

WOMEN, PEACE, AND SECURITY AGENDA IN ACEH, INDONESIA

MENELAAH AGENDA PEREMPUAN, DAMAI DAN KEAMANAN DI ACEH

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ABSTRACT

The UN security council established Resolution 1325 (SCR1325) to affirm women's vital role in peacemaking and peacebuilding. Women, Peace, and Security (WPS) agenda emphasizes equal participation of men and women in the negotiation process, gender equality in post-conflict, and prevention of gender-based violence. This study illustrates women in Aceh fight for their rights throughout the conflict and post-conflict within an unequal society; and highlights the importance to adapt the WPS agenda to ensure gender equality and social justice. By applying narrative analysis, researchers explore Acehnese women's experiences and struggles in seeking justice. The implementation of the WPS agenda in Aceh faces many challenges, both structural and cultural. The government and combatant groups overlooked women's participation in peace negotiation. When the conflict ended, gender inequality is still lingering in every aspect. Aceh women experience injustice, sexual violence, and discrimination in the domestic and public sphere. Besides revealing the challenges in adapting the WPS agenda and creating gender equality in Aceh, this study also obtains policy recommendations to be considered by the local and central governments to ensure gender justice and substantial peace for women in Aceh post-conflict.

Keywords: Women, Conflict, WPS, Aceh, RAN P3AKS

ABSTRAK

Resolusi DK PBB 1325 (SCR1325) menegaskan peran penting perempuan dalam membangun perdamaian di situasi konflik. Agenda Women, Peace, and Security (WPS) menekankan partisipasi yang setara antara laki-laki dan perempuan dalam proses negosiasi dan menciptakan kesetaraan gender di pascakonflik, serta menghapus kekerasan gender dalam konflik. Studi ini menggambarkan perempuan di Aceh memperjuangkan hak-hak mereka selama konflik dan pasca-konflik dalam masyarakat yang tidak setara; dan juga menyoroti betapa pentingnya mengadaptasi WPS untuk memastikan kesetaraan gender dan keadilan sosial. Dengan metode analisis naratif, peneliti dapat menggali pengalaman dan perjuangan perempuan Aceh dalam mencari keadilan. Penerapan agenda WPS di Aceh menghadapi banyak tantangan, baik struktural maupun kultural. Keterlibatan perempuan dalam negosiasi perdamaian diabaikan. Saat konflik berakhir, perempuan Aceh masih mengalami ketidakadilan, kekerasan seksual, dan diskriminasi di ruang domestik dan publik. Selain mengungkap tantangan dalam mengadaptasi WPS dan mewujudkan kesetaraan gender, studi ini juga menghasilkan rekomendasi kebijakan yang perlu dipertimbangkan oleh pemerintah daerah dan pusat untuk memastikan keadilan gender dan perdamaian substansial bagi perempuan di Aceh pasca konflik.

Kata Kunci: Perempuan, Konflik, WPS, Aceh, RAN P3AKS

INTRODUCTION

War and conflict occur in almost every country or society. The conflict causes suffering for many people, especially vulnerable groups, such as women and children (Carpenter, 2005). Women appear as one of the severely affected groups

since women experience violence and injustice due to gender discrimination and inequality in social structure that already exists before conflict (Chinkin & Charlesworth, 2006; Davies & True, 2015). Gender-based violence is often used as a

“weapon of war” and the tactic of terror (Kirby, 2015; Ericsson Baaz & Stren, 2009). Society does not allow women to have proper space in conflict resolution only limited as the victims, though, studies state that when conflicts occur besides being victims, women have the strength and wisdom to become initiators and maintain peace at the community level (Karam, 2000; Kent, 2014; Kirby & Shepherd, 2016). However, Chinkin & Charlesworth (2006) argue that peace agreements rarely recognise the protection of women’s rights and dignity because women have no access to the peace negotiation process.

Recognizing this situation, in 2000, the UN security council established Resolution 1325 (SCR1325) to affirm the vital role of women in peacemaking and peacebuilding (Charlesworth, 2008; Klein, 2012; Pratt & Richter-Devroe, 2011). SCR 1325 is well known as Women Peace and Security (WPS) agenda. WPS agenda emphasizes gender equality and women political participation (George & Shepherd, 2016; Kirby, 2015). This resolution also affirms the equal participation of men and women in the negotiation process and creates gender equality in post-conflict (peace) and eradicates gender violence in conflict (security). SCR 1325 is also a reminder for states to protect women and girls from sexual abuse by establishing concrete regulations and ending perpetrators’ impunity (Kirby, 2015; Charlesworth, 2008). Pratt & Richter-Devroe (2011) argue that SCR 1325 has been translated into programs and measurement in many countries but with different contexts and consequences for women. In 2015, the study of the implementation of SCR 1325 showed that the peace agreements that have addressed women’s interests had increased 27% from the previous period, 1990-2000 (Kirby & Shepherd, 2016). This raise shows that women’s engagement and inclusivity in peacebuilding are inevitable. However, at practice at the local-level, the recognising of women’s role in the conflict is still lacking even today, and it hinders women achieving their justice and rights.

Indonesian government also shows its commitment to eradicate discrimination against women and reducing gender inequality by ratifying the bundles of the international convention,

covenant, and UN resolutions. Since 1984, the Indonesian government already adopt the Convention on Elimination all Form Discrimination Against Women (CEDAW) into its regulation. The commitment continues when the government follows up Beijing Platform Action Plan through gender mainstreaming in planning and budgeting. Regarding the commitment in manifesting WPS agenda, in 2014 the government established the national action plan of SCR 1325, through the National Action Plans for the Protection and Empowerment of Women and Children during Social Conflicts in 2014-2019 (RAN P3AKS 2014-2019). In RAN P3AKS 2014-2019, WPS agenda is defined into three different pillars, they are Prevention; Governance and Recovery (Protection); and Empowerment and Engagement (Participation). In 2015, the central government recommended ten local governments to establish a Regional Action Plan (RAD P3AKS) that refers to the RAN P3AKS 2014-2019. Aceh became one of the priority areas.

George & Shepherd (2016) suggest that examining the WPS agenda in the local context is salient to capture women’s priorities and expectations to formulate the ideal and applicable WPS policy at the local level. Therefore, this article uses case study about women and conflict in Aceh, a province in the Northwest of Indonesia, precisely on Sumatra Island. This study illustrates women in Aceh fight for their rights throughout the conflict and post-conflict within an unequal society; and highlights how important to adapt the WPS agenda to ensure gender equality and social justice. Many studies have concerned women’s condition in conflict areas (Charlesworth, 2008; Davies & True, 2015; George, 2016; Karam, 2000; Ocktaviana et al., 2015). In 2020, AMAN-Indonesia, along with CSO and academists, has also examined the implementation of the WPS agenda at the national and local level (AMAN-Indonesia, 2020) through online consultation¹. However, the study focuses on Acehnese women’s condition during and after the conflict using WPS perspective is limited. Women in Aceh are emerging strength to gain their social justice. They face gender-based violence occurred

1 Visit the website at <https://wps-indonesia.com>

during conflict are still sensitive issue even today, marginalising many women (as victims) that have not achieved justice and rights. Therefore, this study offers policy recommendations to be considered by the local and central government to ensure gender justice and substantial peace for women in post-conflict.

Data was collected by conducting depth interviews and discussion with stakeholders, such as women activists, survivors, academists and local government agencies. The literature review on previous studies, regulations, and related documents has also been done for this study. The information generated from interviews and discussion are analysed through narrative analysis. Narrative analysis is a tool to show experiences or events from the informant based on the informants' stories. This analysis emphasizes "how do people make sense of what happened" (Bryman, 2016). Therefore, this method is suitable to explore the experiences and struggles of Acehese women in seeking justice through their narratives.

THE GENDER PARADIGM AND THE FIGHTING FOR PEACE AND SOCIAL JUSTICE

Nowadays, patriarchal cultural values and religious doctrines strongly influenced social construction in Aceh. The implementation of sharia law since 2002 exacerbates Acehese women's existence in public sphere (Mubarrak & Yahya, 2020). Society places men as a priority over women and considers women merely on their reproductive role and others roles that are limited by the culture (Wahyuningroem, 2005). The New Order² women's civil rights policy also supports women-domestication (Lockley et al., 2019; Wieringa, 2015). For decades, the perspective of women-domestication has been built through the curriculum and government programs, women were projected limited to be good housewives and mothers. In many cases, women always involve in earning money from the informal sector to support their families, however, in general, they are not involved in the decision-making process, such as in *kampung* (village) development planning

decisions (Mubarrak & Yahya, 2020). The limitation in recognizing women's rights in the public sphere has impacted women's discrimination, such as the lacking proper education, healthcare, and decent jobs.

History records that many Acehese women have stand against colonialism and led the kingdom (Mubarrak & Yahya, 2020). Women and men in Aceh had experienced equal treatment, the Aceh kingdom was once led by the Sultanate (Empress) for several periods, such as Sri Ratu Syafiatuddin, Sultanah Nurul Alam Nakiatudin, Sultanah Inayah Zakiatudin Shah, and Sultanah Kamalatsyah (Ahyat, 2014). Women were also allowed to participate in the decision-making process, active in the war and had significant roles in the royal army. Sultan Alauddin Riayat Syah Al-Mukammil (1589-1604) formed the *Inong Balee* force and appointed a widow, Malahayati, as the admiral. International historians believe that Malahayati was the first female admiral in the modern world (Priyambodo, 2021). She was also the Head of the Royal Intelligence service and known as The Guardian of the Aceh Kingdom. *Inong Balee* means widows because the force was led by a widow and consisted of 2000-3000 widows whose husbands died in the previous battles (Wahyuningroem, 2005). The other heroines during the colonialism era from Aceh, such as Cut Meutia, and Cut Nyak Dien were also respected by enemies and managed to win the battles.

Those heroines' spirit is reflected in the spirit of women's movements in Aceh such as fighting for their rights amid the ongoing conflict, surviving the devastating earthquake and tsunami in late 2004. In the recovery phase of the disaster and the violent conflict, Aceh women immediately revolt because they were motivated to fight for their families. Buvinic et al. (2012) argue that the violence and agonies during conflict not only exacerbate gender inequalities but also bring other outcomes for women. The violence also can reduce inequality by creating alternative opportunities for the survivor, especially women. Women naturally become the breadwinner when working-aged men absent as the impact of conflict (died or joined the force) or when women and children are

2 Soeharto era (1976-1998)

displaced to another region. The study finds that some households recover earlier within years and survive the damage because of women's coping mechanisms (Buvinic et al., 2012).

Besides the women's ability to cope during the miserable condition, Klien (2012) claims that gender characteristic also has impacted on the behavior and negotiation outcomes. Women are more likely to distribute the resource equally rather than men. Mundkur (2012) states that women and men experience conflict in different ways, and both of them also have different priorities in resolving, preventing, and addressing conflict. In response to years of saturation and suffering in conflict situations, Aceh women participated in formulating the best solution for the Aceh conflict. They were no longer view themselves as victims but play a salient role in realizing Aceh's peace. Aceh women do not remain silent; they move, rebel, fight for their rights. This phenomenon shows that the violent conflict can unexpectedly raise women's political behaviors formerly excluded from participating in public and politics. Buvinic et al. (2012) assume that war and conflict experiences correlate with social capital, community participation, and peaceful political engagement.

Further, the negative image of women's inability in mediation becomes an encouragement for women to show their capacity to stop the cycle of violence through negotiation. Klein (2012) claims that women are more persistent and aggressive when fighting for their community's interests due to their altruistic and communal empathy. Charlesworth (2008) argues that women became active in the peace movement, not because of their peaceful natures but more likely as their coping mechanism and response to conflict situations and displacement. This condition is mirroring in Acehese women's movements. To stop the cycle of violence in their community, they decide to become the significant actor in the conflict. Bellows and Miguel in Buvinic et al. (2012) find that survivors who experienced mortality, injury, or displacement due to war or conflict are more likely to be politically active and deliberately engage in local collective action. Realising the torment of conflict ruin society and

humanity, women eventually using their voice, involving in community meetings, being more politically knowledgeable, and engaging in community planning projects. Through the community, woman survivors gain networks to integrate a gender perspective and their representation into peace negotiation (Buvinic et. al, 2012).

On the grassroot level, WPS agenda has begun informally in early 2000 when more than 450 Aceh women gathered for a meeting called *Duek Pakat Inong Aceh (DPIA)*³. The first of DPIA was held in Anjong Mon Mata, Banda Aceh on 19-22 February 2000, which resulted in 22 recommendations. The focus of the recommendations was to ensure the peaceful resolution of the Aceh conflict through dialogue. To implement the DPIA I recommendation, they launched a women organisation called *Balai Syura Ureung Inong Aceh (Balai Syura)*. Through *Balai Syura* and its networks, Acehese women demand for women's representation in peace negotiations and post-conflict periods. Klein (2012) claims that by involving women or other vulnerable groups during formal peace processes more likely increases the credibility of the negotiation process and ensures the agreement's outcomes.

However, there are internal and external obstacles for women to participate in peace negotiations. Women double burdens, caring family, and work responsibilities become the internal barrier for women to perform in public areas (George & Shepherd, 2016). While, due to the limited access to education, women are unskilled and less educated than men. The constraint sometimes also comes from men counterparts; they refuse to share power with women (Pruitt, 2013). Those factors construct women as unreliable partners in peace negotiations. Though women communities in Aceh had challenged this perspective by becoming the first initiator of a peace movement in Aceh, women's interests in the peace-building process were forgotten, and women's involvement disappears in negotiations. After the MoU between Indonesian government and *Gerakan Aceh Merdeka/Independent Aceh Movement (GAM)*, a combatant group, had

3 Visit *Balai Syura Ureung Inong Aceh's* website at <http://balaisyura.com/about/>

been signed on 15 August 2005, many people claimed that peace in Aceh has already settled. However, there was no single point on the MoU document that acknowledge women's issues in Aceh; during Aceh peace negotiations. Only one Acehnese woman was invited to the peace negotiation process in Helsinki (Mundkur, 2012). The government and combatant groups during the negotiation overlooked women's potency in negotiation and pushed aside inclusivity for the whole process (Ocktaviana et al, 2014).

As a follow-up of the MoU, the Aceh Reintegration Agency (BRA) was established on 15 February 2006. One of this agency's tasks was to channel reintegration funds to former combatants and Aceh citizens affected by the conflict. The distribution of fund and land were widely allegedly discriminative because it was given to male citizens who recognized as the only breadwinners in family (Ocktaviana et al, 2014). Not only fails to recognise women as breadwinner, BRA also fails to recognise women as victims/survivors of sexual violence during the conflict, though those women should be the priority group to receive psychological recovery and sustainable economic support. The BRA reports show that women were not considered a priority to receive recovery and aid programs. These practices ultimately make the economic empowerment program for Aceh post-conflict societies fail, because the state protection toward women is absent. After the conflict, Acehnese women experience injustice in public and private areas. Thus, Aceh women argue that before they achieved social justice, the peace in Aceh is pseudo and vulnerable because women have no control over the processes and outcomes of any peace negotiations; eventually, women do not gain equal opportunity to enjoy the benefits of peace and justice (Ocktaviana et al, 2014; Suherman, 2012).

After the peace agreement, the Indonesian government establishes a particular regulation to manage Aceh local government through Law Number 11 the year 2006 concerning the Government of Aceh (LOGA). Learning from the MoU negotiations that failed to recognise women's issues, in drafting LOGA, the women's movement in Aceh carried out advocacy to ensure women's

issues were accommodated in this law. The advocacy managed to ensure women's economic rights, including women's involvement in the public, such as involvement in the local parties and religious institutions. LOGA orders the local government to make *qanun* (local regulation) on women's empowerment and child protection.

Furthermore, LOGA also commands the government to establish two institutions to implement mechanisms in resolving human rights violations in Aceh, the Human Rights Court and the Truth and Reconciliation Commission (TRC). Kirby (2015) argues that consensus requires the survivors gain legal remedy and impunity, but the implementation has to consider the priority. The TRC is an important part of manifesting substantive peace after the conflict ended because, in this institution, victims' interests are prioritized. Therefore, human rights activists decided that TRC is the most eligible institution to process human rights violations that occurred during the Aceh conflict. They realized there would be many difficulties in proving the crime through human rights court, especially for victims. At the time, the non-litigation resolution was the ideal process to serve justice for victims. Besides imposing local government to build TRC immediately, the CSOs and NGOs in Aceh started to hold independent investigation by gathering the evidence, record the victim testimony, and conduct field research. Since women were entirely untouchable in the government's recovery program through the Aceh Reintegration Agency, the CSOs and NGOs put high expectations that through this institution, women's rights as victims during the armed conflict can be fulfilled.

Along with other human rights activists, women's CSOs in Balai Syuro tried to formulate the ideal TRC scheme for Aceh. In 2008, the drafting process was completed, then they handed the draft over to the executive (local government) and legislative (parliament). For months there was no follow-up from the executive. Meanwhile, in parliament, conflict interests emerge during the discussion and debates to complete the draft. The parliament members have a different approach to understand the TRC; they also overlooked the women's issues. The number of female parlia-

ment members was very limited in Aceh parliament. Only one female parliament member was involved in the drafting process, and she barely attended the meeting. The Ministry of Women Empowerment and Child Protection also did not send their representative. The supports from the executive were also challenging to obtain.

Despite those challenges, eventually, Aceh parliament establishes *Qanun* No.17/2013 concerning the Aceh TRC. On 24 October 2016, the DPRA has also appointed seven commissioners with a period of service from 2016-2021. The purposes of Aceh TRC are: 1) Strengthening peace by revealing the truth about past human rights violations; 2) Assisting in achieving reconciliation between perpetrators of human rights violations, both individuals and institutions, and victims; and 3) Recommend comprehensive reparations (recovery) for victims of human rights violations, by following universal standards relating to the rights of victims. From 2016 to 2020, the Commissioners have carried out a series of activities in revealing the truth by taking statements, gathering information, and related documents, up to 4,288 past human rights violations, namely cases of missing persons, murder, arbitrary arrests, and sexual violence. There were 44 cases of sexual violence whose data had been complete, and statements were taken. However, not all the survivors were able to take their statements with various obstacles, some of them were unwilling to take statements (they just wanted to forget the cases), some survivors had moved to other places and difficult to be traced, some survivors have died⁴. From 44 cases of sexual violence for which statements were taken, sixteen people were included in the urgent reparations scheme and formalised by the Aceh governor's decree⁵. They

4 Interview via chat application with TRC's commissioner on August 12 and Nov 13, 2020

5 Aceh Governor's decree No. 330/1209/2020, the list of recipients who urgently receive reparation and restoration of their rights as victims of human rights violations, released on May 27, 2020. The form of the urgent reparation are: 1) medical treatment; 2) psychological consultation; 3) economic empowerment; 4) insurance; and 5) citizenship status. The scheme is prioritization for victims who are elderly. The process is carried out by BRA as of the date of stipulation.

were 15 survivors from Blang Pandak village and one from Cot Murong village. After the long fight and approaching the 15th anniversary of the signing of the Aceh peace MoU, finally, there is direct support from the government for the women victims of gender-based violence. However, it is just beginning; there are still many things that must be done by the Aceh government and the central government to ensure the fulfillment of human rights for Acehnese women who have been marginalized.

GENDER INEQUALITY AND GBV IN ACEH BEFORE AND AFTER PEACE AGREEMENT

Based on a study regarding the genocidal rape in Kongo, Bosnia, and Rwanda, Kirby (2015) argues that women's existence determines power and dignity during the conflict. Sexual violence becomes transactional in conflict because the community places its dignity in women and their reproductive roles. Due to their biological, cultural, and reproductive role, women are assumed as the identity symbol of society. Thus, sexually attacking women equals attacking the dignity of the community and family (Chinkin & Charlesworth, 2006). The purpose of rape incidence in wartime is more likely to destroy a particular society's values (Davies & True, 2015; Eriksson Baaz & Stren, 2009; Kent, 2014). More studies also claim that rape cases in wartime or conflict are politically intended to show the symbol of military power and create terror for the opposite group (Kent, 2014; Loken, 2017; Wood, 2018). In Aceh's case, women's agonies increased as the conflict continued between combatant groups and Indonesia's military forces. Women were subjected to sexual violence by the military, including rape. Based on National Commission on Violence against Women (Komnas Perempuan) report from the Special Rapporteur (2007), more than half of the documented cases in Aceh during the conflict were cases of sexual violence (59%, 61 cases). In Aceh, the perpetrators were dominated by military personnel. The survivors of sexual violence are mostly women who came from combatant group families (wife, mother, sister, and children), members/supporters of the

combatant group, and women who were accused as the member of the combatant group. Those women were tortured with non-singular types of actions, apart from being raped. Therefore, rape in Aceh during the conflict period can also be assumed to assert military power and terror to civilians and combatants.

During the military operation, some women were kidnapped by the military force because their family members were accused of being combatants. Though they know those women were not the combatant, the military force managed to spread the terror and its power in the community by imprisoning the women. In captivity under military force, a woman even stated that she was repeatedly subjected to torture and rape⁶. Those women were finally rescued when the conflict ended in 2005. However, the women's misery and agonies continue in the post-conflict period since the government never recognizes them as the victim of the conflict. Hence, they never received either assistance or recovery programs from the government. Other factors such as poverty and disability exacerbate their condition. Most of the women cannot access decent jobs and continue to experience discrimination and violence. Every time the regime changes, the government officers always come to process their cases, asking about their traumatic experiences repeatedly. The latest effort was in 2018 when The Indonesian Human Rights Commission (Komnas HAM) exposed the report of gender-based violence cases that occurred in Aceh during the military operation to the public (Komnas HAM Buka Dokumen, 2018). Although TRC has shown progress in the past year, hundreds of Acehnese women, especially survivors of sexual violence during the conflict, yearn for justice even today.

The male counterpart dominates public officers or strategic positions in Aceh. The considerable disparity between men and women to access the benefits of development. In Aceh, women's participation in decision-making is limited, both in the executive and in the legislative. There were only four women in Aceh parliament 2009 - 2014 for provincial level. For the 2014-2019 period, the number of women representatives in parliament

slightly increase, there were twelve Acehnese women managed to become parliament members. However, the number of women legislators in the Aceh parliament are decreased in the latest period. Only eight women legislators have been chosen for the 2019-2024 period.

Data from 2019 recorded that there were 1,632 cases of sexual violence and gender-based violence against women and children in Aceh, and in 2018 there were 1,907 cases (P2TP2A Aceh, 2019). However, the actual number of cases in the field can be much greater because many cases were unreported. The victims' reluctance to report the sexual violence they experienced was because the Aceh government implemented the *Qanun* of Jinayat law to process cases of sexual violence. Based on a survey in 2020 conducted by Balai Syura, most of the Sharia Court only gave caning punishment to the perpetrators. The victim and the victim's family think that caning is too light for the perpetrators of sexual crimes so that the victim does not get the justice they deserve. The worst is the article in *Qanun* Jinayat (penal law) about rape⁷. The victim is charged with providing evidence, and the perpetrator can avoid the punishment just by making an oath (Ariefana, 2016). This regulation has ignored the fact that rape victims are experiencing psychological and traumatic impacts. It is difficult for victims to providing evidence and witnesses. Instead of giving justice to the victims, this *qanun* makes them more suffering.

Furthermore, regarding the implementation of Shariah law in Aceh since 2002, women's struggle for social justice is more complicated (Mubarrak & Yahya, 2020). Parliament in Aceh is dominated by men, who grew up with a patriarchal mindset. Cohn (2013) argues that

7 *Qanun* No. 6/ 2014 concerning Jinayat Law:

- Article 52 point (1) "Anyone who claims to have been raped can report the case to the investigator by including preliminary evidence" (The obligation to present preliminary evidence places a double burden on victims).
- Article 53-56: if the evidence is insufficient, then the suspect is free from all accusations. If the suspect wants to take an oath and the victim refuses to take the oath, the victim will be punished with caning 80 times. An oath of oath will result in freedom from punishment ('uqubah) for both sides.

6 Direct interview with the survivor in Aceh, April 2013.

men's domination embodies controlling women in social, economic, religious, and cultural institutions. Thus, the Islamic Sharia law designed by them most likely lack gender-sensitive and, leading to the lack of access for women to gain the benefits of peace. Solidaritas Perempuan's study shows that many of the *qanun* discriminate against women (Dewy, 2016). Those regulations are targeting the body, expression, and space of women. The local government claims that the restriction of women's activities in the public sphere is to protect women and to reduce number of crimes against women. However, through the press release, Komnas Perempuan reveals that from 539 cases, there are 356 cases (66%) were categorised as domestic violence, and 183 (34%) cases occurred in the public sphere (Komnas Perempuan, 2020). This report shows that the Aceh government's protection through the implementation of the *qanun* cannot protect women from violence in the domestic and public sphere.

Besides restraint women from their freedom, sometimes women are vulnerably criminalised by the *qanun* and other regulations. As an example, the local government of West Aceh issued a Regent Regulation No. 5/2010 concerning the Regulation on Enforcement of Islamic Sharia in the wearing of Islamic clothing. The Regent even stated to the media that women in West Aceh must wear a skirt if they want to get public services. In January 2013, the Mayor of Lhokseumawe issued a circular letter requiring women to sit sideways as passengers in motorbikes. Though sitting sideways with bad road conditions can endanger women's safety, to ensure that these rules are implemented, the raids even were carried out by the Sharia police to catch women who didn't follow the regulation (Puluhan perempuan di Lhokseumawe, 2013). In early 2015, the Mayor of Banda Aceh issued Instruction No.01/2015 revised No. 02/2015 regarding the supervision and control of tourist services based on Governor Instruction No. 2/2014, limiting women's working hours at night. Previously, in the first circular letter, women's working hours were limited to 09.00 pm, then it was revised in the second circular to 11.00 pm. Furthermore, on 30 August 2018, the Regent of Bireun issued a circular regarding cafes and restaurants' operation under

Islamic law, which prohibits serving women after 21:00 hours and prohibits women from sitting at the same table with non-mahram men. Moreover, in North Aceh on 10 July 2019, the North Aceh gathering forum consisting of 28 organizations supported Forkapinda issued a circular letter, which also contained a ban on women leaving after 21.00 without their husbands or their mahram. This circular letter is signed by the Regent, Head of Police, and Military force in North Aceh.

CRITIQUES AND CHALLENGES TOWARD THE IMPLEMENTATION OF WPS

In Aceh, the initiative to draft a Regional Action Plan came from the women CSO's movement through Balai Syura Inong Aceh, with UN Women's support. Balai Syura built initial communication and collaborated with the women's empowerment office, conducting several workshops by inviting all related agencies and organizations working to advance women's rights to develop regional action plans, actively discussing and managing to draft a regional action plan. The draft was completed in 2016. However, there was no follow up from the executive to formalize the draft into a Governor Decree or Regulation. Until the end of 2020, the regional action plan draft has not yet been passed into a formal regulation. In fact, there are still some groups that still have opposing views on the regional action plan. They have the prejudice that the RAD P3AKS will threaten the implementation of Islamic Sharia in Aceh (AMAN-Indonesia, 2020).

By analysing the situation, there are several notable challenges to be addressed in implementing WPS's agendas in Aceh. **First**, the lack of political will, where the local government commitment has not linear with the central government. The conundrums could come from both parties. The central government fails to transfer the proper knowledge about WPS agendas. Thus, local government only gains partial understanding. The local government never considers gender inequality as the priority issue for their region. Further, due to the decentralisation system, the central government's controlling function no longer absolute, particularly in Aceh. Aceh ap-

plies the Sharia law with a different paradigm from national law.

Second, problem of political will and human resource, as George and Shepherd (2016) argue that gender equality has not the priority goal of many local governments, thus they allocate a limited budget for applying the WPS agenda. Since the political will determines the budgeting process, many government programs designed to empower women fail at the implementation stage due to budget constraints. A similar condition occurred in Aceh; the Aceh government's policies on post-conflict have not succeeded in providing justice for women and creating gender equality. Aceh's development priority programs have not explicitly mentioned gender equality and women's empowerment.

Since 2014, the Provincial Government of Aceh has started implementing gender mainstreaming by implementing gender-responsive budgeting planning (PPRG)⁸. By adopting gender-mainstreaming into its planning policy, the Aceh government has committed to gender equality as a priority policy, and this commitment begins with the budgeting process. However, these efforts are still not optimal; there are still many programs related to women's empowerment constrained by budget issues or other development programs that have not adequately adapted to gender mainstreaming. This situation is due to the limited capacity of human resources in understanding the gender mainstreaming approach when arranging gender-responsive budgets.

Third, the dispersements of women in Aceh nowadays. As mentioned above that patriarchy culture, policies, and the implementation of sharia law since 2002 in Aceh have strengthened the stereotype of women as the gentle creature, caregiver, and merely having duties in the domestic sphere. The discrimination appears through *qanun* or circular letters that limit women's existence in the public sphere. Women

in Aceh seem to be second-class citizens whose movements must be regulated and monitored. The discriminations against women are also generated by understanding misogynistic interpretations of the hadiths that are counterproductive to women's empowerment. Those treatments make society have placed women as the incompetent ones.

Fourth, the capacity of women in the peace-building process was overlooked.,shown In 2020, a comprehensive review of the National Action Plans for the Protection and Empowerment of Women and Children during Social Conflicts in 2014-2019 was conducted on AMAN Indonesia's initiative (AMAN Indonesia, 2020). The review highlights the failure to implement WPS in Aceh, which began with women's limited involvement during the Aceh peace negotiations. The peace negotiation process in Aceh proves that women's experiences and participation are overlooked. Though women are considered to have persuasive communication skills and the ability to become peacemakers, only men are given space to be included in formal negotiation and signing the peace agreement.

Fifth, the half-hearted affirmative action policy. The inadequate representation of women in the legislative and executive bodies causes the absence of a gender perspective approach in drafting laws and regulations, which risks the perpetuation of discrimination against women, both in the public and private sphere (Ocktaviana, 2021). The affirmative action policy that determines 30% female legislative candidates from each party has not significantly impacted women's representation in parliament. Even though each party has fulfilled the quota, in the end, the composition of elected female parliamentarians compared to men has never been more than 20%, even for the 2019-2024 period, the percentage of female parliamentarians in Aceh province was only 9.8%. The 30% quota for female candidates is not in line with the party's efforts to get women candidates to be elected. Since women have limitations in expressing themselves in the public space and being involved in political discourse, women find difficulty to gain public support (Ocktaviana, 2021). The lack of women's representation in the decision-making process in Aceh, especially in

8 Aceh Governor Regulation No.6 / 2014 concerning Guidelines for the Implementation of Gender Responsive Planning and Budgeting in Aceh Government Agencies, as well as Aceh Governor Regulation No.95 / 2019 concerning the Acceleration of the Implementation of Gender Mainstreaming in the Aceh Government

the legislative body, has an impact on the scarcity of policies with a gender equality perspective.

Sixth, the lack of support for women's advocacy. The civil community's work, especially the women's communities, that actively promotes women's issues in Aceh has not been appreciated and followed up significantly by the local government. Many of the inputs and policy drafts prepared by CSO's and NGOs fail to be adopted into the Aceh government's policies. The existence of the community and NGOs allows a bottom-up approach in policymaking. Without insight from the communities and NGOs, the government could fail to design the proper program because a big gap will emerge between what is stated and implemented. There is no effective strategy yet to ensure that CSOs and NGOs' recommendations are adopted into policies without political interests' interference. The process merely relies on local government's commitment and priority.

However, there are several efforts can be taken by the central government and the Aceh government to overcome those shortcomings in adapting the WPS agenda and ensuring Aceh women have the right to enjoy the peace and substantive justice. **First**, improving communication between the central and local governments to gain a similar commitment to manifesting the WPS agenda. The differences in understanding of the WPS's implementation through the RAN P3AKS between the central and regional governments hinder the process of establishing an ideal regional action plan for each region. The synergy between local and central government to reach mutual understanding and commitment is an important key determining the adoption of WPS agenda into regional policies. Regarding the different characteristics and needs of each region, communication can be established between the central and regional governments by holding regular discussion forums that discuss the implementation of WPS. Through this discussion forum, the central government can also clarify the misconceptions about the RAN P3AKS. The current regulations and commitments are still not sufficient to support the implementation of gender-perspective policies effectively. Therefore, the efforts must be supported by reliable human

resources who understand gender mainstreaming and a gender-sensitive budgeting system. The central and local government can provide training and education related to gender mainstreaming and WPS paradigm to civil servants, especially for those who allocate budget, formulate programs, and responsible for implementing programs in the field so that all people can truly enjoy the benefits of development.

Second, bringing more women to involve in negotiation. Eradicating inequality by ensuring inclusivity is required in the whole process of peace negotiation. The inclusion of women means engaging women in the whole process, start from the formulation of action plans, program design, program implementation to the monitoring and evaluation of programs. Women's participation in formulating and determining policies will ensure the policies will protect and provide justice for women on post-conflict. George (2016a) argues that women as an informal or formal institution not only discussing related to gender and conflict but also other issues such as gender in environmental insecurity. Women produce comprehensive perspective when discussing insecurity. Women also embrace and advocate other groups to be involved in discussion. Those qualities are required in the peacebuilding process to create the ideal formulation of peaceful resolution. Aceh and many areas in Indonesia also suffer from social conflict and require adapting the WPS agenda in its policy immediately. At a grassroots level, many women in Aceh have peacebuilding skills and are involved in the discourses through complex issues. Therefore, the local governments can work with communities at a grassroots level to provide capacity building assistance program to local women as peacekeepers in post-conflict areas and potential conflict areas. Meanwhile, the central government intervention is also required to ensure the effectiveness of women's involvement in decision-making process at regional level. During the RAN P3AKS phase 2, the Ministry of Women's Empowerment and Child Protection has a significant role. Thus, the ministry can encourage the Aceh provincial government to monitor the lower-level governments to ensure the women's involvement in decision-making processes at community level.

Third, strengthening women's political representation. Mundkur (2012) argues that increasing women's participation in the policy-making process is a crucial strategy to break the institutional barriers. Women activists in Aceh realized that their fighting for justice requires women's position and power in determining the policy-making process. Not only increasing the capacity of women at the community level, but women's representation in the legislative and executive bodies in Aceh is also urgently needed to ensure that women's interests be accommodated in the finalization stage of policies and budgeting the programs. Therefore, other policies are needed to support affirmative action policy. Besides ensuring a 30% quota for female candidates from each political party, the central government should also establish policies that enable female candidates to have equal opportunities with men to be elected.

Fourth, engaging the non-state actors. Hudson et al. (2011) argue that the policy or programs formulated through the top-down approach fail to meet citizens' basic needs and expectations at the implementation level. Hence, the WPS agenda has to develop through the interrelation between central government, local government, and non-state actors. The presence of non-state actors, CSOs and NGOs, is required to ensure the bottom-up approach in the policy-making process and formulating programs. Non state actors can be also engaged to carrying out the evaluation and monitoring functions. Women's Aceh movements that are solid and consistent are salient for the Acehnese people to create gender equality in Aceh. Thus, the government must allow CSO's and NGOs to be involved in policy planning and monitoring, and evaluation, including in the preparation and the implementation of RAD P3AKS phase 2.

Fifth, campaigning for the notion of gender equality and respecting women through religious messages. To counter misogynist interpretations of religious teachings, the central and local governments need to create a particular program to socialize religious teachings that reinterpreting the position of women in Islamic teachings to be more inclusive and teach about gender

equality. This program has to engage religious leaders, preachers, clerics, community leaders, and educational institutions, both formal and informal. The penetration of religious teachings that implies gender equality for various groups can effectively change people's perceptions about women's position in the public and domestic sphere. The government can also start to impose the idea of gender equality in the formal education curriculum. The most important is the central government must also monitor all policies issued in Aceh (*qanun*, circular letters, and other local regulations) and immediately eliminate policies that against the implementation of Law No.7/1984 (CEDAW).

Sixth, strengthen the role and position of the TRC in Aceh. Currently, the TRC in Aceh is the only institution that provides hope for Acehnese women as survivors to achieve justice and their rights. Therefore, the central and Aceh Government must immediately strengthen the TRC's role in Aceh by allocating adequate budgets. Further, five years after the institution was established, the legal basis for the TRC is insufficient because the basis for its establishment is only the *qanun* (local regulation). The central government needs to formulate a national law on TRC and allocate a certain budget for the TRC institution. With the strengthening of the TRC as an institution, the efforts to fulfill victims' rights (justice, truth, remedies, and guarantees of non-repetition) and to respect survivors as human beings are more likely to be carried out. Then, regarding the increasing number of sexual violence cases in Indonesia, the central government and parliament must also immediately pass the Bill on the Protection of Sexual Violence to ensure a comprehensive legal basis and protection for survivors of sexual violence.

Eventually, to ensure the implementation of the WPS agenda brings benefits and justice for women, those efforts must be institutionalised and formalised through a regional action plan that refers to the national action plan (RAN P3AKS).

CONCLUSION

The SCR 1325 has required women to participate in peacebuilding and peacemaking process. The

resolution also provides legal protection for women's rights in situations of conflict and transition period. The current condition of Acehese women shows that the three pillars of the WPS agenda, prevention; governance and recovery; and empowerment and engagement, have not been fully implemented and brought benefits and justice for women in Aceh. The implementation of the WPS agenda in Aceh faces many challenges, both structural and cultural. The lack of recognition of women's capacity in decision-making processes in Aceh has become an anticlimax of the struggle of the women's community at the grassroots level. Acehese women have no control over the processes and the negotiations' outcomes since women's experiences and needs were not considered in the formulation of post-conflict policies in Aceh. Consequently, women do not receive equal opportunities to enjoy the benefits of development in post-conflict. The post-conflict situation in Aceh is evidence that conflict resolution without applying the WPS agenda makes women experience more violence, inequality, and injustice. "Peace" in Aceh was created merely through male narration; women's voices were concealed during peace negotiations in Aceh. Even though women groups actively demand rights and justice, Aceh women were placed outside the discussion and did not have opportunity to advocate their voices in the discussion. The implementation of Sharia law in Aceh makes women's struggle for achieving social justice and equality become complicated.

Aceh government has to adopt and adapt RAN P3AKS into regional action plan immediately. The synergy between local and central government to reach mutual understanding and commitment is an important key determining the adoption of WPS agenda into regional policies. The intervention from central government is required to ensure the effectiveness of women's involvement in decision-making process at regional level. Women's inclusion in formulating and determining policies will ensure the policies will protect and provide justice for women. The lack of women's representation in the decision-making process in Aceh has impact on the difficulty of creating policies with a gender responsive perspective. Therefore, advocating the women's

voices in peace-making negotiations must begin with ensuring political representation of women. However, those efforts can only run effectively if all stakeholders work together and have a common commitment, between central government, local government, and non-state actors, to create gender equality and provide justice for Acehese women and conflict survivors in Aceh.

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