Nine Months after the Tsunami: Hopes for Peace in Aceh

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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 move-
 ment 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 be-
 long to a party that is represented in at
 least half the country's provinces. Modifi-
cation 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 rev-
enues 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 con-
 cluded, 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 ex-
 pressed its concerns that if an international
 observer mission was inadequately man-
dated 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 pub-
 lished on 15 August in the form of a memo-
 randum of understanding. Many observers
 were surprised that the main point of dis-
 agreement in the negotiations—the GAM's
 demand that the guerrilla army be trans-
 formed into a local political party—was
 settled in the GAM's favor. Under the com-
promise laid down in the agreement, rep-
resentatives 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 agree-
 ment 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 pro-
 vides 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 prov-
ince—will be withdrawn. Both sides also
 agreed to the setting up of an unarmed
 observer mission composed of representa-
tives of the European Union and ASEAN.
 The primary task of this observer group
 will be to monitor the demobilization, dis-
 arming, 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
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 connection 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.