

Pakistan Parliament and Intellectuals Study Visit to Indonesia

**February 11-14, 2013
Jakarta, Indonesia**

Study Visit Report

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PILDAT is an independent, non-partisan and not-for-profit indigenous research and training institution with the mission to strengthen democracy and democratic institutions in Pakistan.

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Printed in Pakistan

Published: March 2013

ISBN: 978-969-558-307-4

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Pakistan Institute of Legislative Development and Transparency - PILDAT

Islamabad Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan

Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore, Pakistan

Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078

E-mail: info@pildat.org; Web: www.pildat.org

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Foreword

PILDAT facilitated a **Study Visit of Pakistani Parliamentarians and Intellectuals** to the **Republic of Indonesia** from **February 11-14, 2013**. The theme of the Study Visit was to study and understand the subject of *Journey of Democratic Oversight of Defence and Civil-Military Relations in Indonesia*.

A delegation comprising senior members of the Senate and National Assembly of Pakistan, representatives of political parties and members of PILDAT Dialogue Group on Civil-Military Relations joined the Study Visit.

This report carries a detailed overview of Pakistan delegation's interactions in the Indonesia.

A Twitter account of various meetings during the visit can be seen at <https://twitter.com/#!/PILDAT> while details on facebook can be accessed at <http://www.facebook.com/PILDAT>.

Acknowledgements

PILDAT gratefully acknowledges the support and facilitation for organising the Study Visit provided by H. E. the Ambassador, **Mr. Burhan Muhammad**, and Embassy of the Republic of Indonesia in Pakistan as well as H. E. the Ambassador, **Mr. Sana Ullah**, and the Embassy of Islamic Republic of Pakistan in Indonesia, without whose support the visit and its enriching interactions would not have been possible.

We would also like to acknowledge the support and facilitation provided by **Mr. Andrew Ellis**, Director for Asia and the Pacific, International IDEA, alongside his colleague **Mr. Adhy Aman**, LL.M, Expert on Asia & the Pacific Regional Programme, IIDEA, for putting us in touch with seasoned experts and officials in Jakarta for interaction with the Pakistan delegation.

We also gratefully acknowledge the facilitation provided by **Mr. Abdul Qadir**, Programme Coordinator & Advisor, Friedrich-Ebert-Stiftung, Pakistan Office, for the Study Visit.

The Study Visit was facilitated by PILDAT with support from the **British High Commission, Foreign and Commonwealth Office, UK**.

Disclaimer

PILDAT Team has made every effort to an accurate description of meetings and interactions. Any omission or error, therefore, is not deliberate.

Islamabad
February 2013

Executive Summary

A Pakistan delegation comprising MPs, intellectuals, representatives of political parties and members of PILDAT Dialogue Group on Civil-Military Relations concluded 4 days of interactions with the Indonesian Government Ministers, Parliamentary Committee chairs and Members, defence institutions, Indonesian party representatives, academia and think tanks representatives to study and understand the subject of *Journey of Democratic Oversight of Defence and Civil-Military Relations in Indonesia*. The Study Visit was held from February 11-14, 2013.

In general, Pakistan delegation was of the view that stability in transition from military to civil rule in Indonesia has come about through a variety of factors. First and foremost among these has been public demand for re-drawing non-political professional boundaries of the Military. Successive civilian elected governments and Parliament in Indonesia have carefully and effectively used the public mandate to put in place constitutional and legal boundaries and parameters regarding the role of military including that of barring military from politics and business, deployment of military and a legal framework governing intelligence agencies. Civil society and academia have worked closely with Parliament and Government in putting these frameworks in place. Parliament and its bodies overseeing Defence are both powerful and well-resourced. Military leadership, as and when invited, appears before the Parliamentary Commissions. Parliament also has an effective oversight on defence budget and strategic planning of the military. Military and Police have been separated and internal security has become the exclusive domain of the Police which previously was a duly shared by the military as well. Military quota in Parliamentary representation has been abolished and its members recalled.

On the other hand, the delegation learnt, that security sector reform came about in no small terms from military's own willingness to change the governance structures. Many described this change in military thinking due to what they termed as 'fragmentation' in military in which younger crop of officers believed that military needed a reconstruction of the relationship between security sector and the people following the departure of President Suharto in 1998.

Even though military continues to be the public's favourite in terms of their choice for providing security, many believe people of Indonesia are invested in the democratic process. A fear, however, was articulated by many that to keep military out of politics, elected governments will need to continue to provide good governance and economic stability. The gap between rich and the poor, some termed, has been increasing while one of the key successes of democracy has been economic growth in Indonesia. Per capita income in Indonesia has reportedly increased 6 times since departure of President Suharto in 1998 with a stable GDP growth rate of 6.8%.

Could the democratic transition be reversed in Indonesia in the future, many delegates asked Indonesian experts. Military may intervene from the sidelines to support a 'clean' party in the future, some suggested in response. Challenges to democratic consolidation are corruption and role of big money in politics in addition to the challenge of equitable growth, believed a number of Indonesian experts.

While Islam, said Indonesian experts, has no strong role in national politics, 5 of the 9 parties represented in the Indonesian Parliament are Islamic parties.

The current President of Indonesia, Mr. Susilo Bambang Yudhoyono, is also a former military general, and even though military is firmly outside the sphere of politics in Indonesia, former military personnel are playing a significant role in it. Pakistan delegation was informed that about 100 out of 550 current members of Indonesian Parliament are former military personnel.

Challenges to civil-military relations appear to be lingering in the shape of somewhat continued, though largely reduced, role of Indonesian military in business and commercial spheres. Minister of Defence of Indonesia shared with the Pakistan delegation that though legally, Military is to have no role in politics and business, it has continued to retain some enterprises, lands, businesses and golf courses, etc. Others mentioned military's continuing clout at the local level due to its deployment which they believe must change.

On the political horizon in Indonesia is another challenge to civil-military relations in the shape of a draft law proposed by the Indonesian Government to establish a National Security Council (NSC), termed by the Coordinating Minister for Political, Legal and Security Affairs, to be "meant to stop future dictatorships." He admitted that there is public suspicion about the draft law to institute a permanent role of the military in national decision-making as the law proposes a permanent membership of Chief of Defence Forces in the NSC, among others. Some members of the Parliamentary Commission on Defence also perceived the law to be backed by the military and a ploy to bring the military back to decision-making role in country's affairs. From Pakistan perspective, a number of features proposed in the bill make the draft law a model not worthy of serious consideration. One of

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these features is that the proposed NSC is to be served by a secretariat headed by a 3-star Military General and not by a civilian secretariat.

Pakistan delegation found that some reforms worth considering for Pakistan include instituting a system of public funding of political parties based on a formula that takes into account both percentage of votes and seats secured by each party. A dialogue must also begin in Pakistan on putting in place a legal framework for intelligence agencies specially those associated with the military. How the Indonesian military was legally barred from business and commercial activities while the political government stepped in to take care of welfare of military personnel also requires consideration by the decision-makers in Pakistan.

The Pakistan delegation, under the Chairmanship of **Senator Hasil Bizenjo** (National Party, Balochistan), included **Senator Mohammad Mohsin Leghari** (Independent, Punjab), **Mr. Nadeem Afzal Gondal**, MNA, Chairman Public Accounts Committee, (NA 64, Sargodha, Punjab, PPP), **Lt. Gen. (Retd.) Abdul Qadir Baloch**, MNA (NA-271, Kharan-cum-Panjgur, Balochistan, PML-N), **Maj. Gen. (Retd.) Anis Bajwa**, Focal Person of the PTI on Defence and National Security, **Maj. Gen. (Retd.) Athar Abbas**, Former Director General Inter-Services Public Relations, **Mr. Saleem Khan Safi**, senior Journalist, **Mr. Ahmed Bilal Mehboob**, President PILDAT and **Ms. Aasiya Riaz**, Joint Director PILDAT.

Pakistan delegation met and interacted with Members of Indonesia's House of Representatives (Parliament) and various key committees including the Commission on Inter Parliamentary Cooperation and Parliamentary Commission-I on Defence, Foreign Affairs and Information.

The delegation discussed in detail the role of Ministry of Defence and that of Coordinating Ministry of Political, Legal and Security Affairs in their separate call-ons Indonesia's Minister of Defence **Mr. Purnomo Yusgiantoro** and Coordinating Minister for Political, Legal and Security Affairs, Indonesia, **Mr. Djoko Suyanto**.

Mr. Jakob Tobing, a renowned former member of Indonesian Parliament and former Chairman Committee on Constitutional Amendment, alongside some sitting MPs and academics briefed the Pakistan delegation in detail on the challenges faced by Indonesia in its instituting constitutional and security-sector reforms.

Another interaction at the Indonesian Parliament was at a Lunch Meeting with **Mrs. Dr. Sumaryati Aryso**, Chairperson of the State Financial Accountability Committee (BAKN), a counterpart committee of the Public Accounts Committee of the National Assembly in Pakistan, in which members were briefed about the role and responsibilities of the somewhat-newly constituted BAKN.

Two Presidential candidates in the past and likely candidates in the future, **Mr. Josuf Kalla**, former Vice President and currently Chairman of the Indonesian Red Cross, and former Military Chief and currently Chairman of Hanura Party, **Gen. (Retd.) H. Wiranto, SH**, also received the Pakistan delegation separately and discussed in detail their perspectives on the reasons and pace of Indonesia's transition towards democracy and its security sector reforms to contain the role of Indonesian Military to non-political professional field.

The Pakistan delegation engaged in a candid and comprehensive exchange of views with the academic community of Indonesia by visiting the Faculty of Social and Political Sciences, at the Pacivis University of Indonesia.

Interaction with Indonesian defence forces was held at the National Resilience Institute of Indonesia (LEMHANAS) in which military perspective on pace and progress of security sector reforms as well as their view of democracy was discussed.

On the sidelines of the Study Visit, a panel discussion was also organised. In order to share their perspectives on civil-military relations in Pakistan and best practices from the Indonesian transition to democracy, participants of the Study visit, alongside Ambassador of Pakistan to Indonesia joined Mr. Saleem Safi, senior Journalist, in an exclusive panel discussion in Jakarta. The panel discussion was aired on Geo TV in Pakistan on February 16, 2013 as a special programme of "Jirga." The programme can be accessed at: <http://saleemsafi.com/videos/jirga-16th-february-2013/>

Pakistan's Ambassador to Indonesia very graciously hosted a dinner reception for the Pakistan delegation alongside members of the Pakistan community based in Jakarta. The community engaged in a candid discussion with Pakistan delegation on political and economic scenario in Pakistan. Community members also offered their views and insights into the Indonesian political system and its transition to democracy.

Objectives of the Study Visit

PILDAT organized and facilitated the Study Visit to Indonesia to study and understand the subject of *Journey of Democratic Oversight of Defence and Civil-Military Relations in Indonesia*.

Working together with the Parliament of Pakistan, a delegation of members of the Parliament of Pakistan, representatives of political parties and members of PILDAT Dialogue Group on Civil-Military Relations were invited to be part of the delegation.

Indonesia is a fractious country of 200 million people comprising 300 ethnic groups, speaking 250 languages and inhabiting about 6,000 islands spread over a 3,500-mile archipelago. Its latest military dictator, Mr. Suharto, ruled the country for 32 years (1960-1998). His 32-year dictatorship is considered as one of the most brutal and corrupt of the 20th century. Mr. Suharto was driven from office on May 21, 1998 by widespread rioting, economic paralysis and political chaos, just two months after arranging to have himself elected to a seventh (7th) five-year term as Indonesian President.¹

His rule, however, is not considered without accomplishments; he tried to forge unity in the country, led Indonesia to stability and nurtured economic growth. However his successes were ultimately overshadowed by pervasive and large-scale corruption; repressive, militarized rule; and a convulsion of mass bloodletting when he seized power in the late 1960s that took at least 500,000 lives. His departure also came after the death of 500 student protesters, who had captured Parliament - an event that shocked the people into a consensus that the president must go. Mr. Suharto, who died at 86 in January 2008, was never charged with the killings committed under his command and also managed to escape criminal prosecution for embezzling money by having himself declared mentally incapable to stand trial. A civil suit against him was pending at his death.

14 years since his departure, Indonesia has remained an uninterrupted democracy. The Study visit by PILDAT has been undertaken to analyse how Indonesia has overcome its military hegemony to manage its so-far successful transition to democracy. How is Indonesia dealing with the legacy of the military rule and military's ascendancy and how far its democratically-elected institutions have managed to establish civilian control on military.

The objective of the Study Visit was to facilitate an opportunity to the selected delegates to:

- i. Interact with subject specialists, experts and counterparts in Indonesia to understand and learn from Indonesian experience of civil-military relations and its journey towards democratic control of defence and national security
- ii. Document and impart this learning, upon return, to the Government of Pakistan, Parliament, Defence Institutions, Media and Citizens

Key Questions

The visit programme, meetings and interactions were organized so as to facilitate the delegation to understand and answer following key questions:

1. At what stage of democratic consolidation and democratic control of defence Indonesian State is today? Is it facing any current or future challenges in this regard? What are those challenges and how are those tackled by State and Society?
2. What are the key changes that have taken place in Indonesia since the departure of General Suharto, especially in terms of military's influence in national and political spheres in Indonesia?
 - i. What changes have taken place in business and commercial interests/enterprise of Indonesian military?
 - ii. What changes have taken place in pay and perks of military?
 - iii. What changes have taken place in seats allocated for military personnel in the Parliament of Indonesia?
 - iv. Has there been any change in the strength (number) of Armed Forces of Indonesia?

1. For details, please see http://www.nytimes.com/2008/01/28/world/asia/28suharto.html?pagewanted=all&_r=0

3. What factors have contributed to the change or in bringing about democratic control of defence and national security in Indonesia?
4. Has the Indonesian Military resisted change over the years? How did the country and institutions engaged in this change management?
5. Do such institutions exist – or new ones created – in which military's input is sought in policies, especially defence and security policies, at the highest government level? If yes, how do these function?
6. What are the powers available to the Parliament to exercise oversight on defence? How does the Parliament exercise these powers? How does the Military respond to Parliament's authority?
7. Do political parties of Indonesia engage in policy planning on defence oversight and civil-military relations?
8. Any other

Background

Pakistan political history is marked by the expanded role of the military in non professional fields involving coups, direct and indirect military rule, increased involvement in the economic and business activities and influence-paddling from the sidelines. This state of affairs continues to cause serious strains in civil-military relations in Pakistan.

PILDAT (www.pildat.org) has been working on the issues of civil-military relations and national security since 2004. It has developed and disseminated a respectable body of work to various stakeholders. Its dialogue process on civil-military relations has provided thought-leadership on these issues and has worked to broaden public discourse on the need for a constitutional equation of civil-military relations in Pakistan.

The visit has been part of PILDAT project titled *Dialogue on Civil-Military Relations in Pakistan*.

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(L-R) Mr. Nadeem Afzal Gondal, MNA (2nd from left); Lt. Gen. (Retd.) Abdul Qadir Baloch, MNA; Maj. Gen. (Retd.) Anis Bajwa; Senator Mir Hasil Bizenjo, Gen. (Retd.) H. Wiranto, SH, Chairman of Hanura Party; Mr. Saleem Safi; Senator Mohsin Leghari; and Maj. Gen. (Retd.) Athar Abbas

Meetings and Interactions

Meeting with Mr. Hayono Isman, Vice Chairman Committee of Inter-Parliamentary Cooperation, Indonesia

In its first meeting in Jakarta, held at the Indonesian Parliament building, the Pakistan delegation was greeted by Mr. Hayono Isman, Vice Chairman Committee of Inter-Parliamentary Cooperation alongside other members.

Presenting an overview of the roles and responsibilities of the Indonesian Parliament, Mr. Isman shared that Dewan Perwakilan Rakyat Republik Indonesia (DPR-RI) is referred to as the Indonesian House of Representatives. The DPR-RI has three main functions: legislation, budget and oversight. It draws up and passes laws of its own as well discusses and approves government regulations in lieu of law.

There are 11 Commissions (committees) of the DPR-RI whose duties are to:

1. Deliberate on matters related to their areas of responsibility
2. Formulate bills for submission to the plenary session of the House

Much like other Parliaments, major work of the Indonesian Parliament is carried out in the nerve centres, or commissions of the Parliament. Powers of the Commissions include the power to summon the President or Ministers, as well as listen to public opinion.²

He shared that Commission I on Defence, Foreign Affairs and Information is the key committee of the House that oversees defence affairs.

The DPR-RI also has permanent complementary Organs to support and optimize the implementation of the function, duties and authority of the House. These complementary organs of the House include:

1. Legislation Council
2. Steering Committee
3. Ethic Committee
4. Household Committee
5. Committee for Inter-Parliamentary Cooperation

In speaking to the Pakistan delegation, the members emphasised that Indonesia is both a democratic and a Muslim country. They said that they have proved to the world that democracy and Islam can go hand in hand. They said that Indonesia has been a democracy of 14 years behind which the whole nation is united. Indonesian Military, MPs believed, has supported the democratisation efforts in Indonesia greatly. They also said that retired generals in Parliament proved to be good connection with the army.

In response to Pakistan delegation's questions, MPs said that even today there is a role being played by Generals-turned politicians in the politics of Indonesia. However, Indonesian politicians also understand complex issues of national security, making them competent to oversee defence. While democracy in Indonesia is not perfect; it is a positive work in progress.

2. For details, please see: <http://ksap.dpr.go.id/puic2012/page/detail/id/15>



Pakistan delegation in an interaction with Indonesian academia at the Faculty of Social and Political Sciences, at the Pacivis University of Indonesia

In response to another question, Pakistan delegation was informed that Indonesia is not fighting any external security challenge and most of its concerns are internal.

MPs highlighted that Parliament has upper hand in defence budget and Parliamentary Commission-I on Defence is charged with the responsibility to oversee defence budget.

In response to another question, MPs said that new election in Indonesia is due in 2014 in which the current President can not contest again. There are no political favourites for the office of President. Delegation was also informed that Gen. Wiranto, former Military Chief, is to be a likely candidate for the post of President.

Tracing the history of military rule, Indonesian MPs said that President Suharto (late) managed his rule and powers with the backing of the Military. His resignation letter statement clearly states that he respects democracy but had he decided to stay, Military would have continued to support him. MPs, however, believed that Suharto's decision to resign in 1998 saved Indonesia from further bloodshed.

Vice President Habibie who took oath as President after Suharto's resignation, with support of other leaders supported regional autonomy and ensured a lasting unity of Indonesia. Previously, power and development were concentrated in Java and Sumatra but now it has spread to other regions.

Sharing their views of the military-backed 32-year rule of Suharto, MPs shared that the era witnessed a lot of corruption under Suharto's regime. They also believed that penalty for corruption is lenient in Indonesia but since power is not concentrated in one hand, it has helped ease

corruption also.

Indonesian MPs also highlighted that the brand and culture of democracy in Indonesia is different from that of the Western World. Liberal democracy in Indonesia does not allow people to ridicule other religions, while, for instance in Australia, liberal democracy allows people to ridicule religion and even burn holy books in the name of freedom.

In response to a question, Pakistan delegation was informed that there is no more a quota for military officers or for any other group for representation in the Parliament. 10 political parties are set to compete in 2014 election, of which 3 are headed by former Army Generals.

Indonesian MPs also acknowledged that it is difficult to run uninterrupted democratic system in the country without changing the mindset of the military. Having begun and continued transition to democracy in the past 14 years, Indonesian people are confident of moving forward towards consolidation of democracy.

One of the key successes of democracy has been economic growth in Indonesia, they said. Per capita income in Indonesia has increased 6 times since departure of President Suharto in 1998. While many countries of the world may be facing economic crisis, Indonesia has been stable with over 6.8% of GDP growth that is expected to be continued. Infrastructure in Indonesia has also improved with 50% of airports in Indonesia as new.

Meeting with Mr. Purnomo Yusgiantoro, Minister of Defence, Republic of Indonesia

The Pakistan delegation discussed in detail the system of defence oversight applicable in Indonesia with Mr.

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(L-R) Mr. Nadeem Afzal Gondal, MNA presenting visit memento to Dr. Sumaryati Aryso, Chairperson of the State Financial Accountability Committee (BAKN) while Senator Bizenjo and Mr. Mehboob look on

Purnomo Yusgiantoro,³ Indonesia's Minister of Defence.

Discussing civil-military relations in Indonesia, the Minister of Defence said that reform in the process started in 1998 after the fall of President Suharto. Military was no longer allowed to be part of politics or engage in commercial and business activities. In return, the civilian government began taking care of the welfare of the Military. He informed that there has been zero (0) change in the size of military which constitutes about 500,000 troops with 300,000 in the Army. President of Indonesia is the commander-in-chief of the Military. Promotion in the military is decided by a team headed by the President while military takes care of postings. President of Indonesia has the final word on promotion of the military. Promotion of 1 and 2 star generals is undertaken by the Military.

Mr. Yusgiantoro, who is a civilian himself, said that the current President was head of Internal and Political Wing of the Army during Suharto's era and is therefore well-versed with the challenges of democratisation as well as military's perspective.

Defence Minister also informed the Pakistan delegation that the Indonesian military size is the biggest in the ASEAN region. The military has been restructured but not reduced in numbers since Suharto. He said that the Asian Financial Crisis in 1998 also affected military's budget and it took Indonesia 10 years to recover its economy and modernise the military. He informed that defence budget was reduced in 1998 and in 2010, his ministry asked the Parliament to modernise the military and allocate US \$ 50 billion for

military equipment. He explained that salaries, maintenance and equipment are 3 heads of military budget in Indonesia.

In response to a question on number of intelligence agencies in Indonesia, Mr. Yusgiantoro said that intelligence agencies are governed by an intelligence law passed by the Parliament. There are various intelligence agencies with Police and Military with their internal bodies as well. All intelligence agencies of Indonesia, however, are coordinated by the National Intelligence Agency which is headed by a 3-star general who reports to the President. The head of National Intelligence Agency is also answerable to the Parliament and has appeared in response to calls of hearings by Commissions.

Answering another question the Defence Minister said that internal and indigenous terrorism poses a security threat to Indonesia while development in South China Sea and Southern-Philippines movement may also have an impact on security in Indonesia.

Whether a forum exists in Indonesia through which civilian government formally takes military's input into policies, the question was put to the Defence Minister. A draft law on establishing National Security Council, he responded, is being debated in the Parliament in which Ministry of Defence has proposed a structure of the council to be headed by President with its members including Ministers of Defence and Foreign Affairs as well as Chief of Defence Forces as permanent members. Non-permanent members will be invited on as-needed basis. Responding to whether

3. Mr. Purnomo Yusgiantoro was born June 16, 1951 in Semarang, Central Java. He is a former president-secretary general of OPEC, former Indonesian Minister of Energy for three presidents, and Minister of Defence in the Second United Indonesia Cabinet. He also served as Adviser to the Minister (1993–1998), then Minister of Energy and Mineral Resources (2000–2009) and Chairman of the Government Board of Pertamina (2000–2002). He was appointed as Minister of Defence in the Indonesian Cabinet in 2009.

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(L-R) Mr. Jakob Tobing (4th from left) interacting with the Pakistan delegation on Indonesia's journey towards new Constitution and security sector reforms

a special secretariat will assist the proposed National Security Council, the Minister said that an Agency already exists for this task which is headed by a 3-star general.

In response to a question about whether military is continuing to indulge in commercial activities, he said that according to a law passed by Parliament, military can not take part in politics and commercial activities and theoretically this is the situation on the ground. However, he candidly informed Pakistan delegation, some commercial concerns and activities still continue in the Indonesian military such as land and golf courses that are still with military.

Meeting with Chair and Members of Parliamentary Commission-I on Defence

Pakistan delegation met and interacted with the chair, Dr. Mahfudz Siddiq, and members of the Parliamentary Commission-I on Defence.

Delegation was informed that in the Indonesian Parliament, the standing committees are called commissions. There are a total of eleven commissions whose job it is to discuss matters related to their areas of responsibility and formulate bills for submission to the plenary session of the Council. Commission I is a body in the Indonesian legislature, the People's Representative Council. It has similar functions to both the Foreign Relations Committee and the Armed Services Committee in the United States Senate.

Discussing the present issues before the commission, members said that draft NSC law is being debated by the

Commission at the moment. It is being publicly perceived to be backed by the military. Many commission members see it as a ploy to bring the military back to decision-making role in country's affairs. The Constitution of Indonesia prohibits the military from taking part in politics and business of Indonesia.

Pakistan delegation was informed that both Parliament as well as the Commission are independent and not influenced by the military. There happen to be 5 commission members who are retired generals and they help the commission in understanding military matters.

Responding to a question about expertise available to the commission to exercise its role, members informed that Indonesian Parliament has the expertise available for commissions to undertake their responsibilities of oversight effectively. There are also outside think tanks who carry out regular research and are invited by the commission for briefings regularly.

Military budget is scrutinised, controlled and passed by the Commission-I. Similarly strategic planning of military is also approved by the Parliamentary Commission-I.

In discussing relations with Pakistan, members said that the two Parliaments need to learn from each other a great deal. Indonesian MPs, especially those at the Commission dealing with defence and security issues are keen to learn about how Pakistan is dealing with the growing foot-print of United States in the country. Indonesia, they said is facing a similar issue of growing US influence which is sometime trickier to deal with than the influence of Indonesian military.



Pakistan delegation in interaction with Mr. Jakob Tobing

Meeting with Mr. Josuf Kalla, Chairman Indonesian Red Cross

Pakistan delegation met and interacted with Mr. Jusuf Kalla,⁴ chairman of Indonesian Red Cross and former Vice President, Indonesia.

Addressing Pakistan delegation on transition of Indonesia to democracy from military rule, Mr. Kalla said that election in Indonesia have been taking place since 1955. In 1957 Soekarno changed the constitution and ushered authoritarian rule. In 1960, Suharto, Indonesia's longest serving military ruler began governing Indonesia with a very democratic style. He continued in office till 1998's Asian financial crisis hit Indonesia.

Mr. Kalla informed Pakistan delegation that in 1988, 30% quota in Parliament went to the Military. This was reduced to 1% and later totally removed. He said that even though military is firmly outside the sphere of politics in Indonesia, former military personnel are very integral part of it. He said that 100 out of 550 members of Indonesian Parliament are former military personnel even though the quota of military has been abolished.

Discussing the scenario that led to return of democracy in Indonesia, Mr. Kalla said that in 1998 due to the Asian financial crisis, corruption and human right abuse, domestic strife began in Indonesia with Student rallies. 100,000 students took to streets and occupied the

Parliament for a month. Suharto had to depart after the death of 500 student protesters who had captured Parliament - an event that shocked the people into a consensus that he must go. Following the departure of Suharto, it took the Parliament 4 years in changing the Constitution and 5 years to further change the system.

Explaining the system of code of conduct and registration of political parties in Indonesia who can contest election, Mr. Kalla said that in 2004, 48 political parties were qualified to contest election. This was reduced to 24 political parties later and in the 2014 election only 11 political parties have been qualified to participate. The qualification criteria for a party is to have a certain presence in each province and seats in provinces and districts. Moreover, all parties should have 30% women candidates and 30% of board membership of parties should also constitute women. He said that for a party to nominate its candidate to contest election for the post of President, it must have 20% seats in the Parliament. He also informed that out of 9 parties, 5 are Muslim parties represented in the Parliament.

Discussing other social actors, Mr. Kalla said that Indonesian media is the freest in the ASEAN region. There are 12 national and 150 local Television channels in Indonesia. Responding to question about whether international investment or international funding is channelled into media in Indonesia, Mr. Kalla said that registration requirements prohibit the use of foreign

4. Muhammad Jusuf Kalla was born on May 15, 1942. He was the 10th Vice President of Indonesia from 2004 to 2009 and Chairman of the Golkar Party during the same period. He was unsuccessful as Golkar's presidential candidate in the Indonesian presidential election, 2009. Since 2009 Kalla serves as the Chairman of the Indonesian Red Cross Society. Mr. Kalla was appointed in the People's Consultative Assembly (MPR) as a regional representative for South Sulawesi, He was re-appointed to the MPR in 1992, 1997, and 1999. Kalla was included in the Wahid cabinet in 2009 and became minister of Industry and Trade. He had only been a minister for six months. President Megawati Sukarnoputri included Kalla in her cabinet, appointing him to the senior post of Coordinating Minister of People's Welfare.



Pakistan delegation receiving a briefing at the National Resilience Institute of Indonesia (LEMHANAS)

funding. However, some parties control some media outlets, he added.

Answering a question on what would he identify as major challenges facing Indonesia's journey on democracy, he termed the role of money in politics and corruption to be the major challenges facing Indonesia at present.

Group Discussion on Civil-Military Relations in Pakistan (Recorded for TV Programme "Jirga")

In order to share their perspectives on civil-military relations in Pakistan and best practices from the Indonesian transition to democracy, participants of the Study visit, alongside Ambassador of Pakistan to Indonesia joined Mr. Saleem Safi, senior Journalist, in an exclusive panel discussion in Jakarta.

The panel discussion was aired on Geo TV in Pakistan on February 16, 2013 as a special programme of "Jirga." The programme can be accessed at: <http://saleemsafi.com/videos/jirga-16th-february-2013/>

Meeting with Gen. (Retd.) H. Wiranto, SH, Chairman Hanura Party

Pakistan delegation visited the head office of the Hanura party and interacted with party chairman, Gen. (Retd.) H. Wiranto and his other party officials.

In addition to Gen. (Retd.) H. Wiranto,⁵ also included in meeting were Mr. Yuddy Chrisnandi, Mr. Bambang Marsono, Mr. Arief, Mrs. Susaningtyas, Mr. Iqbal Alan Abdullah, Mr. Syafunnur Maszah, Mr. Salomo M. Damanik and Mr. Benny Prananto.

Pakistan delegation was informed that Hanura party means people's conscience party and it aims to reform the system. The party currently has 17 out of 560 seats in the Indonesian Parliament.

There was a prayer room at the ground floor of the party office. Gen Wiranto began his speech by offering praise to Allah and the prophet Muhammad PBUH.

Commenting on his decision to not take over power after Suharto resigned in 1998, he said that he instead asked Vice President B. J. Habibie to take over the office of President as he wanted to set an example that the army does not use excessive power.

Party colleagues of Mr. Wiranto informed the Pakistan delegation that he is largely termed as a "military reformist" as Wiranto reduced the military's role in Indonesian politics, Wiranto initiated the reduction of military's seats in the Parliament and separated the police from the military.

Responding to why he chose not to take over power after

5. Gen. (Retd.) Wiranto was commander-in-chief of the Indonesian Armed Forces and Police under Gen. Suharto, who was driven from office in 1998 by widespread rioting, economic paralysis and political chaos. He was Commander of the military of Indonesia from February 1998 to October 1999, and ran unsuccessfully for President of Indonesia in 2004 and the vice-presidency in 2009. Wiranto has been praised for playing a key role as a moderating influence during the turbulent times of 1998 when Suharto resigned. He had the power to impose military rule, but refused to do so, thereby allowing the civilian process to develop. President Wahid included Wiranto in the Cabinet as Coordinating Minister of Politics and Security. Wiranto was only in his position for three months when in January 2000, Wahid called for Wiranto to step down from his position. Wiranto ran unsuccessfully for the vice-presidency as Jusuf Kalla's running mate in the 2009 Indonesian presidential election. In 2006, he was elected as Chairman of the newly established Party called Hanura Party.



(L-R) Senator Hasil Bizenjo presenting a visit memento to Governor LEMHANAS

Suharto asked him before stepping down, Mr. Wiranto said that he was minister for Defence being the commander in chief and if he took over, it may have resulted in civil war in Indonesia. He also said that there was great public pressure on the military after Suharto resigned. He said he did not take over also because he cared for the people.

Mr. Wiranto added that since 1998, Military has been transformed and has accepted the rule of democracy. It is no more in Parliament or in business.

Mr. Wiranto said that his party is an organic party and not like a 'machine' party implying other parties rely on big money to stay in politics. He said that Hanura is the cleanest party of Indonesia and he is confident to get 14 percent votes in the next election to qualify for Presidential election. He said that Hanura is the cleanest party in Indonesia. It has an education and training department in the party.

In response to another question, Pakistan delegation was informed that there is a system of state funding of political parties in place in Indonesia which is based on number of votes and seats obtained.

Mr. Wiranto presented each delegate from Pakistan with a copy of his book "Witness in the Storms" carrying his perspectives of transition at the time of departure of President Suharto.

Dinner hosted by Pakistan Ambassador along with selected members of Pakistani community

Pakistan's Ambassador to Indonesia hosted a dinner reception for the Pakistan delegation alongside members of the Pakistan community based in Jakarta. The community engaged in a candid discussion with Pakistan

delegation on political and economic scenario in Pakistan. Community members also offered their views and insights into the Indonesian political system and its transition to democracy.

Meeting with Dean and Faculty of Social and Political Sciences, Pacivis University of Indonesia

In order to benefit from an objective and non-partisan analysis of Indonesian transition to democracy and its existing challenges, Pakistan delegation visited the faculty of Social and Political Sciences, Pacivis University of Indonesia and engaged in a candid discussion with Dean, Vice Dean and faculty members of the department. Among others, Prof. Laksmono and Prof. Edy Pardetyono, met with the delegation.

Briefing the delegation, faculty members shared that after Suharto, democratic reform led to the participation of 48 registered political parties in 1999 election opposed to practically one party 'Golkar' in the past. Relationship between central and regional governments has improved and with devolution of power, there are more powerful regional governments, which has helped create greater cohesion.

Security sector reform also went hand in hand with political reform. Previously the structure of military deployment in rural areas, which ran almost parallel to civilian administrative structure, was criticized greatly by political thinkers as it ensured financial and political control of the military in the country. Smuggling and control of water were other two illegal businesses the Army ran at the time.

Key questions facing the country at the time of security sector reforms were on how to get military out of politics and business and how to convert a political military into a



Members of Pakistan delegation in a meeting with the Coordinating Minister for Political, Legal and Security Affairs

professional military, in addition to the question of transfer of regional command from the military to the regional governments.

Professors shared that during Suharto's time, things were rigidly controlled and managed including prices, labour activity, students movement, etc. As a result, there had been stability in the country and inflation remained under control. Under Suharto, Indonesia also saw the greatest expansion in education and health sector. However, this control also meant that the country also saw taking root of systemic corruption under Suharto. They believed that even though there is corruption in Indonesia at present, it can not be termed as systemic corruption.

Security sector reform was mainly instituted after Suharto's departure and is contained mainly in the architecture of the National social security law which, passed in 2004 prohibits commercial activity of the armed forces. During the past 10 years, security sector reform has been instituted. Some help has also been received in this regard from foreign powers such as the US. Police was separated from the Military in 2000. Young officers of the military at the time played an important role in security sector reforms.

Has the security sector reform been completely put in place was a question posed by Pakistan delegates to which they were informed that it has been to a great deal however the structure of military deployment at peace time still means that it continues to influence economic control at the local level. Military businesses, prohibited under the Indonesian Military Act of 2004, though largely shut down also continue at the local level. The State Defence Act provides for deployment of army at the rural level moved from the regional and territorial deployment.

While containing the role of military in politics and business, the civil governments have focused more on professionalization of the military, increased defence budget especially in skill-building and weaponisation. Delegation was also informed that Indonesia spends US \$ 7 billion per year on defence which is rather small budget.

Responding to how military dealt with the security sector reforms, academics shared that military was at first very defensive and apprehensive. However, reform was possible as there was fragmentation in the military and some reform-minded generals were at the helm of affairs which helped politicians and civil society push through the reform agenda successfully.

Responding to a question about how is military perceived in the country today, academics informed that public opinion surveys indicate that majority of people still trust military in providing security. Military draws its strength from such surveys. They also believed that quality of governance has been declining during the past 2 terms of the current president.

In an interesting analysis, in answering a question on whether military rule is over for good in Indonesia, one of the academics believed that since credibility of civilians politicians is suffering due to corruption and bad governance, it is likely that a new crop of young military officers which will be in power by 2020, may play behind the scenes and orchestrate some individual or a clean party to take over power in Indonesia by 2020.

In response to another question, Pakistan delegation was informed that foreign influence in agenda setting is increasing in Indonesia but is generally perceived as positive influence.



A Group photo of Pakistan delegation with Mr. Jakob Tobing

Answering a question on whether universities serve as a link on policy making to governing institutions including Parliament in Indonesia, academics shared that universities have worked closely with the Parliament in shaping some important bills such as intelligence and national security bills. The department of political science regularly interacts with and provides support to Parliament's Commission 1. However, such linkage is more at individual level rather than at the institutional level.

Lunch Meeting with Dr. Sumaryati Aryso, Chairperson, State Financial Accountability Committee (BAKN)

Dr. Sumaryati Aryso, MP and chair of the State Finance Accountability Committee (BAKN), a counterpart committee of the Public Accounts in Pakistan's National Assembly, received the Pakistan delegation at a lunch meeting.

Pakistan delegation was informed that BAKN was formed in the House of Representatives of Indonesia in August 2009 through Law No.27. Its tasks include review of the findings of the Supreme Audit Board and submission of that review's result to the chairs of various Commissions as well as the Speaker of the House. The committee follows up and discusses the findings of the Supreme Audit Board and provides its input back to the board in areas such as annual audit work plan and quality of audit reports.

The BAKN has the powers to recommend to the Supreme Audit Board to do further investigation on an issue. It also follows up with the Supreme Audit Board based on various commissions' discussion on the findings of the audit results.

In implementing its tasks, BAKN is assisted by

accountants, experts, financial analysts and/or researchers.

The BAKN prepares a draft budget for the implementation of its tasks in accordance with its needs which is then transmitted to the Household Affairs Board.

Sharing the BAKN's strategic plan with Pakistan delegation, Dr. Sumaryati Aryso said that the committee's key responsibility is to improve the supervisory system. In carrying out its functions the committee also holds public hearings across the country. The strategic plan also includes support to regional parliaments to set up similar committees which do not exist the moment. The committee is also focusing on suggesting to the Supreme Audit Board to provide performance audit reports as well as target audit of public services programmes including education, which constitutes 20% of national budget, as well as health and infrastructure, etc.

Meeting with Mr. Jakob Tobing, former Chairman Committee on Constitutional Amendment

Pakistan delegation received the most in-depth briefing by Mr. Jakob Tobing, a former Parliamentarian and a long term member of the legislature who chaired the working level legislative committee which handled the whole process of constitutional amendment. Mr. Tobing was gracious in inviting some fellow MPs and academicians to answer questions of the Pakistan delegation. He also shared a pre-penned analysis in response to advance questions sent to him by PILDAT. His analysis is contained as *Appendix B*.

Briefing the delegation, Mr. Tobing said that the generation of military men who fought for freedom of Indonesia was materially different from the professional soldiers who joined army after freedom. When President Abdul Wahid



(L-R) Pakistan's Ambassador to Indonesia Mr. Sanaullah alongside the Pakistan delegation members at the head office of the Hanura party

wanted to abolish the elected Parliament and the Golkar party, Army refused to comply as the intended action was not constitutional.

Discussing security sector reforms after Suharto's departure, Mr. Tobing said that reform took place with the consent of the military. Military agreed to have its representatives in the Parliament retire in 2004. He added that budget is regulated through a law and defence budget of Indonesia is about US \$ 7.5 billion which is increased about 4 to 5 times of what it was in 2004. It is ensured now that arms are procured through open tender opposed to Suharto's time when it was all confidential.

Sharing his views, Mr. Mahmud said that Indonesian Military was misused by a national leader Suharto to perpetuate himself in power though military was not technically in power in 32 years of Suharto's rule.

Security sector reforms were undertaken after Suharto to make military a non-political professional force. Police and military were separated based on their distinct areas of responsibility. He said that for some Security Sector Reforms are over as they think that the main job is done and only thing remaining is the passage of the national security law to make national security council. However, for others, whatever has been accomplished is not sufficient as people want armed forces to become a capable and professional force which is a long-term target.

Answering a question on level of development, he said that while development is undergoing, we have a serious problem of infrastructure both in Java and elsewhere. People are invested in continuity of democracy which has to deliver good governance.

Dr. Pataniari said that armed forces belong to the state and

not to the government. There was greater stability and order during Suharto's time but people are invested in democracy now. People expect a stronger 'general' at the helm of affairs but do they really want that will be tested in the next election. Discussing security sector reforms, he said that part of the reform was that after Suharto, military budget and its audit came under the ambit of the Supreme Audit Board. The 'back to barracks' slogan was raised and implemented to a large extent in Indonesia.

Adding to the conversation, Mr. Tobing said that Indonesia is a new society with old heterogeneity. It has 700 tribes but yet it is one nation.

Discussing security sector reforms, he said that some think tanks criticize reforms on the pretext that these are not the genuine reforms and the Constitution is not entirely a democratic Constitution. However, there is public support for both. He added that in the latest Indonesian election voter turnout was 93 %.

He added that lack of law enforcement is a problem in Indonesia. He also opined that federalism will be divisive for Indonesia, as it will have great difficulty in demarcating the provinces and homelands of the tribes.

He said that a military takeover can not be ruled out in Indonesia if democracy does not perform well. The biggest issue in Indonesia is income disparity in population which has increased during the two terms of the current President.

Meeting with Prof. Dr. ir. Budi Susilo Soepandji, Governor, Lemhanas National Resilience Institution

Pakistan delegation visited the National Resilience Institute of Indonesia (LEMHANAS) and was received by the



(L-R) Syed Sajjad Haider, Deputy Head of Pakistan Mission in Jakarta; Maj. Gen. (Retd.) Athar Abbas; Mr. Nadeem Afzal Gondal, MNA; Mr. Ahmed Bilal Mehboob and Maj. Gen. (Retd.) Anis Bajwa

Governor of the Institute.

In an interactive session following the call-on Governor, Pakistan delegation was given a presentation on the origin and working of Lemhanas. Lemhanas began as the National Defence Institute and was established in May 1965. In 1983, the agency changed its name to the National Security Agency, which was under the Commander of the Armed Forces. In 1994, the institute was put directly under the Ministry of Defence and Security. In year 2001, Lemhannas was made responsible to the President. In 2006, given the burden and responsibility of the institution, the office of Governor Lemhannas was aligned with the post of Minister.

Lemhannas assist the President by carrying out following tasks:

1. organizing Training on cadre preparation and strengthening of the national level leaders having integrative thinking and professional, national character, moral and ethic, Archipelago Concept as well as having universal way of thinking. Organizing Training on cadre preparation and strengthening of the national-level leaders having integrative thinking and professional, national character, moral and ethical, as well as Archipelago Concept having universal way of thinking.
2. Organizing conceptual and strategic study on various national, regional and international problems required by the President, to secure the integrity and survival of the Republic of Indonesia. Organizing conceptual and strategic study on various national, regional and international problems required by the President, to secure the integrity and survival of the Republic of Indonesia.
3. Strengthening nation values contained in the

Preamble of the Constitution of the Republic of Indonesia of 1945, Pancasila values as well as one in diversity values.

4. Building and developing the cooperation relation to various relevant agencies in the home country and overseas. Building and developing the cooperation relation to various relevant agencies in the home country and overseas.

In responding to a question, Pakistan delegation was informed that Pancashilla remains the bedrock of Indonesian politics and ideology.

Answering another question on security sector reforms and role of military, officers at the institute shared that military is certainly not as involved in social and political issues as before. Motivation of the Military to step back from power in 1998 was to protect the nation and people. They added that many NGOs are advocating civil military cooperation by promoting foreign values. We should have civil military cooperation but based on our own values and not based on American or other foreign standards. Foreign funded NGOs are suggesting what the Indonesian military should do which is not acceptable, added Lemhanas colleagues.

Call-on Mr. Djoko Suyanto, Coordinating Minister for Political, Legal and Security Affairs, Republic of Indonesia

Pakistan delegation called on Mr. Djoko Suyanto, Coordinating Minister for Political, Legal and Security Affairs, Republic of Indonesia, who was directed by the President of Indonesia to receive the delegation.

In briefing the Pakistan delegation, the Minister was joined by his colleagues including Secretary to the Ministry,



Pakistan delegation in a group photo at the LEMHANAS

Deputy for Domestic Affairs, Deputy for State Defence, Acting Deputy for National Security, Deputy for Foreign Affairs, Deputy for Legal Affairs, Deputy for Public Order, Deputy for Government Affairs and Civil Society, and Deputy for Communication and Information.

Presenting an overview of Indonesia's journey towards democracy, Mr. Suyanto said that between 1945 and 1998, military had a strong grip on socio-political affairs of the country. Military' grip gave a sense of stability in the initial days but then changes started taking place within the society and the world around. Military's grip was so strong that people joked that even village headman's second marriage should also be reported to the Military.

However military reforms did not suddenly come in place and the thinking had started long ago. Young officers of the armed forces felt that the control of the armed forces had gone too far. Awareness came in 1990s that Military needed a reconstruction of the relationship between security sector and the people. President Suharto's downfall paved the way for these reforms. The first reform was to separate the Military and Police. Earlier Chief of the Armed Forces used to take charge as the Defence Minister. This was also changed through reforms.

Another reform was the decision that armed forces will not take part in politics. Military used to have representatives as members in the Parliament who were re-called and a principal was adopted that only elected personas will sit in the Parliament.

Military was also made to follow the law which now prohibited it from politics and public order and internal security became the exclusive domain of the Police which previously was a duty shared by the military as well.

Answering a question, Mr. Suyanto said that since armed forces are supposed to be politically neutral, they do not vote for or against anyone. Fair elections in Indonesia have led to the subordination of the military to the lawful authority of elected representatives. Military chief who was part of the decision-making earlier, now obeys the Minister of Defence. Armed Forces obey their commander-in-chief which is the President of the Republic of Indonesia. The oversight on military is exercised by the Parliamentary Commission 1 and whenever required, Military chief and his subordinates appear before the Commission 1.

He added that military has a beneficial role for the society. For example a military base within a municipality contributes to the well-being of the community. A military person can play the role of a teacher as well. Health officers in the Armed Forces can attend to the local civilian patients also. However, democracy is a must and military is in line with this and the needed reforms.

He said Military's domain is very strict now. In a national crisis, the Constitution provides for three stages to address a crisis: in stage 1, national Police takes charge; beyond that, if required at Stage 2, civil emergency is declared in which Armed Forces assist the Police at the request of the Police and at stage 3, military emergency is declared which is time-barred.

Discipline of the armed forces was instrumental in bringing security sector reforms. From Suharto to to-day, there is a huge difference between the two eras. There used to be a joke in Suharto era that Indonesian people used go to dentists in Singapore; and when dentists asked that aren't there dentists in Indonesia and people would reply, of course there are dentists in Indonesia but we are not allowed to open our mouths in Indonesia.

Answering a question about the plans to set up a National Security Council in Indonesia, he said that one of the aspects of the proposed law is that non-permanent members in the NSC will attend the meetings on as-needed basis. He admitted that there are suspicions about NSC among the public but NSC is meant to stop future dictatorships.

He said that the post of Coordinating Minister was the most frightening office in the past. It has changed now.

He also added that public generally appreciates security sector reforms as indicated by public opinion surveys. Democracy, rule of law and civil government are what people need to defend.

APPENDICES

REPORT

Pakistan Parliament and Intellectuals Study Visit to Indonesia

February 11-14, 2013; Jakarta, Indonesia

Appendix A

Programme of the Study Visit February 11-14, 2013 Jakarta, Indonesia

Monday, February 11, 2013		
1	Meeting with Mr. Hayono Isman, Vice Chairman Inter Parliamentary Cooperation, Indonesia	09:30 am
2	Call-on Mr. Purnomo Yusgiantoro <i>Minister of Defence</i>	12:30 pm
3	Meeting with Chair, Dr. Mahfudz Siddiq, and Members of Parliamentary Commission-I on Defence	02:00 pm
4	Meeting with H.E. Mr. Josuf Kalla, Chairman Indonesian Red Cross	03:30 pm
Tuesday, February 12, 2013		
5	Group Discussion on Civil-Military Relations in Pakistan (Recorded for TV Programme "Jirga")	09:30 am
6	Meeting with Gen. (Retd.) H. Wiranto, SH, Chairman Hanura Party	02:00 pm
7	Dinner hosted by Pakistan Ambassador along with selected members of Pakistani community	07:00 pm
Wednesday, February 13, 2013		
8	Meeting with Dean and Faculty of Social and Political Sciences, Pacivis University of Indonesia	10:00 am
9	Lunch Meeting with H.E. Mrs. Dr. Sumaryati Aryso, Chairperson, State Financial Accountability Committee (BAKN)	02:00 pm
10	Meeting with Mr. Jakob Tobing, former Chairman Committee on Constitutional Amendment	04:00 pm
Thursday, February 14, 2013		
11	Meeting with Prof. Dr. ir. Budi Susilo Soepandji, Governor, Lemhanas National Resilience Institution	09:00 am
12	Call-on Mr. Djoko Suyanto, Minister for Political, Legal and Security Affairs, Indonesia	11:00 am

Appendix B

Building Democratic Institutions and Building Constitution in Indonesia
An Introductory Notes⁶
Jakob Tobing⁷

Introduction

In a four-year time process from 1999 to 2002 the amendment of UUD 1945 (1945 Constitution) of Indonesia had been conducted gradually and then successfully accomplished. The constitution making process was solely conducted by the MPR (Majelis Permusyawaratan Rakyat – People Consultative Assembly), the constituted institution according to the existing UUD 1945 and in accordance with the provisions of the UUD 1945 itself.

The draft of UUD 1945 was processed under the control of Japanese military colonial government during the last months of Japanese colonial period from May to July 1945. It was a political process, a contestation between the Japanese interests and the Indonesian's aspirations for true independence, which had forced compromises in the draft.

Except its Preamble, which, one day after the 17 August 1945 proclamation of Indonesian independence, was cleansed from any linkages with Japanese's geopolitical strategy – the Greater East Asia Co-prosperity Sphere – the original draft of the articles of the Constitution remained and was agreed for later improvement. The Preamble contains the basic values and the objectives of Indonesia independence and the state ideology Pancasila (the Five Principles, viz. *Belief on Oneness of the Almighty God, Just and civilized humanity, The unity of Indonesia, Democracy guided by the inner wisdom in the unanimity arising out of deliberations amongst representatives and Social justice for the whole of the people of Indonesia*).

However, the subsequent revolution against the Dutch and the following political situation had hampered the improvement. Thus the later authoritarian practices in Indonesian political history from 1959 to 1999, including the military's role in politics had its justifications over those tainted articles.

Although it was born from the womb of the old UUD 1945, the amended UUD 1945 has a clear distance to the old one with repudiation and rejection to the non-democratic concepts inherent in the original UUD 1945. Both desirable attributes for a new political system after transition from authoritarian regime, democracy and the rule of law have been incorporated into the Constitution (*John Ferejohn and Pasquale Pasquino, Rule of Democracy and Rule of Law, in Democracy and the Rule of Law, 2010*). MPR had re-engineered the Constitution in far-reaching, almost miraculous way. (*R.E. Elson, The Idea of Indonesia, A History, 2008*). In *Tim Lindsey* words, "Few countries have achieved so elaborate a transformation of their system of government and politics and law so quickly, solely through parliamentary process". (*Tim Lindsey, Rewriting Rule of Law in Indonesia, in Asian Discourses of Rule of Law. Theories and implementation of rule of law in twelve Asian countries, 2004*).

The reformation and the strategic spheres

One should consider that Indonesia is a very heterogeneous large developing country, with 237.6 million people, more than 17,500 islands, and the 4th largest country in the world. It has more than 1,128 tribes big and small with 737 active languages and dialects. Nevertheless, people speak and understand bahasa (language) Indonesia as the national language, as the literacy rate is high with 90% of adult can read and write.

6. Paper for the meeting with PILDAT (Pakistan Institute of Legislative Development and Transparency) Pakistan Parliament and Intellectuals Delegation, Jakarta February 13, 2013. This paper was presented for the first time at Dialogue on "Indonesia-Egypt: Constitutional Reform and Constitutional Building." Nusa Dua, Bali, 5 – 7 November 2012.

7. Chairman of PAH I BP-MPR (Panitia Ad-Hoc I, Badan Pekerja Majelis Permusyawaratan Rakyat), Amandemen UUD 1945 (Ad-Hoc Committee I, Working Body of People's Consultative Assembly, Amendment of 1945 Constitution), 1999 – 2002; Chairman of Indonesian Election Committee, 1999 and Member of National Election Commission, 1999 – 2002; Ambassador of Republic Indonesia to Republic of Korea, Seoul, 2004 – 2008.

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All major world religions exist along with the local set of beliefs. Islam is the major religion (86.1%). The cultural layers, formed by the indigenous set of beliefs and the introduction of Hinduism, Buddhism, Islam and Christianity along the history are discernible. Thus, ethnically and culturally Indonesia belongs to the more heterogeneous countries in the world.

Its economy ranges from semi-nomadic agriculture to highly capitalized plantations, from small itinerant peddling to high-technology and capital intensive business. Its form of communities varies from small isolated villages to huge modern metropolitan cities. And its political structures range from tribes to kingdom and a modern republic.

It is surely understandable if Indonesia is also known and characterized by dualistic, paradoxical, antagonistic, and else.

What is specific to Indonesia is the composition of primordial diversity, the structural society, and the lack of the mechanism of mediation, to which the high potential of disintegration may be referred.

One should take note that Indonesia was never a nation or a state before. When it was proclaimed as an independent state, it was a new state with old heterogeneous societies.

Nevertheless, as expressed by the Youth Pledge of youth representatives from all over Indonesia on October 28, 1928:

"Firstly, we the sons and daughters of Indonesia, acknowledge one motherland, Indonesia. Secondly, we the sons and daughters of Indonesia, acknowledge one nation, the nation of Indonesia. Thirdly, we the sons and daughters of Indonesia, uphold the language of unity, Indonesian",

The conception of Indonesian nationhood exceeds differences in ethnicity, race, religion, and origin. In that respect, Indonesian nationhood is of a *demos* type, as contrasted with the *ethnos* type which is based on the common ethnicity or religion. As a very diverse people, Indonesian is united by a common goal to achieve prosperity and justice in a dignified life as a free nation.

While its unity was bound by cohesive power of colonialism, the independence has exposed to the surface the latent primordial differences. This leads to importance of value and normative consensus as the fundamental pre-requisite for societal integration that must be institutionalized in society's structure of the state.

The transition situation, the resignation of President Suharto, the demands for changing the constitution, and other reform aspirations, was evolving in a condition where economic conditions were deteriorating and trust to the government was declining. In the mean time, the political system was almost paralyzed and the political situation in general was also critical. The reputation of the military and police in the eyes of the people in general was low and declining. Ethnic and religious conflicts had broken out in many parts of the country and secessionist movements had emerged. Relationships between the central government with some provinces were deteriorating, further undermining stability.

In respects to constitutional changes, there were three groups formed in the political public. The first one was those who demanded the replacement of the UUD 1945 with a totally new Constitution. The second one advocated for amendment of the existing UUD 1945 and the third one defended the old UUD 1945 as it is with argument that it was not the failure of the Constitution that brought forward the miseries, it was the ignorance of the leaderships. Numbers of old generation (ex)-military were in this position.

While the third group was in pinched position the first and the second groups competing in violent confrontations. The first pushed for extra-parliamentary solution. They demanded the dismantling of all government institutions and establishment of "people's committee", the street-parliament populated by oppositions and demonstrators. They argued that it was constituent who should constitute the changes. The second advocated the amendment of the existing 1945 Constitution through constitutional ways based on existing constituted provisions. Couple of times these groups clashed physically with each other. Victims fell, several people were killed. Given the national strategic environment, the declining of government's authority and the on-going economic hardships, there was potential of serious threat on the solidity of the nation. Therefore, what we had here was a very critical situation with potential of severe conflicts that could explode at any time, the potential of "*bellum*

omnium contra omnes” – the war of all against all. (Thomas Hobbes, *Leviathan*)

The basic agreement and the political order

Aware of the situation, the opposition leaders, Megawati Soekarnoputri, Abdurrahan Wahid, Amin Rais, Sultan Hamengkubuwono X, President *Habibie*, who replaced President Suharto and the military leaders approached each other. All parties came into understanding that the country should reform but the reformation should be conducted in constitutional order. They recognized the needs for maintaining a controllable atmosphere, so that the emerging dangerous multitude situation can be transformed into a manageable situation.

Thus the MPR's special session was convened in November 1998 which laid the road for reformation process. People allowed forming political parties, election moved forward from 2002 to 1999 and was guaranteed to be free and fair, and in regards, military and the bureaucracy will keep an equal distance to all contestants.

The election was conducted on 7 June 1999 with 48 political parties contested. Domestic and international observers recognized the elections as free and fair and thus the new People's Consultative Assembly was drawn as the result.

In the meantime, intensive communications among the political powers had come to understanding that the existing UUD 1945 should be reformed and democratized. In that regards, the Preamble, that contains the state ideology Pancasila (the Five Principles), should be maintained, as well the unitary state form of the Republic of Indonesia. In other words, reformation is understood as an effort to continue the ideals of the founding of the Republic of Indonesia which was proclaimed on August 17, 1945 by democratic means. Therefore, reform is not an attempt to establish a new nation and a new state. Thus, the main political powers of the Indonesian nation, including the military, were supportive and participated in the reformation efforts.

At this stage, the multitude situation had been transformed to a manageable situation within the constitutional order. The potential of “*bellum omnium contra omnes*” – the war of all against all – had been appeased toward “covenant of one with every other.” (Thomas Hobbes, *Leviathan*)

The basic parameters and the absence of academic draft

Thus, we had fundamentals for reformation of the UUD 1945. The ultimate objectives were to have a democratic UUD 1945 with principles of constitutional democracy and the rule of law incorporated. Other parameters were to maintain the Preamble, the unitary state form of the Republic of Indonesia and the presidential system. The alteration process should be based on the provisions stipulated in the UUD 1945. In that respect, UUD 1945 has articles 3 and 37 which outline the procedure how to revise the Constitution, provisions which are not common incorporated in any constitution in the world. For the purpose we agreed to use the original UUD 1945 as the working paper. Those were the boundaries within which we discussed and debated the issues, combing the articles and the verses one by one, striving to discover the agreeable amendments. This procedure seemed faltering, back and forth and often stalled. However, it had been creating deliberative situation among members of Ad-Hoc Committee and the MPR in general. With the helps from the expert teams, NGOs, mass-media and political public in general, then MPR accomplished the amendment in August 2002.

Critics say that the amendment process should have had academic draft as guidelines. However, since a constitution-making is always a political process, it is hard to say whether the presence of an academic draft will be a benefit or in the contrary an obstacle in reaching a deliberative agreement. After all, an academic draft of a political conception is always a selected set of political positions from various possibilities. Therefore, it depends on the challenges at hand.

The idea to have the amendment drafted by an independent constitutional commission, especially when PAH I was stuck and faltered in the middle of the process, was also unacceptable. Since the outcome of the process is always political, it is more appropriate to have it done by elected representatives of a constituted political institution rather than by assigning another body. The experts and the public can and should be willing to help the process, in order to produce the more academically appropriate but politically acceptable formulations.

At the end, all of the 180s changes in the amendment, except one on the abolishment of the appointed members of the People Consultative Assembly, were agreed unanimously. In regards, one should take note that in the voting on the abolishment of appointed MPR's members, which means there will be no more appointed military and police representatives in the parliament and no more military involvement in politics, the military and police faction in MPR voted for abolishment of the appointed members.

At the end of the tasks, members of PAH I hugged each others and shaking hands. It describes that the procedures chosen to conduct the process has been promoting deliberative solution rather than a win-or-lose contestation.

Building the democratic institutions

People Sovereignty

The first fundamental reviewed in the process was the people sovereignty. The Preamble asserts that the state is based on people sovereignty. However in the old UUD 1945 it was translated as a state sovereignty by delegating the people sovereignty to the People Consultative Assembly (MPR) and provides the Assembly with unlimited authority. By construction, MPR was at the peak of the political system which eventually had blocked the establishment of mechanism of checks and balances as well as the establishment of an independent judiciary. All state institutions, including the judiciary and parliament, were accountable to the MPR, which was itself a political body.

Although this issue had been discussed from the beginning, the conclusion was not reached until the third sessions. In 2001 PAH I agreed to change the stipulation by asserting that the sovereignty is in the hand of the people and exercised in accordance with the Constitution.

Provisions for elections, both for the president and the legislative, which are absent in the original UUD 1945, were added in the third stage in 2001. The constitution asserts that the elections should be held regularly every five years, which are direct, general, free and secret. For the purpose the Constitution ordered that the election should be conducted by a national, permanent, and independent electoral committee. Constitution also stipulates that the contestants for the parliaments are the political parties and individual candidacy for the Regional Representative Council.

In the same session, MPR also concluded that the President and the Vice-President should be elected in pair directly by the people, for a maximum of two five-year periods consecutively. In the original UUD 1945, election of President and the Vice President were within the authority of the Assembly.

In that regards, one should note that MPR had voluntarily abrogated its own extraordinary, powerful and unlimited authority.

Rule of Law

Members of MPR recognize that rule of law is a necessary accompaniment to the people sovereignty or democracy. It is a check to the popular will with the reference to people fundamental rights.

In regards, in the second stage of the process in 2000, MPR incorporated articles on adherence of human rights.

The amendment also asserts the independence of the judiciary power with a Supreme Court as the highest appellate court and ordered the establishment of a Constitutional Court on the 17 August 2003 at the latest. The Constitution provides the Constitutional Court among others the authorities to judicial review, to adjudicate disputes among the state institutions whose authorities are given by the Constitution and to adjudicate the petition of the Parliament for impeaching the President.

This stipulation emphasizes the supremacy of law over elected majorities and over parliamentary will and asserts that all state institutions are under the law.

In regards, the amended UUD 1945 complies with the principles of constitutionalism, in which the Constitution is the supreme law and protects the citizens from arbitrary of the government and from infringements of fellow citizens.

Further on separation of powers and checks and balances

The amended UUD 1945 asserts that the Parliament shall hold legislative, budgeting and scrutinizing functions. On the other hand, the President shall hold the power of government in accordance with the Constitution.

A free and independent Supreme Audit Board is also established to support the checks and balances mechanism.

A Judicial Commission was established to oversee the judges without interfering in the judicial process.

A Regional Representatives Council is established to represent the particular regional interests in the national political interactions.

End notes

With those principles incorporated in the Constitution, powers have been separated and shared among the state's branches which enable the implementation of checks and balances principle, equality which is free from gender bias and others are guaranteed, due process of law has been outlined, freedom of expression and association are guaranteed and else, we can expect that the generated constitution is effective enough as a foundation for sustainable reformations in the future.

The procedure of constitution making applied by Indonesia is evidence that there is no single formula in constitution making. The constitutional change did not happen in one moment. Instead it was a series of process which started up with a moment created by a crisis and continued for four years. In Indonesia, it was undertaken by the elected constituted authority rather than by a street-parliamentary constituent authority.

The process was exposed to ongoing political problems and made compromises in responding to the immediate political concerns. It included all parties, either of the new political groups or groups of old politics.

In that respect, the received constitutional narrative, which require ideal condition for a constitution making, such as the presence of the founding constitutional moment, the People as the only source of constitutional authority, constitution as the unchangeable People's voice for indeterminate future, and that constitution as a fundamental law is entrenched and enshrined by itself, should be taken as ideal and asymptotic condition that should be approached as closely as possible, but however will never be achieved.

In fact, the ideal and romanticized process which usually adopted by modern constitution-making theory does not capture the real political dynamics in the constitution making process.

What is important in the outset is to strive for agreement on the immutable principles of a desired democratic constitution, which are the people sovereignty, the rule of law and the adherence of human rights. Considering the particular conditions of one society, the deliberative process will discover the most suitable constitutional stipulations which are still within the boundaries of the immutable principles.

On the other hand, since a constitution making process, especially in a post-conflict situation, is also a conflict resolution and reconciliation promotion process, it is important to strive as far as possible to include every stakeholder in the country who is willing to reform in the process.

In that respect, consistency, flexibility, patience and idealism are very important in navigating the process through various political constraints.

Appendix C

List and Profiles of Pakistan Delegation

No.	Name	Political Affiliation
1.	Senator Mir Hasil Bizenjo Vice President National Party (NP) (Balochistan, NP)	National Party (NP)
2.	Senator Mohsin Leghari (Punjab, Independent)	Independent
3.	Mr. Nadeem Afzal Gondal, MNA, Chairman Public Accounts Committee (NA 64, Sargodha, Punjab, PPPP)	Pakistan People's Party Parliamentarian (PPPP)
4.	Lt. Gen. (Retd.) Abdul Qadir Baloch, MNA Former Governor Balochistan (NA-271, Kharan-cum-Panjgur, Balochistan, PML-N)	Pakistan Muslim League-Nawaz (PML-N)
5.	Maj. Gen. (Retd.) Anis Bajwa Member Central Executive Committee PTI	Pakistan Tehreek-e-Insaf (PTI)
6.	Maj. Gen. (Retd.) Athar Abbas Former Director General Inter Services Public Relations	<i>None</i>
7.	Mr. Saleem Khan Safi Senior Journalist; Anchor Programme "Jirga", Geo TV	<i>None</i>
8.	Mr. Ahmed Bilal Mehboob President PILDAT	<i>None</i>
9.	Ms. Aasiya Riaz Joint Director PILDAT	<i>None</i>

Profiles of Pakistan Delegation



Senator Mir Hasil Bizenjo

Senior Vice President National Party (NP)
Balochistan, NP

Senator Mir Hasil Bizenjo is the son of senior Baloch politician Mir Ghaus Bakhsh Bizenjo. He is senior vice-president of the National Party. He was elected as member of Senate in March 2009 from Balochistan. He also remained MNA from 1990 to 1993 and again from 1997 to 1999. Senator Bizenjo was Secretary General of Balochistan National Party (BNP) in 1997-1998. He remained President of Balochistan National Development Party (BNDP) from 1998 to 2005 and then became General Secretary of National Party (NP) in 2005. In 2008, he was elected as Senior Vice President of the party. He is Chairperson of Senate Standing Committee on Human Resource Development. He is also member of Senate Standing Committees of Communications and Postal Services, Ports and Shipping and States and Frontier Regions.



Senator Muhammad Mohsin Khan Leghari

Independent, Punjab

Senator Muhammad Mohsin Khan Leghari was born on June 9, 1963 at Dera Ghazi Khan. After initial schooling at Aitchison College Lahore, he studied engineering at the University of Oklahoma, USA. He obtained certification in Financial Markets from the Securities Institute of Australia and also has a Post Graduate Diploma in Applied Economics from the University of the Punjab, Lahore. He was elected as Senator for six year term in March 2012 from Punjab as an independent candidate. Before that he served as a Member of Provincial Assembly of the Punjab from 2008-2012. He also served as Chairman, Punjab Assembly Standing Committee on Local Government and Rural Development. Mr. Leghari is an avid reader and a keen weekend golfer.



Mr. Nadeem Afzal Gondal, MNA

Chairman Public Accounts Committee
NA-64 Sargodha-I, Punjab, PPPP

Mr. Nadeem Afzal Gondal was born on April 01, 1975 at Gujrat, Punjab. Mr. Gondal started his political career when he was elected as Tehsil Nazim, Malakwal, District Mandi Bahauddin, Punjab. Politically affiliated with Pakistan People's Party Parliamentarian (PPPP), Mr. Gondal was elected as Member National Assembly of Pakistan in General Election 2008. Mr. Nadeem Afzal Gondal served as Chairman National Assembly Standing Committee on Rules and Procedures from February

17, 2009 to April 25, 2012. He also chaired the Special Committee on Railway. He was elected unopposed as Chairman of the PAC after Leader of the Opposition resigned from the post and the opposition parties did not field a candidate for the post. He is a member of the National Assembly's Standing Committee Rules of Procedures. He is married and has two daughters and a son.



Lt. Gen. (Retd.) Abdul Quadir Baloch, MNA
NA-271, Kharan-cum-Panjgur, Balochistan, PML-N

Lieutenant General (Retd.) Abdul Quadir Baloch was born in Kharan District of Balochistan in year 1945. He had his initial education in his native district and for college education came down to Mastung, Khuzdar and Quetta from where he graduated in 1966. He studied in Karachi University from 1966 to 1967. He joined Pakistan Military Academy in 1967 and got his commission as Second Lieutenant in Baloch Regiment. He rose to the rank of Lieutenant General in the Army where he retired in 2003. He was elevated as Governor of Balochistan the same year but his tenure could last only for six months as he had to resign due to policy differences. He has the privilege of commanding a Brigade and a Division of Pakistan Army on the Line of Control in Azad Kashmir. He was conferred upon the operational award of "Sitara-e-Basalat" during his service on the Line of Control. He commanded Gujranwala and Quetta Corps before retirement. Lieutenant General Abdul Quadir Baloch holds a Masters Degree in Political Science and LL.B in Law besides two other Master Degrees in War Studies and Joint War Studies. In 2008 elections, He was elected as Member of National Assembly from Balochistan on PML-N ticket. He is married with two sons and three daughters.



Maj. Gen. (Retd.) Anis A. Bajwa
Member Central Executive Committee
Pakistan Tahreeke Insaf (PTI)

Maj. Gen. (Retd.) Anis Ahmed Bajwa was born in 1947 and commissioned in the Regiment of Artillery, Pakistan Army in 1966, where he served for over 37 years. He was Director of Military Operations in GHQ, commanded an Infantry Division, was Director General of Analysis Wing and later Vice Chief of the General Staff. He also taught at two premier institutions of the Army – The Pakistan Military Academy in Kakul and The Command and Staff College, Quetta. In October 1999 he was appointed as the first Chief of Staff to Pakistan's Chief Executive, which was the last military appointment held by him in Pakistan.

Gen. Bajwa also served in the United Nations with distinction. In 1993-94 he was the Chief of Staff of the UN Mission in Somalia. From 2000 to 2002 he served as UN's Chief Military Observer in Georgia. In 2003 he joined the UN Secretariat in New York as Director of Change Management in DPKO. In 2005, Secretary General Kofi Annan appointed him as his Deputy Special Representative in Timor Leste, from where he returned to New York in 2006 and helped with the reorganization of the UN. From 2006 to 2009, he worked there as the Director for Policy, Evaluation and Training as well as Inspector General for Peacekeeping.

For his meritorious services, General Bajwa was decorated with Hilal-e-Imtiaz (Military). He was also awarded Commendation of the COAS, Sitara-e-Harab and Tamghai-e-Jang. In addition he is the recipient of numerous other military honours and

awards in Pakistan and abroad.

Gen. Bajwa holds a Master's degree in War Studies from the Quaid-e-Azam University and a Bachelor's in Economics from the University of the Punjab. He has also been on short courses under Manned of Geneva and Harvard Law School in Cambridge, Boston. He is a qualified interpreter in Persian language. He has attended numerous international conferences on matters of security, peacekeeping and peace-building and has spoken at universities in Pakistan and overseas. His articles on professional matters have been published both at home and abroad.

The General is now an advisor to Pakistan Tehreek e Insaf (PTI) and is a member of the Party's CEC. Additionally, he is PTI's focal point for security and defence matters. He is also the CEO of a consultancy company called Global Practitioners.



Maj. Gen. (Retd.) Athar Abbas

Former Director General ISPR

Major General (Retd.) Athar Abbas was commissioned in October 1976 in the Pakistan Army. He has been a cavalry officer, held various command, staff and instructional appointments that include command of an armoured regiment, armoured brigade and armoured division. He is a graduate of Command and Staff College, Quetta and Armed Forces Staff College, Malaysia. He is a participant of the Executive Course at Asia Pacific Centre for Security Studies, Hawaii, USA. He has attended Armed Forces War Course and National Defence Course at the National Defence College (now University), Islamabad. He has served on the faculty of both the institutions. He holds Master's degree in War Studies as well as Strategic Studies from Quaid-e-Azam University, Islamabad.

Before retiring in June 2012, Major General (Retd.) Athar Abbas served for over four years as Chief Military Spokesman and Director General of Inter Services Public Relations. Major General Athar Abbas frequently delivers lectures on national security, Pak-US relations, military operations in FATA (Federally Administered Tribal Areas), defeating militancy through development, civil-military relations and media-military issues at various civil and military institutions. He contributes to professional magazine of the Armed Forces, and participates in seminars, discussions at home and abroad. He is married and has three children.



Mr. Saleem Khan Safi

Senior Journalist/Anchor

Mr. Saleem Safi was born in District Mardan of Khyber Pakhtounkhwa (Pakistan). He obtained his Bachelors degree from the University of Peshawar. After his studies he started his career as a reporter for NNI (News Network International) in Mardan. Based on his exceptional skills and keen eye for news, he quickly rose to the post of Beauru Chief of NNI in the key city of Peshawar. As Beauru Chief he covered all of Khyber Pakhtounkhwa, FATA and Afghanistan. He was one of the youngest people ever to hold that position. He began writing columns for national newspapers. From 2000 to 2008, Saleem's columns in Daily Mashriq, Daily Aaj and Daily Pakistan were not only widely read but widely hailed as bringing facts and in depth coverage of an emerging situation in the pre and post 9/11 scenario. In 2004 Saleem's first book, *Afghanistan: The Role of US, Taliban and*

Pakistani Religious Parties, received wide spread acclaim. He is in the process of writing his second book. Saleem also started in electronic media following the media boom in Pakistan. He hosted his own prime time Pushto talk show, Jirga from PTV Peshawar from 2002 to 2004. Due to popular demand, he again started show on PTV World titled "Saleem Safi Kay Saath" in Urdu in 2005 from Islamabad, which he hosted till 2008. From 2007 to 2008 he also hosted a talk show, "Siyasat" on the Pushto language TV channel, Khyber. At the end of 2008, he joined Pakistan's largest media group Jang and Geo TV as an anchor, columnist and analyst. He is currently hosting a show with the name of Jirga, and writes in the News and Jang with the same name. Saleem's talk shows and documentaries are acclaimed across the country. He has conducted hard hitting interviews of many national and international leaders and stakeholders in the region.



Mr. Ahmed Bilal Mehboob
President, PILDAT

The founder President of PILDAT, Mr. Ahmed Bilal Mehboob has over 25 years experience in senior management and advisory positions and over 10 years experience in design, planning and implementation of projects in the field of Parliamentary development, strengthening democratic institutions, democratisation, political discourse, election monitoring and dialogues for reconciliation. Mr. Mehboob is considered an authority on political, legislative and electoral affairs of the country. Mr. Mehboob's focus has been on strengthening democracy and democratic institutions and providing thought leadership on crucial issues that affect democracy and political growth in the country. Mr. Mehboob has carved and spearheaded a non-partisan political research initiative from the platform of PILDAT and has facilitated the formation of Dialogue, Research and Policy Groups on areas such as Civil-Military Relations, Centre-Province Relations, Relations between the Muslim World and the West and Electoral Reforms, etc. Of special significance has been PILDAT's initiative of Dialogue process on Civil-Military Relations. Working to establish a constitutional equation of civil-military relations in Pakistan is a first initiative of its kind in Pakistan by PILDAT and remains one of its continuing areas of focus over the years. Mr. Mehboob has authored and edited more than 100 Briefing Papers, Background Papers and Case Studies relating to Parliamentary Budget Process, Parliamentary Committees, Legislative Strengthening, Electoral Systems, Parliamentary Strengthening and Democracy Watch programmes, etc. Mr. Mehboob is regularly invited by national and international media for analysis and commentaries in addition to national and international conferences.

Mr. Mehboob holds a B.Sc. degree in Civil Engineering from the University of Engineering & Technology Lahore, Pakistan. As an engineer, he has served outside Pakistan in the Middle East and USA. As a student activist, Mr. Mehboob was elected as President, Engineering University Students Union from 1971-1972 and also served as Chairman, Lahore Students Council in 1972. Mr. Mehboob was born on October 28, 1952.



Ms. Aasiya Riaz
Joint Director, PILDAT

Ms. Aasiya Riaz, Joint Director of PILDAT, coordinates various research projects within PILDAT and manages PILDAT's projects and activities as PILDAT's co-director. She has over 10 years' experience of working in the field of research,

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February 11-14, 2013; Jakarta, Indonesia

management and analysis. She has been working in the areas of democratic and legislative strengthening; research on political and public policy issues; civil-military relations; dialogues between the Muslim World and the West and Electoral Process, etc.

Trained in the field of media and political communication at the London School of Economics, UK, Aasiya has worked with the mainstream press and electronic media in Pakistan as well. She was also a Reagan-Fascell Democracy Fellow at the National Endowment for Democracy, USA where she worked on US Think Tanks and the subject of Civil-Military Relations. Aasiya also graduated from the Stanford University, USA Course on Democracy, Development and Rule of Law in August 2007. She regularly appears on national and international media for political analysis and commentaries.

Appendix D

About PILDAT

Pakistan Institute of Legislative Development and Transparency – PILDAT (www.pildat.org) is an independent and non-partisan Pakistani research and training institution, a political think tank, committed to strengthening democracy and democratic institutions in Pakistan.

PILDAT is a premier research organization of Pakistan focusing on *democracy, governance and public policy analysis*. Founded in 2001, the organisation focuses on producing objective, research-based analyses on policies especially under review by the Parliament and the Executive. PILDAT analysis and research is aimed at providing innovative, practical recommendations and options to policy makers and to inform the public debate through media.

PILDAT conducts independent research on a variety of issues under the broad framework of democratic strengthening, political and institutional reform, legislative strengthening, political-economy, civil-military relations, federation-provinces relations, women and youth in politics, etc. PILDAT has been focusing on promoting a fact-based discourse, as opposed to prevalent emotive discourse, on national issues through working alongside media to inform and broaden public debate on national issues.

PILDAT especially focuses on Parliament and plays an important role in bringing expertise, balance and informed debate on legislative and policy choices. Since the institute guards its independence and non-partisan approach very carefully, and its research agenda and analyses are rooted in open-minded inquiry reflecting diverse points of view, it has developed a unique convening power that brings together diverse political spheres and voices from across the country on important national and global issues affecting Pakistan.

Completing the first decade of its contributions in Pakistan, PILDAT has held over 300 capacity-building and issue-based briefings for Parliament and Provincial Assemblies. It has also prepared over 350 research analyses in the shape of briefing/background papers, case studies and legislative and policy briefs on public policy and legislative issues. PILDAT assists key Parliamentary Committees in the discharge of their responsibilities of oversight and scrutiny of the Executive through capacity building and background research. PILDAT also provides forums for comparative political and parliamentary learning through regional/international conferences and organizing study visits to other Parliaments and global institutions.

On the transparency and accountability front, PILDAT carries out annual performance review of Parliament and Provincial Assemblies. Annual State of Democracy reports of PILDAT are widely quoted by national and international media, global think tanks and institutes looking at Pakistan. PILDAT report on Quality of Democracy in Pakistan presents a periodic assessment of state and society using global indicators and framework for international comparison.

Devoting to providing well-considered policy options, PILDAT facilitates formation of policy groups for research and dialogue on issues including *Civil-Military Relations, Electoral Reforms, Relations between Muslims and Western World, Centre-Province Relations*, etc.

Recognising the value and challenge of youthful demographics of Pakistan, PILDAT launched the project of *Youth Parliament Pakistan* in 2007 to train a representative cross-section of young Pakistanis in values of engagement through reasoned dialogue, the use of researched facts beyond simple perceptions, the ability of tolerance of others views, a deeper understanding of Pakistan itself, its various regional issues and perceptions and to inculcate culture and values of democracy in youth to prepare them for future leadership roles.

Developing an increasingly global audience, PILDAT has hosted many national and international conferences, workshops and forums involving national, regional and international leaders, Parliamentarians, subject specialists and policy experts.

PILDAT's focus on improving Pakistan's regional relations and regional security in South Asia have led us to institute Parliamentarians Dialogues between Afghanistan and Pakistan since 2008 and dialogues between Indian and Pakistani

Parliamentarians focussed on resolving issues that impact the relationship between the neighbouring countries.

Further details about PILDAT's work can be obtained from its website: www.pildat.org

Focus on Civil-Military Relations

Recognizing the importance of civil-military relations for the future of democracy in Pakistan, PILDAT established a dialogue process in 2004 on reviewing civil-military relations and exploring the prospects of improving them with the objective of promoting constitutionalism and democracy. The basic objective of the dialogue process has been to enable the civil and the military to understand each other's perspectives and to address the contentious issues that cause strains in civil-military relations and hinder consensus-building, democratization, stability and security.

Major initiatives under this focus have been:

- i. Setting up of an eminent Group on Civil-Military Relations in Pakistan that studies issues, lobbies for reforms with civil and military actors, helps lead media understanding and enlarge public discourse on civil-military relations. The Group includes politically involved and influential members of civil and military elite including official spokesperson of the Armed Forces of Pakistan in an observer capacity and recently-retired military officials, defence and security analysts, scholars and academicians, parliamentarians, leaders of leading political parties, journalists and members of civil society organisations who are within the mainstream of Pakistani society.

In July 2006, as an important milestone of the dialogue process, the participants of the dialogue jointly addressed a letter to the President of Pakistan, Prime Minister of Pakistan and the Heads of Political Parties in Parliament urging all leaders to conduct a dialogue for peace and conciliation. The letter received intense media spotlight, both nationally and internationally, that resulted in setting a favourable climate of public opinion towards the need for conciliation cooperation and dialogue in addressing civil-military relations in Pakistan.

- ii. Continuing dialogue process on understanding and improving Civil-Military Relations in Pakistan
- iii. Research on Civil-Military Relations and Democratic Control of Defence Sector; PILDAT has produced and disseminated nearly 50 papers, case studies, Issue Papers, Briefing Papers, Policy Papers and Reports on issues relating to civil-military relations in Pakistan
- iv. Examining country cases of political processes, policies, strategies and measures, experience and endeavours with regard to challenges and prospects of establishing democratic oversight of Defence sector. PILDAT has studied, prepared and widely disseminated comparative case studies from countries such as India, Turkey, UK, Indonesia, UK, South Korea, South Africa, Chile, etc.
- v. Capacity building of Parliamentary Committees on Defence and National Security on effective civilian and democratic control of defence sector, especially by focussing on reviewing defence budget
- vi. Steps to enhance understanding of media and public on issues of civil-military relations and initiate and enlarge public discourse on these
- vii. International Conference of Civil-Military Relations involving Pakistan's Parliament, Political Parties, Military leaders alongside experts from India, Indonesia, Turkey, US, UK and Switzerland

The key impact of PILDAT focus on civil-military relations has been that as a result of its consistent efforts, it has helped open up the media and public sphere to openly discuss various aspects of civil-military relations in Pakistan, which has largely remained a taboo area. PILDAT's independent research and discourse and its dissemination to key political actors in Parliament and in political ranks within parties has also helped these actors to better understand issues and work towards reforms. A favourable public opinion and media atmosphere created largely through this initiative has created a conducive environment for initiatives by political class for reforms. PILDAT has developed and made available a vast and respectable body of knowledge on the issue through regional and international comparative perspectives and studies. Its capacity building of Parliamentary Committees on Defence has helped assist committees to demand rights such as review of defence budget in greater detail. PILDAT's non-partisan, independent and national approach has helped involve military into the deliberations on sensitive issue of civil military relations; a military spokesperson now joins PILDAT's Civil-Military Dialogue sittings in an observer capacity.



Islamabad Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Tel: (+92-51) 111 123 345 | Fax: (+92-51) 226-3078
Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore
Tel: (+92-42) 111 123 345 | Fax: (+92-42) 3569 3896
E-mail: info@pildat.org | Web: www.pildat.org