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**Research Report**

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## Nine Months after the Tsunami: Hopes for Peace in Aceh

*Felix Heiduk*

**The breakthrough in the Helsinki negotiations between the Indonesian government and the Free Aceh Movement (Gerakan Aceh Merdeka, GAM) came on August 15, 2005. Months of talks had brought about an end a civil war that had dragged on for more than thirty years in the resource-rich province at the northern tip of the Indonesian island of Sumatra. The aftermath of the Indian Ocean tsunami of 26 December 2004 was a crucial factor in bringing the parties back to the negotiating table and producing a constructive outcome.**

After the breakdown of the 2003 cease-fire talks, the government had declared a state of emergency in Aceh. By means of military operations involving troop numbers increasing ultimately to more than 40,000 men, the government in Jakarta thought it could “wipe out” the Free Aceh Movement, whose strength in 2003 was estimated to be 2,500 armed fighters. The tsunami of 26 December 2004, which took the lives of at least 165,000 Acehnese, and the humanitarian disaster that followed, put the adversaries under enormous political pressure to find a peaceful resolution of the conflict. The unparalleled flow of aid money into Aceh, mostly from abroad, further increased the pressure, because donors insisted that ending the war was a precondition for effective reconstruction. Under these circumstances the two sides quickly opened peace negotiations, little more than a

month after the tsunami. The goal of the talks, mediated by the Finnish NGO CMI (Crisis Management Initiative), was to find a comprehensive solution to all points of disagreement between the central government and the guerrillas. Individual questions were discussed separately, but the aim of the negotiations was to draw up a coherent peace agreement that left no issue unresolved.

### **The Central Points of the Peace Negotiations**

The main topic of earlier rounds of negotiations in 2000 and 2003 was the future status of Aceh. The GAM had demanded independent statehood and had only accepted the special autonomy law of 2001 as a temporary solution. In 2005 the GAM retreated from this position in view

of the humanitarian disaster caused by the tsunami, and the GAM's government in exile in Stockholm now called only for "self governance" in tandem with the right for the GAM to become a local political party.

However, conservative forces in Jakarta oppose integrating the separatist movement in the political system in that way, because they do not believe that the GAM is willing or able to work constructively in parliament. The Indonesian constitution and party law also require that candidates in local and provincial elections must belong to a party that is represented in at least half the country's provinces. Modification of this provision is unlikely under the current conservative majority in the national parliament.

Another point of disagreement, the one that had originally led to the outbreak of civil war in 1976, was the distribution of the province's oil and gas revenues, the lion's share of which had until 2001 flowed to Jakarta or abroad. Under the special autonomy regime, 70 percent of the revenues were supposed to remain in Aceh, but because of the continuing civil war this agreement was never put into effect.

The Helsinki negotiations also addressed the question of guaranteeing internal security in the province. Whereas the GAM called for the complete withdrawal of the Indonesian military and for responsibility to be given to local police forces, Jakarta wanted to pull out only those fighting units that were sent to the province specifically for counter-insurgency operations, and to keep regular forces stationed in Aceh.

Finally, even as the negotiations concluded, it was unclear whether the central government would accede to the GAM's demand for an international observer group to monitor the peace agreement. In view of their experience with East Timor, where secession from Indonesia in 1999 was preceded by the intervention of a peacekeeping force under a United Nations mandate, the conservative and nationalist forces in Jakarta emphatically rejected such a mission. The GAM also had the events of

1999 in East Timor in mind when it expressed its concerns that if an international observer mission was inadequately mandated and equipped, the Acehnese could fall victim to large-scale massacres and expulsions again carried out by TNI-backed militias.

### **The Outcome of the Talks**

The draft peace agreement initialed on 17 July in Helsinki was signed and published on 15 August in the form of a memorandum of understanding. Many observers were surprised that the main point of disagreement in the negotiations—the GAM's demand that the guerrilla army be transformed into a local political party—was settled in the GAM's favor. Under the compromise laid down in the agreement, representatives of the GAM will be able to stand as candidates in next year's local elections as independent candidates or on other parties' lists. The Jakarta government also stated its intention to adapt the special autonomy law within 18 months to allow local parties to be set up in Aceh. The agreement also provides for the establishment of a Truth and Reconciliation Commission and a Human Rights Court.

As far as military de-escalation in the province is concerned, the agreement provides for the demobilization of the GAM and measures to reintegrate the guerrillas in society, as well as a general amnesty for imprisoned GAM fighters and political prisoners within 15 days of the agreement being signed. The guerrillas are called on to hand in their weapons within three months. In return the military units that were moved to Aceh for counter-insurgency in recent years—in other words, those that were not originally stationed in the province—will be withdrawn. Both sides also agreed to the setting up of an unarmed observer mission composed of representatives of the European Union and ASEAN. The primary task of this observer group will be to monitor the demobilization, disarming, and reintegration of the GAM and

the pullout of the Indonesian security forces, and to investigate real or supposed violations of the peace agreement. The members of the mission are to be given full freedom of movement in the whole province—and the same also applies to representatives of the national and international media.

### **Prospects and Perils**

Even after the conclusion of negotiations, the Indonesian military remains a central factor for the success of the peace process. The failure of the 2000 and 2002 cease-fire negotiations was due not least to resistance by the military. By means of minor skirmishes and deliberate provocation by military-backed militias, the hard-liners in the Indonesian armed forces have always succeeded in torpedoing agreements reached on the diplomatic level. However, it was President Megawati Sukarnoputri who gave crucial support to the military's hard line at the end of 2002 and declared a state of emergency in the province in May 2003. For the Germans and Europeans, the question of whether the current government under Susilo Bambang Yudhoyono succeeds in resisting pressure from the military can be regarded as a litmus test for future Indonesian policy. If the new president succeeds in unblocking the reform process in Indonesia—including the Aceh question—this would represent a step toward “demilitarizing” politics. Conversely, if the military brings down the peace agreement this would make it even more difficult to get the reform process moving again.

It remains to be seen to what extent the president's reform policies can succeed in the face of strong opposition in parliament. Undeniably, many deputies make no secret of their harsh criticism of the Helsinki talks, and without the necessary parliamentary majorities for some of the provisions of the peace agreement (for example altering the special autonomy law for Aceh), even the best agreement between government

and GAM would stand little or no chance of implementation.

The balance of power in Indonesian politics may not be the only factor standing in the way of the GAM's transformation into a political party; the disarming of the GAM's military wing has yet to be completed. The question of whether (and how many) guerrillas can be reintegrated into civilian life after so many years of fighting will depend on the coherence of the measures applied. Examples from other countries show that the challenge of disarming guerrilla fighters is not only political, but above all a question of economic reintegration. Over the years the civil war has proven to offer lucrative sources of income through kidnappings, extortion, illegal logging, narcotics trafficking, and smuggling for both the GAM and the Indonesian armed forces. Just for the armed forces in Aceh, annual profits are estimated to be \$400 million, so it will be crucial to offer the violent actors on both sides social and economic perspectives.

### **Confidence-Building**

After more than three decades of civil war a great deal of mutual confidence-building is required if the realities are not to scupper the agreed political compromises, and it would appear more necessary than ever for the Acehnese to become active subjects in the peace process, rather than just its objects. Not one representative of Acehnese civil society was involved in the Helsinki talks or the preparatory negotiations, so it is all the more important to integrate them in the future peace process.

The Western reconstruction aid in the aftermath of the tsunami offers a number of starting points. The Acehnese should be involved in overall planning and distribution of funds as well as concrete infrastructure projects. In general the reconstruction process, which has so far been largely in the hands of the central government and foreign aid organizations, should be made more transparent. This can be achieved, on

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the one hand, by integrating and strengthening local expertise (local businesses, NGOs, grassroots initiatives, religious and traditional leaders, etc.), but also by properly informing the affected communities about the content and goals of the reconstruction measures and involving them in their implementation.

Participation by the Acehnese would also offset the polarization of the province by the two armed adversaries. This process must also be supported by a properly equipped and effective observer mission, which should especially closely monitor observance of the agreement in the isolated parts of the province where there is little in the way of functioning state structures.

Despite the lack of participation by representatives of Acehnese civil society, a large majority of the population of Aceh supports the peace agreement—one of the main reasons why there has been a great deal at stake for all involved since the tsunami. For the GAM, failure of the peace process would mean prolonging a guerrilla war that it cannot win militarily. In view of the broad support the peace process enjoys in Acehnese society, its failure would weaken the GAM's position—just as a successful peace process would strengthen the GAM politically. For Jakarta, a setback for the peace process would mean putting Aceh's fate back in the hands of the armed forces. If the political solution thrashed out in Helsinki ends in failure, this would also represent a political defeat for the president who backed "his" negotiating team against the prevailing public opinion in the country, where a majority took a negative view of the Helsinki process. Failure of the peace process would also undermine the transparent and effective reconstruction of Aceh called for by Germany and the European Union and threaten the security of aid workers on the ground. For that reason Germany and the European Union must continue to tie their aid to Indonesia—not just to Aceh—to progress in military, judicial, and administrative reforms, and address violations of the cease-fire (in con-

nection with promised aid), support anti-corruption programs, and generally intensify promotion of democracy at the local and provincial levels. These measures would also indirectly have a positive effect on the chances for the Acehnese peace process.