

## Indonesia: Averting Election Violence in Aceh

### I. OVERVIEW

In less than two months, on 9 April, Aceh will go to the polls to elect a governor and vice governor, as well as seventeen district heads and deputies. Despite rhetorical commitments on the part of all contenders to a peaceful election, the potential for isolated acts of violence between now and then is high; the potential for trouble after the results are announced may be even higher, especially if it is a close election. Getting as many trained monitors to Aceh as possible in the coming weeks is critical.

Whether violence materialises may depend on several factors:

- ❑ the number of election monitors deployed and the speed with which they get to Aceh. The campaign is already well underway for all practical purposes, even though officially it does not begin until 22 March. The monitoring needs to start now, not days before the election;
- ❑ the speed with which the police can identify and arrest the gunmen responsible for shootings in December 2011 and January 2012 that took the lives of ten men, most of them poor Javanese workers. The killings are widely believed to have been politically motivated;
- ❑ the ability of the election oversight committee (Panitia Pengawas Pilkada) to investigate reported violations and quickly take action; and
- ❑ the ability of leading candidates to control their supporters in the Aceh Transition Committee (Komite Peralihan Aceh, KPA), the organisation of former guerrilla commanders.

Partai Aceh, the local political party created by the leadership of the Free Aceh Movement (Gerakan Aceh Merdeka, GAM), the former rebel group, has played on the threat of renewed conflict to get the election on its own terms. Its main goal was to have Irwandi Yusuf, who was elected governor in December 2006 and now seeks a second five-year term, forced from office so that he could not use his position to keep himself in the public eye, ensure funds flowed to his supporters or request the deployment of security forces in a way that might have a bearing on the election.

To this end, it engaged in a number of legal manoeuvres, on the pretext of safeguarding Acehnese autonomy and the integrity of the 2006 Law on the Governing of Aceh (Undang-Undang Pemerintahan Aceh), the legal underpinning of the Helsinki Memorandum of Understanding (MoU) that ended GAM's 30-year insurgency against the Indonesian government. In particular, it challenged a Constitutional Court decision that annulled one provision of the law, thereby enabling independent (non-party) candidates to contest the elections originally scheduled for late 2011. Irwandi, based on the court's ruling, intended to stand as an independent, and Partai Aceh was hoping to block him. The provincial parliament, which Partai Aceh controls, also refused to pass a regulation (*qanun*) on elections allowing independent candidates, a move that prevented the local election commission from scheduling the polls.

With the help of pressure from Jakarta and a series of killings in December and January that seemed to suggest a high potential for violence, the election was repeatedly postponed, from 10 October 2011 to 14 November to 24 December, then to 16 February 2012 and finally to 9 April. With the last change, Partai Aceh achieved its objective: on 8 February 2012, when his term expired, Irwandi stepped down as governor. The home affairs ministry appointed a caretaker, Tarmizi Karim, a native of North Aceh, who will serve until a newly elected governor is inaugurated.

The manoeuvring deepened a bitter divide between Irwandi and the Partai Aceh leadership under Malik Mahmud, GAM's former "prime minister". Their mutual antagonism first came to public attention in the run-up to the 2006 election in which Irwandi ran against Malik's choice for governor and won. Its history goes back much further, however, to differences between the exiled diaspora, represented by Malik and the man who is now Partai Aceh's candidate for governor, Zaini Abdullah, and GAM members like Irwandi who stayed behind in Aceh. The shootings in December and January have raised concerns that more violence between these two camps will follow.

## II. THE LEGAL MANOEUVRES

The general contours of the election were in place by mid-2011.<sup>1</sup> Despite Partai Aceh's objections, it was clear that Irwandi would contest it as an independent, together with a little known civil servant from South Aceh, Dr Muhyan Yunan.<sup>2</sup> Their strongest challenger was the Partai Aceh ticket of Zaini Abdullah, GAM's former "foreign minister", and Muzakkir Manaf, former commander of GAM's guerrilla forces. Also contesting the election but believed to have little chance of winning was Muhammad Nazar, the vice governor, and his running mate, Nova Iriansyah, who were endorsed by President Yudhoyono's Democrat Party (Partai Demokrat) on 7 October 2011. Two other tickets were also in the contest but were not considered serious contenders. It was widely understood that the outcome would depend in part on whether the election would be held while Irwandi was still in office, so that he could use the advantages of incumbency to the fullest.<sup>3</sup>

Partai Aceh had first tried to stop Irwandi on the grounds that Article 256 of the 2006 Law on Governing Aceh allowed non-party candidates only for the first election following the law's enactment.<sup>4</sup> A Constitutional Court deci-

sion in December 2010 ruled that article unconstitutional, but Partai Aceh rejected the ruling, arguing that the court had no authority over electoral matters and had not consulted the provincial parliament as required.<sup>5</sup> The provincial parliament, controlled by the party, then delayed the passing of a *qanun* on election procedures, forcing the local election commission, KIP, to postpone the election to 14 November. The *qanun* finally adopted on 28 June did not allow independent candidates, so Irwandi refused to sign it, and KIP, with the approval of the National Election Commission (Komite Pemilihan Umum, KPU), decided the elections would go forward under the *qanun* used for the 2006 election.

As tensions rose, a close ally of Irwandi, Saiful Husein alias Cagee, was shot and killed on 22 July while sitting at a coffee shop in Matang Glumpang Dua, Bireuen district. Cagee had been the local leader of the Aceh Transition Committee (Komite Peralihan Aceh, KPA, the organisation of former GAM guerrillas). When Partai Aceh announced in early February 2011 that it was nominating Zaini Abdullah and Muzakkir Manaf as its candidates, Cagee left the KPA and thus became one of the high-profile former commanders to actively side with the governor.<sup>6</sup> Bireuen was one of the most hotly contested districts in 2006, the site of a violent attack by Irwandi supporters against the diaspora-backed candidate, and the tensions between the two camps are as high there as anywhere in Aceh.<sup>7</sup> Partai Aceh supporters were widely believed to have carried out the attack on Cagee, but no perpetrators have been identified.

Fearful of more violence, the home affairs ministry summoned both camps to Jakarta. On 3 August, in a meeting chaired by Djohermansyah Djohan, director-general for regional autonomy, the two sides agreed to a "cooling down" period during Ramadan, the Muslim fasting month, during which all election activity would be halted.<sup>8</sup> During

<sup>1</sup> For earlier analyses of Aceh, see Crisis Group Asia Briefings N°123, *Indonesia: GAM vs GAM in the Aceh Elections*, 15 June 2011; N°90, *Indonesia: Deep Distrust in Aceh as Elections Approach*, 23 March 2009; and N°81, *Indonesia: Pre-Election Anxieties in Aceh*, 9 September 2008; Crisis Group Asia Report N°139, *Aceh: Post-Conflict Complications*, 4 October 2007; and Crisis Group Asia Briefings N°61, *Indonesia: How GAM Won in Aceh*, 22 March 2007; N°57, *Aceh's Local Elections: The Role of the Free Aceh Movement (GAM)*, 29 November 2006; N°48, *Aceh: Now for the Hard Part*, 29 March 2006; N°44, *Aceh: So Far, So Good*, 13 December 2005; and N°40, *Aceh: A New Chance for Peace*, 15 August 2005.

<sup>2</sup> Muhyan Yunan was selected in fulfilment of Irwandi's promise that the usually neglected region of south and south-west Aceh would be better represented in the provincial government. Muhyan was head of the provincial public works office. A highly trained civil engineer, he holds master's degrees from Bandung Institute of Technology and the University of Strathclyde, Glasgow, and in 2011 received a doctorate from the University of Northern Malaysia. He also serves as provincial head of the association of veterans' children (Forum Komunikasi Putra Putri Purnawiran Indonesia, FKPPPI), meaning he has good ties to the military. National parties would have been happy to back the Irwandi-Muhyan ticket, especially since it was considered likely to win. Irwandi, however, believed that such backing would undermine his legitimacy as a GAM leader and weaken his ability to confront the Partai Aceh slate.

<sup>3</sup> He had been elected in December 2006, as the first-ever directly elected governor in Aceh's history, and formally installed on 8 February 2007. His five-year term thus officially ended on 8 February 2012.

<sup>4</sup> For a full discussion of their arguments see Crisis Group Briefing, *GAM vs GAM*, op. cit., pp. 2-5.

<sup>5</sup> Partai Aceh argued that failure to consult violated Article 269(3) of the 2006 law requiring consultation over any plans for amendment. See Edward Aspinall, "Aceh's no win election", *Inside Indonesia*, 11 December 2011.

<sup>6</sup> The objection of Cagee and other KPA members to the Zaini-Muzakkir ticket had many dimensions – procedural, personal and substantive. The dissenters saw the selection as a top-down decision in which they had no voice; they also saw Zaini Abdullah as someone who had lived too long outside Aceh and was out of touch with the rank and file.

<sup>7</sup> In the 2006 gubernatorial election, the diaspora leadership backed a ticket headed by Acehnese intellectual Humam Hamid, with GAM member Hasbi Abdullah as his running mate. Hasbi Abdullah, now a Partai Aceh member and speaker of the provincial parliament, is the brother of Zaini Abdullah. On 22 November 2006, a bus carrying Humam and his supporters was attacked in Bireuen not far from where Cagee was shot.

<sup>8</sup> "Cooling Down Selama Ramadhan", *Harian Aceh*, 3 August 2011.

the discussions, a source said, the Partai Aceh leaders agreed to prepare a new *qanun* that included a provision on independent candidates. Home affairs told them they could put in new conditions if they wanted, but the Constitutional Court's ruling on independent candidates had to be respected. In return the party leadership believed it had secured a promise that no further changes would be made to the 2006 law; it was reportedly particularly concerned that the provision on local shares of oil and gas revenues would be the next to go.<sup>9</sup> It was agreed the election clock would begin ticking again on 5 September, after Ramadan was over. The one-month halt led KIP to reschedule the elections for 24 December.

On 27 September, a delegation of Partai Aceh leaders met President Yudhoyono. They reportedly came away convinced he would support whatever they wanted, after he told them the peace was more important than any election, although he made no firm commitment.<sup>10</sup> When the delegation got back to Banda Aceh, perhaps emboldened by the meeting, the party's members in the provincial parliament kept stalling: they did not enact the required regulation, and their candidates did not register.

Instead, the party leadership pressed its case in Jakarta. On 31 October, Zaini Abdullah, representing the party executive council, and Muzakkir Manaf, as party secretary general, signed an extraordinary three-point pact with Djohermansyah, agreeing that the election should be postponed until "the legal cover is finished" and that, as a consequence of the delay, a caretaker governor would be appointed. The signatories also agreed that the issue of independent candidates would be "comprehensively discussed by the provincial legislature".<sup>11</sup> Since Partai Aceh controlled the parliament, this point basically left resolution of the dispute to it. The pact had no legal status, but it was still highly unusual for a senior official to become party in a written document to what was in effect a tactical campaign by a political party.

In the meantime, on 17 October, an obscure would-be candidate for governor named TA Khalid petitioned the Constitutional Court to reopen candidate registration, arguing that election regulations required a period of 210 days between candidate registration and voting day, and KIP had arbitrarily shortened this, thereby violating his right to take part. On 2 November, the court issued an "interlocutory ruling", in effect a decision outside the substance of the original petition, ordering KIP to reopen registration of candidates – party, non-party and coalition alike – for seven days and adjust the date of the election accordingly.<sup>12</sup> A week later, on 10 November, KIP postponed the election again, to 16 February.<sup>13</sup>

Still Partai Aceh did not register its candidates. Indeed, its leaders said it would refuse to take part. The new date would have pushed Irwandi out of office but only just – and many in Aceh believed that if the election went ahead on 16 February, he would still win. Interviewed in late November, Adnan Beuransyah, head of the Partai Aceh faction in the provincial legislature, was still adamant that Partai Aceh would reject independent candidates, and the 2006 Law on the Governing of Aceh had to be preserved at all costs. He claimed the national parties backed Partai Aceh, and to some extent, he was right.<sup>14</sup> According to an official in Banda Aceh, the other parties calculated that if Partai Aceh did not take part in the elections, there was a danger that the turnout would be so low as to make the election illegitimate and provide the grounds for a court challenge. More important, there would be the danger of violence.<sup>15</sup>

Beuransyah maintained that despite this support, "there is a conspiracy against us in Jakarta". He said that while Djohermansyah was on Partai Aceh's side, Minister of Home Affairs Gamawan Fauzi and Coordinating Minister Djoko Suyanto were against it. "If the election goes ahead under the old regulation", he said, "then people will go on

<sup>9</sup> Crisis Group interview, government official, Banda Aceh, 29 November 2011.

<sup>10</sup> The delegation consisted on the Partai Aceh side of Malik Mahmud, Zaini Abdullah, Muzakkir Manaf, Zakaria Saman, Yahya Muad and Abdullah Saleh. The government side, in addition to the president, consisted of top security officials: Minister of Home Affairs Gumawan Fauzi, State Secretary Sudi Silalahi, Armed Forces Commander Agus Suhartono, Police Chief Timur Pradopo, Defence Minister Purnomo and Coordinating Minister for Political, Legal and Security Affairs Djoko Suyanto. See "Jelang Pilkada, SBY Temui Perwakilan Partai Aceh", okezone.com, 27 September 2011.

<sup>11</sup> "Nota Kesepakatan Antara Dirjen Otonomi Daerah Kementerian Dalam Negeri Dengan Pimpinan Partai Aceh", 31 October 2011. A copy of the document is in Crisis Group's possession.

<sup>12</sup> "Perkara Nomor 108/PHPU.D-IX/2011 perihal Perselisihan Hasil Pemilihan Umum Kepala Daerah dan Wakil Kepala Daerah Provinsi Aceh" [on the dispute over the election of heads of local government in Aceh province], Mahkamah Konstitusi, Acara Pengucapan Putusan Sela, 2 November 2011. The full decision on the case, accepting the plea of TA Khalid and one other plaintiff, was handed down on 22 November 2011.

<sup>13</sup> "Keputusan No 26 tentang Perubahan Keempat Atas Keputusan Komisi Independen Pemilihan Aceh", Komite Independen Pemilihan, 10 November 2011.

<sup>14</sup> He said Partai Aceh had met two weeks earlier at the Hermes Palace hotel with former regional military commander Djali Yusuf, members of parliament Nasir Jamil of PKS and Farhan Hamid of PAN, and former Golkar member of parliament Ferry Mursidan Baldan, who had headed the committee that drafted the 2006 law.

<sup>15</sup> Crisis Group interview, government official, Banda Aceh, 29 November 2011.

the streets, and they'll be demanding one of two things: a referendum or independence". He and other members of Partai Aceh were feeling very ill-used by Jakarta for another reason: Partai Demokrat's endorsement in October of Muhammad Nazar, despite everything Partai Aceh had done in 2009 to secure a more than 90 per cent vote in Aceh for the party's founder, President Yudhoyono.

### III. THE VIOLENCE

By November, the tide seemed to be moving against Partai Aceh. If the elections went ahead, not only would Irwandi be standing as an independent, but he would have no serious opposition. Partai Aceh, having refused to register, would have no chance at the spoils of victory. The political elites in both Jakarta and Banda Aceh were convinced that the new February election date was set in stone and would not change again; now, by law, the only way it could be postponed was if Aceh was beset by a natural disaster or "security disturbances".<sup>16</sup>

Whether coincidental or not, a spate of shootings began that seemed to some to be aimed at showing that security conditions were too dire to allow election preparations to continue, although it is likely that there were multiple motives. The first attack took place at a workers' barracks of the PT Setya Agung plantation in Kreung Jawa, Uram Jalan, Geureudong Pase, North Aceh on 4 December. Setya Agung, a company based in Medan, North Sumatra, has usufruct rights (*hak guna usaha*) for planting cacao, palm oil and rubber over an area of some 8,000 hectares in North Aceh. Like most companies working in Aceh, it contracted with a GAM-owned company, CV Cimita Rata, which manages the rubber plantation.

PT Setya Agung merely collects a fee of Rp.1,250 (about \$0.14) per kilo on the rubber, but CV Cimita Rata does all the work, including hiring the labour. Many of its workers are ex-combatants, but the company also brought in about 100 Javanese workers from Medan and housed them in a barracks owned by Setya Agung; these men were hired by a CV Cimita Rata official reportedly loyal to Irwandi.

Around 11pm on 4 December, the workers were sitting in a food stall near the barracks when four or five men came in from the direction of the palm oil plantation. They asked the workers, "Where are you people from?" (*kalian orang mana?*) and demanded to see their identity cards. Then they ordered them to lie on the floor, shot them and left.

Three died instantly, one died several months later, and five were seriously wounded.

A week later, on 10 December, someone fired shots at the car of a Setya Agung manager, but no one was hurt. Another non-fatal shooting, on 23 December in Sawang, Lhokseumawe, North Aceh on a company carrying out an oil and gas survey, appears to have been an extortion attempt, and, unlike the killings of the Javanese, has produced two arrests.

The second fatal attack took place at the base of the telecommunications company, Telkomsel, in Blang Cot Tunong, Jeumpa, Bireuen on 31 December 2011. Some 50 men, mostly from East Java, had been hired to lay a fibre-optic cable for Telkomsel. They were staying in a rented house facing the road. Around 8 or 9pm, two men drove up on a motorcycle. One got off and went into the house; there were about fifteen workers there at the time. Without asking any questions, he opened fire. Three people were killed at once; seven were wounded. On the same night, in an apparently unrelated incident, a Javanese night watchman was killed at a toy shop in Banda Aceh.

Another attack took place on 1 January in Desa Seureuke, Langkahan, Aceh Utara; one person was killed, one seriously wounded. Again no questions were asked; the killer just opened fire. Finally, on 5 January, three Javanese workers from Semarang died in Aneuk Galong, sub-district Suka Makmur, Aceh Besar. The target was a plywood shanty for construction workers building a private shop. The killer came up to the shanty and sprayed it with bullets.<sup>17</sup>

Initially the provincial police chief announced that all the murders were the result of business rivalries and economic jealousies – as if Acehnese were targeting Javanese for taking their jobs. But the director of Setya Agung said there was a major labour shortage, especially for rubber tappers, so if any Acehnese wanted a job, he or she could have it. The jealousy argument also did not make sense, because the people killed were at the bottom of the income scale, only looking for enough income to buy a kilo of rice.<sup>18</sup> On 21 February, the police chief announced that the shootings in Aceh Utara, Bireuen and Aceh Besar had been committed by the same group and said the police knew who they were, but refused to say anything more.<sup>19</sup>

The shootings unquestionably had an impact, causing great angst not only in Jakarta government circles but also in the foreign investment community. A local observer said

<sup>16</sup> See the relevant provisions of laws no. 10 and 42 of 2008; also Titi Anggraini, "Jeda Tanpa Makna", *Serambi Indonesia*, 21 September 2011.

<sup>17</sup> Crisis Group interview, government official, Banda Aceh, 9 February 2012.

<sup>18</sup> Ibid.

<sup>19</sup> "Kapolda: 4 Kasus Penembakan di Aceh Saling Terkait", *Atjeh Post*, 21 February 2012.

killing Javanese was one way of getting Jakarta's attention. "If Acehnese get killed", he asked, "Who cares?"<sup>20</sup>

#### IV. THE LOBBYING EFFORT

Whether or not anyone from Partai Aceh was involved, the shootings took place as the party was stepping up its lobbying campaign in Jakarta. On 12 December, Director-General Djohermansyah signed another note of agreement with Muzakir Manaf that was much the same as the 31 October note. The signatories would work toward a delay in the elections until the legal issues could be worked out, and a caretaker would be appointed, but this time there was no more "discussion" on independent candidates: Partai Aceh agreed to accept the Constitutional Court's ruling and include a provision to this effect in a new election *qanun*.<sup>21</sup> A party source said Djohermansyah also agreed that there would be no further changes to the Law on the Governing of Aceh without consultation with and agreement of the Partai Aceh-controlled provincial parliament.<sup>22</sup>

As shootings continued on 10 December, 31 December, 1 January and 5 January, the home affairs ministry began arguing strongly and publicly for postponing the elections to "accommodate" Partai Aceh, as if someone was deliberately excluding the party from participating, when, in fact, from the beginning, it was the party's own intransigence that had led to the stand-off. At no point did anyone in the central government suggest that Partai Aceh's defiance of the Constitutional Court constituted a violation of its acknowledgment under the 2005 Helsinki agreement that the justice sector was the preserve of the central government.

But then, after a series of emergency meetings on Aceh, the government went further. On 12 January, the home affairs ministry submitted a petition to the Constitutional Court for a review of the 2007 Election Law that would give the ministry the authority to postpone the elections. On 16 January, the court made another "interlocutory" ruling, reportedly after heavy pressure from the presidential palace, that registration should be reopened for a week to allow candidates who had not yet registered to do so and that the election schedule should be adjusted accordingly,

but with the polls no later than 9 April.<sup>23</sup> The ministry's appeal concerning the transfer of authority was denied, but the interlocutory ruling gave it and Partai Aceh what they were seeking; a new delay.

KIP argued that there was no way it could allow another week of registering new candidates, do the required background checks and other administration and still hold the election on 16 February. It pushed for the maximum extension allowed by the court, until 9 April, and the court agreed. Partai Aceh now had exactly what it wanted: Irwandi relegated to the status of private citizen on 8 February and two months to go before the polls; if the voting went to a second round, it could push the final showdown to May or even later.

Partai Aceh agreed to the new date with alacrity and immediately registered Zaini and Muzakir. The Constitutional Court, whose ruling in November was rejected by Partai Aceh on the grounds that it had no authority to change the 2006 law, was now happily accepted as a legitimate source of law as long as it produced decisions in line with the party's wishes. On 24 February, the provincial legislature finally passed the long-delayed *qanun* on election procedures that included a provision allowing independent candidates. It was evidence, if more were needed, that Partai Aceh's higher priority all along had been removing Irwandi from office and that once this was effected, compromise elsewhere was possible.

No killings have taken place since 5 January; several people in Banda Aceh, correctly or incorrectly correlate the cessation of attacks with the Constitutional Court's ruling on 16 January. The implication is that Jakarta understood the implicit threat of more violence and capitulated.

The assumptions may be false on several grounds:

- ❑ no one is sure who the perpetrators are, and even if some prove to have Partai Aceh connections, it will be hard to prove the party leadership knew of or condoned the attacks. With no information available on current police investigations, there are as many Acehnese willing to believe the attacks were part of a security operation as to believe the party was involved;
- ❑ if evidence had been available linking the perpetrators to the party, Jakarta might have been less willing to accommodate its wishes; and
- ❑ the violence was not the only reason for some Jakarta officials to press for Partai Aceh's participation; even without the killings, some in Jakarta would have argued for appeasing the party on political grounds alone.

<sup>20</sup> Crisis Group interview, development worker, Banda Aceh, 10 February 2012.

<sup>21</sup> "Nota Kesepakatan Antara Direktur Jenderal Otonomi Daerah Kementerian Dalam Negeri Dengan Pemimpin Partai Aceh", 12 December 2011. The agreement was widely published in the Aceh media.

<sup>22</sup> Crisis Group interview, Muzakir Abdul Hamid, 10 February 2012. A copy of the agreement obtained by Crisis Group has the provision about consultation and agreement added to the first three points in longhand.

<sup>23</sup> "Putusan Sela Nomor 1/SKLN-X/2012", Mahkamah Konstitusi, 16 January 2012.

However, non-fatal attacks on Irwandi supporters before and after the killings of Javanese suggest that there are those within Partai Aceh with a propensity to use violence, and until the real killers can be identified, the suspicions of Partai Aceh involvement will remain.<sup>24</sup> It is absolutely critical that every possible resource be deployed to uncover the killers, their political links, if any, and their motivations.

## V. THE RELATIVE STRENGTH OF THE TWO SIDES

Time is now very much on Partai Aceh's side, and it has three major advantages: a strong political machine, a capacity and willingness to use intimidation and the support of powerful figures in Jakarta. The party's power was demonstrated on 12 February 2012, when tens of thousands of supporters poured into Banda Aceh, the provincial capital, for a "declaration" of the candidates in a local sports stadium. With the city festooned in party flags and posters and one side of the stadium itself covered in a banner proclaiming Zaini Abdullah and Muzakkir Manaf the candidates of struggle and peace, it looked very much like a campaign rally, even though the campaign is not scheduled to begin until 22 March. Partai Aceh's machine is far better organised than anything Irwandi can draw on, and the longer he is out of the governorship, the more this gap may become apparent.

Partai Aceh also has the power of intimidation. Just as it did in 2009 for the local legislative elections, it is promoting itself as the party that brought about the Helsinki agreement, but is also implying that if it does not win, there will be a return to conflict. Several people, well-educated and sophisticated, told Crisis Group that they were going to support Partai Aceh, not because they liked its candidates but because they believed it was dangerous not to; they believed the danger of violence would be higher if Partai Aceh lost.<sup>25</sup>

On the minus side, its legislators have no accomplishments to point to, and the party's candidate for governor, Zaini Abdullah, despite his seniority within GAM, is poorly known, uncharismatic and not a popular choice within GAM ranks.

The party has also committed what some see as a strategic mistake by taking the former military commander of Aceh, Lt. General Sunarko, on to the campaign team. Sunarko, a Javanese, was the highly unpopular commander at the time of the 2009 elections, when he took a strongly anti-GAM position. Partai Aceh leaders say their embrace of him shows that they can appeal to all sectors of society and will have the support of key institutions. Sceptics suggest other motivations: either that Sunarko is collaborating on economic projects with former GAM commanders, or that his and Irwandi's mutual hostility make him a natural ally on the principle of "the enemy of my enemy is my friend". Either way, the Irwandi camp believes that it undermines Partai Aceh's legitimacy to embrace as controversial a figure as Sunarko, and one source said, after he came on board, that some 40 junior KPA members went over to Irwandi in disgust.<sup>26</sup>

Irwandi is in the process of founding a new political party to challenge Partai Aceh organisationally, which could raise the temperature of the campaign.<sup>27</sup> He is unquestionably personally popular. Not only do Acehnese like his direct, informal style and the fact that he drives himself around, but he has also put in place a few hugely popular programs such as the health insurance program for Acehnese, Jaminan Kesehatan Aceh (JKA). Partai Aceh has complained that the insurance cards have Irwandi's photo on them and that this in itself is an unfair advantage. He has also put in place a number of scholarship programs for children orphaned by the 2004 tsunami, as well as for qualified Acehnese who want to go on to university. Moreover, he has given cash handouts (*dayah*) to Acehnese Islamic boarding schools, in a move that has kept some of the *ulama* (religious authorities) on his side, despite criticism that he has displayed a notable lack of interest in enforcing Islamic law. These programs would probably have been enough to catapult him to a second term, if the intimidation and fear were not factored in.

Irwandi will almost certainly carry the south and south west, particularly because his running mate is from South Aceh, and the charismatic local KPA commander, Abrar Muda, is firmly in his camp. However, the general consensus is that anyone who can carry four districts in the GAM heartland – Bireuen, Pidie, Aceh Utara and Aceh Timur – will win the election. Pidie and Aceh Utara will almost certainly go to Partai Aceh. The other two will be bitterly contested, and this is where the likelihood of violence is highest. An attack on the home of Asnawi Abdurrahman, Irwandi's campaign coordinator, in Peureulak, Aceh Timur on 5 February and the arson attempt on the home of the

<sup>24</sup> An incident on 9 September 2011 that generated particular outrage was the attack on the imam of a mosque in Keumala, Pidie during his sermon at Friday prayers, when he criticised GAM leaders for enriching themselves and putting party interests above all else. The attackers, believed to be from Partai Aceh, pulled him down from the pulpit and beat him up. See "Khatib Salat Jumat Dipukuli diatas Minbar", acehkita.com, 9 September 2011.

<sup>25</sup> Crisis Group conversations in Banda Aceh, 10-12 February 2012.

<sup>26</sup> Crisis Group interview, Banda Aceh, 10 February 2012. The defections are not confirmed.

<sup>27</sup> The imminent creation of the party, which as yet has no name, was announced by Irwandi on 16 February 2012.

parents of a key Irwandi campaign strategist, Thamren Ananda, on 23 February in Pidie Jaya, may be signs of things to come. No one was injured in either, and provincial police chief Iskandar Hasan dismissed the first as a debt-related, not political attack, though several of his statements in the past have turned out to be wrong.

Both Irwandi and the Partai Aceh leadership have their own cadre of former guerrilla commanders in the KPA who have much political and economic clout and no accountability. Many KPA members have turned into Mafia-like contractors who have received projects from elected officials at the provincial and district level in exchange for (or as a reward for) support. Irwandi claims to have in his camp thirteen former senior guerrilla commanders or officials, each of whom has the capacity to mobilise followers.<sup>28</sup> They joined him on 16 February for a photo shoot, when he suggested he was moving toward forming a new party.<sup>29</sup>

In 2006 and 2009, the KPA played an important role in getting out the vote, so the political divisions in its ranks are important and could affect the potency of the Partai Aceh political machine. It does not matter so much how many ex-commanders each candidate can muster but where they are from, and Partai Aceh controls the KPA structure in some of the most populous districts. That said, even though Muzakkir Manaf, GAM's former military chief, is standing as a Partai Aceh candidate, there appears to be widespread unhappiness with the party's ticket within the KPA.

While there are different causes, an interesting argument was advanced by Muksalmina, former GAM spokesman and now Irwandi loyalist. He said Zaini, as former foreign minister, and Muzakkir, as former commander, were still needed as negotiators to ensure that the Helsinki agreement was fully implemented. If they became governor and deputy governor, they would be the arm of the central government in Aceh and subordinate to it.<sup>30</sup> He also pointed out that the success of the GAM "diplomats" in exile had depended on the actions of the guerrillas in the jungle, and now those diplomats were trying to impose

their will on the people who had borne the brunt of the sacrifices during the conflict.

After the 16 February meeting of Irwandi and his KPA supporters, the latter's credentials were immediately challenged by Partai Aceh, which points to another battleground: propaganda. An observer sympathetic to Irwandi said that given his lack of a political structure, his success would depend heavily on his ability to counter information and disinformation released by the Partai Aceh camp. The observer was convinced that if Irwandi can manage the information war, he could win, even if the final round of the election was in May or June. If his information team is weak, he would lose.<sup>31</sup>

A wild card in the pre-election manoeuvring is the stance of the caretaker governor appointed on 8 February, Tarmizi Karim.<sup>32</sup> A home affairs official, he served as North Aceh district head in the critical period 1998 to 2004, through the growth of GAM and the pre-tsunami period of martial law. He later served as caretaker governor of East Kalimantan. Tarmizi is known as being close to Muzakkir Manaf and to other GAM members in North Aceh, a Partai Aceh stronghold, and there are fears that this could compromise his neutrality. He is a competent professional, however, and may be able to resist pressure to take sides.

Another wild card is the women's vote. Irwandi's wife, Dharwati, has put much effort into social work and may have visited more areas of Aceh than her husband. Muzakkir Manaf is well-known as having four wives – some say "at least four". Dharwati's popularity could pull some Aceh-nese women into her husband's camp.

## VI. JAKARTA'S INTERESTS

The politics of the Aceh issue in Jakarta are complicated. There is unquestionably a deeply ingrained desire for consensus rather than confrontation, particularly from the president, who has shown no interest in taking on local officials who defy national laws.<sup>33</sup> On the other, there is one very salient political fact that everyone in Jakarta and Banda Aceh is well aware of: Partai Aceh in 2009 delivered more than 90 per cent of the vote in Aceh for the president.

<sup>28</sup> The thirteen are Muharram Idris and Irwansyah alias Muchsalmina from Aceh Besar; Linggadinsyah from Central Aceh; Ayah Merin from Sabang; Abrar Muda from South Aceh; Nurdin from Singkil; Win Kaka from Southeastern Aceh; Alex alias Bahtiar from Aceh Jaya; Panji from Gayo Lues; Aman Begi from Central Aceh; Ramdana from Bener Meriah; Abu Sanusi from East Aceh; and Helmi from Aceh Tamiang. While Cagee, the former commander from Bireuen was killed in July 2011, most of those who were loyal to him remain Irwandi supporters.

<sup>29</sup> See "Perlawanan Mantan Panglima Wilayah GAM", *Modus Aceh*, 20-26 February 2012, pp. 6-7.

<sup>30</sup> "Siapa Sebenarnya Berkhianat?", letter from Muksalmina, 18 February 2012, copy made available to Crisis Group.

<sup>31</sup> Crisis Group interview, Banda Aceh, 11 February 2012.

<sup>32</sup> Born in 1956 in Lhoksukon, North Aceh, he holds a master's degree in development studies from American University in Washington, DC.

<sup>33</sup> The standoff with the district head of Bogor over his refusal to implement a Supreme Court ruling allowing the construction of the Yasmin church is another example.

The party felt ill-used and betrayed when Yudhoyono and Partai Demokrat backed Muhammad Nazar for governor, and their opponents saw an opportunity to move in. National parties like PDIP and PAN have openly come out in support of the Partai Aceh candidates. This may have increased the pressure on officials in the Yudhoyono government to “accommodate” Partai Aceh and undo some of the damage of the Partai Demokrat decision.

It was clear in late 2011 that the coordinating ministry for political, security and legal affairs (Polhukam) and the home affairs ministry were divided on how to handle the Aceh election dispute. Particularly after the election was postponed until 16 February, Polhukam showed a determination to keep to this date, regardless of Partai Aceh’s unhappiness. Partai Aceh saw the ministry as favouring Irwandi, and it may have been right: certainly Irwandi is a familiar figure whose strengths and weaknesses by now are well known in Jakarta and is, therefore, a more predictable bet than Zaini Abdullah. The ministry may also have been worried about allowing the former senior GAM officials more power than they already have.

Initially Home Affairs Minister Gamawan Fauzi seemed to take a tough line with Partai Aceh, putting him at odds with Djohermansyah, his own director-general, but pressure, reportedly from the president, had brought about a more or less united position in the cabinet by mid-January 2012 in support of “accommodation” – some would say appeasement.

If Irwandi wins, Aceh will have more of the same: a provincial administration run by a governor not particularly interested in detail or administration but who at least has produced a few flagship programs, although some argue that his health insurance program is not financially sustainable. Partai Aceh legislators have produced nothing of note, and its governance is likely to be worse. If Irwandi has not been a great governor in terms of management, he has at least kept Aceh relatively conflict-free, and in the first five years of post-conflict transition, that is not an insignificant achievement. If he wins, the provincial legislature will still be controlled by Partai Aceh, but for those who fear stalemate between the executive and legislative branches if Irwandi is elected, it is hard to imagine that Partai Aceh can be more obstructionist than it already is. No matter who is elected, funds will flow to KPA members through government contracts to keep supporters on side.

If Partai Aceh controls both the provincial legislature and executive, confrontation over provincial regulations is possible – for example over the proposed institution of Wali Nanggroe, literally guardian of the state. Partai Aceh leaders see this position, enshrined in the 2005 the Helsinki agreement and originally intended for the late Hasan di Tiro, as almost that of a constitutional monarch, albeit at a provincial level, with the power to overrule the gov-

ernor. Such a regulation could present a constitutional challenge, but only if Jakarta forced the issue. If alliance with Partai Aceh is seen as vital to victory in 2014, politicians in Jakarta could turn a blind eye to even this. At the same time, it is worth noting that everything that happens in Aceh is closely watched in Papua and vice versa. If Aceh succeeds in getting a powerful Wali Nanggroe, demands for new powers for the Papuan People’s Council (Majelis Rakyat Papua, MRP), a body established under Papua’s special autonomy law to safeguard Papuan values and culture, will almost certainly follow.

## VII. CONCLUSION: MONITORS NEEDED

The likelihood of more violence is high during the campaign but even higher after the results are announced, particularly if Partai Aceh loses, but from supporters of either side if the race is as tight as many believe it will be. Aceh’s election oversight committee (Panitia Pengawas Pilkada, Panwas) is seen as weak. Some 700 police reinforcements from the police paramilitary brigade Brimob have been on standby in Medan since the election was first moved to 24 December. They may be able to provide additional security on election day, but the pressure on voters will begin long before. An official said, “The main goal of Partai Aceh violence up until now was to delay the election. Now it will be to win at all costs”.<sup>34</sup>

The only way to guard against fraud and intimidation is to get as many monitors to Aceh as possible, starting now. Waiting until the end of March will be too late. As of mid-February, almost all the monitors who had registered with KIP were local Acehnese; one exception is the respected regional body, ANFREL based in Bangkok.

Massive deployment by the People’s Election Monitoring Network (Jaringan Pemantau Pemilihan Rakyat, JPPR) and other Indonesian groups could deter violence and at the same provide an accurate alternative source of information. The most important districts to cover would be Pidie, Bireuen, Aceh Utara and Aceh Timur. Sending dozens of well trained teams on two-week tours of duty between now and election day would not solve all of Aceh’s problems, but it is something with a potentially high pay-off that could be done relatively easily.

In addition to looking at the technical side of election procedures, the monitors could assume a broader brief. Taking a leaf from the “peace provocateurs” in Ambon, an informal network that after violence in September 2011 used text messages and Twitter to counter provocative rumours,

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<sup>34</sup> Crisis Group interview, Acehnese community leader, Jakarta, 8 February 2012.



election monitors in Aceh could usefully keep track of and work with journalists to counter “black campaigns” via SMS that have the potential for sparking violence.<sup>35</sup> Donors are already funding voter education programs, and interest in supporting monitors is high.

While district heads will also be elected in seventeen districts, some of which are marked by mutual hostility among candidates, few of those have the same potential for violence as the governor’s contest.

Not everyone believes violence is inevitable. One activist said she thought the fear of intimidation was overblown, and that in many areas Acehnese were prepared in 2012 to stand up to the people they welcomed as heroes in 2005. Another man said he overheard a man in his neighbourhood say to a KPA commander, “Who was giving you food before when you were up in the hills? If conflict breaks out again, find your own food!”

The fact is, however, that the atmosphere will grow more fraught as the elections approach, and getting monitors to the province quickly would be a useful investment in peace.

**Jakarta/Brussels, 29 February 2012**

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<sup>35</sup> See Crisis Group Asia Briefings N°128, *Indonesia: Trouble Again in Ambon*, 4 October 2011; and N°133, *Indonesia: Cautious Calm in Ambon*, 13 February 2012.

## APPENDIX A MAP OF ACEH

