, Berau Forest Management Project, and South and Central Kalimantan Production Forest Programme have experience of conflict, especially over land use within their project area. In the future, land conflict will likely be an aspect of two new forestry projects, the East Kalimantan Natural Resource Management Project and Social / Community Forestry.

138. Members of the EC Forestry team in Indonesia highlighted the difficulties in terms of resolving land and natural resource conflicts. The major natural resource conflicts are (i) between communities and companies such as logging concessions (HPH) and plantations, (ii) between communities, especially indigenous and migrant families, and (iii) between communities and the government. There are many vested interests often with powerful backers, so that land conflicts are highly asymmetrical making their resolution difficult, especially in the absence of the rule of law to enforce any agreement or prosecute any criminal action. Given such a context, the opportunities are somewhat limited without a change in this context. However, the portfolio of EC projects offers the opportunity for the Commission to work for change at many levels from the village up to the national and international level. The objective of EC natural resource management projects is the sustainable management of the resource, thus the EC has a position that is above the competing interests of the parties in the conflict (i.e neutral). The following are some ideas of activities that the EC forestry project could undertake (some may already be doing this):

- Supporting detailed analysis of conflicts (positions and interests of parties) in project areas and comprehensive social mapping of stakeholders in particular conflicts



- Working with partners to develop collective strategies aimed at resolving specific land conflicts, and identifying constraints and opportunities for their resolution
- Facilitating dialogue and mediating between disputing parties (esp. communities and companies involved) (do EC forestry project staff have facilitation and mediation skills?)
- Working to support local structures and institutions for the resolution of land conflicts
- Acting to connect and facilitate dialogue between various government and non-government actors at different levels (e.g. Ministry of Forestry in Jakarta, Mediation Sub-Commission of Komnas HAM, local NGOs and communities)
- Supporting the media in its coverage of land conflicts, their impacts and any resolution process or court hearing
- Activities to reduce prejudice between conflicting parties (e.g. government officials and local communities)
- Supporting the development of para-legal systems of community-based conflict resolution, especially between migrant and indigenous people

139. The Forest Liaison Bureau (FLB), which acts as a focal point for EC forestry projects especially regarding policy issues, could act as a focal point for conflict related issues. The FLB might consider establishing a technical resource unit for use by the forestry projects (and potentially other forestry actors) on the management of land conflict that could link the projects with national and international expertise and experience, and develop means of bringing in conflict related issues into the policy framework of the EU and Indonesian government. The Illegal Logging Resource Centre similarly could bring conflict into its work through recording the cases of illegal logging that cause conflict (for example, illegal logging of community lands⁴²), and developing better understanding of the relationship between illegal logging, land conflict and social violence.

140. The management of natural resources is an important issue in Papua, both in terms of policy development under special autonomy and practically in terms of local control of resources. The mission recommends that the EC forestry programme assesses how it can contribute to supporting community-based natural resource management in Papua and natural resource policy development as part of special autonomy.

Good Governance

141. The Partnership for Governance Reform. The main vehicle for Commission support to good governance is the Partnership for Governance Reform (hereafter 'the Partnership'). Clearly, all seven themes of the Partnership's programme have bearing on conflict, and improved governance will undoubtedly have some impacts on conflict potential in Indonesia. The regional nature of both governance in a decentralized state and conflict in Indonesia means that it is vital for the Partnership to developing its regional outreach, which it is initiating this year in Papua, Yogyakarta and North Sumatra. The Partnerships work in Papua can play an

⁴² See McCarthy, John F.: 'Wild logging': the rise and fall of logging networks and biodiversity conservation projects on Sumatra's rainforest frontier. CIFOR Occasional Paper No. 31, October 2000



important role in responding to many of the longer-term needs identified by this mission. The Partnership has also received requests for support in Ambon, and it is clear here that measures to promote governance reform need to be sensitive and address the needs of governance in context of a divided community.

142. However, the Partnership has taken the decision not to focus on conflict as a theme of their work. Although there are reasons for this, it does mean that there are a number of opportunities that the Partnership offers for improving governance in conflict areas that might be missed. There are a number of constraints on the Partnership's programme that limits its present role as a vehicle for improved governance as contribution to conflict prevention. These are:

- Lack of strategic focus on conflict makes the Partnership reactive rather than proactive in its approach to governance reform in conflict areas
- Current activities have focused on national governance reform, which again limits the impact of Partnership activities on regional conflicts
- Governance reform activities in certain areas should consider conflict and ethno-religious identity as areas for policy development and actions in terms of good governance (for example, equitable public services, equal opportunities policies in local governments and special needs for governance reform in conflict areas).

143. The mission proposes that the EC discusses further with the Partnership their role in governance reform in conflict areas, and whether the Partnership will develop a strategic approach in provinces affected by conflict, specifically West and Central Kalimantan, NTT, Central Sulawesi, Maluku and North Maluku, Aceh and Papua. Certainly there are extra difficulties and conflict may actually limit the potential impact of support for reform, yet the fact remains that poor governance is an important underlying cause of conflict.

144. Good Governance and Basic Education. An appraisal mission for the EC projects in education is planned for 2002. Education was mentioned in all areas visited, and is a basic development need that can play a beneficial role in conflict prevention if programmed with a peace-building approach. The education appraisal mission should take into consideration the opportunities as well as the risks for education projects in these areas, especially in Papua and Aceh where special autonomy creates new opportunities⁴³ for improvement in the education system that could have political as well as development impacts.

145. Good Governance and Basic Health Services. Health services were another basic need that was reported to the mission in the areas visited, although not given the same priority as education. The recent EC health appraisal mission included Papua and concluded that the risks were high both geographically and politically. The present mission believes that the development needs of the population and the political importance of Papua makes Papua a high priority for health sector work despite the obvious risks to successful project implementation compared to other provinces. Papua has some of the highest rates of HIV infection in Indonesia and some of the poorest health indicators in the country. The present mission recommends that the EC supports the health sector in Papua as soon as is possible given the importance attached to health by many Papuan leaders.

⁴³ In each province, the Special Autonomy laws specify that 30% of the regional budget should be allocated to education (check wording).



146. Good Governance and the Judiciary. This proposed project covers many of the areas highlighted by the current mission (regional level capacity building, criminal justice system, civil-military relations, military courts and human rights). The short-term measures proposed in support of developing an effective justice system in Maluku can also be applied in Poso, Aceh and Papua, and help the EC identify longer-term programming that can support development of an effective judiciary in the conflict areas of Indonesia. As (in)justice is such an important factor in conflict in Indonesia, it is highly appropriate for this project to focus on the areas with the greatest needs for an effective justice system.
147. Institutional Support for Local Democracy. There are a number of programmes in Indonesia that focus on support to local governance and democracy such as the UNDP BUILD⁴⁴ programme focusing on urban regional centers), the GTZ programme in support of local democracy⁴⁵, USAID⁴⁶ and the Partnership for Governance Reform⁴⁷. One suggestion for the Commission to develop a project that fits a presently unfilled niche is to focus on local governance and democracy in selected conflict areas. At present, the amount of local democracy support in these areas is limited as donors feel that these are ‘crisis regions’ and the longer-term development aid should be used in other places. Yet the development of responsive local government and effective democratic institutions that encourage public participation are requirements for conflict prevention through taking grievances away from the streets and into democratic institutions.

Supporting Local Capacities for Conflict Prevention

148. The mission believes that the conflict in Indonesia warrants the Commission to explore how it can use the Development Co-operation Programme to directly support conflict prevention. The lack of international organizations focused specifically on implementing conflict prevention and peace-building programmes in Indonesia (see Section D, International Agencies and Donors) limits the effectiveness of international community support for conflict prevention, resolution and transformation. The mission therefore proposes that the Commission funds a long-term project to support **Local Capacities in Conflict Prevention**. The main objective of this project would be to act as an implementing organization for activities that would complement the approach of the United Nations as the major international organizations in this area.
149. This project could have a number of objectives:
- Support the development of analyses and strategies for conflict prevention by local governments and civil society organizations
 - Capacity building and skills development
 - Network development
 - Support for practical activities that reduce tensions, bring conflict out in the open in a non-threatening way and address underlying issues of conflict

⁴⁴ See <http://www.build.or.id>

⁴⁵ See <http://www.gtzindonesia.org/project2.htm>

⁴⁶ See <http://www.usaid.gov/id/program-main.html>

⁴⁷ See <http://www.partnership.or.id>



- Provide a responsive mechanism for funding activities based on urgent needs (a local Rapid Reaction Mechanism)

Implementation of EC Conflict Prevention Activities in Indonesia

150. The mission has identified a significant amount of work that could be undertaken by the Commission in both the short and long term. It is important that if the Commission decides to take forward these recommendations that there is sufficient capacity within the Delegation to plan, implement and evaluate the work. Consequently, the Delegation should recruit an international staff member to manage and co-ordinate the Commission's conflict prevention work in Indonesia and provide support staff to effectively carry out the duties required for this work. The main duties at present would be to:
- further plan and develop the short-term measures funded via the RRM or other EC sources;
 - implement the short-term measure by managing sub-contracts with third parties;
 - monitor and evaluate the implementation of short-term measures;
 - provide technical input on conflict prevention for the Development Co-operation programme for 2002-2006;
 - act as a focal point for co-ordination amongst EU Member states on conflict prevention;
 - identify and appraise a long-term EC project on 'Local Capacities in Conflict Prevention.



F. SUMMARY OF RECOMMENDATIONS

151. The Mission has provided the following recommendations:

For the European Commission:

- i. The European Union and Member States highlight the impacts of security operations on human rights as an underlying cause of regional conflicts
- ii. The European Union and Member States highlight the need for comprehensive long-term and multi-level reconciliation processes
- iii. The European Commission discusses with the UN how to support capacity building and strengthening of Government institutions regarding conflict prevention, reconciliation and peace-building
- iv. The European Commission provides information on models of central-regional government relations to the relevant Indonesian ministries
- v. The European Commission should support the resolution of current difficulties in the National Human Rights Commission that results in a strong and independent Human Rights Commission
- vi. The European Commission discusses further with the National Electoral Commission the risk of violence during the national and regional elections and the development of strategies and actions for prevention
- vii. The European Commission improves the access and knowledge of its funding in conflict regions in Indonesia.
- viii. The European Commission and Member States should review their support to civil society, and develop new approaches for supporting institutional capacity as well as operational activities
- ix. The European Commission and Member States ensure the accountability of humanitarian relief and post-conflict development funding, and monitor and evaluate the impact of humanitarian relief on the dynamics of regional conflicts
- x. The European Commission establishes a Conflict Prevention Working Group, and increases contact and co-ordination with the UN Conflict Theme Group and USAID
- xi. The European Commission and other donors should support an independent evaluation of international assistance to conflict prevention and post-conflict recovery in Indonesia
- xii. The European Commission and Members States provide support to the UNHCR Police Training project
- xiii. The European Commission takes a comprehensive, long-term and flexible approach focusing on a small number of target regions in order to develop local relationships, understanding of a particular situation and effective learning based on continuous evaluation of EC programming
- xiv. The Forest Liason Bureau of EC Forestry Programme acts as a focal point for developing programming and technical support for natural resource related conflict resolution



- xv. The EC Forestry Programme appraises support for social forestry in Papua and support to natural resource aspects of Special Autonomy
- xvi. The European Commission discusses with the Partnership for Governance Reform its strategy for supporting good governance as a contribution to conflict prevention in regions with ongoing or latent conflict
- xvii. The European Commission appraises projects in Aceh and Papua on ‘Good Governance and Basic Education’
- xviii. The European Commission appraises a project in Papua on ‘Good Governance and Basic Health Services’
- xix. The European Commission appraises projects in Aceh, Papua, Central Sulawesi, Maluku and West/Central Kalimantan on ‘Good Governance and the Judiciary’ and ‘Institutional Support for Local Democracy’
- xx. The European Commission appraises a new develop co-operation project to provide support to ‘Local Capacities for Conflict Prevention’, which will include funds for a local Rapid Reaction Mechanism
- xxi. The European Commission recruits an international staff member to manage the Commission’s work in conflict prevention

For the Indonesian Government

- i. The Government further develops its comprehensive policies for responding to conflict in the regions, and cooperates with local and national civil society to formulate and implement multi-level peace-building programmes.
- ii. The Government take an integrated peace-building approach to its post-conflict development activities (the formulation of strategies and approaches for this can be supported by national and international expertise)
- iii. The Government and civil society facilitate local decision-making processes and agreements as part of the process of IDP return. This process should include confidence-building measures that meet local community needs and should retain flexibility regarding its completion date.
- iv. The Government commissions an independent evaluation led by Indonesian experts of its policies on conflict prevention, conflict management and post-conflict recovery
- v. The Government strengthens the *Bakornas PBP* and *Satkorlak PBP* co-ordination systems
- vi. The Government undertakes an evaluation of its early warning and response systems at national, provincial and district levels, and proposes measures to strengthen these systems
- vii. The Government enforces policies and takes forwards initiatives at a local level to eradicate ethno-religious discrimination
- viii. The Malino processes in Maluku and Poso should be subject to frequent reviews and independent monitoring and verification regarding progress; the Government should consider holding review meetings and facilitating the agreement of parties to achievable short-term goals for the peace processes



- ix. The processes for the completion of the regional regulations of special autonomy in Aceh and Papua if closed to public participation will not generate public ownership and support for special autonomy, and will increase public rejection of special autonomy as a solution to the problems in Aceh and Papua. Continued security operations in these provinces will also increase the public rejection of special autonomy.
- x. In Papua, there is a need for the Government to develop policies and credible processes to address (a) past injustices, human rights abuses and the historical events surrounding the integration of Papua into Indonesia, (b) racial discrimination in Papua, (c) needs for improvement in governance and civilian control over the military.



ANNEX I: List of People Met by the Mission

A. National Government, Parliament, Commissions and Security Forces

- Susilo Bambang Yudhuyono, Co-ordinating Minister for Security Affairs
- Jusuf Kalla, Co-ordinating Minister for Social Welfare
- Dr Farid, Staff, Co-ordinating Minister for Social Welfare
- Dr. Nur Hassan Wirajuda, Minister of Foreign Affairs
- Dr. Ir. Soenarno, Minister of Settlements and Regional Infrastructure
- Drs H.A.R. Maklin, Secretary, Office of State Minister for the Acceleration of Eastern Indonesia Development
- H. Bachtiar Chamsyah, Minister of Social Affairs
- Dr Sumarjati Arjoso, Director General Aid and Social Security, Department of Social Affairs
- Hafid Abbas, Director-General Human Rights, Ministry of Justice and Human Rights
- Ibrahim Ambong, Head Komisi I, DPR
- Astrid Susanto, Komisi I, DPR
- Taufikurrachman Saleh, Head Komisi VI, DPR
- Djoko Soegiarto, National Human Rights Commission
- Saafroedin Bahar, National Human Rights Commission
- Charles Himbawan, National Human Rights Commission
- Asmara Nababan, National Human Rights Commission
- HS Dillon, National Human Rights Commission
- Nana Sudjatmoko, Komnas Perempuan
- Chusnul Mariyah, National Electoral Commission
- Lieutenant General TNI Agus Widjojo, Vice Chairman of the People's Consultative Assembly of the Republic of Indonesia
- Brigadier General TNI Plt. Sihombing, Sh. LLM, Head of the Legal Department of the Ministry of Defence
- Brigadier General Arief Siregar, Head of the Legal Department of the Army
- Major General TNI Saurip Kadi

B. European Commission and Member States

- Balthazar Benz, Political and Economic Counsellor, Delegation of the EU in Jakarta
- Laurence Gillois, Political and Economic Section, Delegation of the EU in Jakarta
- Juan Planas, Development Counsellor, Delegation of the EU in Jakarta
- Joseph Vargas, ECHO Indonesia
- Marcel de Brune, Programme Officer, Delegation of the EU in Jakarta
- Sandrine Petit, Project Officer, Delegation of the EU in Jakarta
- Tim Nolan, Director, EU Forest Liason Bureau, Ministry of Forestry
- Alphonsus Stoelinga, Deputy Chief of Mission, Royal Netherlands Embassy
- Colonel Hans Bilderbeek, Defence Attache, Royal Netherlands Embassy
- Caroline Smit, Advisor for Conflict Prevention, Royal Netherlands Embassy
- Hans Docter, Royal Netherlands Embassy
- Richard Gozney, British Ambassador
- Anthony Godson, Deputy Head of Mission, British Embassy
- Jim Carpy, DFID, British Embassy
- Naomi Kyriacopoulos, Third Secretary (Political), British Embassy
- Hervé Ladsous, Ambassador of France
- Francois Gauthier, Premier Conseiller, Embassy of France
- Fabrice Etienne, First Secretary, French Embassy



- Mattias Lenz, Counsellor, Embassy of Sweden
- Matti Pullinen, Ambassador of Finland
- Anna Gomes, Ambassador of Portugal
- Carla Grijo, First Secretary, Embassy of Portugal
- Luk Darras, Ambassador of Belgium
- Alessandro Merola, Ambassador of Italy
- Hermann Sausen, Deputy Head of Mission, Embassy of the F.R. of Germany

C. International Organisations in Jakarta

- Bo Asplund, UN Resident Representative, Jakarta
- Michael Elmquist, Head OCHA Indonesia
- Dennis Gallagher, Head Conflict Prevention and Recovery Unit, UNDP
- Stephen Hill, UNESCO Representative
- Arya Gunawan, Coordinator for Communication Sector, UNESCO
- Konrad Huber, Emergency Officer, UNICEF
- Guy Janssen, Consultant, United Nations High Commissioner for Refugees
- Ger Scheffer (UNHCR), Adviser to the Head of the Police in Papua
- Nikki Burns, Second Secretary (Development), Australian Embassy
- Kim Henderson, Second Secretary (Development), Australian Embassy
- Rani Noerhadhie, Australian Embassy
- Michael Calavan, Democracy Team Leader, USAID
- Bernhard May, Team Leader, Support for Decentralisation Measures Project, GTZ
- Colonel Neville J. Reilly, Defence Attaché, New Zealand Embassy
- “Harry” Hiroto Yamazaki, Japanese Adviser to the Chief of Indonesian National Police
- Colonel Joseph H. Daves, Defense Attache, Embassy of the United States of America
- Andi Mallarangeng, Senior Adviser, Partnership for Governance Reform
- Rizal Malik, Chief Operating Officer, Partnership for Governance Reform
- Keith Mackiggan, Legal/Judicial Reform Adviser, Partnership for Governance Reform
- Richard Holloway, Adviser, Partnership for Governance Reform
- Bambang Widjojanto, Adviser, Partnership for Governance Reform
- Peter van Tuijl, Programme Adviser, Partnership for Governance Reform
- Marco Altherr, Head of Delegation, ICRC
- Harold Crouch, International Crisis Group, Jakarta
- Diarmid O’Sullivan, International Crisis Group, Jakarta
- Nina Purwiyantini, Peace Brigades International
- Kim van den Nouwelant, Peace Brigades International
- Thomas Hensleigh, Country Director, Mercy Corps Indonesia
- Nick McDonald, Mercy Corps Indonesia
- Graham Strong, World Vision Indonesia
- Allen Harder, World Vision Indonesia
- Lance Alloway, Country Director, Internews

D. Indonesian Civil Society, Academics and Media in Jakarta

- Dewi Fortuna Anwar, The Habibie Centre
- Umar Juoro, The Habibie Centre
- Indra Sumego, The Habibie Centre
- Rudi Risky, The Habibie Centre
- Fuadi Rasyid, The Habibie Centre



- Arifah Rahmawati, Centre for Security and Peace Studies, UGM
- Munir, Kontras
- Ichsan Malik, Baku Bae facilitator
- Prasetyohadi, Baku Bae facilitator
- Isnu, Tim Relawan untuk Kemanusiaan
- Karlina Leksono-Supeli, Suara Ibu Peduli
- Rachland Nashidik, Yayasan TIFA
- Rizal Sukma, CSIS
- Johnson Panjaitan, PBHI
- Ade Rostina Sitompul
- Karel Phil Erari, Theological School Isaak Samuel Kinje, Jayapura
- Ignas Iryanto, Centre for East Indonesian Affairs
- Ignas Kleden, Centre for East Indonesian Affairs
- Hadar Gumay, Centre for Electoral Reform
- Rusdi Marpaung, Institute for Press and Development Studies
- Bambang Wisudo, Kompas
- Aristides Katoppo, Sinar Harapan

E. Palu/Poso, Central Sulawesi

- AM Syahadat, Deputy Mayor, Poso
- Moch. Amirullah, Kepala Badan Bina Kesbang, Poso District Government
- Adbul Haris Renggah, Head of Public Relations, Poso District Government
- Head of District Police (*Kapolres*), Poso
- Secretary of Provincial Disaster and IDP Co-ordination Board (*Satkorlak PBP*), Palu
- Representatives of the Provincial Offices of Agriculture, Social Affairs and Health, Palu
- Bapak Umar, community leader, Poso
- Masdianto Posende, Tentena Crisis Centre
- Tony Tampake, Tentena Crisis Centre
- Yayasan Sejati, Palu
- Syamsul Alam Agus, LPS-HAM, Palu
- Tahmidy, NGO Working Group for the Resolution of the Poso Conflict
- Maxi, AJI Palu
- Johan Kieft, CARE International, Poso
- Church World Service

F. Ambon, Maluku

- Saleh Lautconsina, Governor, Maluku
- Syarif Hadler, Deputy Mayor, Ambon
- Noke Pattipeiluhu, Head of Board for National Unity and Community Protection, Ambon
- Wem Pattiasina, Assistant I, Regional Secretary, Ambon
- I Made Sunetja, Chief Prosecutor, Maluku
- Brig.Gen. Firman Gani, ex Provincial Police Chief, Maluku
- Brig.Gen. Sunarko Danu Ardianto, Provincial Police Chief, Maluku
- Head of Provincial Parliament, Maluku
- Wahyu, AJI Media Centre, Ambon
- Dien Kelilauw, Journalist, Antara Maluku



- Abdullah Ely, Baku Bae Ambon
- John Lefmanut, Yayasan Tita Mae
- Sandra, Yayasan Saniri
- Ricky Palyama, Yayasan Hualopu
- Nus Ukru, Koalisi Ornop
- Roundtable discussion with local NGOs

G. Papua

- J. P. Solossa, Governor, Papua
- Purnama, Head of Promotions, Regional Promotion and Investment Board, Papua
- Roundtable forum with officials from local government
- Head of Provincial Police, Papua
- Rector, Universitas Cendrawasih
- Theo van den Broek, Office for Justice and Peace, Keuskupan Jayapura
- Willem Rumsarwir
- Yohanis Bonay, Director, ELSHAM
- John Rumbiak, ELSHAM
- Budi Setiyadi, FOKER Papua
- Yusan Yeblo, East Indonesia Health Network
- Benny Giay, Walter Post Theological College, Jayapura
- Yefet Yelemaken, Director Executive, Society for Highlands Survival, Wamena
- Leohansen Simatupang, Project Manager, Wahana Visi Indonesia, Wamena Office
- B.Th.W. Kaisiepo Ms, High Court of the Chamber of Representatives of West Papua



ANNEX II. Background Analysis of Regional Conflict in Indonesia

Aceh

1. Aceh has a predominantly Muslim population of about 4.5 million people and is rich in natural resources, exporting US\$1.3 billion of natural gas in 1998⁴⁸. Historically, Aceh resisted colonization by the Dutch and at independence had a strong Islamic identity as a region with a distinct history from the rest of Indonesia. Following independence, students and Islamic groups led a strong backlash against the aristocratic classes (*uleebalang*), many of who had collaborated with the Dutch. In 1953, Aceh was incorporated as a district into the province of North Sumatra, and its leaders joined the *Darul Islam* rebellion against Jakarta, which aimed to create an Islamic state in Indonesia. After sporadic fighting, the rebellion ended in 1962 and Aceh became a province with recognition as a special territory (*Daerah Istimewa*) with autonomy in religion, education and culture. Although there was dissatisfaction with Jakarta during this time, there were no demands for Acehnese independence. However, the early years of the New Order saw Jakarta increasingly in control, co-opting local elites through the local government and the government's political party, *Golkar*, and intensifying its control through the military command structure. Many Acehnese elites felt alienated by this centralization of economic and political control as the pace of economic development increased, and most businesses opportunities in Aceh, particularly those that accompanied the the onset of the LNG boom in the mid-1970s, went to the elites in Jakarta. Despite Aceh having the highest levels of poverty in Sumatra⁶, the province and people received little of the benefits of the exploitation of its natural resources with less than 5% being returned to the province from Jakarta.
2. In 1976, the Free Aceh Movement (GAM) declared the independence of the province from 'Javanese imperialists'⁴⁹. The military responded and appeared to have successfully crushed the movement by 1982 with its leaders killed, captured or living in exile. During the next few years, GAM received training and support from Libya and resurfaced again in Aceh in 1989, staging attacks on security posts and winning some support from the local population. In 1990, the military doubled the number of troops in Aceh to 12,000, and the government declared Aceh an area of military operations (*Daerah Operasi Militer* or DOM). During the nine years of DOM, between 2,000 and 5,000 people, many of who were civilians, were killed, tens of thousands were imprisoned and tortured in military camps, and rape was widespread⁵⁰. The socio-economic and political grievances of the Acehnese had been surpassed by the human rights abuses and terror of the DOM years, and had changed the nature of the conflict in the province.
3. When Soeharto resigned in May 1998, the new political freedom allowed the extent of the human rights abuses in Aceh to be publicized widely in the media. Mass

⁴⁸ Wilson, C., 2001, 'Internal Conflict in Indonesia: Causes, Symptoms and Sustainable Resolution',

Foreign Affairs, Defence and Trade Group,
7 August 2001 2001

⁴⁹ Robinson, *Indonesia* 1998

⁵⁰ HRW Report on Aceh, 2001



graves were unearthed, investigations conducted and testimonies collected, and calls for justice increased. In August 1998, General Wiranto apologized to the people of Aceh and the DOM was lifted; but by the end of the year, with exiled GAM members returning to Aceh, the violence had intensified again. Importantly, there was no move to bring justice to bear despite calls from victims, students and NGOs until June 1999 when President Habibie appointed an Independent Commission to Investigate Violence in Aceh. The Commission listed thousands of cases, but only five were recommended for further action, with only one cases coming to trial. Similarly, a proposal by Komnas HAM to convene a Truth and Reconciliation Commission for Aceh was not taken forward.

4. In early 1999, Habibie's decision to offer the East Timorese a referendum on independence inspired demands for a referendum in Aceh led by Acehnese students, and resulted in the formation of SIRA (*Sentral Informasi Referendum Aceh* or Centre for Information for a Referendum in Aceh). The government rejected these demands, and in December 1999 a demonstration of 500,000 people demanding a referendum was held in Banda Aceh. The response was a series of military and police operations with more troops deployed to Aceh, more terror and human rights abuses including extrajudicial executions, torture, disappearances, intimidation of human rights and humanitarian workers, the destruction of whole villages and public facilities. Similarly, GAM was committing human rights abuses including killings of security personnel, their families and suspected informants, the forced expulsion of non-Acehnese (especially Javanese), destruction of property and extortion⁸. During this time, GAM continued its attacks on the army and police, and in many areas took control of the local administration. The main victims of all this are clearly the Acehnese people, who continue to live in terror and yet do not have a voice. Local NGOs have been doing important work on human rights, working with victims of violence, and meeting the basic needs of the people.
5. In December 1999, a Special Committee of the National Parliament on Aceh recommended to President Wahid that he: (i) begin a dialogue with the parties to the conflict, (ii) provide more autonomy to Aceh, (iii) rebuild public facilities, and (iv) prosecute those responsible for the human rights abuses under the DOM period. In mid-2000, Wahid invited the Henry Dunant Centre to facilitate negotiations between GAM and the government, which led to the declaration of a 'humanitarian pause'. Although the violence subsided initially, the killing and destruction continued with more than 1000 people being killed during the first 12 months. The dialogue has been positive in providing a forum for GAM and the government to meet and for international humanitarian aid to enter Aceh via UNDP, yet has not been able to transform the nature conflict and deal with the underlying issues. On the ground, the humanitarian pause seemingly gave GAM time to reconsolidate their position, following the military operations that preceded it. Under pressure from the military, in April 2001 President Wahid released Presidential Instruction No 4/2001 which covered a 'comprehensive' package of security, political, social and economic measures to address the situation in Aceh. However, in implementation the focus has been on the security aspects and has led to a further deterioration in the situation, with violence, assassinations of formal and informal leaders and terror continuing. The media has also been targeted, and the daily paper *Serambi* was temporarily shut down. Presently, some 50,000 people, mostly Javanese migrants, have moved to North Sumatra from Aceh with another 10,000 or so displaced people in Aceh.



6. The main non-military policy from Jakarta on Aceh is a wide-ranging autonomy package for the province (discussed in more detail in Section 2 of this report). However, the public discourse over a referendum and the bilateral dialogue between GAM and GOI has increasingly polarized Acehnese society, with moderate groups such as the religious leaders (*ulema*) less visible. In November 2001, a broad coalition of civil society organizations attended a meeting at the Islamic Institute (IAIN), where sixty-three organizations formed the Coalition for a Democratic Society (KMD) and called on both the TNI and GAM to declare a cease-fire. The government of Indonesia and GAM remain deadlocked on a number of issues, including a GAM proposal to bring in international observers to monitor future ceasefire deals⁵¹.
7. The dialogue is strained by recent events including the murder of the Commander of Armed GAM Abdullah Syafi'ie and his wife in January 2002 and the establishment of a new Regional Military Command (*Kodam*) in Feb 2002. The arrival of Laskar Jihad in Aceh, a radical group that has been active in Poso and Maluku, has also heightened fears of communal conflict in Aceh, and their presence has been rejected by the Acehnese including GAM. The HDC negotiations while fraught with difficulties offer the best hope for breaking the current impasse in Aceh. However, this requires the support of the military to act professionally and as an institution support prosecution of the officers responsible for human rights abuses committed between 1989 and 1999⁵². Minister Yudhoyono has said the government has instructed prosecutors and the police to immediately finish the remaining cases of suspected human rights violations in Aceh.

West Papua / Irian Jaya

1. *Causes of the conflict.* Papua (as it was renamed from January 1, 2002) was part of the Dutch colonial empire but was not included in the independent settlement which Indonesia negotiated with the Dutch in 1949. With active involvement of the United States, which wanted in the Cold War period to win Indonesia over as its ally, in 1962 the Dutch agreed to hand over rule to the United Nations Temporary Executive Authority (UNTEA) in a U.S. brokered transfer. The Dutch asked that some sort of "act of free choice" on the part of the Papuans should be guaranteed. However, the Papuans were never involved in those negotiations. Many Papuans believe that their national independence had been *de facto* established during the ceremonies of 1961 when the Dutch colonial legislature inducted a number of indigenous Papuans and the new "Morning Star" flag of Papua was unveiled. The Morning Star continues to serve as a poignant symbol of Papuan liberation and independence.
2. Indonesian troops immediately took control of the territory, and the 'Act of Free Choice', which took place August 2, 1969, was never more than a farce. A grand total of 1,025 Papuans, all selected by the Indonesian authorities were permitted to vote – with virtually no UN monitoring – on the future of West Papua's 800,000 inhabitants. Not too surprisingly, they unanimously voted to remain in Indonesia,

⁵¹ Smith, 2002, Aceh Conflict Profile.

⁵² Jakarta Post, 8 February 2002



and the territory became an autonomous province in the same year and was renamed Irian Jaya ('Victorious Irian') in 1973. The inhabitants of Papua New Guinea, across the border, achieved full independence in 1975.

3. A second source of the conflict in Papua is the ethnic and religious distinction between migrants from Javanese, Sulawesi and other parts of Indonesia who are predominately Muslim, and the Papuans who are predominantly Malesian Christians and Animists. This is in part a result of the government's policy of transmigration, where Indonesians from the more heavily populated islands have been resettled in West Papua. The apparent ethnic and religious barrier between many Papuans and other Indonesians, including those working in local government, the police and army, provides further fuel to Papuan arguments for independence. Many Papuans believe that they have been the recipients of prolonged discrimination, and due to the Indonesian transmigration policies, have felt that they have been reduced to second-class citizens in their homeland. The population of Papua is estimated at approximately 1,800,000 and there is estimated to be 770,000 migrants now living in the province.
4. A third source of conflict is the debate over the allocation of Papua's vast natural resources between the province and Jakarta. The main resource of Papua is its deposits of minerals, mainly oil, gold and copper. Since 1969 Indonesia has thrown the island open to development by mining and logging companies. Papuans insist that they have not been able to reap the benefits of their province's extensive gold, copper, timber and off-shore resources due to unfair revenue policies. The U.S. Freeport mine is one of the world's largest copper and gold mines, and accounts for 30 percent of Indonesia's export earnings. The Indonesian development policies have created widespread environmental devastation. Logging is one of the major causes of environmental destruction in Papua. As Indonesia's forest resources decline, the forestry industry has targeted Papua. Indonesia's forest practices generally have little or no attention paid to the environmental impact of logging. Many of the indigenous people of Papua are threatened as vast tracts of land have been granted as concessions to timber companies, a practice which is having severe social and physical consequences. The many disputes on land rights are a potential source of conflict.
5. Papua has the poorest health standards of all Indonesian provinces, including the highest infant mortality and maternal mortality rates as well as the highest and fastest growing HIV rates. The number of IDPs in Papua is modest, some 4,027 families, 16,600 persons, mostly from the Maluku. A number of these were originally from Papua, and have resettled in Biak and other places, while ethnic Moluccans find it more difficult to integrate and are not always welcomed by the host communities.
6. *Increasing protests.* The people of Papua have continued to resist both their forcible incorporation into Indonesia, and the encroachment of transnational companies on their land and lives. Since 1963, an armed resistance movement, the Free Papua Organisation (*Organisasi Papua Merdeka* or *OPM*), has been active and is estimated to have several hundred active fighters. The insurgents have mostly staged relatively small-scale hit and run attacks on Indonesian military posts and, on a few occasions, have taken hostages to draw attention to their cause. Typically, these actions have generated a backlash against the OPM and civilian populations, as for



example in Wasior, Manokwari in 2001. Of more concern for Jakarta, however, is the emergence alongside the guerrilla fighters of a broad, civilian Papuan independence movement since President Soeharto fell. The civilian resistance uses tactics like raising the West Papuan flag at public demonstrations.

7. President Wahid agreed in the beginning of 2000 to use state funds to help finance a Papuan Great Congress (*Musyarawah Besar*), at which, for the first time, Papuan popular representatives could gather to air their concerns. This congress, held on 23-26 February 2000, brought together some four hundred mostly regional representatives as well as representatives of the guerrilla fighters and Papuans living abroad. Discussions centered on three issues: (1) the perceived need to “rectify history”, including the process of Papua’s incorporation into Indonesia in the 1960s and the legal significance of December 1, 1961, Papuan members of the Netherlands New Guinea legislative council were inaugurated and the Morning Star flag was first flown; (2) the need to devise a political strategy for the pro-independence movement; and (3) the need to consolidate the movement. As a result of this congress the Papuan Council Presidium (*Presidium Dewan Papua*; hereafter, Presidium) was created to lead the movement.
8. The Presidium prepared a Second Papuan Congress, which was held from May 29 to June 4, 2000. Thousands of Papuans came to the capital from all corners of the province, including some 500 as official delegates and many more as supporters. When the congress adjourned, delegates adopted a resolution asserting that West Papua – as independence supporters prefer to call it – had been a sovereign state since it proclaimed independence on December 1, 1961, and that its incorporation into Indonesia in 1969 was legally flawed and therefore null and void. The congress also called on Jakarta to recognize the sovereignty and independence of West Papua.
9. President Wahid subsequently stated publicly that, although his government helped finance the event, it “did not recognize the congress”, and considered it “illegitimate”, because it had failed to represent all sections of society in Irian Jaya, most notably the migrant community. Initially the hosting of the Papuan flag was also permitted by President Abdulrahman Wahid, provided it was used as a cultural symbol and hoisted together with the Indonesian flag, which should be higher and larger. Later this permission was withdrawn and the lowering of all Papuan flags was ordered, if necessary by force. However, in the highland town of Wamena – long a center of resistance to Indonesian rule – the combination of popular expectations of imminent political change after the congress and the government’s return to a “get tough” response was to prove a volatile response. In Wamena the Morning Star flag had been flying at numerous locations since July 14, 2000. On October 3, Presidium leaders in Jayapura claimed that they had won a delay, despite heavy pressure from Indonesian authorities, in the implementation of the ban on the Morning Star flag. Despite an agreement with the provincial authorities not to forcibly lower the flags until the Presidium had been able to meet with President Wahid, three days later they launched a series of coordinated raids on various community posts (*posko*) in and around Wamena aimed at suppressing the flag. Joint security force teams raided early in the morning at least seven *posko*, beating Papuans present, putting them in police vehicles, and taking them to police headquarters. Later on in the morning, the security forces assaulted a crowd gathered at the central *posko* in Wamena, where ten Papuans were wounded by bullet fire, at least one fatally. In a new confrontation during the afternoon, where



the security forces were confronted by an angry and violent Papuan crowd, at least seven Papuans were shot and killed and twenty-four non-Papuans were killed.

10. Two months after the Wamena riots, another major violent incident took place, this time in Abepura, a college town about ten kilometers from the provincial capital, Jayapura. On December 7, 2000, an unidentified group of people attacked a police post near the market in Abepura. Two policemen and a security guard were killed. After dispersal in various directions, a small group of attackers headed for the nearby student Ninmin dormitory, for appealing to the students to join their uprising. They left when the students refused to do so. Shortly hereafter, a group of Brimob troops, apparently in hot pursuit, stormed the dormitory, awakened the students and began brutally beating them. Two would die in custody, dozens suffered serious injuries. Brimob and police troops went to four other highlander residential areas in the Jayapura area and to the Yapen Waropen dormitory where they brutalized people. Within twenty-four hours, three highland students had been killed, and one hundred individuals had been detained, dozens of whom were badly beaten and tortured.
11. *Special Autonomy*. Since the very beginning of increasing protests by the Papuan community in 1998, the offer of ‘autonomy’ had been made by the central government, to counter the people’s demand for freedom and independence. As the government’s evaluation of the problems in Papua being mainly development-related was not shared by leading persons in the independence movement – and by other groups as well – the offer of ‘autonomy’ clearly failed to satisfy the Papuan community. Moreover the government made clear that any room for a political discussion or dialogue was out of question. The Governor, Mr. Jaap Salossa, facing increasing pressure and protests by various circles and realising that ‘autonomy’ would be introduced anyway, took the initiative to get the concept better articulated and more reflective of the aspirations of the Papuan community. Already the year before he had pleaded to the central government to grant Papua not just ‘autonomy’, but to grant ‘special autonomy’. The central government gave him room for such a move, but the DPRD (Regional House of Representatives in Papua) failed to make any changes at all to the formulation suggested by the central government. Building on his earlier efforts, the Governor asked the regional university, UNCEN (*Universitas Cenderawasih*), to get involved and to develop a more appropriate concept of ‘special autonomy’. He appointed a commission to assist the UNCEN staff, in which a variety of organisations (including NGO’s and religious institutions) were represented.
12. One of the important stages in the process was a visit to the various districts by the members of the commission. Although those visits didn’t meet completely the expectations of the commission, it did provide a basis for understanding the main issues that the ‘special autonomy concept’ should deal with. The Presidium preferred to keep strictly to their mandate given by the Papuan community – to aim for independence – so they were reluctant to get involved in any discussion on autonomy. Before finalising its work the commission decided on a final input via workshop that would gather representatives from all over Papua and which was held on March 28-29, 2001. After the opening ceremony, the meeting was held up for a couple of hours, when an estimated 500 persons forced their way into the meeting hall and rejected the autonomy discussion completely. The protesters left the place,



joined by a third of the “official delegates”, and made a long march to Abepura. The congress continued without further disturbances.

13. Once the draft bill was handed over to the DPR-RI, a difficult lobbying game started in Jakarta, to get the new draft accepted as the only draft to be discussed. In stressing the greater economic returns (70% or 80% of the revenue from exploitation of natural resources) as the most substantial part of the draft, the door was opened wide for the DPR-RI to curtail the remainder of the draft while advancing the economic content. The DPR-RI endorsed the Special Autonomy for Papua on October 22, 2001. The Special Autonomy Law, if implemented correctly, will create new room for ‘freedom’ in relation to well-being and in relation to human rights. However, it offers little room towards an open-ended political dialogue and therefore fails to address one of the three main components of “the call for political freedom”, namely the political component. As a result, the Special Autonomy issue continues to divide the community into opposing parties.
14. Since the establishment of the Papuan Presidium Council, the independence movement has been more exposed, and so has, what seems to be growing divisions within it. The independence movement is not unified and lacks strong leadership. For instance, the murdered chairman of the Papuan Presidium Council, Theys Eluay, was not recognized as a Papuan leader by the Papuans in Wamena, emphasizing the division between highland and coastal Papuans. However, the main divisions seem to be between supporters of autonomy as a step towards independence and those who reject anything else but outright independence. The sides in this divide are parts of the Papuan elite, government institutions, some NGOs and the public versus anti-autonomy supporters from the general public, OPM, other NGOs and the Papuan diaspora, who has continued factionalism abroad, but seem united against autonomy.
15. On November 10, 2001 Theys Eluay, the chairperson of the Papuan Presidium Council was abducted and killed outside Jayapura, on his way home in Sentani after attending a function organized by a local unit of the Army’s Special Force (*Kopassus*). After much pressure by Papuans, an investigation team has been set up by Presidential Decree to look into the murder, although the composition and legal standing of the team has received widespread criticism with two Papuan members resigning. Investigations by local police and the Army headquarters have already concluded that certain elements in the military were behind the killing.
16. *Current State.* Looking at the present situation, on the surface, Indonesian security forces appear to be in control and there are no real disturbances. It looks like the recent training in community policing is successful. It was remarkable that after the murder and during the funeral of Theys no riots took place. However, strong pro-independence feelings appear likely to continue among a large majority of the ethnic Papuan people. There is likely to be further clashes between pro-independence groups and the Central Government. Several moderate Papuans stress the need for a dialogue based on the recognition that the Special Autonomy Law, if implemented correctly, will create new room for ‘freedom’ in relation to well-being (economics, health and local needs) and in relation to human rights (participation: respect for people’s identity, traditional rights and local aspirations). In other words: Special Autonomy should not be seen as the opposite of the call for freedom/ independence, but as a partial response, but still a real response.



Central Sulawesi

1. The conflict in Central Sulawesi has its roots in a range of factors including Poso's political and economic structures, local competition for the position of head of the district (*bupati*), migration into remote areas and local resource conflicts, competition between religious groups and an absence of security and the rule of law⁵³. Since then a number of aggressive and revenge attacks have been carried out by both Christian and Moslem sides, resulting in around 1,000 deaths and around 85,000 IDPs. Christian IDPs mainly fled to Manado, Palu and Tentena; while Moslem IDPs now shelter in Gorontalo, Palu, and Palopo. The initial violence (Poso I) began in December 1998 and was ignited by a fight between drunken youths. The violence was localized in Poso town, and lasted for just a few days. Following this, the sale of alcohol was banned in Poso, and according to local journalists, the youths involved in the initial fight were charged and prosecuted. But local political power-plays have had a strong role to play in the conflict. Tensions were high due to a breach of the social convention of alternate Moslem and Christian district heads. The incumbent Bupati broke convention and replaced himself with a relative who, like himself, was a Moslem. Further tension led to an outbreak of violence in May 2000 (Poso II) following a brawl where a Muslim youth was wounded, and Christians responded with revenge attacks in May-July 2000 (Poso III).
2. The government's response to the conflict was delayed and inconsistent. Although, the justice system prosecuted those responsible for the violence, these proceedings were not seen to be freed of bias and create new tension and conflict, which led to further violence. The aggressive Jihad Warriors (Laskar Jihad) chose to become active in Central Sulawesi - they claim - because Moslems were not being protected by the existing justice system. The most recent major outbreak of violence was in November-December 2001. The affected areas in Poso regency remain divided into Christian and Muslim communities.

Maluku

1. The New Order period saw Soeharto-linked business interests reaping the benefits of Maluku's natural resources, which led native Moluccans to feel marginalized in their own province⁵⁴. Tensions between migrants from Sulawesi and local Ambonese, the weakening of traditional leadership structures (through the implementation of the village governance law in Maluku in 1985) and the increasing significance of religious identity had been building for some time in Maluku during the 1990s. The formation of the ICMI in 1990 and the increasing assertiveness of Islamic identity at the national level increased this sense of marginalisation within Christian Moluccan groups. These tensions were expressed in terms of competition

⁵³ See Arragon, L.V., 2001, Communal Violence in Poso, Central Sulawesi: Where People Eat Fish and Fish Eat People. *Indonesia* 72, 45-79.

⁵⁴ Aditjondro, G., 2000, Guns, Pamphlets and Handie-talkies: How the military exploited local ethno-religious tensions in Maluku to preserve their political and economic privileges, Proceedings of the Conference on "Conflicts and Violence in Indonesia," organised by the Institute of Southeast Asian Studies, Department of African and Asian Studies, Humboldt-University in Berlin, July 3-5, 2000.



for positions within the local government⁵⁵, including the position of Governor, which in 1997 was occupied for the second period running by a Muslim from the Latuconsina family. Similarly, the 1990s saw competition through the building of churches and mosques in the villages, the latter particularly attributed to the arrival of Muslim migrants from Sulawesi.

2. The end of the New Order saw demonstrations against the state and military and criminal acts in Ambon and Jakarta that are believed to have been precursors of the violence that erupted in January 1999 in Ambon⁵⁶. Incidents and increasing tensions in Ambon during November and December 1998 coupled with the widely reported arrival of around 200 thugs (*preman*) from Jakarta led the Governor to convene meetings with community leaders. But these measures were insufficient to prevent the violence that erupted during a holiday period when many of the security forces were absent on leave. An argument between a Christian Ambonese bus driver and a Muslim Bugis youth is said to have sparked the violence in Ambon on 19 January 1999, which coincided with the Muslim holy day of Idul Fitri. Initially the violence was between Muslim migrants from Sulawesi and Ambonese Christians, but fighting between Ambonese Muslims and Christians soon developed. Reports of the violence in Maluku have emphasized the local factors as well as the national influence of 'pro-status quo' groups linked to former President Soeharto that have been allegedly working through military connections and hired gangs of thugs to direct and enflame the violence. Reconciling the views that the Maluku violence is either a local spontaneous phenomenon or a well-planned attack versus the perception that it has been 'engineered' from Jakarta is an important issue for Moluccans and Indonesians in understanding the 'truth' behind the conflict in Maluku.
3. The violence in Maluku has had a number of distinct phases. From January-March 1999, the violence was in the form of mass rioting and attacks on neighbouring villages using traditional weapons. The second major outbreak from July-September 1999 saw the increasing use of homemade and organic firearms, with snipers becoming an increasing hazard later in the year. In April 2000, the Islamic militia Laskar Jihad arrived in Ambon to support the Muslim community through a combination of humanitarian relief and aggressive actions. Christian communities came under sustained attack from Laskar Jihad, a period which saw the emergence of the Christian organization Maluku Sovereignty Forum (*Forum Kedaulatan Maluku* or *FKM*), which is claimed to support the RMS ideal of an independent Moluccan state. The status and mission of Laskar Jihad and FKM remain sensitive issues that fuel division and mistrust between the communities.
4. Critically, the security forces in Maluku have been unable to remain neutral, and police and military units have been directly and indirectly supporting both Christian and Muslim militias⁵⁷. The impartiality and support of elements of the security forces presents the major difficulty for ending the violence in Maluku, with violence continuing, mostly in the form of sporadic shootings and bombs in Ambon, but with

⁵⁵ Van Klinken, G., 2001, 'Maluku: Bringing Society Back In, *Indonesia*, April 2001, p. 1-26.

⁵⁶ International Crisis Group Report, 2000, 'Indonesia: Overcoming Murder and Chaos in Maluku'

⁵⁷ ICG



some mass attacks still occurring in Buru. Recent moves by the national government to broker a peace agreement between Christian and Muslim community leaders offers new hope that the security forces will begin to act effectively and control the violence.

5. More than 10,000 people are thought to have been killed and 400,000 displaced, with roughly 100,000 people fleeing to south-east Sulawesi and 300,000 people displaced within Maluku. Children and women have been especially badly affected, and some children have been actively involved in the violence as '*pasukan agas*'. The state provincial university, *Universitas Pattimura*, was destroyed and strong segregation of communities is present in the province, especially in Ambon. Encouragingly, the violence in south-east of Maluku ended in 1999, and post-conflict reconciliation and rehabilitation has been progressing with support from UNDP.

North Maluku

1. In mid-1999, the north part of Maluku province became the new province of North Maluku, creating tensions between local elite figures and their followers over the position of governor⁵⁸. At the same time, the new sub-district of Malifut was created on Halmahera island without consultation with the locally dominant Kao (Christian) people. The new sub-district, which contained an Australian-run gold mine, was seen to favour the Makian (Muslim) ethnic group, and resulted in the outbreak of violence from August-October 1999. Thousands of Makian fled to neighbouring Ternate island, which set off a chain reaction with people sympathetic to Kao people being attacked in Ternate, ending in the outbreak of violence in many parts of Halmahera between Christian and Muslim communities. Thousands died in the violence with more than 80,000 being displaced (Christians from Ternate to North Sulawesi and Halmahera; Muslims from Halmahera to Ternate). The violence ended in 2000, and since then there has been much progress with the return of people displaced by the violence and reconciliation. Fifty percent of the approximately 160,000 IDPs from North Maluku have returned home⁵⁹.

⁵⁸ See Nils Bubandt, Paper presented

⁵⁹ OTI Report, January 2002



West Kalimantan

1. Violent clashes between ethnic groups in West Kalimantan occurred sporadically cover the last 20-30 years⁶⁰. The main groups involved in this violence were the Madurese community of migrants from East Java, the indigenous and rurally-based Dayak community, and more recently the coastal Malay community. Madurese first started settling voluntarily in West Kalimantan almost one hundred years ago, but it was the New Order transmigration policy that brought large numbers of Madurese to the province. Several decades ago, the Dayaks represented more than half of the province's population, but the New Order brought rapid changes in the demographic composition as migrants from other provinces came seeking economic opportunities. Along with transmigration came the exploitation of the province's natural resources and the establishment of timber concessions and plantations managed by Jakarta-based businesses, which marginalized Dayak communities and dispossessed many of their land. In rural areas where Dayak and Madurese co-existed, there were frequent disputes and violent exchanges, and a deep mistrust developed. Strong prejudices against the Madurese developed both within Dayak and Malay communities, attributed to the segregated and independent nature of the Madurese communities and their stereotypical propensity for confrontation and violence. Dayak and Malay believed criminal acts suspected of the Madurese were often ignored by the police, and these frustrations were compounded by a strong military security presence through the village military posts (*Babinsa*). Despite the difficulties faced by all communities in West Kalimantan, much to do with the pattern of development promulgated by the New Order, these frustrations and grievances were expressed in communal violence.
2. The worst violence occurred in the Sambas District of West Kalimantan in 1996 and 1997 between the Dayak and Madurese communities, and in 1999 between the Malay and Madurese communities. Thousands were killed and in 1999 about 70,000 mostly Madurese fled to Pontianak where they settled in public buildings and with Madurese families in the city. The people of Sambas completely reject the return of the Madurese, and in 2001 the local government finally began to begin a long planned resettlement programme for the IDPs to other parts of the province. However, tension remains high in West Kalimantan through the fear of potential revenge attacks, stress amongst the Madurese IDPs (many of whom have lived in cramped camps in the city of Pontianak for some three years), and pressure from the local communities for aid to be stopped and for IDPs to be moved. The sites chosen for the resettlement programme also pose difficulties being on marginal land with difficult access to markets and nearby urban centers. Importantly, the underlying causes of the original conflicts, including economic and political marginalisation of the Dayak community, vast cultural differences, provocation by ethnic and political elites and poor law enforcement remain to be dealt with.

⁶⁰ HRW Report



Central Kalimantan

1. The tension between indigenous Dayaks and immigrant Madurese exploded in the town of Sampit, Central Kalimantan in mid February 2001, for days isolated killings perpetrated by both sides had developed into a massacre of Madurese by the Dayaks, the killings spread to other areas in Kalimantan and continued for weeks. As the result of the conflict, almost 100,000 refugees fled the island to the island of Madura. The background to the conflict lies in the poverty and lawlessness of Central Kalimantan where power is wielded by local elites in collusion with local government officials to plunder illegally the provinces natural resources. The marginalized people, including both Dayak and Madurese, suffered the effects, and the intensely strong ethnic stereotyping and prejudice meant that tensions could easily be manipulated to bring about violence. The current reality in Central Kalimantan is that there will be no more conflict between the Dayaks and the Madurese because apart from Pangkalan Bun, there are no longer any Madurese left in the province; but the factors underlying the violence remain unchanged.

West Timor

1. In June 1974, the new Portuguese government relinquished control of the colony East Timor and gave the East Timorese the option of choosing independence or become a part of Indonesia. The overwhelming majority voted for independence, however, Indonesia invaded the former colony the following year and annexed it as the “27th province”, which set the stage for the violence that erupted in the region in 1999. After years of counter-insurgency operations run by the Indonesian military in East Timor, the Indonesian government signed a tripartite agreement in May 1999 with the UN and Portugal to a referendum on independence or special autonomy. The government promised to maintain peace and security during and after the voting. A month later, a Security Council Resolution established the United Nations Mission in East Timor to administer the referendum UNHCR established their presence in East Timor in the same month.
2. The East Timorese voted for independence on 30 August 1999. This provoked pro-Indonesia anti-independence militia groups, created, trained and guided by the Indonesian armed forces, to go on the rampage. Over a period of two weeks as many 270,000 East Timorese of whom most were pro-independence supporters, were expelled or fled into West Timor and approximately 500,000 were internally displaced. Refugee camps were established by UNHCR in West Timor at the end of 1999 until repatriation and transfer became possible. Militia members were themselves forced to flee East Timor upon the arrival of the International Force in East Timor (INTERFET) in October 1999. Many escaped to West Timor where they have terrorized the East Timorese refugee population and humanitarian workers. Following the deployment of INTERFET, security was restored to most areas of East Timor and approximately 190,000 refugees have returned. The remaining 80,000 or so in camps in West Timor – no agency has been able to conduct a comprehensive count of the camp’s population – are being forced to choose either to join a resettlement program in Indonesia or return to East Timor. As of January 1, 2002 the humanitarian assistance to the refugees in West Timor was cancelled but then decided to continue until June. The halting of aid was aimed at returning the refugees to East Timor or offering them Indonesian citizenship and resettling them



elsewhere as part of the government's resettlement program. In January 2002 by Presidential Decree an Ad Hoc Human Rights Court was established which will hear human rights cases before and after the United Nations administered popular consultation in 1999.



ANNEX III: Organisation of Central Government

COORDINATING MINISTERS

1. Coordinating Ministry for Political and Security Affairs: *Susilo Bambang Yudhoyono*
2. Coordinating Ministry for Economic Affairs: *Prof. Dr. Dorodjatun Kuntjoro Jakti*
3. Coordinating Ministry for People's Welfare: *Drs. Jusuf Kalla*

MINISTERS

4. Ministry of Home Affairs: *Hari Sabarno, MBA., MM*
5. Ministry of Foreign Affairs: *Dr. Nur Hassan Wirajuda, SH.,LLM*
6. Ministry of Defense: *H. Matori Abdul Djilil*
7. Ministry of Justice and Human Rights: *Prof. Dr. Yusril Ihza Mahendra, SH. MSc*
8. Ministry of Finance: *Dr. Boediono*
9. Ministry of Energy and Mineral Resources: *Dr. Ir. Purnomo Yusgiantoro., MA., MSc*
10. Ministry of Industry and Trade: *Rini M.S. Soewandi*
11. Ministry of Agriculture: *Prof. Dr. Ir. Bungaran Saragih*
12. Ministry of Forestry: *Dr. Ir. M. Prakosa, Ph.d*
13. Ministry of Communications: *Agum Gumelar*
14. Ministry of Marine Affairs and Fisheries: *Dr. Ir. Rokhmin Dahuri, M.S.*
15. Ministry of Manpower and Transmigration: *Jacob Nuwa Wea*
16. Ministry of Settlements and Regional Infrastructure: *Dr. Ir. Soenarno, Dipl. HE*
17. Ministry of Health: *dr. Achmad Sujudi, MPH.*
18. Ministry of National Education: *Prof. Drs. H. Abdul Malik Fadjar, MSc*
19. Ministry of Social Affairs: *H. Bachtiar Chamsyah, SE*
20. Ministry of Religious Affairs: *Prof. Dr. Said Aqiel Munawar*

STATE MINISTERS

21. Ministry of Culture and Tourism: *Drs. I. Gde Ardika*
22. Ministry of Research and Technology: *Ir. M. Hatta Rajasa*
23. Ministry of Cooperatives and Small and Medium Enterprises: *H. Alimarwan Hanan, SH*
24. Ministry of Environment: *Nabiel Makarim, MA., MSM*
25. Ministry of Women Empowerment: *Hj. Sri Redjeki Sumaryoto, SH*
26. Ministry of Administrative Reform: *Drs. H.M. Feisal Tamin*
27. Ministry of the Acceleration of Development of East Indonesia: *Drs. Manuel Kaisiepo*
28. Ministry of National Development Planning: *Drs. Kwik Kian Gie*
29. Ministry of State Owned Enterprises: *Ir. Laksamana Sukardi*
30. Ministry of Communication and Information: *H. Syamsul Mu'arif, BA*

LEVEL STATE MINISTERS

31. Office of the President of the Republic of Indonesia: *Bambang Kesowo, SH., LLM*
32. Office of the Attorney General: *Muhamad Abdul Rachman, SH.*
33. National Intelligence Agency: *AM Hendropriyono*

